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Friday
February 27, 1981

Highlights

Briefings on How To Use the Federal Register—For details on briefings in **Washington, D.C.**, see announcement in the **Reader Aids** section at the end of this issue.

14374 **Grant Programs—Education** ED invites applications by 4-3-81, for noncompeting continuation awards under the Follow Through Program for local projects and demonstration (Sponsors)

14374 **Guaranteed Student Loan Program** ED announces special allowance at an annual rate of 11 percent for a three month period ending December 31, 1980, for holders of eligible loans

14343 **Handicapped** EPA republishes policy statement regarding nondiscrimination on the basis of handicap

14532 **Medical Research** HHS/PHS announces availability of the National Toxicology Program for Fiscal Year 1981 (Part II of this Issue)

14660 **Continental Shelf** Interior//GS approves issuance of final Outer Continental Shelf orders governing oil and gas lease operations in the Arctic; effective 2-27-81 (Part V of this issue)

CONTINUED INSIDE



Highlights

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There are no restrictions on the republication of material appearing in the **Federal Register.**

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.

14353 **Motion Pictures** SBA proposes to provide changes that would make theaters generally eligible for financial assistance; comments by 4–28–81

14652 **Endangered and Theatened Wildlife** Interior/FWS reviews wildlife which were classified as endangered or threatened in 1975 and 1976 and have remained on the list since that time; comments by 6–29–81 (Part IV of this issue)

14342 **Postal Service** PS states that rural mailboxes with locks must have slots large enough to accomodate customer's normal daily mail volume; effective 5–28–81

14341 **Excise Taxes** Treasury/IRS alters temporary regulations that apply to the tax on the use of civil aircraft

14353 **Securities** SEC withdraws proposal regarding performance based compensation of registered investment advisers to business development companies; effective 2–20–81

14628 **Minimum Wages** Labor/ESA publishes basic hourly wage rates and fringe benefit payments for certain classes of laborers and mechanics employed on construction projects (Part III of this issue)

14460 **Government Contracts** Interior/NPS publishes revision to standard concession contract language

14517 **Sunshine Act Meetings**

Separate Parts of This Issue

14532 **Part II, HHS/PHS**
14628 **Part III, Labor/ESA**
14652 **Part IV, Interior/FWS**
14660 **Part V, Interior/GS**
14722 **Part VI, DOE/ERA**

Contents

Federal Register
Vol. 46, No. 39
Friday, February 27, 1981

Agricultural Marketing Service.
RULES
14339 Lemons grown in Ariz. and Calif.

Agriculture Department
See Agricultural Marketing Service; Federal Grain Inspection Service; Forest Service; Rural Electrification Administration.

Air Force Department
NOTICES
Meetings:
14374 Scientific Advisory Board

Army Department
NOTICES
Meetings:
14374 Medical Research and Development Advisory Panel

Blind and Other Severely Handicapped, Committee for Purchase From
NOTICES
14373, 14374 Procurement list, 1981; additions and deletions (2 documents)

Civil Aeronautics Board
NOTICES
14369 Certificates of public convenience and necessity and foreign air carrier permits
Hearings, etc.:
14368 Texas International Airlines, Inc.
14517 Meetings; Sunshine Act

Commerce Department
See Economic Development Administration; International Trade Administration; Maritime Administration; National Bureau of Standards; National Oceanic and Atmospheric Administration.

Conservation and Solar Energy Office
RULES
Final rules; deferral of effective dates. See entry under Energy Department.

Defense Department
See Air Force Department; Army Department; Navy Department.

Economic Development Administration
NOTICES
Import determination petitions:
14369 Rochester Mushroom Farms, et al.

Economic Regulatory Administration
RULES
Final rules; deferral of effective dates. See entry under Energy Department.
NOTICES
Consent orders:
14380 Richard Weeks Chevron et al.
Powerplant and industrial fuel use; prohibition orders, exemption requests, etc.:
Decisions and orders:
14722 Aminoil USA, Inc. (2 documents)
14723, 14724 Shell Oil Co. (2 documents)
14724, 14725 Texaco, Inc. (2 documents)
14378 BASF Wyandotte Corp.
Remedial orders:
14380 Dimitris Arco Service et al.

Education Department
NOTICES
Grant applications and proposals, closing dates:
14374 Follow through program; Noncompeting continuation projects
14374 Guaranteed student loan program; special allowances
Meetings:
14375 Community Education Advisory Council

Employment and Training Administration
NOTICES
14486 Employment transfer and business competition determinations; financial assistance applications

Employment Standards Administration
NOTICES
14628 Minimum wages for Federal and federally-assisted construction; general wage determination decisions, modification, and supersedeas decisions (Alaska, Ark., Colo., Conn., Ill., Ind., Ky., Mo., Ohio, Oreg., Va., Wash., and W.Va.)

Energy Department
See Economic Regulatory Administration; Federal Energy Regulatory Commission; Hearings and Appeals Office, Energy Department; Western Area Power Administration.
RULES
14339 Final rules; review of regulations
NOTICES
Environmental statements; availability, etc.:
14376 Aquifer thermal energy storage program
14377 National Environmental Policy Act; implementation

Environmental Protection Agency
RULES
14343 Nondiscrimination on basis of handicap in federally-assisted programs; policy statement; correction
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
14343 Calcium hypochlorite
14344 Isophorone
PROPOSED RULES
Air pollution; standards of performance for new stationary sources:
14358 Beverage can surface coating industry; comment period reopened

NOTICES
Air quality; prevention of significant deterioration (PSD):
14439 Applicability determinations
14439–14443 Nonapplicability determinations (3 documents)
14440, 14442 Permit approvals (2 documents)
Environmental statements; availability, etc.:
14438 Agency statements; review and comments; report availability
14435 Agency statements; weekly receipts
14507 Nuclear safety information acquisition and activities monitoring; memorandum of understanding with Nuclear Safety Oversight Committee
Pesticides; emergency exemption applications:
14445 Fenvalerate
14445 Mesurol
14444 Methyl bromide (2 documents)
14446 Oxamyl
14447 Permethrin

Equal Employment Opportunity Commission
PROPOSED RULES
Improving Government regulations:
14358 Regulatory agenda; publication cancellation
NOTICES
14517 Meetings; Sunshine Act

Federal Communications Commission
RULES
Radio stations; table of assignments:
14347 California
14347 Illinois and Missouri
14345 New Mexico
14344 Ohio
PROPOSED RULES
Radio services, special:
14358 Multiple-address radio systems; private operational-fixed microwave service and domestic public land mobile radio service; extension of time
Radio stations; table of assignments:
14359 Indiana
14361 Wisconsin
NOTICES
Common carrier services:
14448 GTE-Telnet merger conditions; order modifying conditions placed on merger
14451 GTE-Telnet merger conditions; request for comments
14517, 14518 Meetings; Sunshine Act (2 documents)
14452 Television broadcast applications accepted for filing and notification of cut-off date; correction

Federal Deposit Insurance Corporation
NOTICES
14518 Meetings; Sunshine Act (2 documents)

Federal Energy Regulatory Commission
NOTICES
Hearings, etc.:
14381 American Hydro Power Corp.
14398 Bean, Richard L., et al.
14381 Boundary Gas, Inc.
14383 Colorado Interstate Gas Co.
14383, 14384 Columbia Gas Transmission Corp. (2 documents)
14385 Consolidated Gas Supply Corp.
14386 Continental Hydro Corp.
14386 Cook Electric Co.
14387, 14388 Delhi Gas Pipeline Corp. (2 documents)
14382 Deyle, Charles
14388 Duchesne, Utah
14389 East Kentucky Power Cooperative
14390 Enagenics (2 documents)
14391 Great Lakes Gas Transmission Co.
14392 Kaweah Delta Water Conservation District
14393 Long Lake Energy Corp.
14393 Mitchell Energy Co., Inc., et al.
14394 Northern Natural Gas Co.
14396, 14397 Northwest Pipeline Corp. (3 documents)
14397 ONG Western, Inc.
14398 Public Utility District No. 1 of Mason County
14399 Utah Hydro Corp.
14400 Wisconsin Public Power Incorporated System
14401 Wyoming Hydro, Inc.
Natural Gas Policy Act of 1978:
14402–14418 Jurisdictional agency determinations (3 documents)

Federal Grain Inspection Service
NOTICES
Grain standards; inspection points:
14367 Illinois; correction

Federal Maritime Commission
NOTICES
14518 Meetings; Sunshine Act

Federal Reserve System
NOTICES
Applications, etc.:
14453 First Nocona Bancshares, Inc.
Bank holding companies; proposed de novo nonbank activities:
14453 Millikin Bancshares, Inc.
14518 Meetings; Sunshine Act

Fish and Wildlife Service
PROPOSED RULES
Endangered and threatened species:
14652 Wildlife classified as endangered or threatened in 1975 and 1976; review
NOTICES
14455 Endangered and threatened species permit applications (2 documents)

Food and Drug Administration
RULES
Animal drugs, feeds, and related products:
14341 Recycled animal waste, State regulation of; use of poultry litter as animal feed ingredient revoked; correction
Food additives:
14341 Polysorbate 60 and polysorbate 80; correction
14340 Fruit juices, canned; grapefruit juice, identity standards and fill of container; correction
Human subjects, protection:
14340 Clinical investigations; institutional review boards; correction
14340 Informed consent requirements; correction

Organization and authority delegations:
14340 Hearing Clerk's Office renamed as Dockets Management Branch; correction
14340 Office of the Commissioner, reorganization and location changes; correction
PROPOSED RULES
Human drugs:
14355 Erythromycin estolate; hearing and reopening of comment time
14355 Infant formula quality control procedures; correction
NOTICES
Meetings:
14455 Consumer participation; information exchange

Forest Service
NOTICES
Classification, development plans, and boundary descriptions:
14367 Alpine Lakes Wilderness, Wash.

General Accounting Office
NOTICES
Organization and functions:
14453 Acting Comptroller General, designation

General Services Administration
NOTICES
Property transfer; wildlife conservation:
14453 Nash Island Light Station, South Addison, Me.; national migratory bird management program

Geological Survey
NOTICES
Outer Continental Shelf; oil, gas, and sulfur operations:
14660 Arctic area, Gulf of Alaska; oil and gas leases

Health and Human Services Department
See Food and Drug Administration; Public Health Service.

Hearings and Appeals Office, Energy Department
NOTICES
Applications for exception:
14433 Decisions and orders
Remedial orders:
14433 Objections filed

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

Internal Revenue Service
RULES
Excise taxes:
14341 Civil aircraft use tax; Special rules for the period July 1, 1980 through September 30, 1980
NOTICES
Authority delegations:
14515 Disclosure Litigation Division Director; acknowledge receipt and assert mandatory extensions of administrative appeal time limits pursuant to Freedom of Information Act

International Trade Administration
NOTICES
Antidumping:
14371 Tapered roller bearings and components from Japan
Scientific articles; duty free entry:
14370 Energy Department et al.
14371 Food and Drug Administration

Interstate Commerce Commission
RULES
Intermodal transportation:
14348 Trailer on flatcar and container on flatcar service improvement
Reports:
14352 Piggyback traffic statistics; elimination
PROPOSED RULES
Practice and procedure:
14362 Rail carriers; recordation of documents
Rail carriers:
14365 Railroad affiliated motor carriers; intermodal transportation exemption
Tariffs and schedules:
14364 Railroads, long-and-short haul and aggregate-of-intermediate rates; all categories exemptions; extension of time
NOTICES
Motor carriers:
14471 Agricultural cooperative transportation; filing notices
14477-14484 Finance applications (5 documents)
14475 Fuel costs recovery, expedited procedures
14475 Intercorporate hauling operations; intent to engage in
Rail carriers:
14472 Chicago, Milwaukee, St. Paul & Pacific Railroad Co.; contract tariff exemption
Railroad operation, acquisition, construction, etc.:
14473 Chicago, Milwaukee, St. Paul & Pacific Railroad Co.
14473 Consolidated Rail Corp.
Railroad services abandonment:
14472 Burlington Northern, Inc.

Labor Department
See also Employment and Training Administration; Employment Standards Administration; Mine Safety and Health Administration; Occupational Safety and Health Admininstration; Pension and Welfare Benefit Programs Office.
NOTICES
Adjustment assistance:
14490 Barry Steel Corp.
14490 Bird & Son, Inc.
14490 Borg-Warner Corp.
14491 Commercial Steel Treating Co.
14491 DeLuxe Sportwear Co. et al.
14492 Ford Motor Co. (2 documents)
14493 Gaetano Handbag Corp.
14493 General Electric Co.
14493 Goodyear Tire & Rubber Co.
14493 Gregory Novelty, Ltd.
14494 Hendrickson Manufacturing Co.
14494 Herbert Kenzer, Inc.
14494 Huntington Alloy, Inc.
14494 Hurst Performance
14495 John P. Palen Corp. et al.
14496 Joseph M. Herman Shoe Co.
14497 Rainfair, Inc.
14498 Ralph Edwards Sportwear, Inc.

14496 RMP Parts Rebuilders
14498 Robertshaw Controls Co.
14499 Stalwart Rubber Co.
14499 Union Carbide Corp. et al.
14501 United Technologies Corp.

Land Management Bureau
NOTICES
Alaska native claims selections; applications, etc.:
14456 Seldovia Native Association, Inc.
Closure of public lands:
14458 Oregon
Environmental statements; availability, etc.:
14457 Uinta-Southwestern Utah Coal Production Region, etc., Colo. and Utah
Meetings:
14458 Medford District Advisory Council
14458 Susanville District Advisory Council
Recreation use permit systems:
14460 Upper Missouri National Wild and Scenic River, Mont.; commercial float boating operations

Maritime Administration
NOTICES
Applications, etc.:
14372 Seabulk Transmarine I, Inc., et. al.
Trustees; applicants approved, disapproved, etc.:
14372 Bank of California
14372 Mercantile Trust Co. National Association

Mine Safety and Health Administration
NOTICES
Petitions for mandatory safety standard modifications:
14486 ASARCO, Inc.
14487 Bryan Coal Co., Inc.
14487 Double L Coal Co.
14487 Olga Coal Co.
14488 Peabody Coal Co.
14488 Peacock Coal Co.
14488 Southern Appalachian Coal Co.

National Bureau of Standards
NOTICES
Information processing standards; Federal:
14373 Electronic message format standard, planned; inquiry; correction

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
14352 Foreign fishing; trawl fisheries and herring gillnet fishery; Eastern Bering Sea and Northeast Pacific

National Park Service
NOTICES
14460 Concession contract language, standard; revision

National Science Foundation
NOTICES
Meetings:
14502 Advisory Council
14502 Physiology, Cellular, and Molecular Biology Advisory Committee

Navy Department
RULES
Navigation; COLREGS compliance exemptions:
14341 USS Sides et al.

Nuclear Regulatory Commission
NOTICES
Abnormal occurrence reports:
14502 Nuclear power plants; salt water cooling system failure, etc.
Applications, etc.:
14503 Alabama Power Co.
14503 Baltimore Gas & Electric Co.
14504 Boston Edison Co.
14504 Consumers Power Co.
14504 Dairyland Power Cooperative
14504 Northern States Power Co.
14505 Power Authority of State of New York
14505 Wisconsin Electric Power Co.
14505 Yankee Atomic Electric Co.
Environmental statements; availability, etc.:
14506 Spent light water power reactor fuel; storage and handling
Meetings:
14505 Reactor Safeguards Advisory Committee
14506 Reactor Safeguards Advisory Committee; time change
14507 Regulatory guides; issuance and availability; withdrawal

Nuclear Safety Oversight Committee
NOTICES
14507 Information acquisition and activities monitoring; memorandum of understanding with EPA

Occupational Safety and Health Administration
NOTICES
State plans; development, enforcement, etc.:
14489 Oregon

Pension and Welfare Benefit Programs Office
NOTICES
Employee benefit plans; class exemptions:
14489 Life insurance company discretionary asset management; extension of time

Postal Service
RULES
Domestic Mail Manual:
14342 Locks on rural mailboxes

Public Health Service
NOTICES
14454 Health maintenance organizations, qualified; list
Medical technology scientific evaluations:
14454 Post-surgical acute incision pain; transcutaneous electrical nerve stimulation
14454 Renal transplantation; anti-thymic globulin as immunosuppressive technique
National toxicology program:
14532 1981 annual plan; availability
Patent licenses, exclusive:
14455 Fernandes, Mario V., et al; "march-in" determination; withdrawn

Roosevelt Campobello International Park Commission
NOTICES
14508 Integral vistas associated with visibility protection for Federal class I areas, identification; guideline availability and preliminary list

Rural Electrification Administration
NOTICES
Environmental statements; availability, etc.:
14368 Texland Electric Cooperative, Inc.
Loan guarantees, proposed:
14368 Continental Telephone Co. of the West

Securities and Exchange Commission
PROPOSED RULES
14353 Investment advisers to business developmet companies; performance-based compensation; withdraw
NOTICES
Clearing agencies registration applications:
14513 Depository Trust Co. et al.
Hearings, etc.:
14510 Intercapital Tax-Free Daily Income Fund Inc. et al.
14511 Lutheran Brotherhood Money Market Trust
14518 Meetings; Sunshine Act
Self-regulatory organizations; proposed rule changes:
14511, 14512 Philadelphia Stock Exchange, Inc. (2 documents)

Small Business Administration
PROPOSED RULES
Business loan policy:
14353 Motion picture theaters; eligibility
NOTICES
Contracts:
14514 503 development company program; services of a Central Fiscal Agent; bids solicitation

State Department
NOTICES
Meetings:
14515 Fine Arts Committee
14515 International Radio Consultative Committee (2 documents)
14515 Shipping Coordinating Committee

Treasury Department
See Internal Revenue Service.

Veterans Administration
NOTICES
Committees; establishment, renewals, terminations, etc.:
14516 Voluntary Service National Advisory Committee

Western Area Power Administration
NOTICES
Power rate adjustments:
14434 Central Valley Project

MEETINGS ANNOUNCED IN THIS ISSUE

AGRICULTURE DEPARTMENT
Rural Electrification Administration—
14368 Texland Electric Copperative, Inc., Milano, Tex., 4–1–81, and Franklin, Tex., 4–2–81

DEFENSE DEPARTMENT
Air Force Department—
14374 USAF Scientific Advisory Board, Traveling Wave Tube Amplifier Ad Hoc Committee, Washington, D.C., 3–19 and 3–20–81
Army Department—
14374 U.S. Army Medical Research and Development Advisory Panel, Bacterial Diseases Subcommittee, Washington, D.C., 3–26 and 3–27–81

EDUCATION DEPARTMENT
14375 Community Education Advisory Council, Washington, D.C., 3–17 and 3–18–81

ENERGY DEPARTMENT
Western Area Power Administration—
14434 Central Valley Project Proposed Centralia and Northwest Power rate adjustment, Sacramento, Calif., 3–17 and 3–31–81

HEALTH AND HUMAN SERVICES DEPARTMENT
Food and Drug Administration—
14455 Consumer participation, Darlington, S.C., 3–11–81
14355 Erythromycin Estolate Ad Hoc Advisory Committee, Rockville, Md., 4–16 and 4–17–81

INTERIOR DEPARTMENT
Land Management Bureau—
14458 Medford District Advisory Council, Medford, Oreg., 3–27–81

NATIONAL SCIENCE FOUNDATION
14502 National Science Foundation Advisory Council, Task Group No. 14, Cambridge, Mass., 3–18–81
14502 Physiology, Cellular and Molecular Biology Advisory Committee, Metabolic Biology Subcommittee, Washington, D.C., 3–19 through 3–21–81

NUCLEAR REGULATORY COMMISSION
14505 Reactor Safeguards Advisory Committee, Washington, D.C., 3–12 through 3–14–81

STATE DEPARTMENT
14515 Fine Arts Committee, Washington, D.C., 3–14–81
14515 Shipping Coordinating Committee, Safety of Life at Sea Subcommittee, U.S. SOLAS Working Group on Fire Protection, Washington, D.C., 3–12–81
14515 Study Group 7 for the U.S. Organization for the International Radio Consultative Committee (CCIR), Greenbelt, Md., 3–12–81
14515 U.S. Organization for the International Radio Consultative Committee (CCIR), Washington, D.C., 3–11–81

RESCHEDULED MEETINGS

INTERIOR DEPARTMENT
Land Management Bureau—
14458 Susanville District Advisory Council, Ravendale, Calif., rescheduled from 2–24 and 2–25–81 to 3–17 and 3–18–81

NUCLEAR REGULATORY COMMISSION
14506 Reactor Safeguards Advisory Committee, San Onofre Units 2 and 3 Subcommittee, Washington, D.C., 3–11–81 (starting time changed)

5

CFR PARTS AFFECTED IN THIS ISSUE

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

7 CFR
910 14339

10 CFR
205 14339
210 14339
212 14339
456 14339

13 CFR
Proposed Rules:
120 14353

17 CFR
Proposed Rules:
275 14353

21 CFR
Ch. I 14340
16 14340
20 14340
50 14340
56 14340
71 14340
146 14340
171 14340
172 14341
180 14340
310 14340
312 14340
314 14340
320 14340
330 14340
361 14340
430 14340
431 14340
500 14341
601 14340
630 14340
812 14340
813 14340
1003 14340
1010 14340
Proposed Rules:
106 14355
452 14355

26 CFR
154 14341

29 CFR
Proposed Rules:
Ch. XIV 14358

32 CFR
706 14341

39 CFR
111 14342

40 CFR
7 14343
180 (2 documents) 14343, 14344
Proposed Rules:
60 14358

47 CFR
73 (4 documents) 14344–14347
Proposed Rules:
2 14358
22 14358
73 (2 documents) 14359, 14361
94 14358

49 CFR
1039 14348
1090 14348
1252 14352
1300 14348
Proposed Rules:
1002 14362
1039 (2 documents) 14364, 14365
1116 14362
1300 14364
1301 14364

50 CFR
611 14352
Proposed Rules:
17 14652

Rules and Regulations

Federal Register
Vol. 46, No. 39
Friday, February 27, 1981

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 910

[Lemon Regulation 293, Amendment 1; Lemon Regulation 294]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action establishes the quantity of California-Arizona lemons that may be shipped to the fresh market during the period March 1–7, 1981, and increases the quantity of such lemons that may be so shipped during the period February 22–28. Such action is needed to provide for orderly marketing of fresh lemons for the period specified due to the marketing situation confronting the lemon industry.

DATES: The regulation becomes effective March 1, 1981, and the amendment is effective for the period February 22–28, 1981.

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

SUPPLEMENTARY INFORMATION: This is not a major rule under E.O. 12291.

Findings

This regulation and amendment are issued under the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The action is based upon the recommendations and information submitted by the Lemon 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 July 8, 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 lemons deemed advisable to be handled during the specified weeks. The committee reports the demand for lemons continues good.

It is 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), because of insufficient time between the date when information became available upon which this regulation and amendment are based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting, and the amendment relieves restrictions on the handling of lemons. 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 times.

1. Section 910.594 is added as follows:

§ 910.594 Lemon Regulation 294.

The quantity of lemons grown in California and Arizona which may be handled during the period March 1, 1981, through March 7, 1981, is established at 230,000 cartons.

2. Section 910.593 Lemon Regulation 293 (46 FR 13201) is revised to read as follows:

§ 910.593 Lemon Regulation 293.

The quantity of lemons grown in California and Arizona which may be handled during the period February 22, 1981, through February 28, 1981, is established at 240,000 cartons.

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

Dated: February 26, 1981.

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

[FR Doc. 81-6691 Filed 2-26-81; 12:04 pm]
BILLING CODE 3410-02-M

DEPARTMENT OF ENERGY

10 CFR Parts 205, 210, 212, and 456

Review of Certain Regulations

AGENCY: Department of Energy.

ACTION: Notice of intent.

SUMMARY: The Department of Energy hereby gives notice that, in accordance with the spirit of the President's memorandum of January 29, 1981, regarding regulatory postponement, it intends to review those final rules published after January 1, 1981, with effective dates prior to January 29, 1981.

FOR FURTHER INFORMATION CONTACT: William Funk (Office of General Counsel), Department of Energy, Room 6A–099, 1000 Independence Avenue, SW., Washington, D.C. 20585 (202) 252–6736.

SUPPLEMENTARY INFORMATION: On January 29, 1981, President Reagan issued a memorandum directing cabinet officers to postpone for sixty days from that date the effective date of final rules already promulgated, but not yet effective. The purpose of this postponement was "to subject to full and appropriate review many of the prior Administration's last minute decisions . . ."

Four rules issued by the Department of Energy (DOE) fell within the terms of the President's memorandum. These rules were:

1. Residential Conservation Service Program; Interim Final Rule (45 FR 63786, September 25, 1980);

2. Grand Junction Remedial Action Criteria; Redesignation of Part and Nomenclature Change (46 FR 2971, January 13, 1981);

3. Procedures for Obtaining Crude Oil for the Strategic Petroleum Reserve by Exchange of Naval Petroleum Reserves Crude Oil and Other Means (46 FR 3368, January 14, 1981);

4. Puerto Rican Naphtha Entitlements (46 FR 5722, January 19, 1981).

In accordance with the President's memorandum, DOE has deferred the effective date of the first three of these rules, *see 46* FR 11943 (February 12, 1981), and has received a waiver from the Office of Management and the Budget with respect to the fourth.

In addition, six rules published by DOE in January were declared to be effective immediately or retroactively. These rules are:

1. 10 CFR Part 212; Amendments to Tertiary Incentive Program (46 FR 1246, January 5, 1981);
2. 10 CFR Part 456; Residential Conservation Service Program Amendments (46 FR 1616, January 6, 1981);
3. 10 CFR Part 205; Reports on Major Electric Utility System Emergencies (46 FR 2956, January 12, 1981);
4. 10 CFR Part 212; Maximum Lawful Selling Price for Unleaded Gasoline (46 FR 3827, January 16, 1981);
5. 10 CFR Part 210; Amendments to Normal Business Practices Rule (46 FR 4860, January 19, 1981);
6. 10 CFR Part 212; Retroctive Amendments to "V" Factor of Refiner Cost Allocation Formulae (46 FR 7776, January 23, 1981).

While these rules do not fall within the literal terms of the President's memorandum, because they were effective prior to the issuance of the memorandum, DOE nevertheless believes it is consistent with the spirit of the memorandum to review these additional final rules as well, to determine if any action is appropriate. Proposed enforcement actions under these rules will be included in this review. The decision to conduct this review should not be construed as indicating any view by DOE as to the desirability of changing or eliminating any of these rules.

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

Eric J. Fygi,

Acting General Counsel, Department of Energy.

[FR Doc. 81-64 Filed 2-24-81; 4:08 pm]

BILLING CODE 6450-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Ch. 1

Redesignation of Hearing Clerk's Office as Dockets Management Branch

Correction

In FR Doc. 81-2811, published on page 8454, in the issue of Tuesday, January 27, 1981, in the second column, fifth line from the top of the page, the reference reading "sec. 710(a)" should read "sec. 701(a)".

BILLING CODE 1505-01-M

21 CFR Parts 16 and 56

[Docket No. 77N-0350]

Protection of Human Subjects; Standards for Institutional Review Boards for Clinical Investigations

Corrections

In FR Doc. 81-2688 appearing at page 8958, in the issue of Tuesday, January 27, 1981, make the following corrections:

1. On page 8975, first column, § 16.1(b)(2) first line, "Section 56.121(a), Relating to" should have read "Section 56.121(a), relating to".
2. In the second column, authority sections, twelfth line, "360f", should have read "360F".
3. On page 8976, third column, § 56.103(a), eleventh and twelfth line, "The determination that a clinical investigation of this part" should be deleted; and in paragraph (b), tenth line, insert the following after "requirements": "of this part. The determination that a clinical investigation".

BILLING CODE 1505-01-M

21 CFR Part 20

[Docket No. 80-N-0452]

Reorganization/Location Changes

Correction

In FR Doc. 81-2812, published at page 8454, in the issue of Tuesday, January 27, 1981, on page 8457, in the middle column, under "**§ 20.107 Food and Drug Administration manuals.**", paragraph (a), in the fifth line, correct "sis" to read "is".

BILLING CODE 1505-01-M

21 CFR Parts 50, 71, 171, 180, 310, 312, 314, 320, 330, 361, 430, 431, 601, 630, 812, 813, 1003, 1010

[Docket No. 78N-0400]

Protection of Human Subjects; Informed Consent

Corrections

In FR Doc. 81-2687 appearing at page 8942, in the issue of Tuesday, January 27, 1981, make the following corrections:

1. On page 8950, first column, last paragraph, fourth line, "8901" should have read "801".
2. On page 8951, first column, in the table of contents, "50.27 Documention * * *" should have read "50.27 Documentation * * *".
3. On page 8952, § 180.1(c)(6), third column, first paragraph, fifth line, insert "a" before "statement".
4. In § 312.1(a)(2) item c of Form FD-1571, on page 8953, first column, first full paragraph, eighth line, the word "evaulation" should have read "evaluation".
5. On page 8953, § 312.20(b)(1)(iv), Recommendations, in the third column, paragraph No. 9, sixth line, "her" should have read "he".
6. On page 8955, first column, § 330.10, paragraph (e), line three, "(July 27, 1981)" should read "July 27, 1981", the parentheses being deleted.
7. On page 8956, third column, § 630.81, second line, "meet" should have read "meets".
8. In that same column, **§ 812.21 Applicability.** should read **"§ 812.2 Applicability."**
9. On page 8957, first column § 812.35, paragraph (b), first line, *"IRB approval"*, should have read *"IRB approvals"*.
10. In the second column, § 812.150, paragraph (a)(4), ninth line, "withing" should have read "within".
11. In the third column § 1003.31, paragraph (b) fourth line from the bottom, "investigations" should have read "investigation".

BILLING CODE 1505-01-M

21 CFR Part 146

[Docket No. 78N-0236]

Grapefruit Juice; Standards of Identity and Fill of Container

Correction

In FR Doc. 81-2919, published at page 8462, in the issue of Tuesday, January 27, 1981, make the following corrections:

1. On page 8462, second column, in the ninth line from the bottom of the page there should be closing quotation marks after the word "fresh".
2. On the same page, third column, under **Filtering**, in the third line, the word "they" should be capitalized.
3. On page 8463, first column, in the eleventh line from the bottom of the page, the reference reading "7CFR" should read "7 CFR".
4. On the same page, second column, in the fifth line from the top of the page the word "not" should be inserted between the words "be" and "more".
5. On page 8464, in the second column, under "**Blending of Juices**", in paragraph

"13.", in the fifth line, "concentrate are" should have read "concentrate) are".

BILLING CODE 1505-01-M

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21 CFR Part 172

[Docket No. 80F-0150]

Polysorbate 60 and Polysorbate 80; Food Additives Permitted for Direct Addition to Food for Human Consumption

Correction

In FR Doc. 81-2916, published at page 8465, in the issue of Tuesday, January 27, 1981, in the third column under **DATES**, the date reading "Effective January 26, 1981;" should read "Effective January 27, 1981;".

BILLING CODE 1505-01-M

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21 CFR Part 500

[Docket No. 77N-0245]

Recycled Animal Waste

Correction

In FR Doc. 80-40282 appearing on page 86272 in the issue of Tuesday, December 30, 1980, first column, the **EFFECTIVE DATE** should read "December 30, 1980."; and on page 86276, first column, the **EFFECTIVE DATE** should read "December 30, 1980.".

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 154

[T.D. 7771]

Temporary Regulations in Connection With the Airport and Airway Revenue Act of 1970; Civil Aircraft Use Tax—Special Rules for the period July 1, 1980 Through September 30, 1980

AGENCY: Internal Revenue Service, Treasury.

ACTION: Amendment of temporary regulations.

SUMMARY: This document amends temporary excise tax regulations that apply to the tax on the use of civil aircraft. Congress extended this tax for the period July 1 through September 30, 1980. These regulations prescribe the date for filing the return for this period.

DATES: The amendment applies to civil aircraft use at any time during the taxable period July 1, 1980, through September 30, 1980. The deadline for filing returns for this period is set at March 2, 1981.

FOR FURTHER INFORMATION CONTACT: Raymond W. McKee of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224, Attention: CC:LR:T (202-566-3458, not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

Section 4491 of the Internal Revenue Code provides generally for an excise tax on the use of civil aircraft. This tax was due to expire on July 1, 1980. On that date, Congress extended the tax for three additional months in Pub. L. 96-298, 94 Stat. 829. That Act modifies the rates of the tax for that period and provides that the due date for any return for this tax for this period will be no earlier than October 31, 1980. It also provides that the three month period July 1 through September 30, 1980, is to be treated as one year for purposes of this tax.

Temporary regulations (26 CFR 154.3-2), published in the **Federal Register** for Thursday, January 8, 1981 (46 FR 2042), provided that returns for this period would be due on February 2, 1981. This Treasury decision amends the regulations to provide that taxpayers are given until March 2, 1981, to file the return.

Drafting Information

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

Waiver of Certain Procedural Requirements of Final Treasury Directive

A determination has been made by William E. Williams, Acting Commissioner of Internal Revenue, that there is need for immediate guidance in order to make clear that under the amendment to section 4491 of the Code made by Pub. L. 96-298, returns for the period July 1, 1980, through September 30, 1980, which could have been due as early as October 31, 1980, are not due until March 2, 1981. Because of the immediate need for this regulation, compliance with the procedural requirements of paragraphs 8 through 14 of the final Treasury directive (43 FR 52121), relating to improving regulations, would be impractical, and, therefore, these requirements have not been followed.

Adoption of amendments to the regulations

Accordingly, Part 154 of 26 CFR is amended as follows:

§ 154.3-2 [Amended]

Paragraphs (d) and (e) of § 154.3-2 are amended by striking out "February 2, 1981" and inserting in its place "March 2, 1981".

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impractical to issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Secs. 6071 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 949, 26 U.S.C. 6071; 68A Stat. 917; 26 U.S.C. 7805))

February 5, 1981.

William E. Williams,

Acting Commissioner of Internal Revenue.

Approved: February 23, 1981.

Emil M. Sunley,

Acting Assistant Secretary of the Treasury.

[FR Doc. 81-6648 Filed 2-26-81; 10:06 am]

BILLING CODE 4830-01-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) to reflect that the Secretary of the Navy: (1) has determined that USS SIDES (FFG 14), USS CLIFTON SPRAGUE (FFG 16) and USS ANTRIM (FFG 20) are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with their special function as naval frigates, and (2) has found that USS SIDES (FFG 14), USS CLIFTON

SPRAGUE (FFG 16), and USS ANTRIM (FFG 20) are members of the FFG 7 class of ships, certain exemptions for which have been previously granted under 72 COLREGS Rule 38. The intended effect of this rule is to warn mariners in waters where the 72 COLREGS apply.

EFFECTIVE DATE: February 10, 1981.

FOR FURTHER INFORMATION CONTACT:
Captain Richard J. McCarthy, JAGC, USN, Admiralty Counsel, Office of the Judge Advocate General Navy, Department, 200 Stovall Street, Alexandria, Virginia 22332, Telephone number (202) 325–9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in Executive Order 11964 and 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS SIDES (FFG 14), USS CLIFTON SPRAGUE (FFG 16) and USS ANTRIM (FFG 20) are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with 72 COLREGS: Rule 21(a) regarding the arcs of visibility of their forward masthead lights; Annex I, Section 2(a)(i), regarding the height above the hull of their forward masthead lights; and Annex I, Section 3(b), regarding the horizontal relationship of their sidelights to their forward masthead lights, without interfering with their special function as Navy frigates. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Notice is also provided to the effect that USS SIDES (FFG 14), USS CLIFTON SPRAGUE (FFG 16), and USS ANTRIM (FFG 20) are members of the FFG 7 class of ships for which certain exemptions, pursuant to 72 COLREGS Rule 38, have been previously authorized by the Secretary of the Navy. The exemptions pertaining to that class, found in the existing tables of § 706.3, are equally applicable to these three ships. Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary and contrary to public interest since it is based on technical findings that the placement of lights on these ships in a manner different from that prescribed herein will adversely affect the ships' ability to perform their military function. Accordingly, 32 CFR Part 706 is amended as follows:

§ 706.2 [Amended]

1. Table One of § 706.2 is amended as follows to indicate the certifications issued by the Secretary of the Navy:

Vessel	Number	Distance in meters of forward masthead light below minimum required height, § 2(a)(i) Annex I
* * * * *		
USS CLARK	FFG 11	*
USS GEORGE PHILIP	FFG 12	1.6
USS SAMUEL ELIOT MORISON	FFG 13	1.6
USS SIDES	FFG 14	1.6
USS ESTOCIN	FFG 15	1.6
USS SPRAGUE	FFG 16	1.6
USS ANTRIM	FFG 20	1.6
* * * * *		

2. Table Four of § 706.2 is amended by revising the existing paragraph 8 to read:

On the following ships the arc of visibility of the forward masthead light required by Rule 23(a)(i) may be obstructed through 1.6° arc of visibility at the points 021° and 339° relative to the ship's head.

USS OLIVER HAZARD PERRY (FFG 7)
USS MCINERNEY (FFG 8)
USS WADSWORTH (FFG 9)
USS DUNCAN (FFG 10)
USS CLARK (FFG 11)
USS GEORGE PHILIP (FFG 12)
USS SAMUEL ELIOT MORISON (FFG 13)
USS SIDES (FFG 14)
USS ESTOCIN (FFG 15)
USS CLIFTON SPRAGUE (FFG 16)
USS ANTRIM (FFG 20)

3. Table Four of § 706.2 is amended by revising the existing paragraph 9 to read:

Sidelights on the following ships do not comply with Annex 1, Section 3(b):

Vessel	Number	Distance of sidelights forward of masthead light in meters
USS OLIVER HAZARD PERRY	FFG 7	2.75
USS MCINERNEY	FFG 8	2.75
USS WADSWORTH	FFG 9	2.75
USS DUNCAN	FFG 10	2.75
USS CLARK	FFG 11	2.75
USS GEORGE PHILIP	FFG 12	2.75
USS SAMUEL ELIOT MORISON	FFG 13	2.75
USS SIDES	FFG 14	2.75
USS ESTOCIN	FFG 15	2.75
USS CLIFTON SPRAGUE	FFG 16	2.75
USS ANTRIM	FFG 20	2.75

Effective Date: February 10, 1981.

Dated: 10 February 1981.

John Lehman,
Secretary of the Navy.

[FR Doc. 81-6516 Filed 2-26-81; 8:45 am]

BILLING CODE 3810-71-M

POSTAL SERVICE

39 CFR Part 111

Locks on Rural Mailboxes

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule provides that any rural mailbox equipped with a lock must have a slot large enough to accommodate the customer's normal daily mail volume. It is anticipated that this rule change will result in more expeditious mail service.

EFFECTIVE DATE: May 28, 1981.

FOR FURTHER INFORMATION CONTACT:
Carl Johnson, (202) 245–5619.

SUPPLEMENTARY INFORMATION: On October 23, 1980, the Postal Service published for comment in the **Federal Register** (45 FR 70287) proposed changes to 156.57 of the Domestic Mail Manual to fashion the rule described in the Summary. Interested persons were invited to submit written comments concerning the proposed changes.

One comment was received on the proposal. The commenter said he favored retention of the policy of permitting lockable rural boxes. The final rule we adopt retains that policy. It relieves the rural carrier, however, of the time-consuming requirement of unlocking locked boxes. Rural carriers will henceforth be able to insert mail through the slot of a locked box and proceed on their way without delay.

In view of the above considerations, the Postal Service hereby adopts, without change, the following amendment to the Domestic Mail Manual, which is incorporated by reference in the **Federal Register** (39 CFR 111.1).

PART 156—RURAL SERVICE

In 156.5 of the Domestic Mail Manual, revise .57 to read as follows:

156.5 Rural Boxes.

* * * * *

.57 The use of locks on boxes is not required. If, however, a box is equipped with a lock, the box must have a slot large enough to accommodate the customer's normal daily mail volume. The Postal Service will not open boxes which are locked and will not accept keys for this purpose. Keys which are now held by the Postal Service will be returned.

A transmittal letter making these changes in the pages of the Domestic Mail Manual will be published and will be transmitted to subscribers automatically. Notice of these changes

will be published in the **Federal Register** as provided in 39 CFR 111.3.

(39 U.S.C. 401(2), 403(b)(1), 404(a)(1))

W. Allen Sanders,

Associate General Counsel, General Law and Administration.

[FR Doc. 81-62 Filed 2-26-81; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

[AS-FRL 1764-7]

40 CFR Part 7

Notice to All Recipients of Federal Financial Assistance; Nondiscrimination on the Basis of Handicap; Correction

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

ACTION: Policy statement; correction.

SUMMARY: This document corrects and republishes in its entirety a policy statement on nondiscrimination on the basis of handicap that appeared at page 11662 in the **Federal Register** of Tuesday, February 10, 1981, (46 FR 1162). The original statement notified only future recipients of EPA financial assistance that they will not discriminate against persons because of their handicap. The order of the United States District Court, Central District of California, directs EPA to notify all such recipients. The word "future" is deleted from the summary and the notice, and the corrected statement is set forth below in its entirety.

The United States District Court, Central District of California, Case No. 79-1979 WPG, has ordered the Environmental Protection Agency to give notice to all recipients of EPA financial assistance that they are required to comply with Section 504 of the Rehabilitation Act of 1973 even though it has not yet published its final regulations implementing Section 504. Section 504 provides that recipients of Federal financial assistance will not discriminate against persons because of their handicap. Appendix A of the Court Order is set forth below.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert C. Downes, External Programs Compliance Staff, Office of Civil Rights (A-105), USEPA, 401 M Street, SW., Washington, D.C. 20460, Telephone (202) 755-0540.

SUPPLEMENTARY INFORMATION:

Notice to All Recipients of Federal Financial Assistance From the Environmental Protection Agency

In the case of *Paralyzed Veterans of America, et al., Plaintiffs,* v. *Benjamin R. Civiletti, et al., Defendants,* United States District Court, Central District of California No. 79-1979 WPG the Honorable William P. Gray ordered the Environmental Protection Agency to nofity all recipients of federal financial assistance from the Envionmental Protection Agency that they are required to comply with the provisions of Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) even though the Environmental Protection Agency has not yet issued final regulations implementing Section 504 of the Rehabilitation Act.

Section 504 of the Rehabilitation Act is designed to assure that those who receive federal financial assistance will not discriminate against handicapped persons. It provides in relevant part as follows:

> No otherwise qualified handicapped individual in the United States * * * shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Effective June 3, 1977, the Department of Health, Education and Welfare issued final regulations implementing Section 504 as it applies to recipients of federal financial assistance from that agency (45 CFR Part 84). Recipients of federal financial assistance from the Environmental Protection Agency may look to the HEW regulation for guidance as to their obligation under Section 504 of the Rehabilitation Act.

Dated: February 24, 1981.

Eduardo Terrones,

Director, Office of Civil Rights

[FR Doc. 81-6550 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 180

[PP 9E2241/R298; PH-FRL 1764-4]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Calcium Hypochlorite

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of the chemical calcium hypochlorite. This regulation was requested by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: Effective on February 27, 1981.

ADDRESS: Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. M-3708 (A-110), 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT:

Clinton Fletcher, Registration Division (TS-767C), Office of Pesticide Programs Environmental Protection Agency, Rm. 509C, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7123).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of November 21, 1980 (45 FR 77077) that the Interregional Research Project No. 4 (IR-4) had submitted pesticide petition number 9E2241 to the EPA. The petition proposed that the Administrator establish an exemption from the requirement of a tolerance for calcium hypochlorite when used after harvest on the raw agricultural commodity potatoes. No comments or request for referral to an advisory committee were received in response to this notice of proposed rulemaking.

The data submitted in the petition and all other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought.

Calcium hypochlorite is currently exempted from a tolerance requirement under 40 CFR 180.1001(c) as a sanitizing and bleaching agent when used in accordance with good agricultural practices as an inert (or occasionally active) ingredient in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest.

Any person adversely affected by this regulation may, on or before March 30, 1981, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 MSt. SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Note.—Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these

other regulations "specialized." This rule has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Effective date: February 27, 1981.

(Sec. 408(e) 68 Stat. 514 (21 U.S.C. 346(e)))

Dated: February 18, 1981.

James M. Conlon,

Associate Deputy Assistant Administrator for Pesticide Programs.

Therefore, Subpart D of 40 CFR Part 180 is amended by adding § 180.1054, to read as follows:

§ 180.1054 Calcium hypochlorite; exemption from requirement of a tolerance.

Calcium hypochlorite is exempted from the requirement of a tolerance when used after harvest on the raw agricultural commodity potatoes.

[FR Doc. 81-3770 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

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40 CFR Part 180

[PP OE2337/R297; PH-FRL 1764-2]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Isophorone on Spinach

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for isophorone when used as an inert solvent or cosolvent in postemergence herbicides applied to spinach. This regulation was requested by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: Effective on February 27, 1981.

ADDRESS: Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. M-3708 (A-110), 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Clinton Fletcher, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509C, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7123).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of November 21, 1980 (45 FR 77079) that the Interregional Research Project No. 4 (IR-4) had submitted pesticide petition number OE2337 to the EPA. The petition proposed that the Administrator establish an exemption from the requirement of a tolerance for isophorone when used as an inert solvent or cosolvent in postemergence herbicides applied to spinach. No comments or requests for referral to an advisory committee were received in response to this notice of proposed rulemaking.

It has been concluded that the amendment to 40 CFR 180.1001(d) will protect the public health, therefore, the tolerence is established as set forth below.

Any person adversely affected by this regulation may, on or before March 30, 1981, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St. SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Effective on: February 27, 1981.

(Sec. 408(e), 68 Stat. 514, (21 U.S.C. 346a(e)))

Dated: February 19, 1981.

Edwin L. Johnson,

Deputy Associate Administrator for Pesticide Programs.

Therefore, Subpart D of 40 CFR Part 180 is amended by revising the item "isophorone" under § 180.1001(d) to read as follows:

§ 180.1001 Exemption from requirement of a tolerance.

* * * * *

(d) * * *

Inert ingredients	Limits	Uses
* * *	* *	
Isophorone		Solvent and cosolvent for formulations used before crop emerges from soil; for postemergence herbicide use on rice and wheat before crop begins to head, and for postemergence herbicide use on beets (sugar beets and table beets) and spinach
* * *	* *	

[FR Doc. 81-3767 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 80-212; RM-3452]

Radio Broadcast Services: FM Broadcast Station in Geneva, Ohio; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns a Class A FM channel to Geneva, Ohio, in response to a petition filed by American Ethnic Voice of Northeast Ohio. The proposed station would provide a first local aural broadcast service to Geneva.

EFFECTIVE DATE: April 13, 1981.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 10, 1981.

Released: February 17, 1981.

By the Chief, Policy and Rules Division:

In the Matter of an amendment of § 73.202(b), table of assignments, FM Broadcast Stations, (Geneva, Ohio), BC Docket No. 80-212, RM-3452, Report and Order, (Proceeding Terminated).

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 45 FR 34933, published May 23, 1980, in response to a petition filed by American Ethnic Voice of Northeast

Ohio ("petitioner"), proposing the assignment of FM Channel 285A to Geneva, Ohio. Supporting comments were filed by the petitioner and North Shore Communications, Inc., both of which stated its intent to apply for the channel, if assigned.

2. Geneva (pop. 6,499),[1] in Ashtabula County (pop. 98,237) is located approximately 80 kilometers (50 miles) southwest of Erie, Pennsylvania, and 88 kilometers (55 miles) northwest of Cleveland, Ohio. It has no local aural broadcast service.

3. Petitioner has submitted sufficient information with respect to the need for a first FM assignment to Geneva.

4. The proposed station will be short-spaced by approximately 31 kilometers (18.5 miles) to a co-channel Class B assignment at Port Colburne, Ontario. However, the Canadian Government has given its concurrence to this proposal as a specially negotiated short-spaced assignment.

5. In view of an apparent need for a first FM assignment, the Commission believes that the public interest would be served by assigning Channel 285A to Geneva, Ohio. The transmitter site will be restricted to 4.7 kilometers (2.93 miles) west northwest of Geneva.

6. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

7. In view of the foregoing, it is ordered, That effective April 13, 1981, the FM Table of Assignments (§ 73.202(b) of the Commission's Rules) is amended with regard to the following community:

City	Channel No.
Geneva, Ohio	285A

8. It is further ordered, That this proceeding is terminated.

9. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-23 Filed 2-26-81; 8:45 am]

BILLING CODE 6712-01-M

[1] Population figures are taken from the 1970 U.S. Census.

47 CFR Part 73

[BC Docket No. 80-196; RM-3445, RM-3699; BC 28853]

FM Broadcast Stations in Pecos and Santa Fe, N. Mex.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule (Report and Order).

SUMMARY: This action assigns Class C FM Channel 290 to Santa Fe, New Mexico, as that city's fifth assignment, at the request of Philip H. Green. A separate proposal to assign the same channel to Pecos, New Mexico, was denied.

EFFECTIVE DATE: March 24, 1981.

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

FOR FURTHER INFORMATION CONTACT: Michael A. McGregor, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 2, 1981.

Released: February 12, 1981.

By the Chief, Policy and Rules Division:

In the Matter of amendment of § 73.202(b), Table of Assignments, FM broadcast stations, (Pecos and Santa Fe,[1] New Mexico); BC Docket No. 80-196; RM-3445, RM-3699; report and order (proceeding terminated).

1. Before the Commission is a *Notice of Proposed Rule Making*, 45 FR 30657, published May 9, 1980, proposing the assignment of Class C FM Channel 290 to Pecos, New Mexico, at the request of Siesta Communications Corporation ("petitioner"). The proposed assignment would be Pecos' first FM assignment. An opposition and counterproposal [2] was filed by Philip H. Green ("Green"), who seeks the assignment of FM Channel 290 or 294 to Santa Fe, New Mexico.[3] Because Pecos is located approximately 26 kilometers (16 miles) from Santa Fe, the Commission's minimum spacing requirements prevent use of Channel 290 at both locations. Comments were filed by Frederick Daniel Marcy ("Marcy"). Reply comments were submitted by petitioner and Green.

2. In the *Notice*, the Commission acknowledged the fact that Pecos is a community of only 598 persons and is located only 26 kilometers (16 miles) from Santa Fe. Because of these factors, the Commission requested petitioner to present more information relative to Pecos' need for a wide coverage area channel. A Class A assignment was not proposed due to petitioner's expressed disinterest in anything other than a Class C assignment.

3. In his opposition and counterproposal, Green states that petitioner has failed to establish that Pecos is entitled to the allocation of a Class C channel. Green alleges that petitioner has made no attempt to demonstrate that a Pecos station would provide service to any unserved or underserved areas and states that it is doubtful that such a showing could be made, given the proximity of Pecos to other communities with wide coverage area channels. Green further asserts that it is questionable whether petitioner intends to serve Pecos rather than Santa Fe itself, and argues that a Pecos assignment would amount to a *"de facto"* assignment to Sante Fe.

4. Green contends that its proposal to assign the channel to Sante Fe is a more efficient use of the channel. According to Green, assigning Channel 290 to Sante Fe would cause preclusion to twelve communities without FM assignments. Of the twelve, eight have additional frequencies available for use.[4] Green argues that this minimal preclusive impact should not prevent the assignment of Channel 290 to Sante Fe. In support of his request to assign Channel 290 or 294 to Sante Fe, Green presents numerous and diverse facts concerning the economy of Sante Fe and its need for additional FM assignments. Green acknowledges that the Commission is considering the assignment of two FM channels to Sante Fe in Docket 80-195, but contends that the market will support yet another channel which would give Sante Fe a total of five FM assignments[5] although the Commission's current population guidelines would support the assignment of up to four FM channels to a city the size of Sante Fe. Green argues that the guidelines should not be applied rigidly and should not apply where demand for additional service has been shown. Green concludes that Sante Fe's rapid

[1] This community has been added to the caption in this proceeding.

[2] *Public Notice* of the counterproposal was given on July 7, 1980, *Report No. 1238*.

[3] Green's petition also conflicted with the proposed assignment of FM Channel 292A to Alameda, New Mexico (Docket No. 80-160). In a *Report and Order* adopted January 22, 1981, the Alameda proposal was denied. Therefore, Green's counterproposal will be considered in the instant proceeding.

[4] The four communities for which no other FM assignments are available are: White Rock, New Mexico (population 3,861); Santo Domingo Pueblo (population 1,662); Jemez Pueblo (population 1,197); and San Felip Pueblo (population 1,187).

[5] The Commission, in Docket No. 80-195, has assigned two Class C channels to Sante Fe, Santa Fe, New Mexico, 46 FR ——, mimeo number 28778, adopted January 22, 1981. Thus, assigning another channel in this proceeding would give Santa Fe a total of five FM assignments.

growth plus its position as a center of tourism and economic and cultural activity clearly support the assignment of up to three additional FM assignments. Green states that if Channel 290 or 294 is assigned to Sante Fe, he will apply for authority to build and operate a station.

5. Frederick Daniel Marcy ("Marcy"), one of the proponents for an FM assignment to Sante Fe in Docket 80–195, filed a comment in this proceeding stating that he takes no position as to whether the channel should be assigned to Pecos or Sante Fe. Marcy observes that Pecos is too small to support a Class C operation and therefore the assignment would in effect be an additional assignment to Sante Fe.

6. In its reply comments, petitioner states that Fiesta Communications Corporation ("Fiesta"), licensee of KVSF(AM) in Sante Fe, will be the actual applicant for the channel in Pecos, if assigned. The petitioner company and Fiesta have two common owners, although all of the owners of the petitioner company are not involved in the ownership of Fiesta. In response to Green's assertions that Pecos could not support a Class C operation, petitioner states that the Commission is using 1970 population figures and that the population of Pecos is now estimated to be over 1,000. However, petitioner admits that Pecos is a bedroom community with few retail establishments and avers that coverage of Sante Fe is necessary for a station in Pecos to be a successful enterprise. Petitioner disclaims any interest in a Class A channel for Pecos because such a station would not cover enough of Sante Fe to attract the necessary advertising. According to petitioner, if Fiesta becomes the licensee of a station licensed to Pecos, it will broadcast no less than 5% of its programming in the Spanish language. Petitioner argues that this is particularly important because approximately 80% of Pecos' population is Hispanic. Finally, petitioner suggests that Sante Fe has sufficient assignments for a community its size, and that an additional assignment to Sante Fe would surely deprive Pecos of any FM service.

7. Green, in his reply comments, reiterates his arguments that no special circumstances have been advanced to support an assignment to Pecos and that such an assignment would be a *de facto* Sante Fe assignment. Green contends that petitioner's plans for Fiesta to apply for the channel dispel any doubts that the channel will serve as an allocation to Sante Fe. Green concludes that if the Commission decides to assign Channel 290 to Pecos, it should also assign Channel 294 to Sante Fe.

8. Pecos (population 598),[6] is located in San Miguel County (population 21,951) approximately 26 kilometers (16 miles) southeast of Sante Fe. It currently has no local aural service. Sante Fe (population 46,200), seat of Sante Fe County (population 54,774) and the capital of New Mexico, is located 96 kilometers (60 miles) northeast of Albuquerque, New Mexico. Sante Fe is currently served by three AM stations—two full-time and one daytime-only—and two FM stations. Two additional FM assignments have recently been made to Sante Fe. (See footnote 5, *supra.*)

9. Petitioners have not convinced us that a Class C channel should be assigned to Pecos. The community's small size—even assuming petitioner's population figures are correct—and petitioner's own admission that the station cannot survive without revenues from Santa Fe conclusively demonstrate that the channel would be used primarily to serve Santa Fe. We have, on occasion, assigned a Class C channel to small communities when certain criteria are met. For example, wide coverage area channels have been assigned to small communities when the proponent of the assignment has shown that a significant unserved and underserved audience will receive a first or second FM service. *See, e.g., Atlanta, Michigan,* 46 R.R. 2d 1519 (Broadcast Bureau, 1980). Petitioner has made no such showing in this proceeding, however. Likewise, we have been disposed to assign Class C channels when no Class A channels have been available to the community seeking an assignment. *See, e.g., Freeport, Texas,* 47 R.R. 2d 135 (Broadcast Bureau 1980). Although Class A channels are available for assignment to Pecos, petitioner has explicitly disavowed any interest in applying for a Class A channel. Under these circumstances, we can find no justification for assigning Channel 290 to Pecos.

10. We now turn to the more difficult question of whether an additional channel should be assigned to Santa Fe. According to the Commission's population guidelines for FM channel assignments, a city the size of Santa Fe[7] would be entitled to up to four FM channels. As indicated above, the Commission's recent action in Docket 80–195 has brought the total number of channels assigned to Santa Fe up to four. We have made it clear, however, that our population criteria are flexible guides and not immutable standards, and we have been inclined to make additional assignments where special considerations have been found. *See, St. Simons Island and Waycross, Georgia,* 45 FR 25806, April 16, 1980. In this case, petitioner has demonstrated that Santa Fe is a growing community which shows every indication of continued growth. The city is an important center of trade, tourism, and government. With regard to the preclusive aspect of the assignment, we stated in the *Notice* that four communities with populations slightly over 1000, currently without assignments and without possible alternative assignments, would be precluded by the proposal. (See footnote 4, *supra).* However, a staff study has determined that alternate channels are available for those communities as follows: Channel 296A can be assigned to White Rock or to Santo Domingo Pueblo. Channel 269A, assigned and unoccupied at Bernalillo, could also be reassigned to Jemez Pueblo or to San Felipe Pueblo. We note that no oppositions to the assignment from parties seeking to serve the precluded communities have been submitted. Therefore we find that the preclusion impact is insubstantial and that assigning a fifth FM channel to Santa Fe is justified.

11. Accordingly, it is ordered, That effective March 24, 1981, the FM Table of Assignments, § 73.202(b) of the Commission's Rules, is amended with respect to Santa Fe, New Mexico, as follows:

City	Channel No.
Santa Fe, New Mexico	238, 247, 281, 286, 290

12. Authority for the actions taken herein is contained in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

13. It is further ordered, That this proceeding is terminated.

14. For further information concerning this proceeding, contact Michael A. McGregor, Broadcast Bureau, (202) 653–7586.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

[6] These population figures are taken from the 1970 U.S. Census.

[7] The most recent population figures submitted by Green indicate that Santa Fe now has a population over 50,000.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-24 Filed 2-26-81; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 80-171; RM-3353]

Radio Broadcast Services: FM Broadcast Station in Quincy, Calif.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein amends the Commission's Rules, the FM Table of Assignments, by substituting Class B Channel 270 for Channel 240A at Qunicy, California, in response to a petition filed by Ralph E. Wittick d/b/a KPCO Radio. The subsitution will improve coverage of Quincy, California and provide first FM service to outlying towns.

EFFECTIVE DATE: April 6, 1981.

FOR FURTHER INFORMATION CONTACT: Kathy A. Grant, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 4, 1981.

Released: February 10, 9181.

By the Chief, Broadcast Bureau:

In the Matter of an amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Quincy, California), BC Docket No. 80-171, RM-3353, Report and Order (Proceeding Terminated).

1. On April 16, 1980, at the request of Ralph E. Wittick d/b/a KPCO Radio ("petitioner"), the Commission adopted a *Notice of Proposed Rule Making*, 45 FR 29870, published May 6, 1980, proposing the substitution of Class B Channel 270 for Channel 240A (unoccupied and unapplied for) at Quincy, California. Supporting documents were filed by the petitioner in which it reaffirmed its intent to apply for the channel, if assigned. No oppositions to the proposal were received.

2. Quincy, California (pop. 2,500),[1] seat of Plumas County (pop. 11,707), is located approximately 272 kilometers (170 miles) northeast of San Francisco, California. Local aural broadcast service is provided by daytime-only AM Station KPCO, licensed to the petitioner.

3. A preclusion study indicated that twenty communities with populations greater than 1,000 would be precluded as a result of the proposed assignment. Alternate channels are available for assignment to all but two of these communities, Palermo and Gridley. However, no comments were filed expressing an interest in applying for the precluded channels in either community.

4. Petitioner asserts that Quincy has a variety of businesses and is the center of trade for the area. Quincy's population is presently estimated at 5,000, according to petitioner.

5. Petitioner states that KPCO(AM) has extremely poor coverage capability except for the confines of the immediate Quincy area, due to the very poor ground conductivity and the surrounding mountainous terrain. It claims that the a Class A FM channel assignment at Quincy would serve the same area now served by KPCO(AM), but the proposed Class B channel would provide excellent coverage of most of the outlying towns in that county.

6. In the *Notice* we requested the petitioner to correct errors in its *Roanoke Rapids/Anamosa* showing. This was not done. However, a study conducted by our staff indicates that the assignment of Class B channel would provide a first FM and nighttime aural service to an approximate area of 3,215 square miles, whereas a Class A channel would provide service to an area of approximately 706 square miles.[2]

7. No comments have been filed expressing an interest in applying for Channel 240A, now unoccupied at Quincy.

8. In view of the first service that can be provided to outlying areas, we find it would be in the public interest to substitute Class B Channel 270 for Channel 240A at Quincy, California.

9. Accordingly, it is ordered, That effective April 6, 1981, the FM Table of Assignments (§ 73.202(b) of the Commission's Rules) is amended with regard to the following community:

City	Channel No.
Quincy, Calif.	270

10. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

11. It is further ordered, That this proceeding is terminated.

12. For further information concerning this proceeding, contact Kathy A. Grant, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-13 Filed 2-26-81; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 80-541; RM-3586, RM-3657, RM-3791; BC 28876]

FM Broadcast Stations in Virden, Illinois; Rushville, Illinois; Louisiana, Missouri; Changes Made in Table in Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein amends § 73.202(b) of the Commission's Rules, the FM Table of Assignments, by assigning Channel 244A to both Virden, Illinois, and Rushville, Illinois, and Channel 269A to Louisiana, Missouri, in response to requests from Randal J. Miller and Joseph Cerar, Steve Waters and Thom T. Sanders, respectively.

EFFECTIVE DATE: April 13, 1981.

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

FOR FURTHER INFORMATION CONTACT: Kathy A. Grant, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 10, 1981.

Released: February 17, 1981.

By the Chief, Policy and Rules Division:

In the Matter of amendment of § 73.202(b), Table of Assignments, FM broadcast stations (Virden, Illinois; Rushville, Illinois; Louisiana, Missouri[1]); BC Docket No. 80-541; RM-3586, RM-3657, RM-3791; report and order (proceeding terminated).

1. The Commission here considers the *Notice of Proposed Rule Making*, 45 FR 59360, published September 9, 1980, in the above-captioned proceeding, instituted in response to petitions filed by Joseph Cerar and Randal J. Miller, and by Steve Waters, proposing the assignment of Channel 244A to Virden

[1] Population figures are taken from the 1970 U.S. Census.

[2] Assuming maximum facilities.

[1] This community has been added to the caption.

and Rushville, Illinois, respectively.[2] Each community would receive its first local service. Supporting comments were filed by both petitioners in which they each stated an intent to apply for the channel, if assigned. An opposition to the Rushville proposal was received from Beardstown Broadcasting Co. ("Beardstown"), licensee of Stations WRMS(AM) and WRMS–FM, Beardstown, Illinois. Comments and a counterproposal (RM–3791)[3] were filed by Thom T. Sanders ("Sanders"), requesting the Channel 244A be assigned to Louisiana, Missouri. Steve Waters replied to Beardstown's opposing comments and the counterproposal of Sanders. No oppositions to the Virden, Illinois proposal, nor the Louisiana, Missouri proposal were filed.

2. The distances between Virden, Rushville, and Louisiana do not permit the assignment of Channel 244A to all three communities. Virden and Rushville are approximately 96 kilometers (60 miles) apart, while Virden and Louisiana are separated by approximately 110 kilometers (68 miles). The distance between Rushville and Louisiana is approximately 86 kilometers (53 miles). The required distance for co-channel Class A assignments is 104 kilometers (65 miles). Channel 244A can be assigned to either Virden and Rushville, with site restrictions of 5 miles, or to Virden and Louisiana. Channel 244A cannot be assigned to both Rushville and Louisiana.

3. *Virden, Illinois (RM–3586).* Virden, Illinois (pop. 3,744),[4] in Macoupin County (pop. 44,557), is located approximately 96 kilometers (60 miles) southeast of Rushville. It has no local aural broadcast service.

4. The Commission believes it would be in the public interest to assign Channel 244A to Virden, Illinois. From information submitted by Cerar and Miller, it appears that Virden is a growing agricultural and mining community in need of a first local FM assignment.

5. *Rushville, Illinois (RM–3657).* Rushville, Illinois (pop. 3,300), in Schuyler County (pop. 8,135), is located in west central Illinois, approximately 400 kilometers (250 miles) southwest of Chicago, Illinois, and 200 kilometers (125 miles) north of St. Louis, Missouri. Primarily an agricultural community, Rushville is also the retail, social, medical, and educational center of the area. It presently has no local aural broadcast service.

6. Beardstown opposes the assignment of Channel 244A to Rushville, on the ground that it would foreclose three possible assignments, the largest community being Louisiana, Missouri, for which a counterproposal to assign Channel 244A has been filed. Waters, in supporting the Rushville proposal, responded to Beardstown's comment by pointing out that Pike County, in which Louisiana, Missouri is located, has AM and FM assignments in Bowling Green, while the county in which Rushville is located has none.

7. In his counterproposal, Sanders requested that Channel 244A be assigned to Louisiana, Missouri, as that community's first FM assignment. Sanders cited Louisiana's larger population (see para. 9, *infra.*) as the primary reason for this assignment.

8. A study conducted by our staff indicates that no other channels are available to Rushville.[5] However, Channel 269A is also available for assignment to Louisiana, Missouri, since it has been deleted from Monroe City, Missouri.[6] Petitioners for both the Virden and Rushville proposals have, in comments, acknowledged the necessity of site restrictions if Channel 244A is assigned to both Virden and Rushville. Since another channel is available for assignment to Louisiana, we find no bar to the assignment of Channel 244A to Rushville, which would provide that community with a first FM assignment.

9. *Louisiana, Missouri.* Louisiana, Missouri (pop. 4,533), in Pike County (pop. 16,928), is located in the northeast section of Missouri, approximately 60 miles north of St. Louis, and 69 miles east of Virden, Illinois. Louisiana is primarily agricultural, but has a large number of retail establishments and is the hub of Pike County. Sanders explained that large growth is projected in the next five years as a result of the expansion of the facilities of a large employer in the area, and the completion of the Canon Dam recreational project. Louisiana has no local aural broadcast service. Since assignment of Channel 269A would satisfy the needs of Louisiana for a first local service and meet the minimum spacing requirements it appears that the public interest would be best served by assigning Channel 269A to Louisiana, Missouri.

10. After careful consideration of all the proposals, the Commission believes it would be in the public interest to assign Channel 244A to both Virden and Rushville, Illinois, and Channel 269A to Louisiana, Missouri.

11. Accordingly, It is ordered, That effective April 13, 1981, the FM Table of Assignments (§ 73.202(b) of the Commission's Rules) is amended with regard to the following communities:

City	Channel No.
Virden, Illinois	244A
Rushville, Illinois	244A
Louisiana, Missouri	269A

12. Authority for the actions taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

13. It is further ordered, That this proceeding is terminated.

14. For further information concerning this proceeding, contact Kathy A. Grant, Broadcast Bureau, (202) 632–7792.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81–25 Filed 2–26–81; 8:45 am]

BILLING CODE 6712–01–M

[2] Public Notice of the petitions was given on February 27, 1980, Report No. 1218, and May 20, 1980, Report No. 1229, respectively.

[3] Public Notice of this proposal was given on November 10, 1980, Report No. 1256.

[4] Population figures are taken from the 1970 U.S. Census.

[5] Channels 265A and 292A would involve site restrictions of 7.6 miles northwest and 7.2 miles south, respectively. Sites so far removed from the community may have problems meeting the 70 dBu requirement of § 73.315(a) of the Commission's Rules. Channel 288A would require a site restriction of only 2.6 miles, but is the subject of a proposal to assign the channel to Jacksonville, Illinois (BC Docket No. 80–337).

[6] See Columbia and Monroe City, Missouri, BC Docket No. 80–527, adopted February 9, 1981.

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1039, 1090 and 1300

[Ex Parte No. 230 (Sub-5)]

Improvement of TOFC/COFC Regulation

AGENCY: Interstate Commerce Commission.

ACTION: Notice of final rule [exemption].

SUMMARY: The Commission is exempting rail and truck service provided by rail carriers in connection with trailer on flatcar (TOFC) and container on flatcar (COFC) service from Title 49, Subchapter IV of the U.S. Code. The exemption is based on findings that regulation is not necessary to carry out the transportation policy of 49 U.S.C. § 10101a or to protect shippers from the abuse of market power by railroads. This notice clarifies certain

aspects of the exemption highlighted in the public comments.

DATES: The exemption is effective March 23, 1981.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder or Jane F. Mackall (202) 275–7656.

SUPPLEMENTARY INFORMATION: The Commission proposed to exempt rail and truck service provided by railroads in connection with TOFC/COFC service in a decision served November 21, 1980, 45 FR 79123 (November 28, 1980). The exemption was scheduled to go into effect on February 10, 1981. The public was given 45 days to comment on the exemption. The reasons for proposing the exemption were given in the prior decision and will not be repeated in detail here. In general, however, we concluded that this traffic was highly competitive with motor carrier service, that intramodal rail competition was active, that service problems were an impediment to successful marketing of TOFC/COFC service, that regulatory restraints had impeded the development of intermodal service, and that exemption from regulation would likely stimulate improvements in service without threatening any harm to individual shippers.

Our review of the comments has reinforced our earlier judgment that exemption of TOFC/COFC operations will promote the public interest. We believe that our proposed exemption is consistent with the Congressional intent that we vigorously pursue exemptions from economic regulation in the railroad area where regulatory control appears unnecessary to protect against abuses of market power. See generally H.R. Rep. No. 96–1430, 96th Cong. 2d Sess., pp. 104–105.

The comments contain numerous questions about the economic effects likely to flow from the exemption. Numerous comments support the exemption. Others, including comments by some shippers, reflect uncertainty and concern over the mechanics of the exemptions and the effect of the exemption on them. We can appreciate their concern. This is truly an area where predictive judgment is difficult and definitive answers to troublesome questions concerning the implementation of the exemption cannot be given based on a paper record. We are confident, however, that rail managements will respond enthusiastically when relieved from existing regulatory constraints. Indeed, as we suggested in our notice of rulemaking, existing regulatory barriers have impeded the development of intermodal service so that exemption should stimulate service improvements. We are also confident, that continued regulation is not needed to protect shippers from abuses of market power.

We can also appreciate the concern expressed by the motor carrier sector that exemption of rail service could offer rail carriers a regulatory advantage in competing for TOFC/COFC traffic. We believe that the proper regulatory response is to seek means of freeing motor carriers from regulatory restraints so that they may compete on equal terms rather than continue to constrain the railroads.

We recognize the limitations on our predictive powers. Our favorable experience with exemption of fresh fruits and vegetables—although not identical to the issues presented here—encourages our continued employment of the exemption power. We believe that exemption of TOFC/COFC service will benefit the shipping public. We nonetheless stand ready to monitor the effects of the exemption to assure that continued regulation is not needed. We believe that such after-the-fact evaluation is what Congress intended. See H.R. Rep. No. 96–1430, *supra.*

1. Jurisdiction and Scope

The exemption covers TOFC/COFC service provided by railroads. It includes the railroad transportation of trailers and containers on flatcars and truck service provided by railroads of containers and trailers.[1] In other words, railroad operations involving TOFC and COFC are exempt, whether they are conducted on railroad flatcars or in trucks that are owned and operated by the railroad itself (rather than by a separately incorporated railroad affiliate).

A number of parties have suggested that the full scope of our proposed exemption, *i.e.*, whether or not it is intended to cover rail-affiliated motor carriers and independent motor carriers providing service on behalf of railroads is unclear. Upon further reflection, we agree. As a consequence, we shall today issue a supplemental notice directed to these questions and call for comments within 30 days.

2. Ex-Water Traffic

A number of comments have been filed questioning the inclusion of ex-water traffic in the exemption. A number of ocean carriers and the Federal Maritime Commission (FMC) believe that the proposed exemption is the type of action which must be reviewed by the FMC or the President before it can be placed in effect. We do not agree that this is the sort of rule or regulation affecting shipping in the foreign trade contemplated by Section 19 of the Merchant Marine Act of 1920, 46 U.S.C. 876. The FMC and the ocean carriers cite no case law to support their expansive reading of Section 19. The proposed exemption may change the form of some business arrangements between railroads and ocean carriers. Nevertheless, it is clear that ocean carriers may still file and adhere to the port-to-port tariffs they file with the FMC. Joint intermodal arrangements involving railroads and ocean carriers may still continue.

The ocean carriers and others have questioned the form that intermodal pricing will assume after the exemption takes effect. We do not know the answers to these questions. We leave to the exempt railroads and their business partners the decision of how to price and advertise their services. We are confident that a clear and simple way to price and publicize this service will be developed.

In addition to tariff format, there is considerable speculation in the comments about which carriers would participate in joint intermodal rail/water traffic in the future. Bound up in these comments is the concern that the exemption would defeat ocean conference participation in joint rates with railroads. In our view, there is no reason why railroads and ocean carriers would not continue to do business after the effective date of the exemption in any way they see fit. Ocean carriers set their rates either independently or through rate conferences. Each ocean carrier can present its rate to the railroad to be used as a component of a joint through rate or combination rate. Rail carrier rates will be set independently and will not be published in tariffs. These circumstances should not inhibit the setting of a joint rate. The railroad and the ocean carrier will be involved in a joint venture in a highly competitive market. These carriers will have every incentive to join their services and market them effectively. We see no legal impediment or antitrust problem in an ocean carrier establishing joint through rates with one or more railroads. Again, ocean carrier rates can be set independently or collectively.

We realize that the exemption may potentially lessen the control of ocean conference ratemaking over joint intermodal rates. Railroads which must set their prices independently may seek out ocean carriers which are willing to price independently. Such an outcome

[1] In response to numerous comments, we intend the exemption to extend to "Roadrailer" equipment and any other equipment developed to be used in intermodal service.

was possible under the law before the exemption. Therefore, we are not inclined to change the exemption to prevent such activity.

We recognize that the exemption will bring with it a new unregulated operating environment for railroads and water carriers. Our failure to treat the comments of the FMC and water carrier interests in greater detail should not be mistaken for an insensitivity to the issues and problems they have raised. Rather, our brief responses are intended to dispel the legal and practical fears of these interests and leave to the marketplace the resolution of any problems. Again, we stand ready to respond to any continuing problems after the exemption becomes effective.

3. Competitive Considerations

Considerable comment was directed to our findings that the service we are exempting is highly competitive and that the exemption was unlikely to result in abuses of market power. We see no reason to retreat from these findings.

No one has seriously questioned the existence of vigorous competition between TOFC/COFC and motor carrier service. Motor carriers have expressed the fear that they may not be able to participate in this service as easily as they could in the past. This is true. The railroads are only likely to open their tracks to do business with trucking companies which promise to offer the most competitive and efficient services. Such an outcome is consistent with the national transportation policy of 49 U.S.C. § 10101 and 10101(a).

We cannot accept the suggestion of ocean carriers and some shippers that railroads have unchecked market power for ex-water intermodal traffic. Their position is premised on the apparent lack of competition between railroads and motor carriers for these large volume movements. In our judgment, without immunity to collectively establish their rates, there will be vigorous competition among railroads for this traffic.

First, it should be noted that recent studies, such as those performed by Reebie Associates for the Federal Railroad Administration, question whether there are any significant line haul economies of scale between single car and multiple car movements. As a consequence, we are not prepared to conclude that ex-water shipments will not be subject to transport by motor carrier. Second, and perhaps more important, we believe that there is a substantial intramodal competition for such movements and that this competition will be enhanced rather than diminished by the exemption of TOFC/COFC.

The various port ranges discussed in *Rail Rate Equalization To and From Ports* (Rail Services Planning Office, Interstate Commerce Commission, January, 1979) are in vigorous competition with each other, as are the individual ports within those port ranges. The Ports of Boston, New York, Philadelphia, Baltimore, and Hampton Roads, to use one example, are all in competition with one another. All of these ports are served by more than one rail carrier that has some presence in the TOFC/COFC market. In the case of Hampton Roads and Baltimore, the competition between the carriers is vigorous and in the case of New York and Philadelphia, could become more so if the strongest competitor, ConRail, seeks to abuse its competitive position.

We appreciate that exemption may mean that some ports will not be in as strong a competitive position as they previously were and some steamship companies also will see their individual positions weakened. This does not mean, however, that transportation capability will not be available or that shippers will not have sufficient alternatives available to prevent abuse. What will occur is competition among ports and the rail carriers and steamships serving those ports. The competitive relationships we have described for the North Atlantic port range exist in the other port ranges as well and, in the absence of collective rate making, are sufficient to prevent abuse and unlawful discrimination, and to permit competition and the demand for services to establish reasonable rates for transportation by rail.[2]

Finally, the Port of Oakland complains of current abuses of market power. We believe they are likely to disappear after the effective date of the exemption. As discussed above, the two railroads which serve Oakland will have to compete and set their rates independently. We are convinced that geographic and intramodal competition will tend to minimize railroad market power under the exemption.

4. Antitrust Immunity

For the reasons cited in the November 21, 1980 decision, we are unwilling to consider exempting this service and continuing antitrust immunity for the setting of rates. Our decision today simply highlights the role of independent pricing in achieving the intended benefits of the exemption. Most importantly, independent pricing is needed to protect shippers and connecting carriers from potential abuses of market power. The exemption will disperse this power and deliver the benefits of intermodal and intramodal competition to the public.

5. Other Matters

A number of other matters deserve mention here. On page 8 of the November 21, 1980 decision we mentioned the issue of "appropriate treatment of railroad affiliated motor carriers." This statement has confused some of the commenters. It was intended to describe the possibility of reconsidering our policy on applications by railroads to acquire motor carriers under 49 U.S.C. 11344. This issue will be addressed in a separate proceeding.

One comment focused on whether it was wise to exempt service provided by the Alaska Railroad. There is some fear that this government owned entity will abuse its market power. This is the type of situation which may require some attention in the future but offers no real cause for concern at this time. In this area, as in others, we will follow the advice of the legislative history of Section 213 and "adopt a policy of reviewing carrier actions after the fact to correct abuses of market power," H.R. Rep. No. 96–1430, 96th Cong. 2d Sess. 105 (1980).

The last subject which merits attention is the timing of the decision. Some parties including the American Trucking Association, are arguing that our November 21, 1980 decision was issued in violation of the notice provisions of the Administrative Procedure Act, U.S.C. § 553. As we noted in our decision at footnote 1, the Staggers Rail Act of 1980 removed the requirement that a proceeding be held to consider an exemption. The notice and comment requirements of the APA do not apply here at all. We nonetheless appreciate our obligation to devise alternative procedures sufficient to comply with basic principles of due process by allowing interested persons an opportunity to put forward their views with respect to the proposed exemption. This we have done, of course, and we see no prejudice to any party as a result of the procedural vehicle that we have chosen.

There is general concern that the 80 days which have elapsed since the effective date of the exemption was announced is not sufficient time to

[2] The finding of market dominance for this type of service in No. 37417 *Shipments of Marine Containers on Railroad Flatcars*, April 1980 (served April 17, 1980) was premised on the existence of antitrust immunity to set rates collectively and should not continue in a wholly exempt environment where carriers have no antitrust immunity.

prepare for the exemption. We seriously question if this is the case. Carriers have the option of continuing their present rates and practices until they are replaced by new arrangements negotiated under the exemption. The transition should not be that difficult.

Proctor and Gamble Company filed a supplement to its comments urging us to proceed with the exemption as scheduled. In its words "if competition and the marketplace cannot replace regulation as an economic control of COFC/TOFC service and prices, then competiton and the marketplace cannot replace regulation in any area of transportation activity." The comments have not demonstrated that further delay would change the prospects for implementing the exemption. Rule changes, business adjustments, and any further agency actions can be done after the exemption as easily as before.

Nevertheless, to remove any doubt about APA procedural claims and to give some commenters including the FMC additional time to adjust to the exemption we are postponing the effective date of the rules until March 23, 1981. The new effective date is more than 30 days from the date of this decision, which adopts in large measure the rules proposed in our decision of November 19, 1980.

The rules implementing the exemption are in the appendix.[3]

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

Decided: February 19, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam. Commissioners Clapp and Gilliam concurring with separate expressions.

Agatha L. Mergenovich,

Secretary.

Commissioner Clapp, Concurring

The mechanics of this exemption promise to be more complicated than those of Ex Parte No. 346 (Sub-No. 1)—due, in no small part, to the heavy emphasis on intermodalism. The many issues and questions raised by the numerous commentators reflect this concern. The railroads, shippers, motor carriers, and ports have asked us for assistance, and I believe we owe them and others a full analysis and response. This decision all but ignores those requests. I agree that problems may arise which will require further consideration by us but do not understand why, when presented with definite questions from the involved parties, we fail to respond. Not only do I believe that these issues *should* have been addressed, they *could* have been addressed without delaying implementation. The exemption is intended to encourage the development of TOFC/COFC traffic yet the uncertainty which will exist as a result of our failure to address the issues may delay realization of that goal.

Commissioner Gilliam, Concurring

I fully support the rail exemption of TOFC/COFC service. I reached this decision only after much deliberation and careful analysis of the record in this proceeding. It was a difficult decision which was the primary reason that I advocated an extension of the scheduled effective date of the exemption beyond February 10, 1981. In addition to the complex issues raised by the numerous parties who filed comments, there was the question of adequate notice to those who were only included in the proceeding by our **Federal Register** Notice of November 28, 1980.

The concerns raised by the parties are all questions that I have raised myself with the Commission during the deliberative process. I have attempted within my power to make certain this decision clarifies the scope of the exemption and is otherwise responsive to as many of the concerns of the parties as is possible. While I am not satisfied that this decision accomplishes that goal, I give it my unqualified support because of the fact that Congress intended that we pursue partial and complete exemptions from remaining regulations consistent with the policies of the Staggers Act. The revocation procedures contained in the first exemption provision are retained in the Staggers Act and in my view are strengthened by Congressional intent that we adopt a policy of reviewing carrier actions after the fact.

I believe the decision to exempt TOFC/COFC services offers the potential for tremendous growth in intermodalism which is in my opinion an answer to our transportation needs of the future. I urge all concerned to use this exemption and make this second major experiment in deregulation a successful prototype for the future.

Appendix

Chapter X Title 49 of the Code of Federal Regulations is amended as follows:

PART 1039—CONTRACTS AND EXEMPTIONS

1. The heading of Part 1039 is revised to read *Contracts and Exemptions*, and a new § 1039.11 is added as follows:

§ 1039.11 Rail intermodal transportation exemption.

Railroad and truck transportation provided by a rail carrier as part of a continuous intermodal movement is exempt from the provisions of Subtitle IV of Title 49 with certain exceptions. Carriers must continue to comply with Commission accounting and reporting requirements. All railroad tariffs pertaining to the transportation of intermodal freight will no longer apply except to the extent adopted by carrier quotations. Nothing in this exemption shall be construed to affect our jurisdiction under section 10505 or our ability to enforce this decision or any subsequent decision made under authority of this exemption section. This exemption shall remain in effect, unless modified or revoked by a subsequent order of this Commission.

(49 U.S.C. 10321(a) and 10505)

Part 1090 is revised to read as follows:

PART 1090—PRACTICES OF CARRIERS INVOLVED IN THE INTERMODAL MOVEMENT OF CONTAINERIZED FREIGHT

Sec.

1090.1 Definiton of TOFC/COFC service.
1090.2 Use of TOFC/COFC service by motor and water carriers.

Authority: 49 U.S.C. 10321(a) and 10762.

§ 1090.1 Definition of TOFC/COFC service.

Trailer-on-flatcar (TOFC/COFC) service means the transportation on a rail car, in interstate or foreign commerce, of (a) any freight-laden highway truck, trailer, or semitrailer (or container portion of any highway truck, trailer, semitrailer having a demountable chasis) or (b) any empty highway truck, trailer, or semitrailer (or the container portion of any highway truck, trailer, or semitrailer having a demountable chasis) when such empty equipment is being transported incidental to its prior or subsequent use in TOFC/COFC service.

§ 1090.2 Use of TOFC/COFC service by motor and water carriers.

(a) Except as otherwise may be prohibited by these rules, motor common and contract carriers, water common and contract carriers, and freight forwarders may utilize TOFC/COFC service in the performance of all or any portion of their authorized service.

(b) Motor and water common carriers may utilize TOFC/COFC service only if

[3] 49 CFR 1039.11 has been amended by deleting the requirement that railroads send a letter of notification before using the exemption.

their tariff publications give notice that such service may be utilized at their option, but that the right is reserved to the user of their services to direct that in any particular instances TOFC/COFC service not be utilized.

(c) Motor and water contract carriers may utilize TOFC/COFC service only if their transportation contracts and schedules make appropriate provisions therefor.

(d) Tariffs of motor and water common carriers and contracts and schedules of motor and water contract carriers providing for the use of TOFC/COFC service shall set forth the points between which TOFC/COFC service may be utilized.

PART 1300—FREIGHT TARIFFS: RAILROADS, WATER CARRIERS, AND PIPELINE COMPANIES SUBJECT TO SECTION 6 OF THE INTERSTATE COMMERCE ACT AND CARRIERS JOINTLY THEREWITH

Section 1300.0(a)(1) is amended by revising the second sentence to read as follows:

§ 1300.0 [Amended]

(a) * * *

(1) * * * The regulations in this part shall also govern the construction and filing of tariffs naming through routes and joint rates over the lines of common carriers by water or pipeline, subject to the Interstate Commerce Act, on the one hand, and vessel-operating common carriers by water engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, on the other hand, for the transportation of property between any place in the United States and any place in a foreign country. See § 1300.67.

* * * * *

§ 1300.67 [Amended]

§ 1300.67(b)(1) is amended by deleting from the first sentence (1) the word "railroad", including the comma, (2) the comma following the word "pipeline," and (3) the phrase "or a common carrier by railroad, jointly with a common carrier by motor vehicle," including the comma.

§ 1300.67(b)(2) is amended by deleting the sentence reading as follows: "If a tariff provides less-than-carload, less-than-container-load, or less-than-trailerload service, such service must be defined."

§ 1300.67(b)(5) is amended by deleting from the next to last sentence the parenthetical phrase reading as follows: "(such as tariffs containing joint rail-ocean rates, joint rail-motor-ocean rates, et cetera)".

(49 U.S.C. 10762)

[FR Doc. 81-6538 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1252

[No. 37531]

Elimination of the Piggyback Traffic Statistics Report

AGENCY: Interstate Commerce Commission.

ACTION: Elimination of Report.

SUMMARY: The Commission is eliminating the requirement that certain carriers file a piggyback traffic statistics report. The majority of the information contained in this report is no longer used on a regular basis. Therefore, the Commission can no longer justify the reporting burden.

DATES: This action is to be effective for the reporting year beginning January 1, 1980.

ADDRESS: An original and 15 copies, if possible, of any comments should be sent to: Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Bryan Brown, Jr. (202) 275-7448.

SUPPLEMENTARY INFORMATION: On January 1, 1978, the Commission began to reduce gradually the frequency with which certain carriers were required to file a piggyback traffic statistics report (PTSR). The reduction in filing frequency continued to the point where now carriers are only required to file the PTSR on an annual basis. The reduction in filing frequency was begun because the Commission found that it did not use the information as often as originally intended.

On December 7, 1979, at 44 FR 70479, we published a final rule which eliminated certain sections of the Code of Federal Regulations (49 CFR 1252.1, .2, .3, .4) which required Class I and II railroads, Class I and II intercity motor carriers of property, Class A water carriers, and all maritime carriers to file the PTSR. Section 1252.1 dealt with the confidentiality of the PTSRs and the final rule incorporated the reports into the carriers' annual report.

As a result, only § 1252.5, which required Class A freight forwarders to file the PTSR, remained. The Commission now finds that the majority of the information contained in this report is not used on a regular basis. Since the Commission's policy is not to require information that will not be used on a regular basis, the Commission can no longer justify imposing this burden. Therefore, the Commission is eliminating the requirement that Class A freight forwarders file an annual piggyback traffic statistics report.

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

This action is issued under the authority of 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: February 12, 1981.

By the Commission, Chairman Gaskins, Vice Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam. Chairman Gaskins not participating.

Agatha L. Mergenovich,

Secretary.

PART 1252 [REMOVED]

Therefore, Part 1252, and § 1252.5 (the only section in Part 1252) are removed from the Code of Federal Regulations.

[FR Doc. 81-3790 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

Trawl Fisheries and Herring Gillnet Fishery of the Eastern Bering Sea and Northeast Pacific

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

ACTION: Notice of reserve retention.

SUMMARY: This notice announces the retention of reserve amounts of fish that were eligible on February 2, 1981, for apportionment to the total allowable level of foreign fishing (TALFF) or domestic annual harvest (DAH) under 50 CFR 611.93(b).

Evidence presented to the North Pacific Fishery Management Council indicates that present DAH amounts for all species are less than the anticipated harvest. Therefore, the Regional Director of the Alaska Region is retaining all reserves for possible later apportionment.

EFFECTIVE DATE: February 27, 1981.

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

Signed at Washington, D.C., on behalf of the Regional Director this — day of February, 1981.

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

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-6524 Filed 2-26-81; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 46, No. 39
Friday, February 27, 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.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 120

Business Loan Policy; Eligibility of Motion Picture Theaters

AGENCY: Small Business Administration.

ACTION: Proposed Rule.

SUMMARY: This proposed amendment to Part 120 would provide that Motion Picture theaters are generally eligible for financial assistance. Under this rule, only those motion picture theaters that cater to general audiences would be eligible. Ineligible would be theaters showing sexually oriented films on a regular basis and films which advocate ideological, political or philosophical viewpoints.

DATE: Comments must be received on or before April 28, 1981.

ADDRESSES: Written comments, in duplicate, are to be addressed to Director, Office of Business Loans, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: questions regarding this proposed rule may be directed to: Richard L. Wray, Financial Analyst, Small Business Administration, 1441 L. Street NW., Washington, D.C. 20416, (202) 653-6470.

SUPPLEMENTARY INFORMATION: Motion pictur theaters were eligible for financial assistance from SBA until 1978. A legal opinion at that time indicated that such loans were not allowed by the legislation and the Agency's so called "opinion molder" policy. This position was revised in 1980 to authorize SBA financial assistance to motion picture theaters generally. The SBA does believe, however, that tax money should not be used by those theaters that show sexually oriented films on a regular basis or films that promote or advocate ideological, political or philosophical viewpoints.

Regulatory Flexibility Analysis

For purposes of compliance with 5 U.S.C. 603 the following information is provided:

1. This rule is being proposed in order to make SBA financial assistance available to a wider variety of small businesses than had heretofore been eligible for such assistance.

2. The objective of the proposed rule is to broaden eligibility for SBA financial assistance. The legal basis for the proposed rule is the Small Business Act, 15 U.S.C. 631 *et seq.* and especially 15 U.S.C. 634(b)(6) and 636(a).

3. It is not feasible to estimate the number of small businesses which would avail themselves of the proposed rule were it to become final. There are hundreds if not thousands of movie theaters which would be made eligible for SBA financial assistance if the rule becomes final.

4. There are no reporting or recordkeeping requirements inherent in this proposed rule.

5. There are no Federal rules which duplicate or overlap this proposed rule. SBA will shortly be publishing a proposed rule which addresses the possibility of more comprehensively revising the "opinion molder" policy.

6. This proposed rule will have a positive economic impact on small business. Therefore, the analytical criteria stated in 5 U.S.C. 603(c) are not relevant to this proposed rule.

Accordingly, pursuant to the authority contained in section 3(c)(3) and 5(b)(6) of the Small Business Act (15 U.S.C. 631 *et seq.*), Part 120, Chapter 1, Title 13 of the Code of Federal Regulations, would be amended by adding a new subsection (viii) to § 120.2(d)(4) as follows:

§ 120.2 Business loans and guarantees.

* * * * *

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

* * * * *

(4) * * *

(viii) Motion Picture Theaters. Motion Picture theaters that show films for general audiences are eligible. Ineligible are "Specialty" theaters that cater to limited audiences, such as theaters showing primarily sexually oriented films (commonly called "adult" theaters), or that promote or advocate ideological, political or philosophical viewpoints.

Date: February 20, 1981.

Roger H. Jones,
Acting Administrator.

[FR Doc. 81-6523 Filed 2-26-81; 8:45 a.m]
BILLING CODE 8025-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 275

[Release No. IA-750; File No. S7-788]

Performance Based Compensation of Registered Investment Advisers to Business Development Companies

AGENCY: Securities and Exchange Commission.

ACTION: Withdrawal of proposed rule.

SUMMARY: The Commission is withdrawing a proposed rule under the Investment Advisers Act of 1940 which would have provided an exemption from the statute's performance fee prohibition to permit certain registered investment advisers to business development companies to be compensated on the basis of a share of net capital gains upon, or net capital appreciation of, the funds of a business development company. The Congress has addressed the concerns which led to the rule proposal by its enactment of the Small Business Investment Incentive Act of 1980 which, among other things, amends the Advisers Act to permit certain registered investment advisers to business development companies to receive limited performance-based compensation.

EFFECTIVE DATE: February 20, 1981.

FOR FURTHER INFORMATION CONTACT: Arthur E. Dinerman, Esq., Investment Advisers Act Study Group, Division of Investment Management, Securities and Exchange Commission, Washington, D.C. 20549 (202) 272-2079.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission is today withdrawing proposed Rule 205-3 [17 CFR 275.205-3] under the Investment Advisers Act of 140 ("Advisers Act") [15 U.S.C. 80b-1 et seq.]. Proposed Rule 205-3[1] would have exempted certain registered investment advisers to business development companies from the performance fee prohibition of

[1] The rule proposal was published for comment in Investment Advisers Act Release No. 680 (June 19, 1979); 44 FR 37470 (June 26, 1979).

Section 205(1) of the Advisers Act [15 U.S.C. 80b–5(1)]. Section 205(a) generally prohibits a registered investment adviser from being compensated on the basis of a share of capital gains upon, or capital appreciation of, the funds, or any portion of the funds, of an advisory client.

The purpose of the proposed rule was to remove, in a manner consistent with investor protection, an impediment to the flow of capital to relatively small companies in the developmental stage by providing relief from the prohibitions of Section 205(1). Because business development companies typically must assume long term, illiquid positions in unseasoned companies, investment advisers to business development companies often are compensated by a performance fee arrangement. The Commission believed that the Advisers Act's performance fee prohibition might have been unnecessarily impeding the flow of capital to new and developing companies insofar as (i) registered investment advisers might be unwilling to serve business development companies unless a performance fee arrangement were permitted and (ii) unregistered advisers to business development companies might be reluctant to provide their services under circumstances which would require registration and thereby subject such advisers to the performance fee prohibition. The Commission further believed that the exemptive relief proposed was consistent with investor protection, since it appeared that the practices and abuses that Section 205(1) was designed to prevent were unlikely to develop under the circumstances in which performance fees would have been paid pursuant to the proposed rule.[2]

In response to the rule proposal, the Commission received a number of comments, a majority of which, although supportive of the Commission's basic effort to provide appropriate relief under the Advisers Act for registered investment advisors to business development companies, criticized the specific rule proposal. Commentators stated, among other things, that various provisions of the rule proposal were unnecessarily restrictive and failed to reflect the customary activities of business development companies, and that compliance with certain of the conditions of the proposed rule would be so burdensome and difficult that the proposed rule might discourage the formation of business development companies.

A number of commentators also expressed the view that the status of business development company advisers under tha Advisers Act and, in particular, the availability of the exception from registration contained in Section 203(b)(3) of the Advisers Act (15 U.S.C. 80b–3(b)(3)), should be clarified.[3]

After proposed Rule 205–3 was published for comment, Congress began formal consideration of several bills which addressed the application of the federal securities laws to small business enterprises, including business development companies. This Congressional consideration, which involved lengthy hearings and deliberations on the appropriate action, culminated in the enactment of the Small Business Investment Incentive Act of 1980 ("Small Business Investment Incentive Act").[4] That Act amends the federal securities laws in several respects to remove impediments to the flow of capital to small business consistent with investor safeguards. In particular, Title II of the Small Business Investment Incentive Act makes several changes in the Advisers Act ("1980 Advisers Act Amendments") to deal with the special problems of business development companies.

The 1980 Advisers Act Amendments amended Section 205(1) of the Advisers Act to permit a registered investment adviser to a business development company, as defined in new Section 202(a)(22) of the Advisers Act (15 U.S.C. 80b–2(a)(22)), to receive a limited performance fee. The amount of performance fee is limited to not more than 20 percent of the realized capital gains (net of realized capital losses and unrealized depreciation) upon the funds of the business development company over a period of time or as of dates specified in the contract.[5]

In addition, the 1980 Advisers Act Amendments amended Section 203(b)(3) of the Advisers Act to clarify the availability of that exception from registration to the investment adviser to certain business development companies.[6] As amended, Section 203(b)(3) provides that, for purposes of determining the number of clients of an investment adviser under Section 203(b)(3), no shareholder, partner or beneficial owner of a business development company will be deemed to be a client of such investment adviser unless such person is a client of the investment adviser separate and apart from his status as a shareholder, partner, or beneficial owner. In effect, this clarification of Section 203(b)(3) delineates a "safe harbor" whereby an investment adviser to a private business development company who otherwise complies with the provisions of amended Section 203(b)(3) would not be required to register under the Advisers Act.[7]

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[2] Proposed Rule 205–3 was modeled, in part, upon two individual exemption orders which the Commission had granted, under Section 206A of the Advisers Act, to permit the payment of limited performance-based compensation to investment advisers to certain companies engaged in business development-type activities. *See In re* Weiss, Peck & Greer, Investment Advisers Act Release No. 625 (April 25, 1978); *In re* Foster Management Company, Investment Advisers Act Release No. 651 (November 28, 1978).

[3] The performance fee prohibition of Section 205(1) does not apply to an investment adviser excepted from registration pursuant to Section 203(b) of the Advisers Act (15 U.S.C. 80b-3(b)). Section 203(b)(3) of the Advisers Act generally excepts from registration any investment adviser who during the course of the preceding twelve months has had fewer than fifteen clients and who neither holds himself out generally to the public as an investment adviser nor acts as an adviser to an investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.). As discussed below, the 1980 Advisers Act amendments amended this section with respect to advisers to business development companies.

[4] Pub. L. No. 96–477 (Oct. 21, 1980).

[5] Amended Section 205(1) makes the limited performance fee arrangement unavailable if the business development company has either an executive compensation plan as described in new Section 61(a)(3)(B) of the Investment Company Act of 1940 (15 U.S.C. 80a–60(a)(3)(B)) or a profit sharing plan as described in new Section 57(n) of that Act (15 U.S.C. 80a–56(n)). This restriction on the availability of performance fee arrangements is designed to prevent the investment adviser of a business development company from receiving performance-based compensation where the board of directors or general partners of a business development company have already determined to provide incentive compensation through stock option or other incentive compensation plans. *See* House Committee on Interstate and Foreign Commerce, *Small Business Investment Incentive Act of 1980*, H.R. Rep. 96–1341, 96th Cong., 2d Sess. 63 (1980) ("House Report"); Senate Committee on Banking, Housing, and Urban Affairs, *Small Business Securities Acts Amendments of 1980* S. Rep. No. 96–958, 96th Cong., 2d Sess. 42 (1980) ("Senate Report").

[6] The Section 203(b)(3) exception to registration, as amended, is not available to an investment adviser to an investment company registered under the Investment Company Act or to a company which has elected to be a business development company pursuant to Section 54 of Title I of the Small Business Investment Incentive Act and has not withdrawn its election.

[7] It is important to note that an investment adviser excepted from registration pursuant to Section 203(b)(3) of the Advisers Act, including a business development company adivser, nevertheless is subject to the antifraud provisions contained in Section 206 of the Advisers Act (15 U.S.C. 80b–6). It should also be noted that the change in Section 203(b)(3) and the addition of the definition of business development company in section 202(a)(22) are not intended to affect adversely the status of investment advisers which are not registered under the Advisers Act. First, with respect to persons or firms which do not advise business development companies, these changes are not intended to suggest that each shareholder, partner or beneficial owner of a company advised by such a person or firm should or should not be

While the effect of the amendments described above is not precisely co-extensive with the relief which would have been provided by proposed rule 205–3,* the Commission believes that Congressional adoption of these amendments has substantially eliminated the need for further general exemptive relief under the Advisers Act for business development company advisers. Therefore, the Commission has decided to withdraw proposed Rule 205–3.

By the Commission.

George A. Fitzsimmons,

Secretary.

February 20, 1981.

[FR Doc. 81-63 Filed 2-26-81; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 106

[Docket No. 80N-0025]

Infant Formula Quality Control Procedures

Corrections

In FR Doc. 80–40507 appearing on page 86362 in the issue of Tuesday, December 30, 1980, make the following changes:

1. On page 86363, third column, eighteenth line of the second paragraph, "label" should read "labiel".

2. On page 86367, second column, the heading for § 106.20 should read "**Ingredient receipt.**".

3. On page 86369, third column, § 106.130, paragraph (d), third line from the bottom, "(HFA * * *)" should read "(HFF * * *)".

BILLING CODE 1505-01-M

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21 CFR Part 452

[Docket No. 79N-0459]

Erythromycin Estolate; Proposed Revocation of Provisions for Certification of Adult Dosage Forms; Hearing Before Advisory Committee and Reopening of Comment Period

AGENCY: Food and Drug Administration.

ACTION: Notice of hearing and reopening of comment period.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming open meeting of the Ad Hoc Advisory Committee on Erythromycin Estolate and the reopening of the comment period on its proposal to revoke regulations for the certification of adult dosage forms of erythromycin estolate. This notice also sets forth a summary of the procedures governing the committee meeting and the methods by which interested persons may participate.

DATES: The meeting will be held on April 16 and 17, 1981; notices of participation and any information submitted by the Committee's consideration and any information submitted for the Committee's consideration should be filed by March 30, 1981; requests for reimbursement for participation should be submitted by March 24, 1981; written comments may be submitted between February 27, 1981 and May 18, 1981.

ADDRESSES: The meeting of the Ad Hoc Advisory Committee will be held at 9 a.m., in Conference Rooms D & E, 5600 Fishers Lane, Rockville, MD 20857. Notices of participation and information should be submitted for the committee's consideration to Mary Bruch, Executive Secretary, Ad Hoc Committee on Erythromycin Estolate (HFD–140), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4310; requests for reimbursement for participation and written comments should be submitted to the Office of Consumer Affairs (HFE–88), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857. A list of the Ad Hoc Advisory Committee members may be obtained from the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Mary Bruch, Bureau of Drugs (HFD–140), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4310.

SUPPLEMENTARY INFORMATION: Erythromycin estolate was first certified for marketing in 1958 (21 CFR 452.115a, 452.115b, 452.115c, 452.115d, 452.115e, 452.115f). In a notice published in the **Federal Register** of December 4, 1979 (44 FR 69670), FDA proposed to revoke regulations authorizing the certification of adult dosage forms (tablets and capsules) of erythromycin estolate (21 CFR 452.115a, 452.115b). The effect of the proposed revocation, if adopted in final form, would be to remove the drug products from the market. The notice allowed 30 days for the submission of written comments. Erythromycin estolate tablets and capsules are currently manufactured by two firms:

1. Dista Products Co., Division of Eli Lilly & Co., P.O. Box 1407, Indianapolis, IN 46206.

2. Danbury Pharmacal, Inc., 131 West St., P.O. Box 296, Danbury, CT 06810.

On January 18, 1980, a public informal conference on the proposed revocation was held at the request of Dista Products Co. (Lilly). Lilly and three other persons presented their views to FDA regarding the proposed revocation. After the informal conference, FDA extended the comment period for an additional 15 days.

FDA proposed the revocation because of new information that may change the risk/benefit ratio of erythromycin estolate compared to other available erythromycins. FDA has been aware since 1961 that a greater hepatotoxicity is associated with erythromycin estolate than with other forms of erythromycin. However, it was assumed that erythromycin estolate was more bioavailable than the other erythromycins, an advantage that outweighed the disadvantages of greater hepatotoxicity. Recent studies suggest that erythromycin estolate is no more bioavailable than other forms of erythromycin. Thus, it may be that the greater hepatotoxicity of erythromycin estolate is not counterbalanced by greater bioavailability, and on a benefit/risk basis, erythromycin estolate products would appear to be less safe in adults than other forms of erythromycin.

The prevalence of hepatic reactions from erythromycin estolate appears from the data available at this time to be much less in young children than in adults. Furthermore, in young children it is not clear that the number of hepatic

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regarded as a client of that person or firm. Second, with respect to persons or firms which do advise business development companies, but which do not rely on the safe harbor provisions of Section 203(b)(3), the changes are not intended to suggest that such shareholder, partner or beneficial owner of a company advised by such person or firm should or should not be regarded as a client of that person or firm. *See* Senate Report 41, House report at 62.

*The limitations and conditions imposed in amended Section 205(1) on a registered investment adviser's receipt of performance-based compensation from a business development company are in general substantially less restrictive than those contained in proposed Rule 205–3, particularly with regard to the conditions and limitations defining a business development company, its permissible investments, and its own sales of securities. The overall effect of the changes in the Advisers Act made by the amendments will be to make performance-based compensation more widely available to advisers to business development companies than it would have been under the rule proposal. However, in a few respects, the amendments contain additional conditions not contained in proposed Rule 205–3, among them, provisions of amended Section 205(1) placing a limitation of 20% on an adviser's performance fee and prohibiting simultaneous receipt of a performance fee and other incentive compensation and the provisions contained in Section 101 of Title I of the Small Business Investment Incentive Act requiring business development companies and their eligible portfolio companies to be domestic corporations.

reactions in relation to usage is different for the different salts and esters of erythromycin. For these reasons, pediatric dosage forms (chewable tablets, pediatric drops, and oral suspensions) were not included in the December 4, 1979 proposal to discontinue certification.

A decision is still pending within the agency on whether to propose withdrawal of these pediatric dosage forms, to require their relabeling, or to take no further action. This decision, as well as the Commissioner's decision regarding adult dosage forms, will be made after the public hearing before an Advisory Committee announced in this notice.

General Function of the Committee

The proposal to remove adults forms of erythromycin estolate from the market is controversial—the Bureau of Drugs received more than 750 comments in response to the proposal. The Commissioner believes that the factors determining the risk/benefit ratio of erythromycin estolate tablets and capsules compared to that of other forms of erythromycin should be as fully developed as practicable before a final decision is made on the proposal. The rulemaking process will benefit from an independent scientific review of the issues by an Advisory Committee. Therefore, the Commissioner requests that manufacturers, the Bureau of Drugs, and other interested persons prepare to present their views orally at an open public hearing before an Advisory Committee. The written summaries required to be submitted to the Committee's executive secretary (see time frame set forth below) by each person making a presentation (hearing participant) will be distributed approximately three weeks before the hearing to each other hearing participant. This will enable the hearing participants to review all information to be presented at the hearing, and to offer any rebuttals in their presentations.

FDA has identified the issues that are integral to the risk/benefit determination for adult dosage forms and submitted them to an Advisory Committee, which will hear the presentations and offer advice on the issues. The Commissioner will consider the Committee's conclusions when making a final decision whether to revoke provisions for certification of adult dosage forms of erythromycin estolate. In addition, the Committee will consider the issues as they pertain to pediatric dosage forms of erythromycin estolate. The Director of the Bureau of Drugs will weigh the Committee's advice when deciding whether to propose revocation of certification provisions for pediatric dosage forms of erythromycin estolate or any new labeling requirements.

FDA's standing Anti-Infective and Topical Drugs Advisory Committee would normally have been the appropriate advisory committee to consider the matter. Its charter was permitted to expire on April 10, 1980, however, as FDA deterined that the Committee should be reconstituted into separate and discrete committees to consider specific types of anti-infective drugs. Those committees' charters are pending. Because a standing committee has not been available since April 10, 1980, to review the issues surrounding erythromycin estolate, the Commissioner, by notice in the **Federal Register** of June 10, 1980 (45 FR 39340), chartered the Ad Hoc Advisory Committee on Erythromycin Estolate (Committee) solely to review information pertaining to adult and pediatric dosage forms of erythromycin estolate and to advise FDA on the determination of the risk/benefit ratio for all dosage forms. The members of the Committee represent an appropriate diversity of viewpoints and scientific disciplines, including physicians and other scientists specializing in infectious diseases, pathology, epidemiology, pediatrics, microbiology, and pharmacokinetics. All persons selected meet legal conflict of interest requirements. A list of the members may be obtained from the Dockets Management Branch (address above).

It is essential that the Committee meet as soon as possible to expedite a final decision on the proposed amendments. Therefore, the meeting will not be delayed until after the results of ongoing studies are obtained. At the hearing, the Committee will be able to consider the adequacy of protocols of ongoing studies and any available data that are submitted by March 30, 1981.

Agenda—Issues

The following issues are to be considered by the Ad Hoc Advisory Committee on Erythromycin Estolate. They reflect, in part, a list of issues submitted to FDA by Lilly as part of communications Lilly initiated with the agency regarding the agency's procedures in this matter. Copies of all correspondence and minutes of meetings with Eli Lilly and other interested person have been placed on file with the Dockets Management Branch at the address given above.

1. Whether the prevalence of adverse liver effects from erythromycin estolate is greater for adults or children, or both, than that for other erythromycins; if so, whether the difference is clinically significant.

a. Whether voluntary adverse drug reaction reports can reliably be used to determine the relative prevalence of adverse liver effects for erythromycins; if so, what differences they show in the relative prevalance of those effects and whether the differences are clinically significant.

b. Whether data that are presented from the Kaiser-Permanente Study, or from any other retrospective study, can reliably be used to determine the relative prevalence of adverse liver effects for erythromycins; if so, what differences the data show in the relative prevalence of those effects and whether the differences are clinically significant.

c. Whether data that are presented from any prospective clinical study can reliably be used to determine the incidence of adverse liver effects for erythromycins; if so, what differences the data show in the relative incidence of those effects and whether the differences are clinically significant.

2. Whether there are any differences among erythromycins in the prevalence of adverse effects in adults or in children, or both, other than those involving the liver (for example, gastrointestinal intolerance); if so, whether those differences are clinically significant. Please state the basis for your conclusions.

3. For every bioavailability/bioequivalence study that is presented, the Committee is asked to comment on the adequacy of the design for determining bioavailability/bioequivalence, and whether the Committee believes the results of the study can be relied on the draw conclusions about comparative bioavailability of erythromycins under actual conditions of medical practice. The Committee will also address the following questions:

a. Whether tissue concentration studies of erythromycin estolate and erythromycin ethylsuccinate provide any evidence of clinically significant advantage for adults of children. Please identify the specific studies on which your conclusions are based.

b. Whether studies showing observable higher blood levels of erythromycin as the estolate indicate that erythromycin estolate is more reliably absorbed than other erythromycins and whether the studies provide any evidence of clinically significant advantage for adults or children. Please identify the specific studies on which your conclusions are based.

c. Whether erythromycin estolate, measured as the base, provides higher,

the same, or lower blood levels than other erythromycins measured as the base; whether, as so measured, erthryomycin estolate is more, equally, or less reliably absorbed than other erythromycins; and whether the differences, if any, are clinically significant. Please identify the specific studies on which your conclusions are based.

4. Whether the propionyl ester of erythromycin estolate, apart from its being hydrolyzed, contributes to the therapeutic effect of erythromycin estolate; if so, why. Does it, for example, have an antibacterial effect? Whether, if the propionyl ester contributes to the therapeutic effect of erythromycin estolate, it has been demonstrated to convey a clinical advantage over other erythromycins. Please state the basis for your conclusion.

5. Whether a prospective study to determine the therapeutic effect (for example, antimicrobial) of the propionyl ester portion of the estolate molecule is feasible and needed; if so, what the design of such a study should be.

6. Whether erythromycin estolate has been shown in clinical practice to offer any therapeutic advantage in adults or children over other erythromycins.

a. Whether erythromycin estolate has been shown to be effective at lower doses than other erythromycins in the treatment of streptococcal infections and primary syphilis; if so, whether this use of lower doses offers any clinical advantage. Please state the basis for your conclusion.

b. Whether erythromycin estolate has been shown to be more effective than erythromycin ethylsuccinate in the treatment of *Haemophilus influenzae* otitis media. Please state the basis for your conclusion.

c. Whether erythromycin estolate has been shown to have any advantage over other erythromycins in the treatment of diptheria, pertussis, Legionnaires disease, chlamydial infections, and *Campylobacter* enteritis. Please state the basis for your conclusion.

7. On the basis of the evidence presented, whether erythromycin estolate has a better, the same, or a poorer benefit/risk ratio in adults than other available erythromycins. Please state the basis for your conclusion.

8. If erythromycin estolate has a favarable risk/benefit ratio in adults, what labeling changes, if any, are recommended for adult dosage forms of erythromycin estolate.

9. On the basis of the evidence presented, whether erythromycin estolate has a better, the same, or a poorer benefit/risk ratio in children then erythromycin ethylsuccinate. Please state the basis for your conclusion.

10. If erythromycin estolate has a favorable risk/benefit ratio in children when compared to erythromycin ethylsuccinate, what labeling changes, if any, are recommended for pediatric dosage forms of erythromycin estolate.

Open Public Hearing

Manufacturers of erythromycin estolate tablets and capsules and the Bureau of Drugs are requested under 21 CFR 143.35(c) to make an oral presentation before the Committee on the issues set forth above, and to submit in writing pertinent information for review by the Committee prior to the meeting. In the interest of fairness, the Bureau of Drugs will observe the same requirements as manufacturers. Accordingly, pertinent written information, a proposed agenda outlining the topics to be presented orally with an indication of the amount of time needed for the presentaton, and a list of participating staff members must be submitted in 25 copies by March 30, 1981, to the executive secretary (address above), who will forward the submissions to Committee members. The submissions will be forwarded to all other hearing participants as well, so that they will have an opportunity to review the information and comments on it in their own presentations. Consistent with 21 CFR 14.29 (b) and (d), manufacturers and the Bureau may use the time allotted them as desired, but will be required to adhere to the topics in their proposed agendas. Material not submitted to the agency by March 30, 1981, will not be permitted to be discussed orally at the hearing, but will be permitted to be submitted in writing to the committee at the close of the hearing, or at any time up to May 18, 1981.

Interested persons other than manufacturers are encouraged, under 21 CFR 14.35(d), to submit information and to make oral presentations pertinent to the issues set forth above for consideration by the Committee. Written information must be submitted to the executive secretary in 25 copies by March 30, 1981. Voluminous data is to be accompanied by a summary. Under 21 CFR 14.29(b) interested persons who wish to be assured of the right to make an oral presentation shall submit a notice of participation to the executive secretary (address above) by March 30, 1981, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the approximate time desired, the names and addresses of proposed participants, references to any data relied on, and 25 copies of all written information to be discussed. According to 21 CFR 14.29 (b) and (d), the allotted time may be used as desired, consistent with an orderly hearing, but proposed agendas must be adhered to. The executive secretary will distribute copies of all submissions to members of the Committee and to other hearing participants. Any person attending the hearing who does not request an opportunity to speak before the hearing will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

The Committee members may question any hearing participant about his or her presentation, but no one else may do so. However, the chairperson will accept written questions concerning a presentation from other persons attending the hearing at the appointed time during the hearing. The chairperson will determine whether the questions are useful and pertinent to the Committee's inquiry, and if so, submit them to the appropriate hearing participant. During the hearing, persons may question a member of the Advisory Committee only if the member consents to questioning. All questions may be answered orally at the hearing, or in writing within 5 days of the hearing except that members of the Committee may respond to questions in their report to the Commissioner. All written answers will be placed on file under Docket No. 79N-0459 and will be available for public review in the Dockets Management Branch.

The open public hearing portion of the meeting will be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1-hour time limit for an open public hearing is minimum rather than the maximum time for public participation. An open public hearing may last for whatever period of time the Committee chairperson determines will facilitate the Committee's work.

Open Committee Discussions

During the open Committee discussion portion of the meeting, the Advisory Committee will discuss information presented at the hearing as it applies to the issues set forth above. No public participation is permissible during this portion except with the consent of the Committee chairperson.

The Committee meeting will be conducted, to the extend practical, in accordance with the procedures discussed in this notice. Any changes in the procedures will be announced at the beginning of the meeting. Persons

interested in hearing specific presentations may ascertain from the contact person the approximate time of discussion.

The Committee shall submit its conclusions in writing to the Commissioner by April 27, 1981. The Committee's report will be placed on file under Docket No. 79N-0459 and will be available for public review in the Dockets Management Branch.

The Commissioner has determined that it will be in the public interest to continue to accept written comments on the proposed amendments. Comments will be accepted immediately after publication of this notice until three weeks after the Committee's report to the Commissioner is due. Accordingly, interested persons may submit written comments regarding the proposed revocation, the Committee meeting, or the Committee's report to the Dockets Management Branch at the address given above between February 27, 1981, and May 18, 1981. The executive secretary will forward a copy of the Committee's report to the hearing participants.

The Commissioner will consider the advice of the Committee and all comments in deciding whether to revoke provisions for certification of erythromycin estolate tablets and capsules. If the provisions are revoked, the final order will include the Commissioner's response to the comments, and will set forth the agency's position in full detail. The final order will provide for the filing of objections and requests for a hearing.

FDA has established a pilot program for financial assistance to participants in certain agency proceedings, including hearings before public advisory committees under 21 CFR Part 14. This program is described in 21 CFR 10.210. Applications for reimbursement must be filed by March 24, 1981, in accordance with the regulations, except that applications should be sent to the Office of Consumer Affairs at the address given above, rather than to the Dockets Management Branch as prescribed in 21 CFR 10.210(a)(2). For more information regarding the reimbursement program, contact Curtis Noah, Office of Consumer Affairs (HFE-88), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3170.

This notice is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) relating to advisory committees.

Dated: February 23, 1981.

Mark Novitch,

Acting Commissioner of Food and Drugs.

[FR Doc. 81-12 Filed 2-26-81; 8:45 am]

BILLING CODE 4110-03-M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Ch. XIV

Cancellation of Publication of Agenda of Significant Regulatory Activity

AGENCY: Equal Employment Opportunity Commission.

ACTION: Cancellation of Publication of Agenda of Significant Regulatory Activity.

SUMMARY: The EEOC announced that it would publish its Agenda of Significant Regulatory Activity, required by Executive Order 12044, as amended, on February 27, 1981. This notice is to inform the public that it will not be published on February 27, 1981, because President Reagan on February 17, 1981, in Executive Order 12291, revoked Executive Order 12044, as amended and instituted new regulatory agenda requirements and new uniform government-wide agenda publication dates.

FOR FURTHER INFORMATION CONTACT: Karen Danart, Acting Director, or Raj K. Gupta, Supervisory Attorney, Office of Policy Implementation, 2401 E Street NW., Washington, D.C. 20506, 202/634-7060.

Signed at Washington, D.C., this 24th day of February 1981.

Equal Employment Opportunity Commission.

Daniel E. Leach,

Acting Chair.

[FR Doc. 81-6521 Filed 2-26-81; 8:45 am]

BILLING CODE 6570-06-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD-FRL-1762-5]

Standards of Performance for New Stationary Sources; Beverage Can Surface Coating Industry; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening comment period.

SUMMARY: This action provides for a reopening of the comment period for the proposed standards of performance for the beverage can surface coating industry for a 30-day period beginning February 27, 1981. These standards were proposed in the **Federal Register** on November 26, 1980 (45 FR 78980). This action responds to requests from the Can Manufacturers Institute and the Adolph Coors Company for an extension of the comment period. This extension will allow additional time for the industry to further evaluate the proposed standards and submit additional information and data.

DATES: Comments must be postmarked no later than March 30, 1981. Also, written comments responding to, supplementing, or rebutting written or oral comments received at the public hearing on January 6, 1981, must be postmarked no later than March 30, 1981.

ADDRESS: Comments should be submitted (in duplicate if possible) to: Central Docket Section (A-130), Attention: Docket Number A-80-4, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Gene W. Smith, Standards Development Branch, Emission Standards and Engineering Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5421.

Dated: February 20, 1981.

Edward F. Tuerk,

Acting Assistant Administrator for Air, Noise, and Radiation.

[FR Doc. 81-3771 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-26-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2, 22 and 94

[SS Docket No. 79-18]

Frequencies for Multiple Address Radio Systems in the Domestic Public Land Mobile Radio Service and the Private Operational-Fixed Microwave Service, and Establishment of a New Frequency Tolerance in the 952-960 MHz Band; Order for Extending Time for Filing Comments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment and reply comment period.

SUMMARY: This action extends the time for filing comments and reply comments in a proceeding proposing the allocation of frequencies for multiple address radio systems in the Domestic Public Land

Mobile Radio Service and the Private Operational-Fixed Microwave Service, and proposing the establishment of a new frequency tolerance for the 952–960 MHz band. This action is in response to a motion filed by the American Petroleum Institute.

DATE: Comments and reply comments must be filed on or before March 20, 1981, and April 6, 1981, respectively.

ADDRESS: Comments may be mailed to the Secretary, Federal Communications Commission, Washington, D.C. 20554 or delivered to Room 222, Federal Communications Commission, 1919 "M" St., NW, Washington, D.C. 20554, between 8:00 a.m. and 5:30 p.m.

FOR FURTHER INFORMATION CONTACT: George Sarver, Spectrum Utilization Branch, Office of Science and Technology, Federal Communications Commission Washington, D. C. 20554 (202) 653–7434.

Adopted: February 13, 1981.
Released: February 19, 1981.

In the Matter of Amendment of Part 2 of the Commission's Rules governing frequency allocations, Part 22 of the Commission's Rules governing the Domestic Public Land Mobile Radio Service, and Part 94 of the Commission's Rules governing the Private Operational-Fixed Microwave Service to allocate forty-eight 25 kHz channels in the 900 MHz range for multiple-address radio systems; SS Docket 79–18; and Amendment of Parts 22 and 94 to establish a new standard for frequency tolerance in the 952–960 MHz band; (46 FR 10768); Order To Extend Time To File Comments.

By the Chief Scientist:

1. A Third Notice of Proposed Rule Making (Third Notice) (46 FR 10768) in the above-captioned matter was released January 14, 1981. The deadline for filing comments is February 18, 1981, and the deadline for reply comments is March 5, 1981. On February 10, 1981, the Central Committee on Telecommunications of the American Petroleum Institute (Central Committee) pursuant to the provisions of Section 1.46 of the Rules and Regulations of the Federal Communications Commission requested that the date for filing comments and reply comments be extended to March 20 and April 6, 1981, respectively.

2. The Central Committee contends that the complex technical issues addressed in the Third Notice are of vital interest to its members and they therefore require its full attention. The Central Committee further contends that deadline of February 18, 1981, for filing comments, does not provide sufficient time for the Central Committee members to adequately study the Commission's proposals and to formulate a consensus on the issues presented in this proceeding.

3. Because of the importance of this proceeding to both the users and the general public, and because of the Commission's desire to have the most definitive and complete responses possible, an additional thirty days for filing comments, to allow all parties time to study the Commission's proposal in depth, is considered to be in the public interest. Accordingly, IT IS ORDERED, pursuant to § 0.241(d) of the Commission's Rules and Regulations, that the date for filing comments on the Third Notice in this proceeding is extended from February 18, 1981, to March 20, 1981, and the date for filing reply comments is extended from March 5, 1981 to April 6, 1981.

Robert S. Foosaner,
Acting Chief Scientist.

[FR Doc. 81-6569 Filed 2-26-81; 8:45 am]
BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 81-61, RM-3559, RM-3662]

FM Broadcast Station Avilla, Auburn, Albion, Garrett, and Lagrange, Indiana; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking and order to show cause.

SUMMARY: Action here sets forth four options for changes in the table of assignments for FM broadcast stations in northeastern Indiana: Albion, Avilla, Auburn, Garrett, and Lagrange. This action is in response to petitions filed by the Harts Corporation and Mr. Paul D. Mowery.

DATES: Comments must be filed on or before March 24, 1981, and reply comments must be filed on or before April 13, 1981.

FOR FURTHER INFORMATION CONTACT: John Kamp, Broadcast Bureau, (202) 632–9660.

SUPPLEMENTARY INFORMATION:

Adopted: February 2, 1981.

Released: February 13, 1981.

By the Chief, Policy and Rules Division.

In the Matter of an amendment of § 73.202(b) table of assignments FM Broadcasting Stations (Avilla, Auburn, Albion, Garrett, and Lagrange, Indiana), BC Docket No. 81–61, RM–3559, RM–3662, Proposed Rule Making and Order to Show Cause.

Petitions

1. The Commission has before it two petitions and one counter-proposal involving changes in the FM Table of Assignments for the communities of Albion, Auburn, Avilla, Garrett, and Lagrange, Indiana. Because these requests are largely mutually exclusive they are being considered together.

2. The Harts Corporation ("Harts") petitioned the Commission to assign FM Channel 272A to Avilla as that community's first aural service.[1] Fairfield Broadcasting Company ("Fairfield"), permittee of Station WEZV–FM, Fort Wayne, Indiana, and James E. Price ("Price") submitted comments in opposition to the Harts petition. In addition, Price proposed that 272A instead be assigned to Garrett or to Albion.

3. Paul D. Mowery ("Mowery") petitioned for the reassignment of Channel 288A from Auburn, Indiana, to Lagrange, Indiana, and the substitution of Channel 272A in Auburn for 288A now occupied there by Station WIFF–FM.[2] Furthermore, Mowery agrees to reimburse the licensee of WIFF–FM for reasonable expenses incurred in conjunction with the proposed reassignment.

Community Data

4. *Avilla:* Avilla (population 881),[3] located in Noble County (population 31,382), is approximately 192 kilometers (120 miles) north of Indianapolis.

5. *Albion:* Albion (population 1,498) is located in Nobel County (population 31,382), approximately 190 kilometers (118 miles) north of Indianapolis, Indiana.

6. *Garrett:* Garrett (population 4,715) is located in DeKalb County (population 30,837) approximately 194 kilometers (121 miles) north of Indianapolis.

7. *Lagrange:* Lagrange (population 2,053) is the seat of Lagrange County (population 20,890), approximately 216 kilometers (135 miles) north of Indianapolis.

8. *Local Broadcast Service:* None of these four communities presently has local aural service.

9. Petitioner Harts Corporation asserts that the business and population growth of Avilla have been vigorous since the 1970 census. Petitioners Price, and Fairfield dispute these assessments, and

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[1] Public Notice of the petition was given on February 1, 1980, Report No. 1211.

[2] Public Notice of the petition was given on May 20, 1980, Report No. 1229.

[3] All population figures are taken from the 1970 U.S. Census, unless otherwise indicated.

contend that the community could not support a local station. The community is also said to be served by a city grade signal from Stations WAWK(AM) and WAWK-FM, licensed to nearby Kendallville. Fairfield opposed the petition on additional grounds, including allegations that the preclusion impact of the Avilla proposal should be considered.

10. Petitioner Mowery contends that Lagrange as a city and county have a demonstrated growth potential and stresses that the assignment would be the first commercial aural assignment in Lagrange County. Mowery recites that he will reimburse the Auburn licensee for the necessary costs of the frequency change if this proposal is granted and he becomes the licensee of the Lagrange channel.

Discussion

11. To avoid the apparent conflict between these proposals, the Commission staff performed an independent search for additional available channels and found none for the communities involved. Because the proposals are mutually exclusive, the staff also performed a preclusion study. The assignment of channel 272A to Avilla would cause only co-channel preclusion in parts of Noble and DeKalb counties in Indiana. The reassignment of Channel 288A to Lagrange would cause new preclusion on the co-channel only in parts of Cass and Van Burn counties in Michigan. In addition, there would be preclusion caused by the substitution of Channel 272A in Auburn.

12. Because the Commission is faced with multiple proposals we shall propose alternate plans as set out below. The Commission also seeks further data and argument on which of the four communities should receive their first FM channel assignment. Petitioner Mowery may wish, as an alternative, to search for a different channel for Lagrange which also may involve a substitution elsewhere to avoid the existing conflict here. Accordingly, the commission presents the following alternatives for amending § 73.202(b) of the Commission's Rules and Regulations, the FM Table of Assignments.

City	Channel	
	Present	Proposed
Option I: Avilla		272A
Option II:		
Lagrange		288A
Auburn	288A	272A
Option III: Garrett		272A
Option IV: Albion		272A

13. Under Option I, the assignment could be used in Avilla, Albion, or Garrett under the 10 mile rule, § 73.203(b) of the Commission's Rules. Under Option III, the assignment could be used in either Garrett or Avilla. Under Option IV the assignment could be used in either Albion or Avilla. An Albion assignment would require a site restriction of 1.6 kilometers (1 mile) northeast of Albion.

14. It is ordered, That pursuant to § 316(a) of the Communications Act of 1934, as amended, the licensee of Station WIFF–FM, Auburn, Indiana, C.P. Broadcasters, Inc., SHALL SHOW CAUSE why its license should not be modified to specify operation on Channel 272A in lieu of Channel 288A, if the Commission determines that the public interest would best be served by adopting Option II above.

15. Pursuant to § 1.87 of the Commission's Rules and Regulations, the licensee of Station WIFF-FM, Auburn, Indiana, may, not later than March 24, 1981, request that a hearing be held on the proposed modification. Pursuant to § 1.87(f), if the right to request a hearing is waived, Station WIFF-FM may, not later than March 24, 1981, file a written statement showing with particularity why its license should not be modified as proposed in the "Order to Show Cause." In this case, the Commission may call on Station WIFF-FM to furnish additional information, designate the matter for hearing, or issue, without further proceeding, an Order modifying the license as provided in the *Order to Show Cause*. If the right to request a hearing is waived and no written statement is filed by the date stated above, Station WIFF-FM will be deemed to consent to modification as proposed in the *Order to Show Cause* and a final Order will be issued by the Commission, if the channel changes mentioned above are found to be in the public interest.

16. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein. NOTE: A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

17. Interested parties may file comments on or before March 24, 1981, and reply comments on or before April 13, 1981.

18. It is further ordered, That the Secretary of the Commission shall send a copy of this Order by certified mail, return receipt requested, to C.P. Broadcasters, Inc., P.O. Box 551, Auburn, Indiana, 46706, the party to whom the *Order to Show Cause* is directed.

19. For further information concerning this proceeding, contact John Kamp, Broadcast Bureau (202) 632–9660. However, members of the public should note that from the time a notice of proposed rule making is issued until the matter is no longer subject to Commission consideration of court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission.

20. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, Certification that §§ 603 and 604 of the *Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited to the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 81-3781 Filed 2-26-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 81-62; RM-3773; BC 28850]

FM Broadcast Station; Marshfield, Wisconsin; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule.

SUMMARY: Action taken herein proposes the assignment of a Class A FM channel to Marshfield, Wisconsin, in response to a petition from B–K Broadcasting, Inc. The proposal could provide for a second FM station to Marshfield.

DATES: Comments must be filed on or before March 23, 1981, and reply comments are due on or before April 13, 1981.

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

FOR FURTHER INFORMATION CONTACT: Kathy A. Grant, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 4, 1981.

Released: February 12, 1981.

By the Chief, Policy and Rules Division.

In the matter of amendment of § 73.202(b), Table of Assignments, FM broadcast stations (Marshfield, Wisconsin); BC Docket No. 81–62, RM–3773; Proposed Rule Making.

1. The Commission has before it a petition for rule making [1] filed by B–K Broadcasting, Inc. ("petitioner"), requesting the assignment of FM Channel 224A to Marshfield, Wisconsin, as that community's second FM assignment. Comments were filed by Goetz Broadcasting Corporation (Goetz), licensee of WDLB and WLJY(FM), Marshfield, Wisconsin, opposing the assignment. Petitioner filed reply comments.

2. A Channel 224A assignment to Marshfield is affected by the pending proposal in Docket 78–92 to assign Channel 224A to Tomahawk, Wisconsin, as well as the existence of Station WDUX on Channel 224A in Waupaca, Wisconsin. Taking both of these into consideration, a Channel 224A assignment to Marshield would require a site restriction of 7.7 miles west-southwest. At that distance the station may not be able to provide a 70 dBu signal over the entire community.[2] To avoid the problem, we have substituted Channel 221A for consideration herein. A staff study of the Marshfield area shows that a Channel 221A assignment would place a 70 dBu signal over the entire community and require a site restriction of only 7 kilometers (4.4 miles) north of town.

3. Marshfield (population 15,619),[3] is located in Wood County (population 65,362), approximately 256 kilometers (160 miles) northwest of Milwaukee, Wisconsin. Marshfield is presently served by full-time AM Station WDLB, 1450 kHz, and FM Station WLJY, Channel 293.

4. Petitioner states that Marshfield has shown strong growth over the past ten years, enabling it to support an additional FM broadcast facility. The financial sector has seen the addition of several banks, representing an increase in total resources from $60,366,498.97 in 1969 to $202,568,000.00 in 1979.[4]

5. The assignment of Channel 221A to Marshfield would result in intermixing a Class A channel with a Class C channel (293). The Commission has a policy of permitting such intermixture where, as here, the petitioner is willing to apply for the Class A channel despite the unfavorable competitive situation. *See Yakima, Washington*, 42 FCC 2d 548, 550 (1973); *Key West, Florida*, 45 FCC 2d 142, 145 (1974).

6. B–K Broadcasting, Inc., by its President, Thomas F. Korn, in supplemental comments, has directed our attention to the pending proposal in Docket 80–90, *Modification of FM Broadcast Station Rules to Increase the Availability of Commercial FM Broadcast Channels*, 45 FR 17602, published March 19, 1980, in which additional classes of channels are proposed. B–K Broadcasting, Inc. request that one channel in particular, Channel 225, be assigned to Marshfield as a Class B–1 facility (20 kW at 300 feet HAAT). We believe this request to be premature. If, and when, that proposal is adopted, B–K Broadcasting, Inc., may renew its request. In the meantime, B–K Broadcasting, Inc. should decide whether it wishes to pursue our proposal for Channel 221A herein or to await the outcome of Docket 80–90 and then refile

[1] *Public Notice* of the petition was given on November 3, 1980, Report No. 1254.

[2] Goetz argued that petitioner's proposed site will not provide city-grade coverage over the entire community as required by § 73.315 of the Commission's Rules and that no other site is available to meet spacing requirements. The petitioner filed a reply, stating that the site specified provides a 70 dBu signal over all but .5% of the Community. Petitioner argued that since the area not covered is officially designated an industrial park (as opposed to residential) and will in any event be covered by the proposed station's 60 dBu contour, its proposal meets the requirements of § 73.315 of the Commission's Rules.

[3] Population figures are taken from the 1970 Census.

[4] Statistics are provided by the Marshfield Area Chamber of Commerce.

for a Class B–1 channel, assuming that proposal is adopted.

7. Petitioner did not submit a study to demonstrate what assignments in surrounding communities would be precluded by its proposed assignment. It should do so in comments with regard to Channel 221A and also indicate whether alternate channels are available for assignment within the precluded areas. *See Policy Statement to Cover Requests for Additional FM Assignments,* 8 FCC 2d 79 (1967).

8. Since Marshfield is located within 402 kilometers (250 miles) of the U.S.—Canadian border, the proposed assignment of Channel 221A to Marshfield, Wisconsin, requires coordination with the Canadian Government before it can be assigned.

9. In view of the foregoing, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, as follows:

City	Channel No.	
	Present	Proposed
Marshfield, Wisconsin	293	293, 221A.

10. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein. Note: A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

11. Interested parties may file comments on or before March 24, 1981, and reply comments on or before April 13, 1981.

12. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. *See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules,* 46 FR 11549, published February 9, 1981.

13. For further information concerning this proceeding, contact Kathy A. Grant, Broadcast Bureau, (202) 632–7792. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filing in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice,* they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 81–19 Filed 12–26–81; 8:45 am]

BILLING CODE 6712–01–M

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1002 and 1116

[Ex Parte 382 (Sub-1)]

Revision of Rules for the Recordation of Documents

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission proposes to adopt revisions to Part 1116—Recordation of Documents. These revisions outline requirements for submission of documents to be recorded, requirements for the transmittal letter, as well as the administrative procedure in handling the documents. Part 1002 is proposed to be amended by adding the fees for recordation of documents to the fee schedule.

The rules for the recordation of documents under section 11303 of Title 49 need to be simplified and revised to reflect current Commission practice. By outlining the requirements in a list form, we expect to reduce the number of mistakes, which necessitate refiling. Standardization of certain requirements, such as the contents of the letter of transmittal will make it easier for Commission personnel to process and index the documents. Improved indexing will reduce search time for the public using the recordation files.

The Commission is aware that there is likely to be increased use of the Recordation files. Thus, we feel that it is important that the rules concerning the filing and recordation of documents are current and easy to use, particularly for persons who may be filing for the first time. Revision of these rules is part of a Commission program to improve and upgrade the quality of its public records.

DATE: Public Comment on this Proposed Rulemaking should be filed by March 30, 1981.

ADDRESSES: Please send comments, original and one copy, to: Office of Secretary, Room 2215, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Joseph Ross, 202–275–0993; Kathleen King, 202–275–0956.

SUPPLEMENTARY INFORMATION: We propose adoption of the rules and modifications set forth in the appendix.

This action does not affect significantly the quality of the human environment or conservation of energy resources. This action does not significantly affect small businesses.

Issued under authority of 5 U.S.C. 553 and 49 U.S.C. 10301.

Decided: February 20, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam.

Agatha L. Mergenovich,

Secretary.

Appendix

1. Part 1116 is proposed to be revised as follows:

PART 1116—RECORDATION OF DOCUMENTS

Sec.

1116.1 Definitions and classifications of documents.
1116.2 To whom to submit documents for recordation.
1116.3 Requirements for submission.
1116.4 Sample forms.
1116.5 Administrative procedure.

Authority: 49 U.S.C. 10301 and 5 U.S.C. 553.

§ 1116.1 Definitions and classifications of documents.

(a) A "primary document" is a mortgage (excluding those under the Ship Mortgage Act of 1920, as amended—46 U.S.C. 911 et seq. or 41 Stat. 988), lease, equipment trust agreement, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of one or more vessels operated subject to Interstate Commerce Commission authorization, railroad cars, locomotives, or other mobile rolling stock or equipment used in connection with interstate commerce.

(b) A "secondary document" is any assignment of rights or interest, or amendment to any primary or other secondary document. These include releases, discharges, or satisfactions—either total or partial.

§ 1116.2 To whom to submit documents for recordation.

Documents to be recorded shall be submitted in person or by mail addressed to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423. All documents submitted by mail should clearly state "Documents for Recordation" on the envelope.

§ 1116.3 Requirements for submission.

In order to be accepted for recordation, an original of any primary or secondary document must:

(a) *Be in writing and executed by the parties* to the document, and acknowledged or verified either in a form

(1) Authorized by the law of the State, territory, district, or possession where executed for the acknowledgement or verification of deeds of land *or*

(2) Substantially as follows:

Individual Form of Acknowledgement

State of ————,
County of ————, ss:

On this —— day of ———— 19——, before me, personally appeared (name of signer), to me known to be the person described in and who executed the foregoing instrument and he acknowledged that he executed the same as his free act and deed.

Seal

————————————

Title of Officer

My commission expires ————.

Corporate Form of Acknowledgement

State of ————,
County of ———— ss:

On this —— day of ———— 19——, before me personally appeared (name of signer), to me personally known, who being by me duly sworn, says that he is the (title to office) of (name of corporation), that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Seal

————————————

Title of officer

My commission expires ————.

(b) *Be accompanied by a counterpart,* or if no counterpart has been executed and acknowledged by the parties, one certified true copy. A certified copy of an original document is a complete copy in all respects, attached with a certificate of a notary public, stating that he or she has found the copy to be a correct one in all respects after a comparison of the copy to the original.

(c) *Be accompanied by a fee* in the appropriate amount. For each of the primary documents described under § 1116.1(a), a fee of $50 will be assessed. For each separate secondary document described in § 1116.1(b), a fee of $10 will be assessed. However, assignments which are executed *prior* to the filing of the primary document and which are submitted at the same time as the primary document, will be counted with the primary document as one document. A lease and agreement (Philadelphia Plan) shall be counted as one document.

(d) *Be accompanied by a letter of transmittal* requesting the recording of the document. For a sample of a letter, see § 1116.4. Each separate document to be recorded must have its own letter of transmittal. The letter of transmittal should be on 8½"×11" paper with 1½" margins on the left side, addressed to the Secretary, and should contain the following information:

(1) *Type of agreement*—(equipment trust, mortgage, assignment, etc.)

(2) *Whether document is a primary document or a secondary document* (see § 1116.1). If the document is a secondary document, it *must* contain the recordation number of the primary document to which it is connected.

(3) A *request for cross-indexing,* if the secondary document is an assignment.

(4) A *description of the equipment covered in the document:*

(i) *For railway equipment*—type of equipment (car, rolling stock, locomotive), with any A.A.R. mechanical designation; the number of each type; any identifying marks such as the name or initials of the lessee, mortgagee, or vendee; and the road or serial number, or inclusive numbers.

(ii) *For water carrier equipment*—type of such equipment (towboats, barges, or vessel); description as contained in the United States Coast Guard certificate of enrollment; number of each type of equipment; and any identifying marks such as the name or initials of the lessee, mortgagee, or vendee.

(5) *Parties to the agreement,* as follows:

(i) Conditional sale—vendor, purchaser, guarantor

(ii) Mortgage—mortgagor, mortgagee, guarantor

(iii) Equipment Trust—vendor, trustee, lessor, lessee, guarantor of lease.

(iv) Lease—lessee, lessor, guarantor

(v) Bailment—bailor, bailee, guarantor

(vi) Other transactions—principal debtor, trustee guarantor, and other parties.

(6) *Person to whom original document should be returned.*

(7) *The amount of the enclosed fee.*

(8) A *short summary* (1 or 2 sentences) of the type of document, and a very brief description of the equipment and

identifying numbers. This summary will be entered into the index in order to aid in researching the title (for a sample of a summary, see § 1116.4).

(9) *The letter must be signed by an executive officer* of one of the parties having knowledge of the matters described in the letter.

Note.—If the document is a mortgage or deed of trust which contains a "hereinafter acquired" or similar clause, the following statement may be included in the letter of transmittal in lieu of the equipment description above:

"Included in the property covered by the aforesaid mortgage or deed of trust are (here identify generally the equipment such as "barges, towboats, or other vessels, railroad cars, locomotives and other rolling stock") used or intended for use in connection with interstate commerce, or interests therein, owned by (name of mortgagor) at the date of said mortgage or thereafter acquired by it or its successors as owners of the water carriers or the lines of railway covered by said mortgage."

When such a mortgage or deed of trust is filed, it is not necessary to refile the document whenever additional rolling stock or equipment is acquired in order to perfect the lien of the document upon the additional equipment.

§ 1116.4 Sample forms.

(a) *Sample Short Summary* for the *Index*

(1) *Primary Document:*

[Type of document] between [name and address of lessor, mortgagor, bailor, etc.] and [name and address of lessee, mortgagee, bailee, etc.] dated [date], and covering [briefly list amount and types of equipment].

(2) *Secondary Document:*

(i) If an assignment—

Assignment between [name and address of assignor] and [name and address of assignee] dated [date of assignment] and covering [list amount and types of equipment], and connected to [type of document primary document is] with Recordation No. [Recordation No. of the primary document].

(ii) If document is not an assignment—

[Type of document] to [type of primary document] with Recordation No. [recordation no. of the primary document], date [date of amendment, supplement, release, etc.] and covering [list amount and types of equipment].

(b) *Sample Letter of Transmittal*

[Secretary's Name]
Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Dear Secretary: I have enclosed an original and one copy/counterpart of the document(s) described below, to be recorded pursuant to section 11303 of Title 49 U.S. Code.

This document is a [mortgage, lease, equipment trust, supplement, etc.], a [primary or secondary] document, dated [date].

(If a secondary document)—The primary document to which this is connected is recorded under Recordation No. [state no.].

(If an assignment)—We request that this assignment be cross-indexed.

The names and addresses of the parties to the documents are as follows:

Vendor, Lessor, Mortgagor, etc.: [name and address].

Vendee, Lessee, Mortgagee, etc.: [name and address].

A description of the equipment covered by the document follows:

[Type of Equipment, Amount of each type, AAR designation, identifying marks, road or serial numbers, etc. as outlined in § 1116.3(d)(4).]

A fee of [fee amount] is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to [party to whom documents should be returned].

A short summary of the document to appear in the index follows: [short summary as described in § 1116.4(a)].

Very truly yours,

[Signature by an executive officer of one of the parties]

§ 1116.5 Administrative procedure.

(a) At the time of filing of a document with the Commission for recordation, a consecutive number will be stamped upon the original document and upon the copies or the counterparts, with the date and hour of the filing. A notation to the effect that the document has been filed pursuant to 49 U.S.C. 11303 will be made. The original, along with the notation, will be returned to the party named in the transmittal letter and a copy or counterpart will be retained by the Commission.

(b) The Commission will maintain an index for public use as required by 49 U.S.C. 11303(b). There will be an index of parties to an agreement, which will contain cross indexes of assignments *if requested* in the transmittal letter. There will also be an index of documents by number, which will also list secondary documents referenced to the primary ones. The indexes will contain the pertinent information furnished by the parties in the transmittal letter.

(c) The Commission cannot judge the validity of documents, nor judge the status of title to property recorded at the Commission. The public is welcome to research the records or use an agent or attorney to do so, provided they respect Commission rules and regulations concerning handling of the documents.

(d) The public should note that since filing with the Commission is discretionary, at times there may be gaps in the record for which the Commission is not responsible.

PART 1002—FEES

§ 1002.2 [Amended]

2. Part 1002, § 1002.2(d) Schedule of Filing Fees Part VI: Other Proceedings, is proposed to be amended by adding subparagraphs (47) and (48) as follows:

* * * * *

(d) * * *

(47) Filing of any primary document as defined in 49 CFR 1116.1(a) for recordation under 49 U.S.C. 11303 and 49 CFR 1116.3(c) . . . $50 per document.

(48) Filing of any secondary document as defined in 49 CFR 1116.1(b) for recordation under 49 U.S.C. 11303 and 49 CFR 1116.3(c) . . . $10 per document.

[FR Doc. 81-3828 Filed 2-26-81; 8:45 am]
BILLING CODE 7035-01-M

49 CFR Parts 1039, 1300 and 1301

[Ex Parte No. 346 (Sub-No. 3)]

Rail General Exemption Authority—Long and Short Haul Transportation

AGENCY: Interstate Commerce Commission.

ACTION: Proposed Rules: Notice of postponement of filing date.

SUMMARY: On December 18, 1980 [45 FR 83300], the Commission published a Notice of Proposed Rulemaking seeking comments on a proposed rule to exempt all rates and charges for rail transportation from the long and short haul and aggregate of intermediates provisions of 49 U.S.C. 10726. The original due date for comments was February 2, 1981. In response to a petition filed by the Water Transport Association, this due date was extended to February 23, 1981, in a decision served January 29, 1981. Through inadvertence, this extension was not published in the **Federal Register**. By letter petition filed February 2, 1981, the Association has requested a 10-day extension of the filing due date. Because of the importance of the issues here under consideration and in order to develop a complete record in this proceeding, we are authorizing this 10-day extension.

DATE: Comments are now due March 5, 1981.

ADDRESS: An original and 15 copies of comments should be sent to: Office of Proceedings, Room 5340, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Richard Felder or Jane Mackall (202) 275-7693.

Decided: February 17, 1981.

By the Commission, Marcus Alexis, Acting Chairman.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3789 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1039

[Ex Parte No. 230 (Sub-6)]

Improvement of TOFC/COFC Regulation, Railroad Affiliated Motor Carriers and Other Motor Carriers

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Proposed Rule.

SUMMARY: The Commission has approved an exemption from 49, Subchapter IV of the U.S. Code for rail and truck service provided by rail carriers as part of a continuous intermodel movement. In this notice the Commission is proposing to include truck service provided by railroad affiliated motor carriers and other motor carriers in the exemption. The proposal is intended to round out the approved exemption by authorizing railroads to use transportation resources available to them in exempt intermodal service.

DATES: Comments are due March 30, 1981.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder or Jane F. MacKall (202) 275-7656.

SUPPLEMENTARY INFORMATION: In Ex Parte No. 230 Sub-No. 5, published simultaneously with this document, rail and truck service provided by rail carriers as part of a continuous intermodal movement was exempted from Title 49, Subchapter IV of the U.S. Code effective March 23, 1981. In that proceeding we deferred a decision on whether to include railroad affiliated motor carriers in the exemption. The public comments indicated that the original notice of exemption did not provide the public with sufficient notice that we intended to include railroad affiliated motor carriers in the exemption. In addition, some comments including the comment of the American Trucking Associations, Inc. seriously questioned our jurisdiction to exempt truck service regardless of who provides it under 49 U.S.C. § 10505. The comments of others strongly suggest that we have the authority to exempt the motor portion of intermodal movements performed by regulated motor carriers, owner-operators and private trucks. For these reasons, we are requesting further comment on whether we can or should add railroad affiliated truck service and other truck service to the exemption.

We believe that we have the authority to exempt railroad affiliated motor carriers. Section 10505(a) authorizes the exemption of transactions and services in matters related to rail carriers by persons or classes of persons. Section 10505(f) goes further to authorize transportation provided by a rail carrier as a part of a continuous intermodal movement. This language is broad enough to include motor carrier service. "Transportation" is defined in 49 U.S.C. 10102(24) to include motor vehicles. Transportation provided by a rail carrier as a part of a continuous intermodal movement should include all the trucking service provided by a railroad and its affiliates. All resources available to a railroad should be used for performing exempt intermodal service regardless of the corporate arrangement of railroad trucking services.

We understand that the ability of a railroad to provide a complete intermodal service under the exemption may somewhat disadvantage close substitutes for this service such as independent motor carriers and boxcar service. As we indicated in the November 21, 1980 decision, trucking companies have considerable flexibility to adjust their prices and services under the Motor Carrier Act of 1980. Motor carriers seeking new authority to serve exempt railroads should not encounter any difficulty securing a license. Nonetheless, we are prepared to consider what other procedural or substantive tools are available to us as a means of expediting or simplifying the means by which independent motor carriers might receive competitive parity with rail carriers and their affiliated motor carriers in the provision of TOFC/COFC service. Therefore, we are considering whether we can or should include other than railroad owned or affiliated motor carriers under the exemption.

Railroads may adjust prices for boxcar service under the pricing flexibility offered by the Staggers Rail Act of 1980. In addition, it is possible that all or part of boxcar service would be considered for exemption under 49 U.S.C. 10505 by petition or upon our own initiative.

We propose to insert the following language after the first sentence of 49 CFR 1039.11:

§ 1039.11 [Amended].

* * * The truck transportation may be performed by the railroad or any motor carrier regardless of its ownership or affiliation. * * *

Note.—This action does not significantly affect either the quality of the human environment or conservation of energy resources. Moreover, we do not believe that our proposed action will have an adverse effect on small business within the meaning of the Regulatory Flexibility Act, 94 Stat. 1164, September 19, 1980. We shall nonetheless transmit a copy of our proposal to the Chief Counsel for Advocacy of the Small Business Administration.

This proposed rule is issued under the authority of sections 553 and 559 of the Administrative Procedure Act (5 U.S.C. 553 and 559) and sections 10321(a) and 10505 of Title 49 (49 U.S.C. 10321(a) and 10505).

Decided: February 19, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam. Commissioner Clapp concurring with a separate expression. Commissioner Gilliam concurring with a separate expression.

Agatha L. Mergenovich,

Secretary.

[Sub-6]

Commissioner Clapp, concurring: A full discussion of the issues is critical if this proceeding is to be decided properly. The proposed modification of 49 CFR § 1039.11, if adopted by us, would exempt all motor carrier TOFC/COFC transportation. This may go beyond the bounds contemplated by 49 U.S.C. § 10505, and I encourage parties particularly to address this jurisdictional issue.

Commissioner Gilliam, concurring: I fully support the rail exemption of TOFC/COFC service. I reached this decision only after much deliberation and careful analysis of the record in this proceeding. It was a difficult decision which was the primary reason that I advocated an extension of the scheduled effective date of the exemption beyond February 10, 1981. In addition to the complex issues raised by the numerous parties who filed comments, there was the question of adequate notice to those who were only included in the proceeding by our Federal Register Notice of November 28, 1980.

The concerns raised by the parties are all questions that I have raised myself with the Commission during the deliberative process. I have attempted

within my power to make certain this decision clarifies the scope of the exemption and is otherwise responsive to as many of the concerns of the parties as is possible. While I am not satisfied that this decision accomplishes that goal, I give it my unqualified support because of the fact that Congress intended that we pursue partial and complete exemptions from remaining regulations consistent with the policies of the Staggers Act. The revocation procedures contained in the first exemption provision are retained in the Staggers Act and in my view are strengthened by Congressional intent that we adopt a policy of reviewing carrier actions after the fact.

I believe the decision to exempt TOFC/COFC services offers the potential for tremendous growth in intermodalism which is in my opinion an answer to our transportation needs of the future. I urge all concerned to use this exemption and make this second major experiment in deregulation a successful prototype for the future.

[FR Doc. 81-6537 Filed 2-20-81; 8:45 am]
BILLING CODE 7035-01-M

Notices

Federal Register
Vol. 46, No. 39
Friday, February 27, 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

Federal Grain Inspection Service

Assignment of Geographic Area to the Bloomington Grain Inspection Department, Bloomington, Ill., and to the Gibson City Grain Inspection Department, Gibson City, Ill.; Correction

AGENCY: Federal Grain Inspection Service.

ACTION: Notice, correction.

SUMMARY: This document corrects the assignment of geographic areas to the Bloomington Grain Inspection Department, Bloomington, Illinois, and to the Gibson City Grain Inspection Department, Gibson City, Illinois. A January 12, 1979, Notice, which proposed assignment of geographic area to the Bloomington Grain Inspection Department, Bloomington, Illinois, incorrectly cited a location reference. As a result, subsequent final Notices announcing the assigned geographic areas of the Bloomington Agency and the adjacent Gibson City Agency misstated the agencies' respective geographic areas.

EFFECTIVE DATE: February 27, 1981.

FOR FURTHER INFORMATION CONTACT: J. T. Abshier, Director, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250; (202) 447-8262.

SUPPLEMENTARY INFORMATION: The January 12, 1979 (44 FR 2635), issue of the **Federal Register** cited the eastern boundary of the Bloomington Agency as being "Bounded: on the East by the ICG Railroad line southwest to Pontiac, Illinois, including the Bunge Elevator 5 miles north-northwest of Pontiac and the city of Pontiac, Illinois; . . . ." This description would have located the Bunge Elevator within the contigious geographic area of the Bloomington Agency, and therefore no further reference was made to the Bunge Elevator in the subsequent assignments of geographic area to the Bloomington and Gibson City agencies. The subsequent assignments respectively appeared in the September 5, 1980 (45 FR 59122-3), and July 22, 1980 (45 Fr 49069), issues of the **Federal Register.**

However, the correct description locates the Bunge Elevator outside the contiguous geographic area of the Bloomington Agency and makes it an exception to the geographic area of the Gibson City Agency.

The Bloomington Agency has provided service to the Bunge Elevator for many years and is currently doing so. The Gibson City Agency has not provided service at this location. Both agencies have been notified of the following correction and concur in the same.

The Bloomington Agency's assigned geographic area which was published in the September 5 issue of the **Federal Register** on page 59123 is corrected to add the following geographic location:

In addition the following location which is outside the Agency's contiguous geographic area and is to be serviced by the Agency shall be considered as part of the Agency's geopgraphic area: Bunge Elevator, Pontiac, Illinois, in Livingston County.

The Gibson City Agency's assigned geographic area which was published in the July 22 of the **Federal Register** on page 49069 is corrected to add the following exception to its geographic area:

An exception to this geographic area is the following location situated inside the Agency's geographic area which has been and will continue to be serviced by the Bloomington Grain Inspection Department, Bloomington, Illinois: Bunge Elevator, Pontiac, Illinois, in Livingston County.

Further, the eastern boundary of the Bloomington Agency and the western boundary of the Gibson City Agency are respectively clarified to reflect that the common boundary line between the two agencies is established in part by a straight line running north and south through Arrowsmith to a point where the line intersects the ICG Railroad line in Ponitac.

(Sec. 8, Pub. L. 94-582, 90 Stat. 2870 (7 U.S.C. 79))

Done in Washington, D.C. on: February 20, 1981.

[FR Doc. 81-56 Filed 2-26-81; 8:45 am]
BILLING CODE 3410-23-M

Forest Service

Legal Description and Maps for the Alpine Lakes Wilderness, Intended Wilderness, and Management Unit; Availability

The Alpine Lakes Area Management Act of 1976, 16 U.S.C. 1132 note (1976), designated the Apline Lakes Wilderness, the "Intended Wilderness," and the peripheral area referred to as the "management unit." Section 3(a) of the Act provides that a detailed description and maps showing the boundaries of these units be on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, and published in the **Federal Register.**

The legal description for the involved units consists of 121 pages and 48 map sheets. Costs to publish this material in the **Federal Register** are estimated to be $69,000. In the interests of economy, this notice of availability is published to provide public awareness that this legal description and maps are on file for public inspection and may be reviewed by interested parties in the following offices:

Chief, Forest Service, USDA, South Agriculture Building, Room 4238, 12th & Independence Ave. SW., Washington, D.C.;
Regional Forester, Forest Service, USDA, 319 SW. Pine Street, Portland, OR 97208;
Forest Supervisor, Forest Service, USDA, Mt. Baker-Snoqualmie National Forest, 1601 Second Avenue Building, Seattle, WA 98101;
Forest Supervisor, Forest Service, USDA, Wenatchee National Forest, 301 Yakima Street, Wenatchee, WA 98801.

In compliance with the Wilderness Act of 1964 (Pub. L. 88-577), the legal description and maps will be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives. This action will be taken following publication of this notice of availability.

Further information is available from Charles R. Joy, USDA, Forest Service,

Recreation Management Staff, P.O. Box 2417, Washington, D.C. 20013; telephone (202) 447-2422.

Dated: February 11, 1981.

Douglas R. Leisz,

Associate Deputy Chief, NFS.

[FR Doc. 81-3797 Filed 2-26-81; 8:45 am]

BILLING CODE: 3410-11-M

Rural Electrification Administration

Continental Telephone Co. of the West, Holbrook, Ariz.; Proposed Loan Guarantee

Under the authority of Pub. L. 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320-22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the **Federal Register**, September 16, 1974, (Vol. 39 No. 180, pages 33228-33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $41,700,000 to Continental Telephone Company of the West, Holbrook, Arizona. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable to making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. W. S. Hegmann, President, Continental Telephone Company of the West, 10030 North 25th Drive, Suite 200, Phoenix, Arizona 85021.

To assure consideration, proposals must be submitted (within 30 days of the date of this notice) to Mr. W. S. Hegmann. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as Continental Telephone Company of the West and REA deem appropriate. Prospective lenders are advised that it is anticipated that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of REA Bulletin 320-22 are available from the Director, Office of Information and Public Affairs, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

This program is listed in the Catalog of Federal Domestic Assistance as 10.851—Rural Telephone Loans and Loan Guarantees.

Dated at Washington, D.C., this 24th day of February, 1981.

Joe S. Zoller,

Acting Administrator, Rural Electrification Administration.

[FR Doc. 81-3799 Filed 2-26-81; 8:45 am]

BILLING CODE 3410-15-M

Texland Electric Cooperative, Inc.; Intent To Prepare an Environmental Impact Statement and Announcement of Public Scoping Meetings

Notice is hereby given that the Rural Electrification Administration (REA), if lead agency, intends to prepare an Environmental Impact Statement (EIS) and conduct public scoping meetings in order to fulfill its requirements under the National Environmental Policy Act of 1969 in connection with a possible loan guarantee commitment to Texland Electric Cooperative, Inc., for the construction of certain generation and related transmission facilities. Texland tentatively proposes that the generating facilities be located in the state of Texas and is investigating possible sites in the counties of Milam, Burleson, and Robertson.

The sites are being investigated for a possible 2000 MW (ultimate capacity) coal-fired generating station. Associated with the proposed generation station, will be a possible lignite mine, coal transportation and handling facilities, bulk transmission, pollution control equipment, cooling towers, waste disposal areas, retention ponds, water supply facilities, and other ancillary facilities.

Alternatives to be considered by REA are described in REA Bulletin 20-21:320-21 and may include among other options: (1) no project, (2) conservation and load management, (3) purchase power from other utilities, (4) shared generating units with other utilities, (5) alternative sites for the proposed generating plant and transmission lines, (6) alternative fuels, and (7) alternative methods of generation.

Public scoping meeting will be held on April 1, 1981, at 7:30 p.m., CST in the High School Auditorium at the junction of U.S. Highways 36 and 79 in Milano, Texas, and on Arpil 2, 1981, at 7:30 p.m., CST in the District Courtroom of the Robertson County Courthouse in Franklin, Texas. These public scoping meetings will be chaired by representatives of REA.

These public scoping meetings will be held in order to solicit public input and comments including but not limited to the nature of the proposed project, its possible location, alternatives, and any significant issues and environmental concerns that should be addressed in the REA EIS. A record will be made of the meeting and comments will be addressed in the EIS.

All agencies, groups, and individuals are invited to attend and participate in this series of public scoping meetings. All interested parties are invited to submit written comments to REA prior to, at, or within 30 days after the scoping meetings, if they desire to have their comments as part of the formal record for these scoping meetings. Comments may be sent to Frank W. Bennett, Director, Power Supply Division, Room 5168, South Building, Rural Electrification Administration, U.S. Department of Agriculture, Washington D.C. 20250, phone: (202) 447-6183. Requests for additional information concerning the scoping meetings may also be directed to the following representatives of Texland:

Mr. Bennie R. Fuelberg, Manager, Pedernales Electric Cooperative, Inc., P.O. Box 467, Johnson City, Texas 78636 (512) 868-7155;

Mr. Henry Umscheid, Manager, Bluebonnet Electric Cooperative, Inc., 426 East Austin Street, Giddings, Texas 78942 (713) 542-3151.

REA financing assistance to Texland will be subject to, and release of funds thereunder will be contingent upon, REA's reaching satisfactory conclusions with respect to environmental effects. Final action will be taken only after compliance with environmental impact statement procedures required by the National Environmental Policy Act of 1969.

This Federal assistance program is listed in the Catalog of Federal Domestic Assistance as 10.850—Rural Electrification Loans and Loan Guarantees.

Dated at Washington, D.C. this 23rd day of February 1981.

Joe S. Zoller,

Acting Administrator, Rural Electrification Administration.

[FR Doc. 81-3798 Filed 2-26-81; 8:45 am]

BILLING CODE 3410-15-M

CIVIL AERONAUTICS BOARD

[Docket No. 39285]

Acquisition of Control of Continental Air Lines, Inc. by Texas International Airlines, Inc.; Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge William A.

Kane, Jr. Future communications should be addressed to Judge Kane.

Dated at Washington, D.C. February 23, 1981.

Joseph J. Saunders,
Chief Administrative Law Judge.

[FR Doc. 81-3813 Filed 2-26-81; 8:45 am]
BILLING CODE 6320-01-M

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits.

Notice of applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits filed under Subpart Q of the board's procedural regulations (see, 14 CFR 302.1701 et seq.), week ended February 20, 1981.

Date filed	Docket No.	Description
Feb. 17, 1981	39313	Aspen Airways, Inc., Hangar 5, Stapleton International Airport Denver, Colorado 80207. Application of Aspen Airways, Inc., pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests amendment of its certificate of public convenience and necessity for Route 155 so as to authorize air transportation of persons, property, and mail between the point Lake Tahoe, and Santa Ana, and San Diego, California. Conforming Applications, motions to modify scope, and Answers may be filed by March 17, 1981.
Feb. 17, 1981	39315	Heavylift Cargo Airlines Limited, c/o Lester M. Bridgeman, 1750 New York Avenue, N.W., 210 United Unions Building, Washington, D.C. 20006. Application of Heavylift Cargo Airlines Limited, pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations for a foreign air carrier permit authorizing Heavylift to engage in foreign air transportation as follows: A. Between any point or points in the United Kingdom of Great Britain and Northern Ireland and any point or points in the United States, either directly or via intermediate or beyond points in other countries, with or without stopovers. B. Between any point or points in the United States and any point or points not in the United States or the United States. Limited to charter foreign air transportation of property, and accompanying cargo personnel, and subject to the condition that flights authorized under paragraph B above must be individually approved by the Civil Aeronautics Board unless such requirement is waived by Board Order. Answers may be filed by March 17, 1981.
Feb. 18, 1981	39325	World Airways, Inc., Oakland International Airport, Oakland, California 94614. Application of World Airways, Inc., pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests a certificate of public convenience and necessity authorizing it to engage in scheduled foreign air transportation of persons, property and mail, over the following route: Between the coterminal points San Francisco/Oakland and Los Angeles, California and Honolulu, Hawaii, on the one hand and the terminal point Manila, the Republic of the Philippines, on the other hand. Conforming Applications, motions to modify scope, and Answers may be filed by March 18, 1981.
Feb. 19, 1981	39331	Empresa Ecuatoriana de Aviacion, c/o Robert D. Pakpin, Squire, Sanders & Dempsey, 21 Dupont Circle, N.W., Washington, D.C. 20036. Application of (Ecuatoriana) requests renewal of its existing Foreign Air Carrier Permit issued in Order 76-3-161 and approved by the President of the United States on March 24, 1976, pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations, to operate scheduled services and to carry persons, property, and mail over each of the following routes: 1. Between a point or points in Ecuador; the intermediate points Cali and Bogota, Colombia, Panama City, Panama, and Havana, Cuba; and the co-terminal points Miami, Florida and New York, New York. 2. Between a point or points in Ecuador; the intermediate points Cali and Bogota, Colombia, Panama City, Panama, and Mexico City, Mexico; and the terminal point Los Angeles, California. Answers may be filed by March 19, 1981.

Phyllis T. Kaylor,
Secretary

[FR Doc. 81-3814 Filed 2-26-81; 8:45 am]
BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

Economic Development Administration

Petitions by Producing Firms for Determinations of Eligibility To Apply for Trade Adjustment Assistance

Petitions have been accepted for filing from the following firms: (1) Rochester Mushroom Farms, Inc., 1385 E. Hamlin, Rochester, Michigan 48063, a producer of mushrooms (accepted February 10, 1981); (2) Mr. Joseph, Inc., 1 Industrial Lane, Johnston, Rhode Island 02919, a producer of jewelry (accepted February 10, 1981); (3) Creaciones Ronie, Inc., P.O. Box 11374, Caparra Heights Station, San Juan, Puerto Rico 00922, a producer of women's dresses, tops and shirts (accepted February 10, 1981); (4) Houk Machine Company, Inc., 2795 Barber Road, Norton, Ohio 44203, a producer of metal molds, plastic parts and forging dies (accepted February 11, 1981); (5) Sterlingwale Corporation, 168 Stevens Street, Fall River, Massachusetts 02159, a producer of corduroy fabric (accepted February 11, 1981); (6) Addmaster Corporation, 416 Junipero Serra Drive, San Gabriel, California 91776, a producer of calculators, cash registers and other business machines (accepted February 11, 1981); (7) Ocean Leather Corporation, 42 Garden Street, Newark, New Jersey 07105, a producer of leather (accepted February 12, 1981); (8) Arnold Haviland Company, 1008 South Jackson Street, Defiance, Ohio 43512, a producer of automotive exhaust systems

(accepted February 13, 1981); (9) Mohawk Industries, Inc., 173 Howland Avenue, Adams, Massachusetts 01220, a producer of stoves (accepted February 18, 1981); (10) Jayco Industries, 140 Palm Street, Live Oak, Florida 32060, a producer of men's and boys shirts (accepted February 18, 1981); and (11) The Cawley Stove Company, Inc., 27 North Washington Street, Boyertown, Pennsylvania 19512, a producer of stoves (accepted February 20, 1981).

The petitions were submitted pursuant to Section 251 of the Trade Act of 1974 (Pub. L. 93–618) and Section 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315).

Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

The Catalogue of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.309, Trade Adjustment Assistance. Inasfar as this notice involves petitions for the determination of eligibility under the Trade Act of 1974, the requirements of Office of Management and Budget Circular No. A–95 regarding review by clearinghouses do not apply.

Jack W. Osburn, Jr.,

Chief, Trade Act Certification Division, Office of Eligibility and Industry Studies.

[FR Doc. 81–83 Filed 2–26–81; 8:45 am]

BILLING CODE 3510–24–M

International Trade Administration

Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301). (See especially § 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue NW., Washington, D.C. 20230.

Docket Number 80–00408. Applicant: U.S. Department of Energy, P.O. Box 550, Richland, Washington 99352. Article: Scanning Transmission Electron Microscope, Model JEM 200–CX. Manufacturer: JEOL Ltd., Japan. Intended use of article: See Notice on page 75728 in the **Federal Register** of November 17, 1980. Article Ordered: December 31, 1979.

Docket Number 80–00409. Applicant: U.S. Department of Agriculture-Science & Education Administration Rm 101 Bldg. 004, Agricultural Research Center, Beltsville, MD 20705. Article: Model JEM 100CX Electron Microscope and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: See Notice on page 66830 in the **Federal Register** of October 8, 1980. Article ordered: April 30, 1980.

Docket Number 80–00410. Applicant: University of Maryland, Baltimore County, 5401 Wilkins Avenue, Catonsville, MD 21228. Article: Electron Microscope, Model JEM 100CX. Manufacturer: Japan Electron Optics Lab., Japan. Intended use of article: See Notice on page 75729 in the **Federal Register** of November 17, 1980. Article ordered: March 31, 1980.

Docket Number 80–00411. Applicant: University of Washington, Department of Ophthalmology RJ–10, Seattle, WA 98195. Article: Electron Microscope, Model JEM–100S. Manufacturer: JEOL Ltd., Japan. Intended use of article: See Notice on page 75729 in the **Federal Register** of November 17, 1980. Application received by Commissioner of Customs: August 8, 1980.

Docket Number 80–00416. Applicant: Calvin College, 3201 Burton Street SE., Grand Rapids, MI 49506. Article: Electron Microscope, EM 109. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: See Notice on page 74957 in the **Federal Register** of November 13, 1980. Article ordered: April 29, 1980.

Docket Number 80–00417. Applicant: University of California, Davis, Department of Anatomy, School of Veterinary Medicine, Davis, California 95616. Article: Electron Microscope, Model H–699–3. Manufacturer: Hitachi Scientific Instruments, Japan. Intended use of article: See Notice on page 74957 in the **Federal Register** of November 13, 1980. Article ordered: May 15, 1980.

Docket Number 80–00423. Applicant: Mount Zion Hospital and Medical Center, 1600 Divisadero, San Francisco, CA 94115. Article: Electron Microscope, EM 10CA. Manufacturer: Carl Zeiss, West Germany. Intended use of article: See Notice on page 74958 in the **Federal Register** of November 13, 1980. Article ordered: July 11, 1980.

Docket Number 80–00424. Applicant: Buffalo General Hospital, Department of Pathology, 100 High Street, Buffalo, New York 14203. Article: Electron Microscope, JEM 100S. Manufacturer: JEOL Ltd., Japan. Intended use of article: See Notice on page 74958 in the **Federal Register** of November 13, 1980. Article ordered: June 24, 1980.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered.

Reasons: Each foreign article to which the foregoing applications relate is a conventional transmission electron microscope (CTEM). The description of the intended research and/or educational use of each article establishes the fact that a comparable CTEM is pertinent to the purposes for which each is intended to be used. We know of no CTEM which was being manufactured in the United States either at the time of order of each article described above or at the time of receipt of application by the U.S. Customs Service.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the United States either at the time of order or at the time of receipt of application by the U.S. Customs Service.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81–6324 Filed 2–26–81; 8:45 am]

BILLING CODE 3510–25–M

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A. M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 80–00365. Applicant: Food and Drug Administration, Bureau of Biologics, Building 29A, Room 1B03, 8800 Rockville Pike, Bethesda, MD 20205. Article: Mass Spectrometer, Model MS–50. Manufacturer: Kratos, Ltd., United Kingdom. Intended use of article: See Notice on page 56855 in the **Federal Register** of August 26, 1980.

Comments: Comments have been received with respect to this application from Finnigan Corporation, which stated that it does not offer products to compete with the foreign article.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article guarantees a resolution of 150,000 (10% valley). The Department of Health and Human Services advises in its memorandum dated November 12, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81–6446 Filed 2–26–81; 8:45 am]

BILLING CODE 3510–25–M

Tapered Roller Bearings and Certain Components Thereof From Japan; Preliminary Results of Administrative Review of Antidumping Finding; NTN Toyo Bearing Co., Ltd. and NTN Bearing Corporation of America; and Tentative Determination To Revoke in Part

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Preliminary results of administrative review of antidumping finding with respect to NTN Toyo Bearing Co., Ltd., and NTN Bearing Corporation of America and of tentative determination to revoke in part.

SUMMARY: This notice is to advise the public that, as a result of an administrative review of the antidumping finding on tapered roller bearings and certain components thereof from Japan, produced and sold by NTN Toyo Bearing Co., Ltd. (NTN Toyo) and its subsidiary NTN Bearing Corporation of America (NBCA), the Department of Commerce has tentatively determined to revoke such finding with respect to these two companies. There have been no imports of tapered roller bearings, produced and sold by NTN Toyo and NBCA, from Japan at less than fair value from April 1, 1974 through November 14, 1979, and there is no evidence of any sales at less than fair value since that time. Interested parties are invited to comment on this decision.

EFFECTIVE DATE: February 27, 1981.

FOR FURTHER INFORMATION CONTACT: J. Linnea Bucher, Office of Compliance, Room 1126, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202–377–2704).

SUPPLEMENTARY INFORMATION:

Procedural Background

On August 18, 1976, a dumping finding with respect to tapered roller bearings and certain components thereof from Japan was published in the **Federal Register** as Treasury Decision 76–227 (41 FR 34974–5). A notice of "Tentative Determination to Modify or Revoke Dumping Finding" with respect to this merchandise was published by the Department of the Treasury in the **Federal Register** on November 14, 1979 (44 FR 65690–1). Reasons for the tentative determination were given in the notice and interested parties were afforded an opportunity to present written or oral views. Treasury received no written submissions or requests for oral presentation of views. However, Treasury took no final action on the proposed revocation.

On January 1, 1980, the provisions of title I of the Trade Agreements Act of 1979 became effective. Title I replaced the provisions of the Antidumping Act of 1921 ("the 1921 Act") with a new title VII to the Tariff Act of 1930 ("the Tariff Act"). On January 2, 1980, the authority for administering the antidumping duty law was transferred from Treasury to the Department of Commerce ("the Department"). The Department published in the **Federal Register** of March 28, 1980 (45 FR 20511–12) a notice of intent to conduct administrative reviews of all outstanding dumping findings. As required by section 751 of the Tariff Act, the Department has conducted an administrative review of the finding on tapered roller bearings and certain components thereof, produced and sold by NTN Toyo and NBCA.

The substantive provisions of the 1921 Act apply to all unliquidated entries made prior to 1980. We shall publish the results of the administrative review for other companies at a later date.

Scope of the Review

Imports covered by this review are tapered roller bearings and certain components thereof current classifiable under items 680.3532, 680.3534 and 680.3538 of the Tariff Schedules of the United States Annotated (TSUSA). The review is limited to NTN Toyo and NBCA. The review covers the period April 1, 1978 through November 14, 1979, the date that the tentative revocation was published by Treasury. Treasury had reviewed all earlier periods covered by the finding. The issue of the Department's obligation to conduct administrative review of entries, unliquidated as of January 1, 1980, and covered by prior appraisement instructions ("master list"), is under review. Liquidation has been suspended pending disposition of the issue.

Exporter's Sales Price

The Department used exporter's sales price as defined in section 204 of the 1921 Act, since all sales by NTN Toyo were made to a United States firm, NBCA, related to the manufacturer within the meaning of section 207 of the 1921 Act. In this case, exporter's sales price was calculated on the basis of the related U.S. firm's selling price to unrelated U.S. purchasers, with deductions for Japanese inland freight, ocean freight and marine insurance, inspection fees, shipping charges and brokerage, U.S. inland freight, U.S. duty and brokerage, sales commissions to unrelated parties, sales promotion and

advertising, and general administrative expenses. No other adjustments were claimed or allowed.

Foreign Market Value

In calculating the foreign market value, the Department used home market price, as defined in section 205 of the 1921 Act, since NTN Toyo sold such or similar merchandise in Japan in sufficient quantities to provide a basis for comparison. NTN Toyo sold in the home market more than 40 percent of its total sales during the covered period and over 80 percent of sales for export to countries other than the U.S. In this case the home market prices are based on weighted-average prices with adjustments for costs of transportation, warranties, technical assistance, sales promotion and advertising, and for physical differences in the merchandise. Offsets were allowed for indirect selling expenses not exceeding those claimed in the U.S. market. No other adjustments or offsets were claimed or allowed.

Preliminary Results of Review

As a result of our comparison of exporter's sales price to foreign market value, we have concluded that, for the period April 1, 1978 through November 14, 1979, there were no sales of tapered roller bearings and certain components thereof, by NTN Toyo and NBCA, made at less than fair value, and there is no indication of any sales at less than fair value since that time. In addition, prior Treasury Department reviews indicated that there were no sales of tapered roller bearings and certain components thereof, by NTN Toyo and NBCA at less than fair value during the period April 1, 1974 through March 31, 1978, a period of four years.

As provided for in § 353.54(e) of the Commerce Regulations, NTN Toyo has agreed in writing to an immediate suspension of liquidation and reinstatement of the finding if circumstances develop which indicate that tapered roller bearings and certain components thereof, thereafter imported into the United States by NTN Toyo and NBCA are being sold at less than fair value.

Tentative Determination

As a result of our review we tentatively determine to revoke the finding on tapered roller bearings and certain components thereof, produced and sold by NTN Toyo and NBCA from Japan. If this action is made final it will apply to unliquidated entries of this merchandise entered, or withdrawn from warehouse, for consumption on or after November 15, 1979. Interested parties may submit written comments on or before March 30, 1981, and may request disclosure and/or a hearing by March 16, 1981. The Department will publish the final results of the administrative review includng the results of its analysis of any such coments or hearing.

This administrative reveiw, tentative determination to revoke and notice publication are in accordance with section 751(a)(1) and (c) of the Tariff Act (19 U.S.C. 1675(a)(1), (c)) and § 353.54(e) of Commerce Regulations (19 CFR 353.54(e)).

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

February 19, 1981.

[FR Doc. 81-14 Filed 2-26-81; 8:45 am]

BILLING CODE 3510-25-M

Maritime Administration

Approval of Applicant as Trustee; Mercantile Trust Company National Association

Notice is hereby given that Mercantile Trust Company National Association, with offices at 721 Locust Street, St. Louis, Missouri, has been approved as Trustee pursuant to Pub. L. 89-346 and 46 CFR 221.21—221.30.

Dated: February 23, 1981.

By Order of the Assistant Secretary of Commerce for Maritime Affairs.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 81-58 Filed 2-26-81; 8:45 am]

BILLING CODE 3510-15-M

Approval of Request for Removal, Without Disapproval From Roster of Approved Trustees; Bank of California

On December 17, 1980, there was published in the **Federal Register** (Vol. 45, No. 249) pursuant to 46 CFR 221.28, a Notice of Request for Removal, Without Disapproval, from Roster of Approved Trustees pursuant to the request of The Bank of California, with offices at 400 California Street, San Francisco, California.

Therefore, purusant to Pub. L. 89-346 and 46 CFR 221.30, the Bank of California is removed from the Roster of Approved Trustees.

This notice shall become effective on date of publication.

Dated: February 23, 1981.

By Order of the Assistant Secretary of Commerce for Maritime Affairs.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 81-57 Filed 2-26-81; 8:45 am]

BILLING CODE 3510-15-M

[Docket No. S-680]

Seabulk Transmarine I, Inc., Seabulk Transmarine II, Inc., and Seabulk Transmarine III, Inc.; Application for Written Permission Under Section 805(a) of the Merchant Marine Act, 1936, as Amended (Act)

Notice is hereby given that Seabulk Transmarine I, Inc. (STM I); Seabulk Transmarine II, Inc. (STM II) and Seabulk Transmarine III, Inc. (STM III), following approval of their application of September 23, 1980, has, by letter of February 6, 1981, requested further written permission under section 805(a) of the Act. The following subsidiaries of Occidental Petroleum Corporation (OXY) hold Operating-Differential Subsidy (ODS) contracts to aid in the operation of three CATUG integrated tug and barge units (vessels), and the subject applicants anticipate assignment of the ODS contracts to them as follows:

ODS Contract holders	Anticipated assignees
Suwannee River Finance, Inc.	STM I.
Suwannee River SPA Finance, Inc.	STM II.
Suwannee River Phosphate Finance, Inc.	STM III.

STM I, STM II, and STM III are Florida corporations organized to operate the vessels and are wholly-owned subsidiaries of Hvide Marine International, Inc., which is principally owned by Hans J. Hvide, as Trustee.

The applicants advise that, under the presently contemplated structure, the following OXY subsidiaries will bareboat charter the vessels and the applicants will sub-bareboat charter the vessels from those OXY subsidiaries as follows:

Contemplated bareboat charterers	Contemplated sub-bareboat charterers
Suwannee River Lines, Inc.	STM I.
Suwannee River SPA Lines, Inc.	STM II.
Suwannee River Phosphate Lines, Inc.	STM III.

The applicants further advised that, pursuant to a management agreement to be arranged, Hvide Shipping, Incorporated (HSI) will manage the operations of the vessels on behalf of

STM I, STM II, and STM III. HSI is, also, a Florida corporation wholly-owned by Hans J. Hvide.

On January 6, 1981 the Maritime Subsidy Board (Board) took the following action with respect to the September 23, 1980 applications:

I. Found and determined that the grant of written permission, pursuant to section 805(a) of the Merchant Marine Act, 1936, as amended (Act), to the applicants will not result in unfair competition to any person, firm or corporation operating exclusively in the coastwise or intercoastal service nor be prejudicial to the objects and policy of the Act, as follows: (1) for their affiliated company Hvide Shipping, Incorporated (HSI) to have time chartered the *Seabulk Magnachem* and SCC 3902 to Diamond Shamrock Corporation for a period of 20-years with a five year renewal option, which vessel is engaged in the carriage of liquid chemicals between U.S. Gulf and U.S. East Coast ports; and (2) for Seabulk Tankers, Ltd., a subsidiary of HSI, to have time chartered the Seabulk Challenger and STL 3901 to Shell Oil Company for 10 years with three five year renewal options, which vessel is engaged in the carriage of petroleum products between U.S. Gulf and U.S. East Coast ports.

II. Granted written permission, pursuant to section 805(a) of the Act for the above described domestic operation, subject to actual assignment of operating-differential subsidy contracts to the subject applicants.

By letter of February 6, 1981, the applicants advised that, although the *Seabulk Magnachem/SCC 3902* and *Seabulk Challenger/STL 3901* are principally engaged in the carriage of liquid chemicals, petroleum and petroleum products between U.S. Gulf and U.S. East Coast ports, their time charters permit their use in world-wide trade. Since the subject time charters of the *Seabulk Magnachem/SCC 3902* and *Seabulk Challenger/STL 3901* authorize their potential use in any domestic intercoastal or coastwise trade of the United States, the applicants request written permission under section 805(a) of the Act for these vessels to participate in any domestic intercoastal or coastwise trade of the United States.

HSI currently owns the harbor tugs *Fort Lauderdale, Capt. Nelson* and *Everglades* which are operated at Port Everglades, Florida, under a franchise agreement with Port Everglades Authority. Additionally, HSI currently owns the harbor tugs *Capt. Brinn* and *Hollywood* which are operated at Port Canaveral, Florida, under a franchise agreement with Port Canaveral Authority. The aforesaid harbor tugs are operated exclusively in the two respective ports. HSI makes no representation and does not concede that the employment of said harbor tugs constitutes engagement in the domestic intercoastal or coastwise service as those terms are used in section 805(a) of the Act. Nevertheless, the subject applicants request written permission for these tugs to continue operations in Port Everglades and Port Canaveral, Florida.

The approval of the subject requests for written permission under section 805(a) would be subject to actual assignment of the ODS contracts to the applicants in accordance with section 608 of the Act.

Any person, firm, or corporation having any interest in such application (within the meaning of section 805(a)) and desiring to submit comments concerning the application must file written comments in triplicate with the Secretary, Maritime Administration, by close of business on March 6, 1981 together with petition for leave to intervene. The petition shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operations (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By Order of the Assistant Secretary for Maritime Affairs/Maritime Subsidy Board.

Dated: February 24, 1981.

Georgia Pournaras Stamas,

Assistant Secretary.

[FR Doc. 81-59 Filed 2-26-81; 8:45 am]

BILLING CODE 3510-15-M

National Bureau of Standards

Solicitation of Comments on the Impact and Applicability of a Planned Message Format Standard

Correction

In FR Doc. 81-5096 appearing at page 12223 in the issue for Friday, February 13, 1981, make the following correction:

On page 12223, the third column, in the last full paragraph, in the second, third, and fourth line, "(please insert date which is 60 days after publication of this notice in the **Federal Register**)" should have read "April 14, 1981".

BILLING CODE 1505-01-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1981; Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee has received proposals to add to Procurement List 1981 a commodity and military resale commodity to be produced by workshops for the blind and other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: April 1, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher (703) 557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed action.

If the Committee approves the proposed additions, all entities of the Federal Government will be required to procure the commodity and military resale commodity listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodity and military resale commodity to Procurement List 1981, November 12, 1980 (45 FR 74836):

Class 6545
Surgical Dressing Set
6545-00-105-5826
Military Resale Item No. and Name

No. 908 Tilt Angle Broom, Plastic 48" handle

C. W. Fletcher,

Executive Director.

[FR Doc. 81-60 Filed 2-26-81; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1981; Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to procurement list.

SUMMARY: This action adds to Procurement List 1981 a commodity to be produced by and services to be provided by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: February 27, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher (703) 557-1145.

SUPPLEMENTARY INFORMATION: On November 21, 1980 and December 19, 1980, the Committee for Purchase from the Blind and Other Severely Handicapped published notices (45 FR 77104 and 45 FR 83650) of proposed additions to Procurement List 1981, November 12, 1980 (45 FR 74836).

After consideration of the relevant matter presented, the Committee has determined that the commodity and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77.

Accordingly, the following commodity and services are hereby added to Procurement List 1981:

Class 4240

Bag, Waterproofing
4240-00-377-9401

Sic 7349

Janitorial Service, Federal Building, U.S. Department of Justice, INS, 815 Airport Way, Seattle, Washington

Sic 9199

Administrative Services to include Managing Supply Room Operating Copying Machines Environmental Protection Agency, General Services Branch, 230 South Dearborn Street, Chicago, IL

C. W. Fletcher,

Executive Director.

[FR Doc. 81-61 Filed 2-26-81; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

February 18, 1981.

The USAF Scientific Advisory Board Ad Hoc Committee on Traveling Wave Tube Amplifier will meet on March 19 and 20, 1981 at the Pentagon, Washington, D.C. from 9 a.m. to 5 p.m. each day. The purpose of this meeting is to review the Traveling Wave Tube Amplifier's reliability.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (4) thereof, and will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-4811.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-6510 Filed 2-26-81; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army

United States Army Medical Research and Development Advisory Panel; Subcommittee on Bacterial Diseases; Partially Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Subcommittee meeting:

Name of Committee: United States Army Medical Research and Development Advisory Panel Subcommittee on Bacterial Diseases.

Date of Meeting: 26, 27 March 1981.

Time and Place: 0830 hours, Room 3092, Walter Reed Army Institute of Research, Washington, DC.

Proposed Agenda: This meeting will be open to the public on 26 March 1981 from 0830 to 0945 hours to discuss the scientific research program of the Bacterial Diseases Branch, Walter Reed Army Institute of Research. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 0945-1200 hrs and from 1300 hrs to close of business on 26 March and from 0900-1200 hrs and 1300-1600 hrs on 27 March for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Building 40, Room 1111, Walter Reed Army Medical Center, Washington, DC 20012 (202/576-3061) will furnish summary minutes, roster of Subcommittee members and substantive program information.

For the Commander.

Thomas L. Trudeau,

Colonel, MSC, Executive Officer.

[FR Doc. 81-17 Filed 2-26-81; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF EDUCATION

Guaranteed Student Loan Program

AGENCY: Department of Education.

ACTION: Special Allowance for Quarter Ending December 31, 1980. The Assistant Secretary for Postsecondary Education announces that for the three-month period ending December 31, 1980, and under the statutory formula of section 438(b) of the Higher Education Act of 1965, a special allowance at an *annual rate* of 11.00 percent will be paid to holders of eligible loans in the Guaranteed Student Loan Program.

Using the statutory formula, the special allowance for this *three-month* period was computed by determining the average of the bond equivalent rates of the 91-day Treasury bills for this period (14.42 percent), by subtracting 3.5 percent from this average, by rounding the resultant percent (10.92) upward to the nearest one-eighth of 1 percent (11.00), and by dividing the resultant percent by four (2.75000 percent). Thus, the special allowance to be paid for this period will be 2.75000 percent of the average unpaid balance of principal (not including unearned interest added to principal) of all eligible loans held by lenders.

(20 U.S.C. 1087-1(b))

(Catalog of Federal Domestic Assistance No. 84.032, Guaranteed Student Loan Program)

Dated: February 24, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-3773 Filed 2-26-81; 8:45 am]

BILLING CODE 4000-01-M

Follow Through Program; Application Closing Date

AGENCY: Department of Education, Office of Elementary and Secondary Education.

ACTION: Notice of Closing Date for Transmittal of Applications for Noncompeting Continuation Projects.

Applications in the following two categories are invited for noncompeting continuation awards under the Follow Through Program:

(1) Grants for carrying out local Follow Through projects;

(2) Grants or contracts for demonstration (Sponsors).

Authority for these categories is contained in Section 551–557 of the Economic Opportunity Act of 1964, as amended by Pub. L. 95–568. (42 U.S.C. 2929 *et seq.*)

The local project grants are generally awarded to local educational agencies, and the sponsor awards are generally made to institutions of higher education or regional educational laboratories.

The purpose of the awards is to provide comprehensive services to low-income children in grades K–3.

Closing Date for Transmittal of Applications: To be assured of consideration for funding, an application for a noncompeting continuation award should be mailed or hand delivered by April 3, 1981.

If the application is late, the Department of Education may lack sufficient time to review it with other noncompeting continuation applications and may decline to accept it.

Applications Delivered by Mail: An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.014A for Follow Through local projects, and 84.014B for grants or contracts for demonstration (Sponsor) awards, Washington, D.C. 20202.

An applicant should show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

(1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Applications Delivered by Hand: An application that is hand delivered must be taken to the U.S. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th & D Streets, SW., Washington, D.C.

The Application Control Center will accept a hand delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily except Saturdays, Sundays, and Federal holidays.

Program Information: In formulating applications for a local project grant an applicant should give special attention to 34 CFR 215.15 of the Follow Through regulations which explains the criteria used in awarding these grants.

In formulating applications for a sponsor award, an applicant should give special attention to 34 CFR 215.52 of the Follow Through regulations which provides an explanation of the criteria used in awarding these grants or contracts.

Available Funds: It is estimated that FY 1981 funds will support the existing 150 local projects and the existing 19 sponsors. In FY 1980 the local project grants ranged from approximately $53,400 to $1,361,700, and the sponsor awards ranged from approximately $79,300 to $459,000. At this time, it is estimated that $31,250,000–$35,750,000 will be available for local project grants and approximately $4,000,000 will be available for grants to sponsors in FY 1981.

However, these estimates do not bind the U.S. Department of Education to a specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute and regulations.

Application Forms: Application forms and program information packages are expected to be ready for mailing by February 26, 1981.

Applications must be prepared and submitted in accordance with regulations, instructions, and forms included in the program information package. The Secretary strongly urges that applicants not submit information that is not requested.

Special Procedures: Every applicant is subject to the State and areawide clearinghouse review procedures under OMB Circular A–95.

An applicant should check with its appropriate Federal regional office to obtain the name(s) and address(es) of the clearinghouse(s) in its State. OMB Circular A–95 requires the applicant to give the clearinghouse(s) sufficient time for review, consultation, and comments on the application.

In its application each applicant must provide—

(a) The comments of each clearinghouse that commented on the application; or

(b) A statement that the applicant used the procedures of Part I of OMB Circular A–95 but did not receive any clearinghouse comments.

Applicable Regulations: Regulations applicable to this program include the following:

(a) Regulations governing the Follow Through Program (34 CFR Part 215) published in the **Federal Register** on June 29, 1977; and

(b) Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 75 and 77.

FURTHER INFORMATION: For further information contact Mrs. Rosemary C. Wilson, Director, Division of Follow Through, U.S. Department of Education, (Room 3624, Regional Office Building 3), 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone: (202) 245–9846.

(42 U.S.C. 2929 *et seq.*)

(Catalog of Federal Domestic Assistance No. 84.014, Follow Through Program.)

Dated: February 23, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-3772 Filed 2-26-81; 8:45 am]

BILLING CODE 4000-01-M

Community Education Advisory Council Meeting

AGENCY: Department of Education, Community Education Advisory Council.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda for the forthcoming meeting of the Community Education Advisory Council. It also describes the functions of the Council. Notice of these meetings is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES: Meeting, March 17 and 18, 1981.

ADDRESS: Department of Education, Federal Office Building No. 6, Room 4003, 400 Maryland Avenue, SW, Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Margaret Beavan, Department of Education, Community Education Program, 7th and D Streets, SW, Regional Office Building No. 3, Room 5622, Washington, D.C. 20202. Telephone: (202) 245–0691.

SUPPLEMENTARY INFORMATION: The Community Education Advisory Council is authorized under Public Law 95–561. The Council is established to advise on

policy matters relating to the interest of community schools.

All sessions of this meeting are open to the public. The meeting will begin at 9:00 a.m. on Tuesday, March 17, and end at 4:30 p.m. On Wednesday, March 18, the meeting will begin at 9:00 a.m. and end at 3:00 p.m.

At the last meeting held in Louisville, Kentucky on November 12 and 13, 1980, the Council reviewed and discussed assessment process; examined future roles, functions, and projects; and, considered tasks relative to the interagency and state advisory council initiatives and the national evaluation.

Proposed agenda items for this meeting include:

(1) Update on the Council's interagency and state advisory council initiatives;
(2) Report on the national evaluation;
(3) Discussion of Council mission, role, priorities, and strategies;
(4) Review of Council's Annual report to Congress; and
(5) Consideration of other administrative matters and related business.

Records shall be kept of all Council proceedings and shall be available for public inspection in Regional Office Building No. 3, Room 5622, 7th and D Streets, SW, Washington, D.C. 20202.

Signed at Washington, D.C. on February 18, 1981.

Ron Castaldi,

Director, Community Education Program.

[FR Doc. 81-6 Filed 2-26-81; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Aquifer Thermal Energy Storage Program

AGENCY: Department of Energy.

ACTION: Notice of Availability of Environmental Assessment and Finding of No Significant Impact.

SUMMARY: The Department of Energy (DOE) announces the availability of its environmental assessment (EA) of the Aquifer Thermal Energy Storage Program (DOE/EA-0131). DOE has determined, based on the EA, that this Program does not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 *et seq.* Therefore, a finding of no significant impact, pursuant to 40 CFR 1501.4(e), is hereby issued to notify the public that an environmental impact statement is not required for this programmatic action.

FOR COPIES OF THE EA AND FURTHER INFORMATION CONTACT: Mr. Saul Strauch, Department of Energy, Office of Advanced Conservation Technologies, Forrestal Building, Room 1G-080, 1000 Independence Ave., S.W., Washington, D.C. 20585, Phone: 202-252-1510.

I. Background

In the United States, a major need exists to develop practical techniques to store large quantities of thermal energy (heat and chill) on a long-term (seasonal) basis so that available energy supply can more effectively match demand. The possibilities for developing aquifer thermal energy storage systems are being investigated under the Seasonal Thermal Energy Storage Program established at the Pacific Northwest Laboratory (PNL) as one component of the Thermal Energy Storage Program of the Office of Advanced Conservation Technologies. Because the seasonal storage of thermal energy in aquifers represents one of the most promising options, an Aquifer Thermal Energy Storage (ATES) Program has been established to research, develop, and demonstrate practical system concepts. Chapter Two of the environmental assessment discusses seasonal thermal storage concepts, and their potential environmental impacts.

II. Brief Description of the Aquifer Thermal Energy Storage (ATES) Technology and Program

ATES technology is an advanced energy conservation technology that uses the natural geohydrologic environment (i.e., ground-water systems) for storage and containment of thermal energy (heat or chill). This technology has the potential for reducing capital investments for seasonal thermal energy storage systems in that the method capitalizes on the excellent storage and insulating characteristics of natural aquifer materials. Moreover, ATES concepts under consideration provide the opportunity for the development of seasonal thermal energy storage systems that would allow off-season natural, industrial, and utility waste heat to be harnessed for mankind's benefit.

A typical aquifer thermal energy storage system consists of a system of water supply wells drilled into an aquifer. During operation, the ground water is withdrawn from one well, heated (or chilled) in a heat exchanger, and then returned to the same aquifer through a second well. The thermal energy is stored in the aquifer until needed. At recovery, the second well is pumped, and the hot (or chilled) water circulated through the heat exchanger to recapture the stored energy, and the water is returned to the aquifer through the first well. The thermal energy can then be used for space or process heat (or cooling), thus reducing the need for generating primary energy. The cycle is repeated on a seasonal or other temporal basis. The concept is simple, efficient and relatively inexpensive.

The ATES program involves a comprehensive multidisciplinary research and development effort designed to provide valuable technical and environmental information required to ascertain the commercial feasibility of ATES technology. The scope of technological options under consideration in the development of practical ATES systems is shown below:

Technical Scope of ATES Program

Energy Source

Solar heat
Natural chill
Industrial waste heat
Cogeneration heat
Waste heat.

Aquifer Storage

Confined/unconfined aquifiers
Fresh/brakish water
Medium temperature (100–165°C)
Low temperature (<100°C)
Chill (>0°C).

Energy Use

District heating and cooling
Industrial process heat (low grade)
Agricultural heating.

The location, system type and energy source, and energy use of the candidate ATES demonstration projects currently undergoing aquifer testing and system design are identified below:

- *Bethel, Alaska:* (heat at ~95°C from diesel exhaust and cooling water, used for district heating);
- *Stony Brook, New York:* (chill at ~5°C, from cooling tower, used for building air conditioning);
- *Minneapolis, Minnesota:* (heat at ~150°C from cogeneration steam, used for campus heating).

III. ATES Environment Assessment: Major Findings

The EA examines the potential environmental, health, and safety impacts of the proposed program. The assessment provides information required to make decisions about the appropriate level of environmental documentation and support needed for initial ATES research, development, and demonstration activities. Moreover, the published results will provide a tier

document for any subsequent site-specific environmental assessments which may be required. Should DOE later become involved in the commercialization of the ATES technology, revisions or additions to this assessment may be necessary.

The programmatic EA contains discussions of the proposed action, alternatives to the proposed action, the environment affected by the proposed action, and the potential environmental consequences of the proposed action. It contains references to literature, agencies, and persons consulted and a generic monitoring plan for use during the development of field facilities.

The Major Findings of This Assessment Are: 1. ATES operations could reduce local aquifer permeability and alter ground-water quality and ground-water microbiology. These impacts can be prevented if systems are properly located and designed, and if careful monitoring and aquifer testing are included in the project's operation.

2. A properly designed, constructed, and operated ATES facility is not expected to affect surface-water hydrology and aquatic ecology. Limited interaction is anticipated between surface waters and ATES operations.

3. No significant geological impacts are anticipated because existing storage media (aquifiers) will be used, resulting in little modification to the geological environment.

4. The construction and operation of an ATES facility are unlikely to have major adverse socioeconomic impacts on the facility's host community because of the modest size of ATES facilities.

5. Few land-use conflicts are anticipated, but restrictions on the development of land surrounding the ATES facility and along attendant distribution lines are likely.

6. Site-specific institutional issues related to water use are expected to be important for ATES developments because of potentially competing demand for ground-water resources. ATES represents a nonconsumptive use of water.

7. Negative impacts on terrestrial ecosystems are expected to be insignificant because of the modest size of ATES facilities.

8. Impacts on air quality are expected to be insignificant because limited interaction with air resources is anticipated.

9. Potential environmental benefits are anticipated from reducing the amount of waste heat currently discharged to the surface environment.

10. Potential environmental benefits are anticipated from reducing the dependence on conventional energy sources and their attendant pollution emissions and effluents.

IV. Brief Summary of Alternatives

The following alternatives, including the proposed action, are examined in the environmental assessment:

1. *No Action.* The no action alternatives would inhibit commercial application of ATES and would reject ATES as a potential energy conserving technology.

2. *Delay or Limit Proposed Action.* Delaying the ATES program or staggering the start of the ATES demonstration projects would provide for additional planning but would only spread out the environmental consequences of ATES.

3. *Accelerate or Expand Proposed Action.* An accelerated program would concentrate the potential for environmental consequences but would speed ATES commercialization.

4. *Alternatives to the ATES Technology.* Of the alternative technologies to ATES (insulated ponds, wet earth, natural lakes and ponds, tanks, rock beds, and solar ponds), insulated ponds are regarded as the most promising for seasonal use. Insulated pond storage has greater land surface requirements and impacts than ATES. Comparison between the enviroinmental consequences of ATES and insulated pond storage would depend on site-specific considerations. The probable environmental consequences of natural lake and pond storage are significant and not easily mitigated. The environmental consequences of the remaining alternatives are low-level and similar to each other.

V. Finding

Based on a review of the findings presented in this programmatic environmental assessment, DOE has concluded that the program as a whole, incorporating the mitigating measures identified, does not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of NEPA. A number of potential concerns are identified, which must be addressed on the basis of the site-specific data. Adverse environmental impacts can be minimized by careful site selection procedures, and by a comprehensive environmental monitoring program and mitigation plan at each ATES system demonstration site. Site-specific environmental assessments and monitoring programs are planned for all initial ATES system demonstration projects until analytical results are field verified.

Date issued: February 18, 1981.

Alex G. Fremling,

Acting Assistant Secretary for Environment.

[FR Doc. 81-3838 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Compliance With the National Environmental Policy Act: Amendment to Guidelines

AGENCY: Department of Energy.

ACTION: Notice of proposed amendments to guidelines to provide for categorical exclusion for the exemption of borehole drilling and related exploratory activities associated with the nuclear waste management program.

SUMMARY: Section D of the Department of Energy guidelines for compliance with the National Environmental Policy Act (NEPA) identifies classes of actions which normally do not require either an environmental impact statement or an environmental assessment. These are termed "categorical exclusions." Classification of an action as a categorical exclusion raises a rebuttable presumption that any such action will not significantly affect the quality of the human environment. In the NEPA guidelines, it was specified that the Department might add or remove, after an opportunity for public review, actions identified as categorical exclusions based on experience gained during implementation of the guidelines.

On the basis of recent experience, the Department of Energy has determined that borehole drilling and related geologic and geophysical exploratory activities associated with the nuclear waste management program normally are not major Federal actions significantly affecting the quality of the human environment, with respect to the provisions of NEPA, and therefore are eligible for categorical exclusion status.

The Department proposes to add these exemptions to its list of categorical exclusions in Section D of its NEPA guidelines. Public comment is invited on this proposal.

COMMENTS BY: April 15, 1981.

ADDRESS COMMENTS TO: Dr. Robert J. Stern, Director, NEPA Affairs Division, Office of Environmental Compliance and Overview, Office of the Assistant Secretary for Environment, Forrestal Building, Room 4G-064, 1000 Independence Avenue, SW., Washington, D.C. 20585 (202) 252-4600.

FOR FURTHER INFORMATION CONTACT:

Dr. Robert J. Stern, at the address listed above.

Stephen H. Greenleigh, Esq., Assistant General Counsel for Environment, Forrestal Building, Room 6D-033, 1000

Independence Avenue, SW., Washington, D.C. 20585, (202) 252–6947.

SUPPLEMENTARY INFORMATION: On March 28, 1980 (40 FR 20695), the Department of Energy published in the **Federal Register** final guidelines for implementing the procedural provisions of NEPA, as required by the Council on Environmental Quality regulations (40 CFR 1500–1508). The guidelines are applicable to all organizational units of the Department of Energy, except the Federal Energy Regulatory Commission, which is not subject to the supervision or direction of the other parts of the Department.

Section D of the Department's NEPA guidelines identifies typical classes of actions which normally do not require either an environmental impact statement or an environmental assessment. These classes of actions were identified pursuant to § 1507.3(b)(2)(ii) of the Council on Environmental Quality regulations referenced above and are termed "categorical exclusions." Section 1508.4 of the Council on Environmental Quality regulations defines a categorical exclusion as a category of actions which do not individually or cumulatively have a significant effect on the human environment and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. An agency may decide in its procedures, or otherwise, to prepare environmental assessments even though it is not required to do so. Further, allowance must be provided by an agency for extraordinary circumstances in which normally excluded actions may have a significant environmental effect.

The Department's NEPA guidelines state that actions may be added to or removed from the categories in Section D based on experience gained during the implementation of the Council on Environmental Quality regulations and the Department's guidelines. Pursuant to the guidelines, substantive revisions are to be published in the **Federal Register** and adopted only after an opportunity is provided for public review.

This notice proposes to revise the guidelines by adding "borehole and related geologic and geophysical exploratory activities associated with preliminary site characterization activities for the nuclear waste management program" to the list of categorical exclusions in Section D of the guidelines.

The purpose of the exploratory activities is to collect geologic and hydrologic data in the search for suitable sites for nuclear waste repositories. The activities are a necessary part of the preliminary investigations required for the site characterization and selection process. Although the information is essential to the ultimate selection of a site for nuclear waste disposal, the nature and extent of these exploratory activities do not foreclose the consideration of alternative locations for geologic disposal. Rather, the exploratory program assures proper consideration of all reasonable alternatives through the widespread identification and evaluation of potential geohydrologic systems for waste disposal.

The listing of actions which are categorically excluded from NEPA only raises a presumption that any such action will not significantly affect the quality of the human environment. For those circumstances where the Department has reason to believe that a significant impact could arise from the exploratory activities, the Department's NEPA guidelines provide that proposed actions will be reviewed to ascertain whether an environmental assessment or environmental impact statement would be required for any individual action which is listed in Section D of the guidelines as categorically excluded from NEPA. To assist the Department in making this determination, an environmental checklist will be used to evaluate the degree of impact resulting from specific exploratory activities. This will allow the Department to verify that no significant impact will result, or that the categorical exclusion does not apply.

Borehole drilling typically involves clearing of land for the drill pad, equipment storage, access roads and temporary storage pits. The boreholes average 4 to 10 inches in diameter and are drilled to depths of 6,000 feet. Related geologic and geophysical exploratory activities include geohydrologic testing, well logging, seismic testing, electrical resistivity, gravity and magnetic surveys, geologic mapping and microearthquake network studies. Upon completion of the exploratory activities, the area is returned as close as possible to its original condition. Storage pit wastes are disposed of at approved sites and boreholes are plugged and sealed in accordance with state and local requirements.

Previous evaluations of 55 boreholes have consistently shown that the environmental impacts resulting from the drilling are insignificant. The findings of no significant impact were based on an analysis of the noise, archeological, water supply and quality, land use, waste control, ecological, air quality and aesthetic impacts of the borehole drilling.

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

Alex G. Fremling,

Acting Assistant Secretary for Environment.

[FR Doc. 81-3826 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Ecomomic Regulatory Administration

[Docket No. ERA-FC-80-028; OFC Case No. 61008-9049-01-12]

BASF Wyandotte Corp.; Availability of Tentative Staff Determination

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of Availability of Tentative Staff Determination.

SUMMARY: On July 14, 1980, BASF Wyandotte Corporation (BWC) filed a petition with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) for an order exempting one new major fuel burning installation (MFBI) from the prohibitions of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8301 *et seq.*) (FUA or the Act), which prohibits the use of petroleum or gas as a primary energy source in certain new MFBIs. Rules setting forth the procedure for petitioning and the criteria for exemptions from the prohibitions of FUA are contained at 10 CFR Parts 501 and 503. The MFBI for which the petition was filed is a field-erected boiler to be constructed at BWC's Geismar, Louisiana, facility. BWC requested a permanent fules mixture exemption for the MFBI in order to burn natural gas or petroleum in a mixture with industrial waste gases.

Based upon ERA's review and analysis of the information presently contained in the record of this proceeding, a Tentative Staff Analysis has been made recommending that ERA issue an order granting the requested permanent exemption to use a mixture of natural gas or petroleum and industrial waste gas. The natural gas or petroleum to be used in the unit may not exceed 25 percent of the total annual Btu heat input of the primary energy source of the unit.

DATES: Written comments on the Tentative Staff Analysis are due on or before March 13, 1981. A request to convene a public hearing must be made within the same period.

ADDRESSES: Fifteen copies of written comments on the Tentative Staff Analysis shall be submitted to: Economic Regulatory Administration,

Case Control Unit (Fuel Use Act), Box 4629, Room 3214, 2000 M Street, NW, Washington, DC 20461.

Docket No. ERA–FC–80–028 should be printed clearly on the outside of the envelope and on the document contained therein.

FOR FURTHER INFORMATION CONTACT:

Constance L. Buckley, Chief, New MFBI Branch, Office of Fuels Conversion, Economic Regulatory Administration, 2000 M Street, NW, Room 3128, Washington, DC 20461 (202) 653–4226.

Ellen Russell, Case Manager, New MFBI Branch, Office of Fuels Conversion, Economic Regulatory Administration, 2000 M Street, NW, Room 3128, Washington, DC 20461 (202) 653–4265.

Douglas F. Mitchell, Office of the General Counsel, Department of Energy, Forrestal Building, Room 6B–178, 1000 Independence Avenue, SW, Washington, DC 20585 (202) 252–2967.

The public file containing a copy of the Tentative Staff Analysis and other documents and supporting materials on this proceeding is available for inspection upon request at: ERA, Room B–110, 2000 M Street, NW, Washington, DC, Monday through Friday, 8:00 a.m.–4:30 p.m.

SUPPLEMENTARY INFORMATION: The Economic Regulatory Administration (ERA) published rules (10 CFR Part 500 *et sec.*) implementing provisions of Title II of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act) in the **Federal Register** on June 6, 1980 (45 FR 38276 and 45 FR 38302). Title II of the FUA prohibits the use of natural gas or petroleum in certain new MFBI's unless an exemption for such use has been granted.

BASF Wyandotte (BWC) is constructing at its Geismar, Louisiana, facility, a field-erected boiler which will have a design heat input rate capability of 307 million Btu's per hour, a steam generating capacity of 220,000 pounds per hour, and will be capable of burning industrial waste gas in a mixture with natural gas or petroleum.

On July 14, 1980, in accordance with 10 CFR 503.38, BWC filed a petition with ERA requesting a permanent fuels mixture exemption for the boiler permitting it to burn a fuels mixture of industrial waste gases and natural gas or petroleum (No. 6 fuel oil). ERA accepted the petition and published notice of its acceptance in the **Federal Register** on September 12, 1980 (45 FR 60468). A 45-day public comment period closed October 27, 1980, no comments have been received.

ERA's staff has reviewed the information contained in the record of this proceeding to date. Based upon that review, a Tentative Staff Analysis recommends that an order be issued granting a permanent fuels mixture exemption allowing BWC to use a mixture of industrial waste gases (determined to be alternate fuels by ERA) and natural gas or petroleum in the unit, provided the amount of natural gas or petroleum used does not exceed 25 percent of the total annual Btu heat input of the primary energy source used in the MFBI. This Tentative Staff Analysis also takes into account the purposes for which the minimum percentage of probibited fuels provided by a fuels mixture exemption is to be used, i.e., to maintain reliability of operation, consistent with maintaining a reasonable level of fuel efficiency. Therefore, should this exemption be granted, ERA will not exclude from the definition of primary energy source any fuel used for the purposes of unit ignition, start-up, testing, flame stabilization, and control uses.

This recommendation is based upon the petitioner's demonstration, pursuant to section 212(d)(1) (A) and (B) of the Act, that it proposes to use a mixture of industrial waste gases and natural gas or petroleum as a primary energy source in the installation, and that the amount of natural gas or petroleum to be used will not exceed 25 percent of the annual Btu heat input of the primary energy sources of the unit.

On August 11, 1980, DOE published in the **Federal Register** (45 FR 53199) a notice of proposed amendments to the guidelines for compliance with the National Environmental Policy Act of 1979 (NEPA). The grant or denial of a permanent fuels mixture exemption under the provisions of 10 CFR 503.38(c) has been identified as an action which normally does not require an Environmental Impact Statement or an Environmental Assessment (categorical exclusion). This classification raises a rebuttable presumption that the grant or denial of the exemption will not significantly affect the quality of the human environment. BWC provided, as a part of its petition, a duly executed certification stating that prior to operating the boiler under the requested exemption it will secure all applicable environmental permits and approvals. The completed Environmental Checklist submitted by BWC pursuant to 10 CFR § 503.5(b) has been reviewed by DOE's Office of Environment, with consultation from the Office of the General Counsel. BWC responses to the questions contained therein indicates that the operations of the boiler will have no impact on those areas regulated by specified laws that impose consultation requirements on DOE, and otherwise affirm the applicability of the categorical exclusion to this FUA action. ERA has not received any public comments relating to this action which raise a substantial question regarding the categorical exclusion in this case. Therefore, no additional environmental review is deemed to be required.

Recommended Terms and Conditions

ERA's staff also has tentatively determined and recommends that any order which would grant the fuels mixture exemption to BWC should, pursuant to section 214 of the Act, be subject to the following terms and conditions:

1. The quality of any petroleum to be burned in the unit will be of the lowest grade available, which is technically feasible, and capable of being burned consistent with applicable environmental requirements.

2. The amount of natural gas or petroleum used in BWC's new boiler shall not exceed 25 percent of the total annual Btu heat input of the primary energy source of the unit.

3. In accordance with the reporting requirement in 10 CFR 403.38(g), BWC will submit an annual report to the Economic Regulatory Administration (ERA), Case Control Unit (Fuel Use Act), Box 4629, Room 3214, 2000 M Street, NW, Washington, DC 20461, each year on the anniversary of the boiler being placed in service, containing the following:

A certified statement of the percentage of natural gas and petroleum used in the boiler, including an identification of the actual quantities of natural gas, petroleum and industrial waste gases used, as well as the highest heating value of those fuels. The following shall be used:

Fuel type	Amount used (1,000 ft³ per barrel)	BTU equivalent	Percent of annual fuel consumption
Industrial waste gases			
Natural gas			
Petroleum			

The Tentative Staff Analysis does not constitute a decision by ERA to grant the requested exemption. Such a decision shall, in accordance with 10 CFR 501.68, be based on the entire record of this proceeding, including any comments received on the Tentative Staff Analysis.

ERA will issue a final order granting or denying the permanent exemption

from the prohibitions of the Act within six months after the public comment period provided for in this notice has expired, unless ERA extends such period. Notice of any extension together with a statement of reasons for such an extension will be published in the **Federal Register.**

Issued in Washington, DC on February 23, 1981.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 81-3840 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration.

ACTION: Notice of action taken on consent orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA, and the firms listed concerning selling prices alleged to be in excess of the maximum lawful selling price for motor gasoline. The Consent Orders do not address or limit any liability with respect to the consenting firm's prior compliance with the Mandatory Petroleum Price and Allocation Regulations. Among other matters, the consenting firms agree to make proper restitution for overcharges on each grade of gasoline and otherwise comply with applicable law. For further information regarding these Consent Orders, please contact Thomas M. Holleran, Program Manager for Product Retailers, Department of Energy, Economic Regulatory Administration, Enforcement Program Operations, 2000 M Street, NW., Washington, DC 20461, telephone number 202-653-3569.

Issued in Washington, DC on the 23rd day of February, 1981.

Robert D. Gerring,

Director, Program Operations Division, Office of Enforcement, Economic Regulatory Administration.

Western District: Consent Orders—January 1981

Firm name and address	Audit date	Cents[1]	Total[2]
Richard Weeks Chevron, 136 College Ave., Santa Rosa, CA 95401	1/08/81	9.2	$14,020.00
Perkins Chev. Service, 5910 Mac Arthur Blvd., Oakland, CA 94613	1/07/81	14.9	18,603.46

Western District: Consent Orders—January 1981—Continued

Firm name and address	Audit date	Cents[1]	Total[2]
Ed Acevedo (A&B Arco), 1401 2nd Street, San Rafael, CA 94901	1/07/81	3.8	1,550.32
Dick Armstrong's Arco, 7900 Dublin Blvd, Dublin, CA 94566	1/12/81	2.4	1,233.88
Jim's Texaco, 9499 Alcosta, San Ramon, CA 94583	1/14/81	9.4	1,770.00
Howe & Hurley Exxon, 1300 Howe Ave., Sacramento, CA 95815	1/07/81	6.4	5,855.46
Robert McCombs Chevron, 301 W. Kettleman Ln., Lodi, CA 95240	1/22/81	7.1	9,488.86
Shell By The Shell, 5th & San Carlos St., Carmel By the Sea, CA 95335	1/26/81	2.9	826.10
Railroad Canyon Arco, 265 Railroad Canyon, Lake Elsinore, CA 92330	12/09/80	2.4	2,019.39
Dave Clark Chevron, 1600 E. Santa Fe, Flagstaff, AZ 86001	12/23/80	12.3	2,856.45
Ventura Car Wash, 13320 Ventura Blvd., Sherman Oaks, CA 91423	1/08/81	2.0	172.00
Awad's Shell Service, 13405 Artesia, Cerritos, CA 90701	1/12/81	6.1	3,174.55
Gary Kingsbury Chevron, 1200 Monterey Road, Pasadena, CA 91030	1/16/81	11.9	22,234.59
Rogue Valley Station #3, P.O. Box 2532, White City, OR 97503	1/20/81	6.7	900.00
Rogue Valley Station #4, P.O. Box 2532, White City, OR 97503	1/20/81	3.7	1,193.00
Rogue Valley Station #5, P.O. Box 2532, White City, OR 97503	1/20/81	3.8	1,151.00

[1] Highest cents per gallon violation.
[2] Violation and penalty amounts.

[FR Doc. 81-68 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Proposed Remedial Orders

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration of the Department of Energy hereby gives Notice that the following Proposed Remedial Orders have been issued. These Proposed Remedial Orders allege violations of applicable law indicated.

A copy of the Proposed Remedial Orders, with confidential information deleted, may be obtained from Thomas M. Holleran, Program Manager for Product Retailers, 2000 M Street, NW, Washington, D.C. 20461, phone 202/653-3569. On or before March 16, 1981 any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, 2000 M Street, NW, Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Washington, D.C. on the 23 day of February, 1981.

Robert D. Gerring,

Director, Program Operations Division, Office of Enforcement, Economic Regulatory Administration.

Proposed Remedial Orders—Western District

Station and address	Date	Violation amount	Cents[1]
Dimitris Arco Service, 2095 Coast Highway 1, Pacifica, CA 94044	1/29/81	$6,367.19	7.7
Hughes Burlingame Shell, 1490 Burlingame Ave. Burlingame, CA 94010	1/29/81	7,284.06	16.7
Miles Union Service, 500 Brancroft, SanLeandro, CA 94577	1/29/81	1,959.09	6.1
Almeda Chevron, 1802 Webster, Almeda, CA 94501	1/29/81	1,697.78	4.9
Redhill Mobile & Towing, 631 Sir Francis Drake, San Anselmo, CA 94960	1/29/81	4,589.19	6.6
Shelter Creek, Chevron, 2101 San Bruno Ave., San Bruno, CA 94066	1/29/81	10,558.61	6.9
Alemany Chevron Service, 2998 San Jose Ave., San Francisco, CA 94112	1/29/81	3,222.74	9.8
Jerry's Shell Service, 12 N. Park Victoria, Milpitas, CA 95035	1/29/81	6,663.41	6.3
C J King Chevron, 403 Saratoga, San Jose, CA 95129	1/29/81	4,736.86	3.4
Ben Sosbee's Chevron, 3151 Senter Rd., San Jose, CA 95111	1/29/81	21,612.87	13.3
Terry McGovern's Shell, 2484 Olivera Road, Concord, CA 94520	1/29/81	10,758.90	9.9
Mowry Ave. Chevron 5300 Mowry Ave., Fremont, CA 94538	1/29/81	26,322.19	16.1
Peninsula Ave. Shell, 400 Peninsula Ave., San Mateo, CA 94401	1/29/81	1,896.96	5.0
Skycrest Shell, 1000 King Drive, Daly City, CA 94015	1/29/81	1,946.62	5.0
Buds Exxon Service, 26115 Hesperian Blvd., Hayward, CA 94545	1/29/81	8,804.43	12.3
Pacifica Shell Service, 4475 Coast Highway, Pacifica, CA 94044	1/29/81	3,774.59	6.4
Charlie Exxon Service, 39 So. Park Victoria, Milpitas, CA 95035	1/29/81	6,519.18	5.2
East 14th Auto Clinic, 3750 East 14th Street, Oakland, CA 94601	1/29/81	4,268.29	8.5
William Laraway Chevron, 1402 Camden Ave., Campbell, CA 95008	1/29/81	11,156.48	8.3
Lee Garrett Chevron, 13571 E. Telegraph Road, Whittier, CA 90605	1/23/81	8,550.35	10.1
Holiday Gulf Service & Garage, 9745 Katy Freeway, Houston, TX	12/15/80	$366.63	2.7

[1] Highest cents per gallon violation.

[FR Doc 81-67 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 3294]

American Hydro Power Corp.; Application for Preliminary Permit

February 24, 1981.

Take notice that American Hydro Power Corporation (Applicant) filed on September 10, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3294 to be known as New-Hope Project located on the Delaware River in Bucks County, Pennsylvania and Hunterdon County, New Jersey. The facilities at the site are currently owned by Peter Cross, 826 Second Avenue, Center Square, Pennsylvania 19422. Correspondence with the Applicant should be directed to: Peter A. McGrath, American Hydro Power Corp., Two Aldwyn Center, Villanova, Pennsylvania 19085.

Project Description—The proposed project would be run-of-the-river utilizing the old powerhouse of Union Mills Mfg. Co. and would consist of: (1) concrete wing dams which are six feet high and extend 1,000 feet from the Pennsylvania right bank and 600 feet from the New Jersey left bank with a 300 foot breach in between which may be repaired to divert more flow through the powerhouse; (2) a reservoir of negligible pondage; (3) an intake structure, at the right bank, which will be repaired; (4) penstocks; (5) a powerhouse which will be rehabilitated and would contain units having an installed capacity between 1,800 KW and 8,200 KW depending on wing wall breach repair; (6) a tailrace; (7) a new transmission line; and (8) appurtenant facilities. Applicant estimates the annual generation would average between 7,900,000 KWH and 35,900,000 KWH.

Purpose of Project—Project energy would be sold to Philadelphia Electric Company and/or other private users.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the hydraulic, construction, environmental, historic and recreational aspects of the project. Depending on 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 between $110,000 and $150,000.

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 the 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). (*as amended* 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d), (*as amended*, 44 FR 61328, October 25, 1979).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1979). 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 filed on or before April 27, 1981. The Commission's address is: 825 North Capitol Street NE., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-36 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-107-001]

Boundary Gas, Inc.; Amendment to Application

February 25, 1981.

Take notice that on February 3, 1981, Boundary Gas, Inc. (Applicant), Eight Arlington Street, Boston, Massachusetts 02116, filed in Docket No. CP81-107-001 an amendment to its application pending in the instant docket pursuant to Section 3 of the Natural Gas Act so as to reflect amendments made to the gas purchase contract and the gas sales agreement between Applicant and TransCanada PipeLines Limited (TransCanada), all as more fully set forth in the amendment which is on file with the Commission and open for public inspection.

By its application filed December 19, 1980, in the instant docket, Applicant requested authorization to import natural gas from Canada pursuant to a gas purchase contract and gas sales agreement with TransCanada. Applicant states that the gas purchase contract has been amended in several ways. It is stated that in regard to make-up rights, a provision was added which required that TransCanada repay Applicant all amounts previously paid to TransCanada for take-or-pay gas in the event that any governmental action prevents TransCanada from delivering or prevents Applicant from receiving any quantity of take or pay gas prior to the expriation of the contract term as such term may be extended in accordance with the contract. It is stated that this provision would protect Applicant should any governmental action bar TransCanada from delivering or Applicant from receiving any quantity of such gas.

It is asserted that in the original agreement, Applicant would pay to TransCanada the international border

price of gas for each 1,000,000 Btu delivered and that now the reference to the international border price has been eliminated in order to conform the form of the gas purchase contract with TransCanada's other export contracts. Moreover, Applicant states that interest on its late payments would not be at an annual rate which is equal to the applicable prime rate of interest charged by Citibank plus one and one-half percentage points but would now be tied to the prime rate of interest charged by the Canadian Imperial Bank of Commerce plus one percent point. It is stated that the purpose of this amendment would be to lower the interest rate on late payments by Applicant since the prime rate charged by the Canadian Imperial Bank of Commerce is generally lower than the prime rate charged by Citibank.

It is further stated that the price of take-or-pay gas is to be recalculated by adding for each Mcf Applicant receives of take-or-pay gas the transportation daily demand rate, the transportation commodity rate, and the imported Alberta border price. It is stated that in no event may the charge per Mcf of take or pay gas exceed an amount equal to 105 percent of TransCanada's Canadian tariff in TransCanada's Eastern rate zone calculated at a total load factor of 100 percent. Applicant maintains that this amendment is designed to lower Applicant's payments for take-or-pay gas to a level approximately equal to the price charged by TransCanada to its Canadian domestic customers in its Eastern rate zone.

It is stated that the present article dealing with the measurement of gas contains a minor technical error and should be amended to provide that the average absolute atmospheric pressure for determining the volume and total heating value of the natural gas should be 14.4 pounds per square inch.

Applicant asserts that the gas sales agreement need be amended only to provide that unless otherwise agreed to a shareholder's payment is to be made to the escrow agent designated by Applicant pursuant to the escrow agreement between Applicant and TransCanada at or before 11:00 a.m. Eastern Standard Time rather than at a designated bank in the United States at or at 10:00 a.m. on the day in which payment is due TransCanada from Applicant.

Applicant also states that a letter agreement between Applicant and TransCanada reflects the parties' understanding that the form of gas purchase contract permits measurement of the total heating value of the gas at TransCanada's receipt point as opposed to the point of delivery; however, the measurement of the gas would be changed from the receipt point to the point of delivery should any material variation occur between the total heating value of the gas at these two points which cannot be corrected within thirty days of Applicant's notice of the variation.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Federal Energy Regulatory Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3816 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3988-000]

Charles Deyle; Application for Preliminary Permit

February 24, 1981.

Take notice that Charles Deyle (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. 3988 to be known as Montgomery Creek Falls Project located on Montgomery 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: Mr. Charles Deyle, 1704 Soledad Way, San Diego, California 92109. 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 diversion conduit; (3) a penstock; and (4) a powerhouse with a total installed capacity of 500 kW. The Applicant estimates that the average annual energy output would be 2.2 million kWh.

Purpose of Project—Applicant intends to market the power generated by the project to a local public utility.

Proposed Scope and Cost of Studies under Permit—The studies would include economic analysis, preliminary engineering, and environmental impacts. Based on the results, Applicant would decide whether to proceed with more detailed studies and an application for license to construct and operate the project. Applicant estimates cost of studies 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 the 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 the 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. 3988. 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. 81-37 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA81-1-32 (PGA81-1, IPR81-1)]

Colorado Interstate Gas Co.; Late-Filed Petition of the State of Texas for Leave to Intervene and Request for Field Hearings

February 24, 1981.

Take notice that the Attorney General for the State of Texas has filed a petition to intervene out of time in the above-captioned Colorado Interstate Gas Company (CIG) proceeding. The subject petition also requests that field hearings be held at an unspecified location other than Washington, D.C., to provide a more accessible forum for farmers located in the Texas Panhandle portion of the CIG service area who use natural gas for agricultural purposes. The procedural history of the instant rate proceeding is as follows.

On August 15, 1980, CIG filed revised tariff sheets [1] to reflect a PGA increase of $270.5 million due to an increase of approximately $271.4 million in the cost of purchased gas and a reduction in CIG's base tariff rate of approximately $890 thousand pursuant to a settlement agreement approved by the Commission in its order issued March 5, 1980, in Docket No. RP79-59. Public notice of the filing was issued on August 26, 1980, providing for protests or petitions to intervene to be filed on or before September 19, 1980. Petitions to intervene which were subsequently granted were filed by those petitioners listed below.[2]

On review of CIG's filing, the Commission found that the proposed tariff sheets had not been shown to be just and reasonable, and might be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, by order issued September 29, 1980, the Commission accepted CIG's filing and suspended its effectiveness until September 1, 1980, subject to refund and subject to the conditions described in that order.[3]

On February 5, 1981, the State of Texas, through its Attorney General, filed its petition for leave to intervene out of time and for field hearings to be held in the above-captioned proceeding at locations deemed appropriate by the Commission. The facts contained in the petition from which the petitioner's alleged right or interest can be determined pursuant to 18 CFR 1.8(c) are as follows: (1) CIG serves distribution companies which deliver gas to Texas Panhandle consumers; (2) the area's agricultural production is dependent on the availability of reasonably priced natural gas suppliers since ground water used for irrigation purposes is pumped by natural gas-powered engines. The need for field hearings is asserted by the State of Texas because local farmers who may be severely affected by the outcome of this proceeding allegedly are not afforded an opportunity to express their concerns by virtue of the Washington, D.C., location normally prescribed for proceedings of this nature.

Any person wishing to do so may submit comments in writing concerning the subject petition of the State of Texas in this proceeding. All such comments should be filed with or mailed to the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before March 11, 1981. Such comments will be considered by the Commission in determining the appropriate action to be taken concerning the subject petition but will not serve to join those who submit comments as parties to the proceeding. Any person desiring to become a party must file a petition to intervene or protest in accordance with §§1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). Copies of this petition are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-26 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[1] Seventh Revised Sheet Nos. 7 and 8 and First Revised Sheet No. 8a to FERC Gas Tariff, Original Volume No. 1.

[2] Petitions to intervene were received and were granted from the following: Citizens Utilities Company; City of Colorado Springs, Colorado; City and County of Denver, State of Colorado; Natural Gas Pipeline Company of America; and Public Utilities Commission of the State of Colorado.

[3] CIG was required to file additional information supporting the inclusion of costs related to the retroactive payments to producers in the proposed tariffs. CIG was also required to file revised tariffs to become effective October 1, 1980, subject to refund, reflecting the elimination of costs related to anticipated well determinations which had not yet become final as of October 1, 1980. These filings have been made by CIG.

[Docket No. CP79-23-002]

Columbia Gas Transmission Corp.; Petition To Amend

February 25, 1981.

Take notice that on February 11, 1981, Columbia Gas Transmission Corporation (Petitioner), P.O. Box 1273, Charleston, West Virginia 25325, filed in Docket No. CP79-23-002 a petition to amend the order issued January 24, 1979, in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize certain changes in the construction and operation of natural gas facilities, all as more fully set forth in the petition to amend.

Petitioner states that by order issued January 24, 1979, it was authorized to construct and operate 23 separate projects on its pipeline facilities which were required to be completed and placed in actual operation within 12 months of the Commission order. Petitioner states that Project No. 1 was authorized to permit Petitioner to remove from high-pressure service in its B System a segment of 2 parallel 26-inch pipelines located immediately east of

Seneca compressor station and to construct a 36-inch pipeline loop replacing the capacity inherent in the two 26-inch pipelines. However, Petitioner states that it originally decided to postpone the replacement of the affected segments of pipeline because it determined that it could safely operate the facilities for an additional period of time.

It is stated that portions of the B System which extends from Clendenin compressor station in Kanawha County, West Virginia, in an easterly direction to the Loudon compressor station in Loudon County, Virginia, are bare pipe originally installed without protection against corrosion and that operational failures, hydrostatic retesting, bell hole inspections and electrronic pigging devices have all confirmed the presence of stress corrosion cracking and severe galvanic corrosion on these pipelines. Petitioner states that while it has been able to extend the service life of these pipelines in its high-pressure B System by means of an extensive program of inspection and testing, it has now determined that segments of the two parallel 26-inch pipelines located immediately east of Seneca compressor station, one approximately 5.1 miles in length and the second approximately 4.9 miles in length, should be removed from high pressure service due to age and condition. Petitioner states that since B System traverses an area having a potential for gas development, as segments of the 26-inch pipelines are removed from service a single 26-inch pipeline would be retained in low-pressure transmission service for utilization in the transportation of locally produced and/or purchased volumes.

Petitioner proposes to reinstitute Project No. 1, now to be designated Project No. 1R, keeping it essentially the same as the previously authorized project except for the construction of 5.2 miles of 36-inch transmission pipeline instead of 5.1 miles because of a change in location of the tie-in point at the eastern terminus of the proposed 36-inch pipeline loop and once again allowing for the retirement of the approximately 5.1 miles of 26-inch pipeline all to be located in Pendleton County, West Virginia. Petitioner states that it would complete and place into service the proposed facilities within one year of the Commission's approval.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Nautural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3817 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-191-000]

Columbia Gas Transmission Corp.; Application

February 25, 1981.

Take notice that on February 11, 1981, Columbia Gas Transmission Corporation (Applicant), P.O. Box 1273, Charleston, West Virginia 25325, filed in Docket No. CP81-191-000 an application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and for permission and approval to abandon certain other natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant States that portions of its B System 26-inch pipelines which extend from Clendenin compressor station in Kanawha County, West Virginia, in an easterly direction to Loudoun compressor station in Loudoun County, Virginia, are bare pipe originally installed without protection against corrosion and that operational failures, hydrostatic retesting, bell hold inspections and electronic pigging devices have all confirmed the presence of stress corrosion cracking and severe galvanic corrosion on these pipelines. Applicant asserts that while it has been able to extend the service life of these pipelines in its high-pressure B System by means of an extensive program of inspection and testing it has now determined that approximately 70.5 miles of 26-inch pipeline in the B System should be removed from high-pressure service due to age and condition. Because the B System traverses an area having a potential for gas development, as segments of the 26-inch pipelines are removed from high-pressure service a single 26-inch pipeline would be retained in low-pressure transmission service for utilization in the transportation of locally produced and/or purchased volumes, it is asserted.

Applicant proposes to construct and operate approximately 12.2 miles of 36-inch transmission pipeline loop located in Braxton County, West Virginia, and to abandon approximately 7.1 miles of 26-inch transmission pipeline located in Upshur County, West Virginia. It is stated that the proposed 12.2 miles of 36-inch pipeline proposed herein would provide an increase in the throughput capability of the B System of approximately 10,400 Mcf per day which is adequate to replace the capacity of the 70.5 miles of 26-inch pipeline being removed from high-pressure service. Applicant states that of the total 70.5 miles of 26-inch pipeline being removed from high-pressure service, 7.1 miles would be abandoned with the remaining 63.4 miles to be retained in low-pressure transmission service to transport locally produced and/or purchased volumes.

It is stated that the estimated cost of the proposed project would be $8,662,000 which would be financed through the sale of notes and common stock to Columbia Gas System, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.70). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and

necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3818 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-179-000]

Consolidated Gas Supply Corp.; Application

February 25, 1981.

Take notice that on February 4, 1981, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP81-179-000 an application pursuant to Section 7 of the Natural Gas Act for permission and approval to abandon certain pipeline and appurtenant facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain pipeline and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes herein to institute a program to modernize and simplify the operation of its West Virginia low pressure dry gas transmission system which is located downstream of Applicant's Hastings Complex.

Applicant, therefore, proposes herein to:

(1) Abandon 54.12 miles of existing parallel 18- and 20-inch Line Nos. H-3, H-4, and H-106 and related and appurtenant facilities in Wetzel and Marshall Counties, West Virginia;

(2) Abandon 0.65 mile of existing 30-inch Line No. TL-404 in Wetzel County, West Virginia, retaining the remaining 1.2 miles of Line No. TL-404 for integration into the facilities described in (5) below;

(3) Abandon 7 existing parallel 10-inch pipelines and appurtenant facilities comprising Applicant's Ohio River pipeline crossing at the northern terminus of Line Nos. H-3, H-4, and H-106 at Clarington, Marshall County, West Virginia;

(4) Abandon approximately 28.9 miles of existing 18- and 20-inch Line No. H-2 and appurtenant facilities from the Hastings Complex to its terminus at the Ohio River;

(5) Construct and operate approximately 20.27 miles of new 24-inch gas transmission pipeline and appurtenant facilities between the Hastings Complex and existing Line No. TL-377 near the Ohio River in Marshall County, West Virginia. This proposed pipeline together with 2.1 miles of existing 30-inch pipeline described in (2) above would be designated as Line No. TL-404;

(6) Construct and operate approximately 0.2 mile of new 24-inch Line No. TL-404 and appurtenant facilities between Line No. TL-377 at the Ohio-West Virginia boundary and existing facilities of Applicant's jurisdictional customer, The East Ohio Gas Company (East Ohio), in Monroe County, Ohio;

(7) Abandon, remove and relocate the existing measurement, regulating and related facilities comprising Applicant's existing Clarington connection, an existing point of delivery to East Ohio, to a point near Applicant's existing Mullett connection, also an existing point of delivery to East Ohio, in Monroe County, Ohio;

(8) Install two additional 1,600 horsepower compressor units at Applicant's existing Hastings compressor station in Wetzel County, West Virginia;

(9) Construct and operate approximately 5,011 feet of new 20-inch pipeline and appurtenant facilities, proposed Line No. TL-445, between Hastings compressor station and Hilltop Junction in Wetzel County, West Virginia;

(10) Construct and operate approximately 5,011 feet of new 24-inch pipeline and appurtenant facilities, proposed Line No. TL-446, between Hastings compressor station and Hilltop Junction in Wetzel County, West Virginia;

(11) Construct and operate approximately 1,502 feet of new 20-inch pipeline and appurtenant facilities, proposed Line No. TL-444, between proposed Line No. TL-446 and existing 24-inch Line No. TL-430 near Hastings compressor station in Wetzel County, West Virginia;

(12) Construct and operate a new measuring and regulating station for deliveries into the intrastate distribution system of Applicant's Hope Natural Gas Company Division (Hope Division) in Marshall County, West Virginia;

(13) Construct and operate two new measuring and regulating stations for deliveries to isolated field consumers served by Hope Division near Limestone Ridge in Wetzel County, West Virginia;

(14) Construct and operate approximately 1,560 feet of new 16-inch pipeline and appurtenant facilities, proposed Line No. TL-442, between Hastings compressor station and existing Line No. TL-360 in Wetzel County, West Virginia;

(15) Abandon the following pipeline facilities within the Hastings Complex:

(a) 0.5 mile of 8-inch Line No. H-195,

(b) 0.99 mile of 20-inch Line No. TL-397,

(c) 0.67 mile of 12-inch Line No. TL-271,

(d) 1.1 miles of 12-inch Line No. TL-262,

(e) 0.2 mile of 20-inch Line No. TL-398,

(f) 0.2 mile of 20-inch Line No. TL-399

(g) 0.64 mile of 20-inch Line No. H-81,

(h) 0.53 mile of 16-inch Line No. TL-283,

(i) 0.19 mile of 14-inch Line No. TL-264,

(j) 0.57 mile of 12-inch Line No. H-117,

(k) 0.1 mile of 20- and 24-inch Line No. TL-342,

(l) 0.1 mile of 12-inch Line No. H-197,

(m) 0.49 mile of 10-inch Line No. H-196, and

(n) 0.03 mile of 16-, 20-, and 26-inch Line No. TL-395.

Applicant states that its Hastings complex consists of parallel 18-inch and 20-inch pipeline Nos. H-2, H-3, H-4 and H-106 which are old and deteriorated and are proposed to be abandoned. Applicant states that replacement of these pitted and corroded facilities with new 24-inch and 30-inch Line TL-404 would eliminate gas losses from this portion of the system.

Applicant estimates the cost of the proposed modifications to be $13,703,920 which would be financed by either funds on hand or by funds from Applicant's parent, Consolidated Natural Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.70). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the

Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission of its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3819 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3938-000]

Continental Hydro Corp.; Application for Preliminary permit

February 24, 1981.

Take notice that Continental Hydro Corporation (Applicant) filed on January 7, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3938 to be known as Dewey Lake Dam located on Johns Creek in Floyd 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. A. Gail Staker, Continental Hydro Corporation, 141 Milk Street, Suite 1143, Boston, Massachusetts 02109. 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' Dewey Lake Dam and Reservoir and would consist of: (1) A powerhouse having an installed generating capacity between 2,000 kW and 2,500 kW; (2) a new penstock approximately 650-feet long; (3) new transmission lines; and (4) appurtenant works. The Applicant estimates that the average annual energy output would be between 4,500,000 kWh and 5,500,000 kWh.

Purpose of Project—Project energy would be sold to local public utilities and/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 operation, and project power potential. Depending upon 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 to be $45,000.

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 4.33(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 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. 3938. 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. 81-27 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3448-001]

Cook Electric Co.; Application for Preliminary Permit

February 24, 1981.

Take notice that the Cook Electric Company (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)] from proposed Project No. 3448 to be known as Ririe Dam Project located on Willow Creek in Bonneville 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. Warren P. Chapman, Cook Electric Company, P.O. Box 1071, Twin Falls, Idaho 83301. 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 project would utilize the existing U.S. Army Corps of Engineers' Ririe Dam and would consist of (1) a powerhouse containing three generating units having a rated capacity of 600 kW; (2) a transmission line; and (3) appurtenant facilities. Applicant estimates the annual generation would average about 2,052,000 kWh.

Purpose of Project—Project energy would be sold to the Utah Power Company.

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 operation, and project power potential. Depending upon 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 $25,860.00.

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 the 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 protest 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. 3448. Any comments, notices of intent, competing applications, protests, or petitions to intervene must bil 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. 81-39 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-190-000]

Delhi Gas Pipeline Corp.; Extension of Transportation Service

February 25, 1981.

Take notice that on February 6, 1981, Delhi Gas Pipeline Corporation, (Applicant), Fidelity Union Tower Building, Dallas, Texas 75201, filed in Docket No. CP81-190-000 an application pursuant to Section 284.126(c) of the Regulations under the Natural Gas Policy Act of 1978 for authorization to continue the transportation of natural gas for Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into an April 27, 1979, transportation agreement with Transco which provides for Applicant to receive natural gas at the points of delivery provided in a gas purchase agreement between Transco and Texas Oil & Gas Corporation and transport and redeliver such natural gas to Transco at (1) the point of interconnection of Applicant's facilities with the pipeline facilities of South Texas Natural Gas Company located in Kenedy County, Texas; or (2) the point of interconnection of Applicant's facilities with the facilities of Channel Industries Gas Company located in Kenedy County, Texas, or at other mutually agreeable points.

Applicant states that it commenced the transportation of gas for Transco on March 11, 1979, and now proposes to extend and continue such transportation for ten years. Applicant estimates that the daily and total volumes of natural gas to be transported during the ten-year period would be 3,000 Mcf and 10,900,000 Mcf, respectively.

Applicant states that the rate to be charged Transco for such transportation service is 15.0 cents per Mcf subject to annual adjustment based on changes in the Consumer Price Index.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or

1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3820 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-189-000]

Delhi Gas Pipeline Corp.; Extension of Transportation Service

February 25, 1981.

Take notice that on February 6, 1981, Delhi Gas Pipeline Corporation (Applicant), Fidelity Union Tower Building, Dallas, Texas 75201, filed in Docket No. CP81-189-000 an application pursuant to Section 284.126(c) of the Regulations under the Natural Gas Policy Act of 1978 for authorization to continue the trasportation of natural gas for Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into a February 15, 1979, transportation agreement with Transco which provides for Applicant to receive natural gas at specified points of delivery and to redeliver such volumes at (1) the point of interconnection of Applicant's facilities with the pipeline facilities of South Texas Natural Gas Company in Zapata County, Texas; (2) the point of interconnection of Applicant's facilities with the facilities of Huston Pipe Line Company located in Webb County, Texas, or at other mutually agreeable points; and (3) the point of interconnection of Applicant's lateral from its Laredo-Lopeno System with the pipeline facilities of Transco located in LaSalle County, Texas.

Applicant states that it commenced the transportation of gas for Transco on May 15, 1979, and now proposes to extend and continue such transportation service for twenty years. Applicant estimates that the daily and total volumes of natural gas to be transported during the twenty-year period would be 20,000 Mcf and 146,000,000 Mcf, respectively.

Applicant states that it currently charges Transco 37.60 cents per Mcf which is subject to adjustment each September 1.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3821 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3564-000]

The City of Duchesne, Utah; Application for Preliminary Permit

February 24, 1981.

Take notice that The City of Duchesne, Utah (Applicant) filed on October 14, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3564 to be known as the Starvation Hydro Project located on the Strawberry River in Duchesne 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. Ed Browning, Mayor of Duchesne City, P.O. Drawer B, Duchesne, Utah 84021. 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 exiting Water and Power Resources Service's Starvation Dam and Reservoir and would consist of: (1) a new penstock utilizing the existing outlet works; (2) a new powerhouse containing generating units having a total rated capacity of 1,606 kW; (3) a tailrace; (4) a new transmission line, approximately one mile long, connecting to existing 69 kV lines; and (5) appurtenant facilities. The applicant estimates that the average annual energy output would be 7,680,000 kWh.

Purpose of Project—Project energy would be sold to residents of The City of Duchesne or to the Moonlake Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic and recreational aspects of the project. Depending on 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 $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 the 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 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 1.10 (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 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. 3564. Any comments, notices of intent, competing applications, protests, or petition 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. 81-38 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4050-000]

East Kentucky Power Cooperative; Application for Preliminary Permit

February 24, 1981.

Take notice that East Kentucky Power Cooperative (Applicant) filed on January 22, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4050 to be known as the Grayson Project located on the Little Sandy River near Grayson, Carter County, Kentucky. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Richard H. Breckenkamp, East Kentucky Power Cooperative, P.O. Box 707, Winchester, Kentucky 40391. 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' Grayson flood control dam and would consist of (1) a 1700-foot long concrete lined power tunnel with intake located near the west dam abutment; (2) a powerhouse containing two turbine-generator units with a total rated capacity of 2.0 MW; (3) a 100-foot long transmission line; and (4) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 5,100,000 Kwh.

Purpose of Project—Energy developed at the project would be utilized by the Applicant for distribution to its customers.

Proposed Scope and Cost of Studies under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months. The work to be performed under this preliminary permit would consist of gathering necessary data, completing surveys and environmental studies, obtaining necessary Federal, State and local permits, and preparing necessary documentation for the Commission's licensing requirements. Applicant estimates that the cost of works to be performed under the permit would not exceed $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 of 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 Grayson Project No. 3333 filed on August 19, 1980 by Continental Hydro Corporation 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 or 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. 4050. 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 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. 81-28 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3790-000]

Enagenics; Application for Preliminary Permit

February 24, 1981.

Take notice that Enagenics (Applicant) submitted on November 28, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3790 to be known as Spring Valley Canal Station 677 Hydroelectric Project located on the Spring Valley Canal in Fairfield, Teton County, Montana. 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. Department of the Interior's (Water and Power Resources Service) Spring Valley Canal. Project No. 3790 would consist of: (1) A proposed one-unit powerplant located alongside the chute drop at Sta. 699 + 85; (2) a proposed gated intake structure with trashracks and a radial gate check structure constructed between Sta. 676 + 20 and 676 + 50; (3) a proposed 96-inch diameter penstock extending 2,400 feet to connect intake structure of powerplant; (4) a proposed tailrace connected to the stilling basin; (5) transmission lines having operating voltage of 69 kV; (6) a switchyard located adjacent to the powerplant; and (7) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 27.4×10^6 kWh.

Purpose of Project—Energy produced at the site would be sold to Montana Power Company or other public users.

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 activities along with obtaining agreements with other Federal, State, and local agencies is estimated to be $45,000.

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 Greenfields Irrigation District and Sun River Electric Cooperative, Inc., Project No. 3554 on Upper Turnbull Drop Project, Station 677 + 00 on the Spring Valley 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 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 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. 3790. 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. 81-29 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3956-000]

Enagenics; Application for Preliminary Permit

February 24, 1981.

Take notice that Enagenics (Applicant) file 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. 3956 to be known as the Clark Canyon Dam Project located on the Beaverhead River in Beaverhead County, Montana. 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. Department of the Interior's (Water and Power Resources Service) Clark Canyon Dam. Project No. 3956 would consist of: (1) a proposed powerhouse, to be located along the east side of the

existing outlet works stilling basin, with a proposed installed capacity of 5.4MW; (2) a short tailrace channel; and (3) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 17 GWh.

Purpose of Project—The Applicant proposes to sell the power output of the project to the Montana Power Company.

Proposed Scope and Cost of Studies under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months. During this time the significant legal, institutional, engineering, environmental, marketing, economic and financial aspects of project will be defined, investigated and assessed to support an investment decision. The Applicants estimated total cost of performing a fesibility study is $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—This application was filed as a competing application to both Western Montana Electric Generating and Transmission Cooperative, Project No. 3530, filed on October 7, 1980 and Continental Hydro Corporation, Project No. 3549, filed on October 9, 1980 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 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. 3956. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be file 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. 81-30 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP79-462-001, et al.]

Great Lakes Gas Transmission Co.; Amendment to Application

February 25, 1981.

Take notice that on February 3, 1981, Great Lakes Gas Transmission Company (Applicant), 2100 Buhl Building, Detroit, Michigan 48226, filed in Docket Nos. CP79-462-001, CP66-110, *et al.*, CP70-19, *et al.*, CP70-100, *et al.*, CP71-222, *et al.*, CP71-299, *et al.*, and CP71-223, *et al.*, an amendment to its application pending in the instant dockets pursuant to Section 7(c) of the Natural Gas Act so as to reflect changes in the gas transportation service being rendered and a petition to amend orders issued in these proceedings, all as more fully set forth in the amendment and petition which is on file with the Commission and open for public inspection.

By its application filed August 30, 1979, Applicant requested authorization to render a transportation service for Michigan Wisconsin Pipe Line Company (Mich Wis), Natural Gas Pipeline Company of America (Natural), and Texas Eastern Transmission Corporation (Texas Eastern) which along with Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), contracted with ProGas Limited (ProGas) and TransCanada PipeLines Limited (TransCanada) to import a total of up to 300,000 Mcf of natural gas per day from Canada.

Applicant states that Natural has subsequently requested that its rights and obligations under a July 10, 1979, precedent agreement be terminated as it prefers to have the volumes it would purchase from ProGas be transported through the pipeline systems to be constructed by Northern Border Pipeline Company.

Pursuant to an amendatory agreement dated January 15, 1981, between Applicant, Natural, Tennessee, Mich Wis, and Texas Eastern, Applicant states that it and Tennessee have agreed to enter into a direct transportation arrangement rather than have the volumes that Tennessee would purchase from ProGas be transported under a transportation agreement between Applicant and Mich Wis as contemplated earlier. Moreover, it is stated, the amended agreement provides that the transportation service agreement between Applicant and Mich Wis be for a term of only five years commencing November 1, 1982, with reductions in quantity commencing on November 1, 1984.

In addition, Applicant proposes to transport 150,000 Mcf per day during the two contract years ending November 1, 1982 (75,000 Mcf each for Texas Eastern and Tennessee); 225,000 Mcf per day during the two contract years ending November 1, 1984 (75,000 Mcf per day each for Texas Eastern, Tennessee, and Mich Wis); and a quantity equivalent to 75 percent, 50 percent and 25 percent, respectively, of 75,000 Mcf per day (225,000 Mcf per day cumulative) during the three succeeding contract years for each of Texas Eastern, Tennessee, and Mich Wis. It is stated that transportation

services would terminate on November 1, 1987.

Applicant states that TransCanada has agreed to reduce the volumes transported for it by Applicant under a September 12, 1967, transportation contract by quantities equivalent to those to be transported by Applicant for Mich Wis, Texas Eastern and Tennessee to enable Applicant to transport such volumes. It is asserted that TransCanada has also agreed to supply Applicant with the fuel and other company-use gas required by Applicant to effecutate transportation for its customers and would permit Applicant to receive gas at Emerson, Manitoba, from TransCanada for their accounts at a pressure of not less than 750 psig.

Applicant states that it has now determined that the metering facilities for which authorization was sought under its original application would not be necessary to provide the transportation service as herein proposed and accordingly Applicant withdraws its request for authorization to construct any new facilities in connection with this application.

Applicant states that it has agreed with Mich Wis, Texas Eastern and Tennessee that until April 1, 1981, volumes would be transported by Applicant on a best-efforts basis.

Any person desiring to be heard or to make any protest with reference to said amendment and petition should on or before March 19, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. All persons who have hereto filed with respect to the pending application need not file again.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3822 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3947-000]

Kaweah Delta Water Conservation District; Application for Preliminary Permit

February 24, 1981.

Take notice that Kaweah Delta Water Conservation District (Applicant) filed on January 8, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3947 to be known as Terminus Project located on the Kaweah River in Tulare County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Max Garver, Engineer-Manager, Kaweah Delta Water Conservation District, P.O. Box 1247, Visalia, California 93279. 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 insertion of a 12-foot diameter steel liner in the outlet works of the existing 250-foot high earthfilled U.S. Corps of Engineers' Terminus Dam; (2) a 13-foot diameter butterfly valve; (3) a powerhouse containing five generating units, three rated at 3000 kW each and two rated at 250 kW each; and (4) a transmission line.

The Applicant estimates that the average annual energy output would be 30.2 million kWh.

Purpose of Project—The energy output from the project would be sold to a local utility company.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would conduct geotechnical and engineering studies, perform feasibility and optimization studies, make an economic analysis, conduct environmental studies, 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 done under the preliminary permit is estimated to be $145,000.

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 American Hydroelectric Development Corporation's Project No. 3528 filed on October 7, 1980, 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 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. 3947. 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. 81-31 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4008-000]

Long Lake Energy Corp.; Application for Preliminary Permit

February 24, 1981.

Take notice that Long Lake Energy Corporation (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. 4008 to be known as the Dolgeville Hydroelectric Power Project located on the East Canada Creek in Herkimer 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. Paul J. Elston, Long Lake Energy Corporation, 330 Madison Avenue, 7th Floor, New York, New York 10017. 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 run-of-the river project would consist of: (1) an existing 18-foot high, 195 feet long limestone gravity dam; (2) an existing reservoir having a normal pool elevation of 720 feet; (3) an existing floodgate and intake structure; (4) a new 650-foot penstock; (5) an existing powerhouse with new turbines having a generating capacity of 3.2 MW; (6) an existing tailrace structure; (7) existing transmission lines and switchyard equipment; and (8) appurtenant works. The dam and reservoir are owned by the Niagara Mohawk Company. The Applicant estimates that the average annual energy output would be 15,400,000 kWh.

Purpose of Project—Project energy would be sold to Niagara Mohawk Power Company.

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 operation, and project power potential. Depending upon 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 $60,000.

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 Permitee 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. 4008. 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. 81-40 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project Nos. 3635-000 and 3703-000]

Mitchell Energy Co., Inc.; and Continental Hydro Corp.; Application for Preliminary Permit

February 24, 1981.

Take notice that Mitchell Energy Company, Inc. (Mitchell) and Continental Hydro Corporation (Continental) (Applicants) filed on October 31, 1980, and November 10, 1980, respectively, competing applications for preliminary permits [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed

Project Nos. 3635 and 3703 to be known as the Canyon Lake Hydro-electric Project located on the Guadalupe River in Comal County, Texas. The applications are on file with the Commission and are available for public inspection. Correspondence with the Applicants should be directed to: Mr. Mitchell L. Dong, Mitchell Energy Company, Inc., 173 Commonwealth Avenue, Boston, Massachusetts 02116. Correspondence with Continental should be directed to Mr. A. Gail Staker, 141 Milk Street, Suite 1143, Boston, Massachusetts 02109. 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 Corps of Engineers' Canyon Lake Dam and would consist of a powerhouse containing generating units having a rated capacity of 20.8 MW (Mitchell) or a capacity of 5.0 MW (Continental), an 800-foot long penstock and appurtenant facilities. Mitchell estimates that the average annual energy output would be 36,000,000 kWh; Continental estimates the output would be 18–20 GWh.

Purpose of Project—Mitchell would sell the energy generated at the project to a local utility. Continental would sell it to the San Antonio Utility Company.

Proposed Scope and Cost of Studies under Permit—Mitchell seeks issuance of a preliminary permit for a period of 24 months and Continental seeks issuance of preliminary permit for a period of 36 months. Each Applicant proposes that it would perform data acquisition, investigations, studies, feasibility evalution; would consult with Federal, State, and local government agencies, and prepare an application for an FERC license, including an environmental report. Mitchell and Continental estimate that the cost of studies under the permit would be $50,000 and $19,000, respectively.

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 the 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 protest 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 or 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", "PROTESTS", 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 permits for Project Nos. 3635 and 3703. 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. 81-41 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-180-000]

Northern Natural Gas Company; Application

February 24, 1981.

Take notice that on February 5, 1981, Northern Natural Gas Company, Division of InterNorth, Inc. (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP81-180-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 63 small volume sales measuring stations for the sale and delivery of additional volumes of natural gas in the states of Montana, South Dakota, Minnesota, Iowa, Nebraska, Kansas, Oklahoma and Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to provide service to right-of -way grantors whose easements provide for the contractural right to gas service as partial consideration for the easement to construct and operate pipeline facilities across their property. It is stated that such service would be made to small volume [1] industrial, commercial and residential customers.

Applicant proposes to install and operate 43 delivery stations in Minnesota, South Dakota, Iowa, Nebraska, Kansas, and Texas for deliveries of gas to be resold by People's Natural Gas Company, Division of InterNorth, Inc. (People's) from People's presently authorized contract demand.

Applicant also states that it sells and delivers natural gas in Oklahoma to the

[1] As defined in Applicant's Gas Tariff, customers with maximum daily gas requirements under 200 Mcf are considered small volume customers.

Southern Union Gas Company (So. Union) pursuant to Applicant's Rate Schedule X–46 for resale by So. Union to Applicant's right-of-way grantors and others for use as irrigation engine fuel, residential and other high priority uses. Applicant proposes to provide natural gas service to 18 of its right-of-way grantors located in So. Union's service areas in Oklahoma which would result in an increase of 108,480 Mcf in annual sales to So. Union.

Further, Applicant proposes to install and operate two delivery stations for deliveries of gas for direct sale to two Montana customers pursuant to terms of farm tap service contracts between Applicant and the new customers.

Applicant more fully describes the 63 proposed small volume sale measuring stations including locations, estimated peak day and annual sales, and use as follows:

Right-of-way grantor	Legal description—section, township, range, county, and State	Peak day	Annual	Primary end-use
Southern Union Gas Co.:				
Berry Farms, Inc	7—13—24—Roger Mills—OK	86.4	19,665	Irrigation.
Berry, J. B	2—13—25—Roger Mills—OK	86.4	19,665	Irrigation.
Bruton, James N	20—13—23—Roger Mills—OK	1.4	300	Res. Heat.
Buckles, E. L	7—19—24—Ellis—OK	54.0	13,110	Irrigation.
Cook, Stanley	20—28—25—Harper—OK	1.4	300	Res. Heat.
Dodson, Buster M	2—12—22—Roger Mills—OK	1.4	300	Res. Heat.
Harrison, William S	7—13—24—Roger Mills—OK	86.4	19,665	Irrigation.
Mayberry, William P	30—27—21—Harper—OK	1.4	300	Res. Heat.
Miller, Robert C	1—18—23—Ellis—OK	1.4	300	Res. Heat.
Mote, Lile B	17—20—20—Woodward—OK	1.4	300	Res. Heat.
Ridgway, E. H	8—22—22—Woodward—OK	54.0	13,110	Irrigation.
Roper, Dix A	21—20—24—Ellis—OK	1.4	300	Res. Heat.
Schoe, Niles F	36—13—23—Roger Mills—OK	1.4	300	Res. Heat
Snell, Jimmy E	13—14—26—Roger Mills—OK	1.4	300	Res. Heat
Swinford, G. Mark	18—23—24—Ellis—OK	1.4	300	Res. Heat
Taylor, Lila Mary	34—14—25—Roger Mills—OK	86.4	19,665	Irrigation
Winters, John T., Jr	10—22—17—Woodward—OK	1.4	300	Res. Heat
Wright, David	32—14—25—Roger Mills—OK	1.4	300	Res. Heat
Total Southern Union Gas		470.4	108,480	
Northern Natural Gas Co. (Direct):				
Davidson, Noel R	26—33—14—Hill—MT	3.2	295	Res. Heat.
Williams, Lyle N	27—34—12—Hill—MT	3.2	295	Res. Heat.
Totals, Northern (Direct)		6.4	590	
Peoples Natural Gas Co., Division of InterNorth, Inc.:				
Arens, James E	8—91—14—Bremer—IA	10.0	554	Crop Dryer.
Ask, Carl H	3—103—6—Houston—MN	1.7	151	Res. Heat.
Bartlett, Meade C	23—89—21—Hardin—IA	24.0	2,060	Crop Dryer.
Bishop, Bennie W	4—104—18—Mower—MN	15.0	650	Crop Dryer.
Boegeman, Stephen J	2—114—23—Scott—MN	2.0	188	Res. Heat.
Brown, Edward S	18—88—6—Delaware—IA	24.0	1,100	Crop Dryer.
Cook, A. E	33—22—34—Finney—KS	72.0	12,960	Irrigation.
Dahl, Lee E	36—33—21—Chisago—MN	3.0	200	Res. Heat.
Davis, Webb	32—103—17—Mower—MN	2.0	345	Res. Heat.
Eakes, Evelyn	18—31—30—Meade—KS	60.0	6,645	Irrigation.
Flaherty, Maureen	5—29—20—Washington—MN	3.0	200	Res. Heat.
Gardner, B. A. & A. B	10—24—31—Finney—KS	48.0	8,640	Irrigation.
Hansen, Sydney D	11—93—55—Yankton—SD	2.0	190	Res. Heat.
Holles, David	20—109—35—Brown—MN	30.0	457	Crop Dryer.
Hutch. Natl. Bk. (Gano)	31—23—15—Pawnee—KS	21.6	1,439	Irrigation.
Knuth, Donald D	10—14—8—Saunders—NE	1.0	151	Res. Heat.
Koettler, Alois	33—126—32—Stearns—MN	3.0	200	Res. Heat.
Kurt, Joseph N	23—88—2—Dubuque—IA	1.0	170	Res. Heat.
Linville, Thomas W	9—23—34—Finney—KS	48.0	8,640	Irrigation.
Lowthian, Russ	3—44—20—Pine—MN	11.0	640	Crop Dryer.
Lynch, Mark R	13—85—17—Marshall—IA	26.0	2,730	Crop Dryer.
McCarley, James A	WTN—4—Hemphill—TX	1.2	158	Res. Heat.
Meister, Johannes A	26—89—17—Grundy—IA	4.0	292	Crop Dryer.
Meyer, George F	32—96—8—Winneshiek—IA	1.8	166	Res. Heat.
Morris, James D	4—30—32—Haskell—KS	3.0	246	Res. Heat.
Niemeyer, Ell	28—98—47—Lyon—IA	16.0	1,132	Crop Dryer.
Plambeck, Myron	3—23—8—Burt—NE	24.0	1,640	Irrigation.
Plett, Joe	20—22—31—Finney—KS	48.0	8,640	Irrigation.
Reeves, Kerm	23—96—33—Palo Alto—IA	10.0	411	Irrigation.
Robertson, Ethel M	4—103—28—Faribault—MN	1.3	155	Res. Heat.
Roetman, Robert R	16—95—43—Sioux—IA	16.0	1,132	Crop Dryer.
Scheiding, Evelyn	7—4—4—Jefferson—NE	25.0	1,700	Grain Dryer.
Sizeman, Tom	36—93—10—Fayette—IA	1.5	150	Res. Heat.
Soderberg, Dale	24—53—11—Lake—MN	3.0	200	Res. Heat.
Solberg, Raymond O	14—94—50—Union—SD	30.0	1,592	Crop Dryer.
Slunkel, Harold	10—5—2—Washington—KS	1.5	150	Res. Heat.
Sullivan, Lewis J	5—104—21—Freeborn—MN	10.0	700	Crop Dryer.
Taschner, Larry L	30—114—55—Hamlin—SD	36.0	2,122	Crop Dryer.
Tlustos, Don	33—12—11—Cass—NE	1.5	154	Res. Heat.
Webb, Charles H	6—3—PSL—Hansford—TX	1.2	158	Res. Heat.
Wickenhauser, James	14—115—25—Carver—MN	3.0	189	Res. Heat.
Wiebe, Elma B	1—2—WCRR—Ochiltree—TX	31.2	3,220	Irrigation.
Yost, Marvin L	1—4—3—Jefferson—NE	36.0	1,000	Irrigation.
Total Peoples Natural Gas		713.5	73,637	

Applicant estimates the cost of the proposed facilities to be $103,110 which would be financed by cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before

March 17, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition of intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3823 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

Docket No. TA 81-2-37-000 (PGA 81-2, IPR 81-2)

Northwest Pipeline Corp.; Change in Rates Pursuant to Purchased Gas Cost Adjustment

February 24, 1981.

Take notice that Northwest Pipeline Corporation, on February 13, 1981, tendered for filing a proposed change in rates applicable to service rendered under rate schedules affected by and subject to Article 16, Purchased Gas Cost Adjustment Provision ("PGAC"), contained in its FERC Gas Tariff, First Revised Volume No. 1. Such change in rates is for the purpose of (1) reflecting changes in Northwest's average cost of purchased gas, including leasehold production, which will become effective during the period April 1, 1981, through September 30, 1981, as applied to volumes purchased or produced for the twelve-(12) month period ending December 31, 1980, (2) tracking increased gas purchased costs resulting from an increase in the Canadian export border price from $4.47 per MMBtu to $4.94 per MMBtu effective April 1, 1981, (3) reflecting the change in unrecovered purchased gas cost since Northwest's prior filing dated August 15, 1980 which includes the applicable refunds under Docket No. RP79-57, (4) projecting incremental surcharges to be assessed Northwest's affected direct and sales for resale customers pursuant to Order No. 49, (5) providing to storage gas customers purchasing service under Rate Schedules SGS-1 and WS-1 a special surcharge credit adjustment equal to the annualized increase in purchased gas costs, and (6) reflecting refunds pursuant to Article IX of Northwest's Stipulation and Agreement at Docket No. RP79-57 through a special Demand Charge Credit to Northwest's customers served under Rate Schedules ODL-1, PL-1, DS-1, and WS-1.

The current PGAC adjustment, for which notice is given herein, aggregates to a decrease of .379 cents per therm in all rate schedules affected by and subject to the PGAC. The annualized change in Northwest's purchased gas cost aggregates an increase of $75,279,513. Northwest proposes to offset the annualized increase with a negative surcharge because the adjusted balance in its FERC Account No. 191, as of December 31, 1980, amounts to a negative balance of $31,321,619. The proposed change in rates from the PGAC and the other changes proposed by Northwest would result in a net decrease in its annual revenues from jurisdictional sales and service of $12,599,856 exclusive of special surcharge credit adjustments and the special demand charge credit adjustment.

Northwest is concurrently filing a notice of change in rates applicable to Section 13.7, Changes in Rates to Reflect Curtailment Credits, contained in its First Revised Volume No. 1 Tariff and a notice of change in rates pursuant to the advance payments tracking provision in its Stipulation and Agreement in Settlement at Docket No RP79-57. In accordance with Article 13.7 contained in the aforementioned tariff, and Article VIII of the Stipulation and Agreement the current rate adjustments under the Demand Charge Credit Adjustment provision and Advance Payment Tracker Provision are to become effective on Northwest's PGAC adjustment date. Accordingly, all three rate adjustments are reflected on the tendered Third Revised Sheet No. 10 which is proposed to become effective on April 1, 1981. Northwest also tendered for filing and acceptance Second Revised Sheet Nos. 10-A and 10-B. Second Revised Sheet No. 10-A sets forth a special Demand Charge Credit for customers served under Rate Schedules ODL-1, PL-1, DS-1 and WS-1, and Second Revised Sheet No. 10-B. Sets forth revised projected incremental pricing surcharges to become effective April 1, 1981 as part of the instant filing.

A copy of this filing has been served on all parties on record in Docket No. RP72-154, upon all jurisdictional customers, and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitons or protests should be filed on or before March 16, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc.81-32 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA 81-2-37-001 (DCA81-2)]

Northwest Pipeline Corp.; Change in Rates Pursuant to Demand Charge Credit Adjustment

February 24, 1981.

Take notice that Northwest Pipeline Corporation ("Northwest"), on February, 13, 1981 tendered for filing proposed changes in its FERC Gas Tariff, First Revised Volume No. 1, filed pursuant to the Commission's order issued March 29, 1974, at Docket No. RP74–72 and Article 13.7 of Northwest's FERC Gas Tariff, First Revised Volume No. 1. The change in rates will result in .000¢ per therm for Rate Schedules ODL–1, DS–1 and PL–1. As more fully explained in the instant filing, the demand charge credit adjustment reflected on Northwest's Statement of Rates is zero.

Northwest is concurrently filing a notice of change in rates applicable to Article 16, Purchased Gas Cost Adjustment Provision contained in its first Revised Volume No. 1 Tariff and change in rates pursuant to the advance payments tracking provision contained in Article VIII (Advanced Payments) of the Stipulation and Agreement in Settlement of Rate Proceeding at Docket No. RP79–57. All three rate adjustments are reflected on the tendered Third Revised Sheet No. 10 which is proposed to become effective April 1, 1980.

Copies of this filing have been served upon Northwest's jurisdictional customers and affected state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the FERC, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 16, 1981. Protests will be considered by the Commission in determining the appropriate actions to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-33 Filed 2-26-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-37-002 (AP81-2)]

Northwest Pipeline Corp.; Change in Rates Pursuant to Advance Payment Tracking Provision

February 24, 1981.

Take notice that Northwest Pipeline Corporation ("Northwest"), on February 13, 1981 tendered proposed changes in its FERC Gas Tariff, First Revised Volume No. 1, to track a decrease in advance payments made by Northwest from the level previously reflected in its rates. The instant filing reflects a decrease in the outstanding advance payments balance of $3,468,135 which equates to a negative adjustment of .017¢ per therm for all the FERC Gas Tariff, First Revised Volume No. 1 effective jurisdictional sales rate schedules.

The change is filed in accordance with Article VIII, Advance Payments, of the Stipulation and Agreement in Settlement of Rate Proceedings in Docket No. RP79–57.

Northwest is concurrently filing notices of change in rates applicable to Article 16, Purchased Gas Cost Adjustment Provision and Article 13.7, Demand Charge Credits, contained in its First Revised Volume No. 1 Tariff. All three rate adjustments are reflected on the tendered Third Revised Sheet No. 10, which is proposed to become effective April 1, 1981.

A copy of this filing is being served on all jurisdictional customers of Northwest and affected state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the FERC, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 16, 1981. Protests will be considered by the Commission in determining the parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-42 Filed 2-26-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ST81-149-000]

ONG Western, Inc.; Application

February 24, 1981.

Take notice that on January 22, 1981, ONG Western, Inc. (Applicant), 624 South Boston Avenue, Tulsa, Oklahoma 74119, filed in Docket No. ST81–149–000 an application pursuant to Section 284.144 of the Commission's Regulations under the Natural Gas Policy Act of 1978 for approval of rates for the sale of natural gas to Elizabethtown Gas Company (Elizabethtown), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into a November 5, 1980, agreement with Elizabethtown for the sale of natural gas over a two-year period commencing on the date of delivery. It is stated that Applicant would sell up to 30,000 Mcf of gas per day subject to interruption to the extent that gas would be required to enable Applicant to provide adequate service to its regular customers. The rate Applicant proposes to charge Elizabethtown is the weighted average acquisition cost per million Btu for the month in which gas is delivered as determined in accordance with the provisions of 18 CFR Section 284.144. Moreover, it is stated, the gas sales contract also provides for a charge of 10.0 cents per million Btu as compensation for expenses incurred by Applicant associated with the gathering, treatment, processing, transportation and delivery of natural gas pursuant to the contract and also includes a profit figure for such services.

Applicant states that it would file a report with the Commission concerning the sale to Elizabethtown within 60 days of initial deliveries which are anticipated to begin on April 1, 1981. Applicant asserts that the transportation rates which would be utilized are the same as those stated in previously approved Commission orders issued in Docket Nos. ST80–61, ST80–5, ST79–21 and ST79–20.

It is asserted that the term of the gas sales agreement is for two years commencing on the first day of deliveries.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 17, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20420, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition

to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3824 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3322-000]

Public Utility District No. 1 of Mason County; Application for Preliminary Permit

February 24, 1981.

Take notice that Public Utility District No. 1 of Mason County (Applicant) filed on December 31, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3322 to be known as Duckabush Project located on Duckabush River in Mason County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: John P. Robertson, Manager, Public Utility District No. 1 of Mason County, Route 5, Box 555, Shelton, Washington 98584. 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 new concrete arch dam, 300 feet high and 1200 feet long; (2) a penstock; and (3) a powerhouse with a total installed capacity of 35 MW.

The Applicant estimates that the average annual energy output would be 275,000,000 kWh.

Purpose of Project—Applicant intends to market the power generated by the project to meet the Applicant's load growth or to offset power purchases from the Bonneville Power Administration.

Proposed Scope and Cost of Studies Under Permit—The proposed studies would include economic analysis, preliminary engineering, and environmental impact analysis. Based on the results of the studies, Applicant would decide whether to proceed with more detailed studies and preparation of application for license to construct and operate the proposed project. Applicant estimates that cost of studies would be $100,000.

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 6, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notive 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 1.10 (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 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. 3322. 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. 81-43. Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3907-000]

Richard L. Bean and Fred G. Castagna; Application for Preliminary Permit

February 24, 1981.

Take notice that Richard L. Bean and Fred G. Castagna (Applicants) filed on December 29, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3907 to be known as East Fork Nelson Creek 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 Applicants should be directed to: R. L. Bean and F. 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 1,500-kW generating unit; and (4) a transmission line.

The Applicant estimates that the average annual energy output would be 14,000,000 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 geographic studies; prepare an environmental report; study the economic and financial feasibility; and apply for the necessary permits. The Applicant estimates the cost of these studies to be $77,000.

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. 3907. 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. 81-34 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3545-000]

Utah Hydro Corp.; Application for Preliminary Permit

February 24, 1981.

Take notice that Utah Hydro Corporation (Applicant) filed on October 8, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3545 to be known as the Echo Hydro Project located on the Weber River in Summit 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. J. D. Catten, 8184 Breeze Drive, Magma, Utah 84044. 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 Echo Dam and Reservoir, operated and maintained by the Weber River Water Users Association, and would consist of: (1) A penstock utilizing the existing outlet works near the left dam abutment; (2) a new powerhouse containing generating units having a total rated capacity between 2,500 kW and 7,070 kW; (3) a tailrace; (4) a new 46 kV transmission line, two miles long; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be between 10,740,000 kWh and 25,060,000 kWh.

Purpose of Project—Project energy would be sold to the Utah Power and Light Company. Other alternative markets will be studied.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the hydraulic construction, economic, environmental, historic and recreational aspects of the project. Depending on 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 $65,000.

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 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. 3545. 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. 81-35 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3897-000]

Wisconsin Public Power Inc. System; Application for Preliminary Permit

February 24, 1981.

Take notice that Wisconsin Public Power Incorporated System (Applicant) filed on December 22, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 2897 to be known as the Neshonoc Dam Project located on the LaCrosse River in LaCrosse County, Wisconsin. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to J. Leroy Thilly, Boardman, Suhr Cursy Field, 1 South Pinckney Street, P.O. Box 927, Madison, Wisconsin 53701. 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 existing 21-foot high and 209-foot long concrete and masonry dam; (2) an existing powerhouse with a proposed installed capacity of 500 kW; (3) an existing 750-acre reservoir with 3,385 acre-feet of gross storage capacity at the normal surface elevation of 697.8 feet msl; and (4) appurtenant facilities. The Applicant estimates that the average annual energy output would be 2,190 MWh.

Purpose of Project—The Wisconsin Public Power Incorporated System is a municipal electric company. It consists of 27 members, all of whom are Wisconsin municipalities which own and operate municipal electric utilities. The power output of the project would be utilized by the member utilities.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months. During this time the significant legal, institutional, engineering, environmental, marketing, economic and financial aspects of the project will be defined, investigated and assessed to support an investment decision. The report of the proposed study will address whether or not a commitment to implementation is warranted, and, if the findings are positive, describe the steps required for implementation. The report will be prepared so that the information presented will be useful in preparing an application for license for the project. The Applicant's estimated total cost for performing a feasibility study is $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—This application was filed as a competing application to the Neshonoc Dam Project No. 3231 filed on July 1, 1980, 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 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. 3897. 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 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. 81-44 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4018-000]

Wyoming Hydro, Inc.; Application for Preliminary Permit

February 24, 1981.

Take notice that the Wyoming Hydro, Inc. (Applicant) filed on January 11, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4018 to be known as the Woodruff Narrows Project located on the Bear River in Uinta County, Wyoming. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Myles A. Duffy, President; Wyoming Hydro, Inc.; P.O. Box 765; Alamo, California 94507. 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 Woodruff Narrows Dam, a 65-foot high earthen structure having a length of 620 feet; (2) the existing Woodruff Narrows Reservoir with a storage capacity of 53,200 acre-feet; (3) a new concrete lined channel, approximately 2,400 feet long; connecting to (4) a new 2,100-foot long penstock; lending to (5) a new powerhouse having an installed generating capacity of 4,500 kW; (6) a new tailrace; (7) new transmission line; and (8) appurtenant works. The Woodruff Narrows Dam and Reservoir are owned by the State of Utah. The Applicant estimates that the average annual energy output would be 9,300,000 kWh.

Purpose of Project—Project energy would be sold to Utah Power and Light Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of two years during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon 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 $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 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 3, 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 protest 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 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. 4018. 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. 81-45 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 24, 1981.

JD NO	JA DKT	API NO	SEC D	WELL NAME	FIELD NAME	PRCD	PURCHASER
MONTANA BOARD OF OIL & GAS CONSERVATION							
-J BURNS BROWN				RECEIVED: 02/02/81 JA: MT			
8114962	6-80-140	2500522088	108	BRESSLER 20-32-19	BLACK COULEE	18.0	NORTHERN NATURAL GAS
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION							
-ENVIROGAS INC				RECEIVED: 01/28/81 JA: NY			
8114956	#555	3101314159	102 D	#1 J NERATKO	LAKESHORE	18.0	NATIONAL FUEL GAS DI
8114957	#559	3101314161	102 D	#1 A DAVIDSON	LAKESHORE	18.0	NATIONAL FUEL GAS DI
8114959	#570	3101314859	102 D	#1 ALDEWEIN ACRES	LAKESHORE	18.0	NATIONAL FUEL GAS DI
8114955	#553	3101314836	102 D	#1 MONROE	LAKESHORE	18.0	NATIONAL FUEL GAS DI
8114958	#567	3101314860	102 D	#2 ALDEWEIN ACRES	LAKESHORE	18.0	NATIONAL FUEL GAS DI
8114961	992	3101314365	102 D	#2 BOSTWICK VINEYARDS	LAKESHORE	18.0	NATIONAL FUEL GAS DI
8114960	990	3101314861	102 D	#3 ALDEWEIN ACRES	LAKESHORE	18.0	NATIONAL FUEL GAS DI
-SCG GAS QUEST INC				RECEIVED: 01/27/81 JA: NY			
8114952	918	3102914269	102 D	LARDO B #1	EDEN-EVANS MEDINA	36.5	TENNESSEE GAS PIPELI
8114953	919	3102914271	102 D	VEREERSTRAETEN #1	EDEN-EVANS MEDINA	36.5	TENNESSEE GAS PIPELI
8114954	#522	3102914273	102 D	WILLIAMS #1	EDEN-EVANS MEDINA	36.5	TENNESSEE GAS PIPELI
OKLAHOMA CORPORATION COMMISSION							
-ANADARKO PRODUCTION COMPANY				RECEIVED: 01/30/81 JA: OK			
8114911	07083	3513900000	108	MUNYON A NO 3	CARTHAGE GAS AREA	2.0	PANHANDLE EASTERN PI
-ANDOVER OIL COMPANY				RECEIVED: 01/30/81 JA: OK			
8114912	07084	3501721474	103	WITTROCK #1-1		185.0	DELHI GAS PIPELINE C
-BELAMA OIL CO				RECEIVED: 01/30/81 JA: OK			
8114914	07085	3509300000	103	LEHENBAUER NO 1	NORTHEAST AMES	0.0	CITIES SERVICE GAS C
-BERRY PETROLEUM CORP				RECEIVED: 01/30/81 JA: OK			
8114945	06704	3503322246	103	POSPISIL #3-1	SOONER TREND	150.0	CONOCO INC
-BOVAN INVESTMENTS				RECEIVED: 01/30/81 JA: OK			
8114951	07029	3507121631	103	GOODEHERE #1-24	KESNER	5.0	CITIES SERVICE GAS C
8114948	07030	3507121634	103	GOODEHERE #2-24	KESNER	5.0	CITIES SERVICE GAS C
-BRUNER OIL & GAS INC				RECEIVED: 01/30/81 JA: OK			
8114910	07082	3504722259	103	OLMSTEAD 1-A	NE/4 31 T20N R3W	100.0	ARCO OIL & GAS CO
-CALVERT DRILLING CO				RECEIVED: 01/30/81 JA: OK			
8114935	06761	3508320660	103	BRIDAL #1	NW EDMOND	30.0	CONTINENTAL OIL CO
8114938	06764	3507322401	103	MUEGGENBORG #1	SOONER TREND	6.4	
8114936	06762	3501720840	103	PEHERMAN #1	NW PIEDMONT	14.0	PHILLIPS PETROLEUM C
-CLARK RESOURCES INC				RECEIVED: 01/30/81 JA: OK			
8114913	07081	3507300000	103	STATE #16-1	SOONER TREND	54.8	PANHANDLE EASTERN PI
-CLIFFORD RESOURCES INC				RECEIVED: 01/30/81 JA: OK			
8114939	07023	3509359905	103	CASPER 2-1	SO FAIRVIEW	109.0	PHILLIPS PETROLEUM C

JD NO	JA DKT	API NO	SEC	D	WELL NAME			FIELD NAME	PROD	PURCHASER
8114940	07024	3509300000	103		FIEL 1-28			KEENAN	127.0	PANHANDLE EASTERN PL
8114950	07026	3507322370	103		WILLMS #1-28			SOONER TREND	365.0	PHILLIPS PETROLEUM C
-DAMSON OIL CORPORATION					RECEIVED:	01/30/81	JA: OK			
8114934	06567	3501100000	108		GLASGOW #1			N E WATONGA	0.0	DELHI GAS PIPELINE G
-F C D OIL CORP					RECEIVED:	01/30/81	JA: OK			
8114944	06810	3508321312	103		DRABEK 1-26			S E LOVELL	255.5	EASON OIL CO
-FLYNN ENERGY CORPORATION					RECEIVED:	01/30/81	JA: OK			
8114928	7C31	3507300000	103		BLUNK 17-1			SOONER TREND	59.0	PANHANDLE EASTERN PI
8114927	7C32	3508300000	103		SCHAEFER 7-1			SOONER TREND	50.0	EASON OIL CO
-GRAHAM-MICHAELIS CORP					RECEIVED:	01/30/81	JA: OK			
8114947	06667	3515337900	108		DODGE #1-9			N W CEDARDALE	11.0	WESTERN FARMERS ELEC
8114946	06670	3513921416	108		JOLLIFFE #1-11			CAMRICK	16.0	KANSAS-NEBRASKA NATU
-HADSON PETROLEUM CORP					RECEIVED:	01/30/81	JA: OK			
8114915	07090	3507920344	103		WASSON #1-3			KINTA	175.0	ARKANSAS LOUISIANA G
-HARPER OIL COMPANY					RECEIVED:	01/30/81	JA: OK			
8114917	07091	3508321362	103		SCHRAMMEL #1			WILDCAT	36.0	EASON OIL CO
-LADD PETROLEUM CORPORATION					RECEIVED:	01/30/81	JA: OK			
8114921	07017	3509321587	103		RANKIN NO 2			RINGWOOD	177.9	OKLAHOMA NATURAL GAS
-MACKELLAR INC					RECEIVED:	01/30/81	JA: OK			
8114926	07035	3510321042	103		MOUNT #2			EAST GREEN VALLEY	0.0	ATLANTIC RICHFIELD C
-NEVA ASSOCIATES					RECEIVED:	01/30/81	JA: OK			
8114925	07045	3507121942	103		BILYEU #1-32				10.0	CITIES SERVICE GAS C
-PETROMARK EXPLORATION INC					RECEIVED:	01/30/81	JA: OK			
8114937	07016	3507300000	103		HOLIDAY #24-1			SOONER TREND	100.0	CITIES SERVICE GAS C
-POST PETROLEUM COMPANY INC					RECEIVED:	01/30/81	JA: OK			
8114943	06965	3507322461	103		SIMMONS #1			REEDING SOUTH	55.0	
-RICKS EXPLORATION CO					RECEIVED:	01/30/81	JA: OK			
8114920	1C011	3501520899	107		CATES #1			N CEMENT	1188.0	SOUTHERN NATURAL GAS
-SAMSON RESOURCES COMPANY					RECEIVED:	01/30/81	JA: OK			
8114924	6994	3506120331	103		PERRYMAN UNIT #1			KINTA	100.0	DELHI GAS PIPELINE C
-SHELL OIL CO					RECEIVED:	01/30/81	JA: OK			
8114918	7145	3505900000	108		BLANCHARD 1-25			MOCANE LAVERNE	18.0	NORTHERN NATURAL GAS
8114916	7144	3500700000	108		LONKER D #1			MOCANE LAVERNE	10.0	NORTHERN NATURAL GAS
-SULLIVAN AND CO					RECEIVED:	01/30/81	JA: OK			
8114923		3508120953	103		CLETA NO 1			SOUTHWEST PRAIRIE GEM	133.0	SUN OIL CO
8114922	07012	3508120961	103		J INGRAM NO 2			SOUTHWEST PRAIRIE GEM	71.0	SUN OIL CO
8114941	06991	3508120899	103		JIM INGRAM NO 1			SOUTHWEST PRAIRIE GEM	767.0	SUN OIL CO
-SUN OIL COMPANY (DELAWARE)					RECEIVED:	01/30/81	JA: OK			
8114919	07013	3505520886	103		W J DONNELLAN #2			MOCANE-LAVERNE	540.0	COLORADO INTERSTATE
-TENNECO OIL COMPANY					RECEIVED:	01/30/81	JA: OK			
8114909	6979	3500721691	103		CARLISLE 15-14			MOCANE-LAVERNE	160.0	COLORADO INTERSTATE
-TEXAS OIL & GAS CORP					RECEIVED:	01/30/81	JA: OK			
8114949	04534	3515120940	102		DEVINE #1			FREEDOM	880.0	PANHANDLE EASTERN PI
-TRIGG DRILLING COMPANY INC					RECEIVED:	01/30/81	JA: OK			
8114942	06981	3501721039	103		WITCHER A NO 1			WATONGA TREND	500.0	OKLAHOMA NATURAL GAS
-ZIA PIPELINE INC					RECEIVED:	01/30/81	JA: OK			
8114932	05980	3507555009	109		GEIS #1			NW GOTEBO	2.3	ARKANSAS LOUISIANA G
8114931	05979	3507557221	108		H GEIS #1			NW GOTEBO AREA	3.4	ARKANSAS LOUISIANA G
8114929	05975	3507500000	108		MORRIS #1			NW GOTEBO AREA	4.8	ARKANSAS - LOUISIANA
8114930	05976	3507500000	108		MORRIS 2A 075-20426			NW GOTEBO AREA	1.4	ARKANSAS LOUISIANA G
8114933	05981	3507556247	108		OSMOND B 1			NW GOTEBO AREA	1.6	ARKANSAS LOUISIANA G

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PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES

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-ADOBE OIL & GAS CORPORATION RECEIVED: 02/04/81 JA: PA

VOLUME 769 PAGE 003

JD NO	JA CKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRCD	PURCHASER
8114988	6256	3712921176	103		CARL EARHART ET UX #3	LATROBE	21.0	PEOPLES NATURAL GAS
8114987	6257	3712921174	103		CARL R EARHART #1	LATROBE	30.0	PEOPLES NATURAL GAS
8114990	6255	3712921009	103		CLYDE E & VERNA BARNHART #2	BLAIRSVILLE	21.0	PEOPLES NATURAL GAS
8115000	6298	3712921266	103		FRANK S PAVLIK	BLAIRSVILLE	29.0	PEOPLES NATURAL GAS
8115015	6249	3700522285	103		HELEN J COLEMAN	WHITESBURG	25.0	PEOPLES NATURAL GAS
8115013	6251	3705120207	103		HERMAN GREIBER #1	UNIONTOWN	25.0	PEOPLES NATURAL GAS
8115012	6252	3705120210	103		JAMES M GRIFFIN #1	DAWSON	22.0	PEOPLES NATURAL GAS
8114991	6254	3705120186	103		M L SHANEL ET AL #1	DAWSON	30.0	PEOPLES NATURAL GAS
8115011	6253	3712921183	103		NELLIE FOSTER #2	BLAIRSVILLE	29.0	PEOPLES NATURAL GAS
8115031	3875	3700522273	103		NORMAN REARICK #5	MOSGROVE	29.0	PEOPLES NATURAL GAS
8115004	6302	3712921426	103		RICHARD G BOONE #1	BLAIRSVILLE	36.5	PEOPLE NATURAL GAS C
8115014	6250	3712921474	103		RICHARD G BOONE #2	BLAIRSVILLE	200.0	PEOPLE NATURAL GAS C
8115016	6248	3700522215	103		ROY K STEFFY #1	RURAL VALLEY	30.0	PEOPLES NATURAL GAS
8115002	6300	3712921359	103		W D FOSTER #2	BLAIRSVILLE	21.0	PEOPLES NATURAL GAS
8115001	6299	3712921360	103		W DANIEL FOSTER #3	BLAIRSVILLE	25.0	PEOPLES NATURAL GAS
8115003	6301	3712921324	103		W ELMER LEASURE #1	BLAIRSVILLE	30.0	PEOPLES NATURAL GAS
8115017	6246	3706325412	103		WOODROW DUNLAP #1-B	BURNSIDE	26.0	
-DELTA 80 S T JOINT VENTURE			RECEIVED: 02/04/81 JA: PA					
8115018	6194	3703321003	103		JAMES BONSALL #2	BRADY	25.0	NATIONAL FUEL GAS SU
-E J BRUMAGE			RECEIVED: 02/04/81 JA: PA					
8114993	6279	3712500000	108		AMOS	W BETHLEHEM	3.7	EQUITABLE GAS CO
8114974	6273	3705900000	108		ARNOLD	MORGAN	5.4	EQUITABLE GAS CO
8114999	6285	3712500000	108		BARR 100A #1	W BETHLEHEM	3.6	EQUITABLE GAS CO
8114998	6286	3712500000	108		BARR 100A #2	W BETHLEHEM	3.6	EQUITABLE GAS CO
8115009	6288	3712500000	108		BATYKEFER	W BETHLEHEM	3.9	EQUITABLE GAS CO
8114997	6282	3705900000	108		BONNELL	JEFFERSON	10.3	EQUITABLE GAS CO
8114981	6269	3712500000	108		CHARLEROI SHANNON	FALLOWFIELD	4.9	PEOPLES NATURAL GAS
8115034	6291	3712500000	108		DAGUE #1	W BETHLEHEM	3.7	EQUITABLE GAS CO
8114973	6272	3712500000	108		DAGUE #2	W BETHLEHEM	3.7	EQUITABLE GAS CO
8115006	6289	3712500000	108		GIRDISH	W BETHLEHEM	4.5	EQUITABLE GAS CO
8115007	6296	3712500000	108		HAWKINS	MORGAN	5.3	PEOPLES NATURAL GAS
8115033	6292	3705900000	108		HORN #2	MORGAN	3.6	EQUITABLE GAS CO
8115010	6297	3712500000	108		JENNINGS	W BETHLEHEM	3.9	EQUITABLE GAS CO
8114994	6278	3712500000	108		LONG	W BETHLEHEM	3.7	EQUITABLE GAS CO
8114978	6277	3712500000	108		MCCARTHY	W BETHLEHEM	4.5	EQUITABLE GAS CO
8115005	6295	3712500000	108		MERCANTE	MORGAN	5.2	PEOPLES NATURAL GAS
8114980	6267	3705900000	108		MILES W M	MORGAN	2.2	EQUITABLE GAS CO
8114976	6275	3700500000	108		MILLER WINDOW	COWANSHANNOCK	1.4	EQUITABLE GAS CO
8114975	6274	3705900000	108		NYSWANGER	MORGAN	5.4	EQUITABLE GAS CO
8115008	6287	3712500000	108		PALONIS	W BETHLEHEM	3.9	EQUITABLE GAS CO
8114979	6270	3700300000	108		POTTS J 118A	HARRISON	3.3	EQUITABLE GAS CO
8114992	6280	3705900000	108		PRICE 229A	JEFFERSON	10.0	EQUITABLE GAS CO
8115036	6294	3712500000	108		RICHARD	W BETHLEHEM	1.6	EQUITABLE GAS CO
8115032	6290	3712500000	108		RICHARDS	W BETHLEHEM	4.6	EQUITABLE GAS CO
8114982	6271	3700500000	108		RIGGLE	PARKS	3.5	EQUITABLE GAS CO
8114996	6283	3705900000	108		RIGGLE	JEFFERSON	10.3	EQUITABLE GAS CO
8114977	6276	3712500000	108		SHOGAN	W BETHLEHEM	4.5	EQUITABLE GAS CO
8115035	6293	3705900000	108		WAGNER	MORGAN	3.6	EQUITABLE GAS CO
8114995	6281	3712500000	108		WATSON	N BETHLEHEM	0.7	EQUITABLE GAS CO
8114983	6266	3700500000	108		WATTERSON #1	PLUM CREEK	5.7	EQUITABLE GAS CO
8114986	6264	3700500000	108		WATTERSON #2	PLUM CREEK	5.7	EQUITABLE GAS CO
8114984	6265	3700500000	103		WATTERSON #3	PLUM CREEK	5.7	EQUITABLE GAS CO

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
-GAMMA 79 ST JOINT VENTURE					RECEIVED: 02/04/81 JA: PA			
8115020	6190	3703320983	103		PETER G KENNIS # 1 R	BRADY	25.0	NATIONAL FUEL GAS SU
8115019	6191	3703321008	103		PETER G KENNIS #2	BRADY	25.0	NATIONAL FUEL GAS SU
-MERIDIAN EXPLORATION CORP					RECEIVED: 02/04/81 JA: PA			
8115024	6179	3703920748	102		C R PORTER #1 - 515	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115021	6182	3703920751	102		D BLAKESLEE #1 - 524	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115030	6173	3703920747	102		D MARZKE #1 - 514	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115028	6175	3703920749	102		G MARZKA #1 - 516-1	ROCKDALE	0.0	COLUMBIA GAS TRANSMI
8115029	6174	3703920750	102		G MARZKA #2 - 523-2	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115027	6178	3703920746	102		H W WATSON #1-513-1	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115026	6176	3703920754	102		H W WATSON #3 - 527-3	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115025	6179	3703920753	102		H WILSON WATSON #2-526-2	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115022	6181	3703920745	102		S ORR #1 - 512-1	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
8115023	6180	3703920752	102		S ORR #2-525-2	ROCKDALE	30.0	COLUMBIA GAS TRANSMI
-PHILLIPS PRODUCTION CO					RECEIVED: 02/04/81 JA: PA			
8114989		3706325744	103		JAMES C STONEBRAKER ET UX #1	GREEN	25.0	
8114985	6258	3706325737	103		W L BRICKELL ET UX ET AL #1	GREEN	30.0	
WEST VIRGINIA DEPARTMENT OF MINES								
-CABOT CORPORATION					RECEIVED: 02/05/81 JA: WV			
8114963		4703900182	107		A PUTNEY 1-852	UNION	6.0	
8114966		4707900614	107		BLACK BETSEY 10-1461	POCATALICO	21.4	
8114967		4707900377	107		J L MCLEAN 36-1255	POCATALICO	2.6	
8114970		4707900507	107		J L MCLEAN 47-1381	UNION	6.5	UNION OIL & GAS INC
8114971		4707900508	107		J L MCLEAN 48-1382	UNION	7.8	UNION OIL & GAS INC
8114964		4707900538	107		PUTNAM CO 46-1401	POCATALICO	7.8	
8114965		4707900300	107		SUM QUARRIER 1-1162	SCOTT	1.0	UNION OIL & GAS INC
8114972		4707900304	107		SUM QUARRIER 1-1174	SCOTT	3.4	UNION OIL & GAS INC
8114968		4707900408	107		WHITEHOUSE 2-1303	POCATALICO	1.0	DEVON CORP
8114969		4707900465	107		WHITEHOUSE 3-1348	POCATALICO	5.8	DEVON CORP

BILLING CODE 6450-81-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before March 16, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3825 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-85-M

Issued: February 24, 1981.

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRCD	PURCHASER
TEXAS RAILROAD COMMISSION								
-ABRAXAS PETROLEUM CORP					RECEIVED: 01/30/81 JA: TX			
8115378	25418	4224931116	102		GOLDAPP NO 1	ALICE DEEP/YEGUA 7600/	1000.0	
8115378	25418	4224931116	103		GOLDAPP NO 1	ALICE DEEP/YEGUA 7600/	1000.0	
-ADOBE OIL & GAS CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115226	22413	4213332220	102		QUICK NO 1	MANGUM NORTH (3200)	20.0	ODESSA NATURAL CORP
8115368	25258	4213332329	102		SNEED A #1	MANGUM NORTH (3200)	50.0	ODESSA NATURAL CORP
-AGOIL INC					RECEIVED: 01/30/81 JA: TX			
8115054	12592	4246931370	102		MCCAN NO 19	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115054	12592	4246931370	103		MCCAN NO 19	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115055	12593	4246931411	102		MCCAN NO 23	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115055	12593	4246931411	103		MCCAN NO 23	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115056	12594	4246931398	102		MCCAN NO 24	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115056	12594	4246931398	103		MCCAN NO 24	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115057	12595	4246931385	102		MCCAN NO 25	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115057	12595	4246931385	103		MCCAN NO 25	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115058	12596	4246931402	102		MCCAN NO 27	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
8115058	12596	4246931402	103		MCCAN NO 27	CRANE FIELD (PROPOSED)	91.0	TENNESSEE GAS PIPELI
-AMAX PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115240	23038	4239330738	102		MCMORDIE NO 1-7	MCMORDIE RANCH (9700)	700.0	PIONEER NATURAL GAS
-AMERADA HESS CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115140	19566	4232700000	108		ALLENE OBRIEN #64	SPRABERRY TREND	0.3	PHILLIPS PETROLEUM C
8115141	19567	4232901321	108		TEX-HARVEY SPRABERRY UNIT #111	SPRABERRY TREND	0.7	
8115139	19565	4232901318	108		TEX-HARVEY SPRABERRY UNIT #41	SPRABERRY TREND	0.5	
-AMERICAN PETROFINA COMPANY OF TEXAS					RECEIVED: 01/30/81 JA: TX			
8115402	25810	4224900000	102		PAULA V DEGARCIA NO 16	MAGNOLIA CITY (5460)	144.0	TENNESSEE GAS PIPELI
-AMERICAN QUASAR PETROLEUM CO					RECEIVED: 01/30/81 JA: TX			
8115147	19983	4210931351	107		BATEMAN STATE #1	SEC 29 BLK 45 PSL	3650.0	INTRATEX GAS CO
-AMOCO PRODUCTION CO					RECEIVED: 01/30/81 JA: TX			
8115156	20648	4207130927	103		CHAMBERS COUNTY AGRI CC #49	BARBERS HILL	14.6	HOUSTON PIPE LINE CO
8115133	19278	4222731794	103		CORA LEE ECHOLS /A/ #16	IATAN EAST/HOWARD	1.5	GETTY OIL CO
8115328	24737	4234931124	102		DOROTHY CLARK TRUSTEE #1	CHENEYBORO SOUTHWEST (95	365.0	LONE STAR GAS CO
8115236	22968	4213532133	103		E F COWDEN A #134	FOSTER	8.1	PIONEER NATURAL GAS
8115235	22967	4213532158	103		E F COWDEN A #135	FOSTER	73.0	PIONEER NATURAL GAS
8115239	22972	4213532114	103		E F COWDEN B #79	FOSTER	5.8	PIONEER NATURAL GAS
8115324	24665	4202531192	102		H E YOWARD NO 8	YOWARD /8275/	164.0	TEXAS EASTERN TRANSM
8115074	17120	4239330689	103		J B WATERFIELD NO 2L (UPPER MORROW)	NW MENDOTA (UPPER MORROW	219.0	MICHIGAN WISCONSIN P
8115237	22969	4213532839	103		J E WITCHER #70	FOSTER	1.8	PIONEER NATURAL GAS
8115238	22970	4213532971	103		J E WITCHER #71	FOSTER	1.9	PIONEER NATURAL GAS
8115234	22911	4213532965	103		J E WITCHER #72	FOSTER	2.2	PIONEER NATURAL GAS
8115260	23536	4220330725	102		KATHERINE J BROWN GU #1	BLOCKER (COTTON VALLEY)	436.0	UNITED GAS PIPELINE

VOLUME 370 PAGE 002

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115230	22744	4224531241	103		KAUFMAN INVESTMENT CO #6	BEAUMONT WEST	25.5	AMOCO GAS CO
8115231	22745	4224531226	103		KEITH & DOWLEN #27	BEAUMONT WEST	3.6	AMOCO GAS CO
8115069	15867	4239330688	103		LIPS RANCH B #22	LIPS RANCH (CLEVELAND)	292.0	NORTHERN NATURAL GAS
8115255	23364	4234730450	102		LOIS FOSTER BLOUNT GU A #1	APPLEBY NORTH (TRAVIS PF	436.0	
8115395	25658	4220330742	102		MAUDE B BROWN GU #1	BLOCKER (COTTON VALLEY)	436.0	UNITED GAS PIPELINE
8115229	22653	4200331802	103		MIDLAND FARMS N GRAYBURG UT #66	MIDLAND FARMS N (GRAYBUR	70.0	PIONEER NATURAL GAS
8115137	19396	4200331657	103		MIDLAND FARMS UNIT #395	MIDLAND FARMS	0.0	PIONEER NATURAL GAS
8115307	24337	4232130942	103		P J REEVES OIL UNIT # 4	OLD OCEAN(ARMSTRONG)	20.4	AMOCO GAS CO
*8115325	24666	4203931520	103		S A PENNOCK #10	HASTINGS WEST	17.8	AMOCO GAS CO
*8115061	15192	4203931444	103		STEVE PAUL UNIT NO 37	HASTINGS WEST	110.0	TEXAS EASTERN TRANSM
-ARCO OIL AND GAS COMPANY					RECEIVED: 01/30/81 JA: TX			
8115153	20223	4235730923	103		J H JINES #2	ELLIS RANCH	146.0	EL PASO NATURAL GAS
8115228	22585	4229530699	102		PAINE BROS CO INC #1	KIOWA CREEK S (MORROW U)	365.0	TRANSWESTERN PIPELIN
-ARLEN G HOWLE JR					RECEIVED: 01/30/81 JA: TX			
8115284	24202	4209330622	103		JACK PERRY #1 ID-15238	DUSTER N E (MARBLE FALLS	79.0	LONE STAR GAS CO
-BAR-MAC & HOLLUB DRILLING CO					RECEIVED: 01/30/81 JA: TX			
8115375	25368	4205130414	102		MORTON #1 WELL LEASE #13152	INEZ JAMESON (NAVARRO -A	22.0	FERGUSON CROSSING PI
8115379	25419	4205130629	102		MORTON #2 (#13152)	INEZ JAMESON (NAVARRO -A	99.0	FERGUSON CROSSING PI
8115373	25326	4205130413	102		PRECISION HOMES #1 (#13153)	INEZ JAMESON (NAVARRO -A	50.0	FERGUSON CROSSING PI
-BELCO PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115051	11640	4217330933	102		EDWARDS NO 3 25380	DEADWOOD (WOLFCAMP)	20.0	EL PASO NATURAL GAS
8115062	15490	4217330991	102		EDWARDS 24609 NC 4	DEADWOOD (STRAWN)	0.0	EL PASO NATURAL GAS
-BETTIS BOYLE & STOVALL					RECEIVED: 01/30/81 JA: TX			
*8115404	25946	4223732535	103		F B MEEKS NO 1	DILLARD S E ELLENBURGER	18.3	CITIES SERVICE CO
-BUTTES RESOURCES CO					RECEIVED: 01/30/81 JA: TX			
8115339	25045	4248131503	102		LINNIE MATZKE #1	MATZKE (MIOCENE 3437) FI	182.0	
-C F LAWRENCE & ASSOC INC					RECEIVED: 01/30/81 JA: TX			
8115078	18078	4210500000	103		TODD H #1 #78120	TODLAW (QUEEN)	219.0	APACHE GAS CORP
-CARTER ENERGY CORP					RECEIVED: 01/30/81 JA: TX			
8115347	25146	4223732796	102		CLYDE N JONAS #1	CLAYTON (STRAWN - 3900)	54.8	LONE STAR GAS CO
8115346	25145	4223732782	102		W L KINDER NO 1	CLAYTON (STRAWN - 3900)	127.8	LONE STAR GAS CO
8115345	25144	4223733031	102		WAYNE FERGUSON ET AL NC 1	CLAYTON (STRAWN-3900)	146.0	LONE STAR GAS CO
-CASHCO ENERGY CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115219	21633	4218500000	102		G W MALLET NO 1	IOLA (GLEN ROSE) SUBCLAR	109.0	LONE STAR GAS CO
8115219	21633	4218500000	103		G W MALLET NO 1	IOLA (GLEN ROSE) SUBCLAR	109.0	LONE STAR GAS CO
-CHAPMAN & SCHNEIDER					RECEIVED: 01/30/81 JA: TX			
8115312	24447	4249500000	108		HENDRICK B NO 2	HENDRICK	0.0	PHILLIPS PETROLEUM C
-CHEVRON U S A INC					RECEIVED: 01/30/81 JA: TX			
8115372	25311	4200530097	102		E W RYAN NO 1	RAINTREE	730.0	
-CHRISTIE ENERGY CO INC					RECEIVED: 01/30/81 JA: TX			
8115076	17819	4214330543	102		L D FRANK NO 2		70.0	CHRISTIE GAS TRANSMI
8115067	15838	4214330496	102		WILLIAM H GORDON #1		0.0	CHRISTIE GAS TRANSMI
-CLAYTON W WILLIAMS JR					RECEIVED: 01/30/81 JA: TX			
8115283	24188	4228730640	102		DOBOS-HUMPHREY UNIT #1	GIDDINGS	0.0	VALERO TRANSMISSION
8115282	24187	4228730652	102		HUMPHREY-BENSON UNIT #1	GIDDINGS	0.0	VALERO TRANSMISSION
8115282	24187	4228730652	103		HUMPHREY-BENSON UNIT #1	GIDDINGS	0.0	VALERO TRANSMISSION
8115274	24102	4214930516	102		M MORGAN UNIT #1	GIDDINGS	584.0	VALERO TRANSMISSION
8115052	11696	4231500000	102		S E WOOD - #1 RRC #72256	PINES SPILLWAY (RODESSA)	400.0	TEXAS EASTERN TRANSM
-COLUMBIA GAS DEVELOPMENT CORP					RECEIVED: 01/30/81 JA: TX			
8115321	24595	4205130424	102		ANTHONY H TIETJEN JR ET UX FEE #1	GIDDINGS (AUSTIN CHALK)	32.0	FERGUSON CROSSING PI
8115322	24597	4205130347	102		MARION J FILIPPONE NO 1	GIDDINGS (AUSTIN CHALK)	0.0	FERGUSON CROSSING PI
8115320	24594	4205130386	102		MARION J FILIPPONE NO 2	GIDDINGS (AUSTIN CHALK)	28.0	FERGUSON CROSSING PI

JD NO	JA CKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRCD	PURCHASER
-COMINCO AMERICAN INC					RECEIVED: 01/30/81 JA: TX			
8115250	23256	4234100000	103		CLUCK #1	TEXAS HUGOTON	75.0	
8115251	23257	4242100000	103		HIRSH #1	TEXAS HUGOTON	100.0	
-CONOCO INC					RECEIVED: 01/30/81 JA: TX			
8115252	23281	4207900000	108		CONOCO DEAN UNIT #11 (60106)	SLAUGHTER	0.4	AMOCO PRODUCTION CO
8115253	23282	4207900000	108		CONOCO DEAN UNIT #15 (60106)	SLAUGHTER	0.9	AMOCO PRODUCTION CO
8115138	19411	4238900000	108		FORD GERALDINE UNIT #159 (21021)	GERALDINE FORD	0.4	EL PASO NATURAL GAS
8115384	25496	4238900000	108		FORD GERALDINE UNIT #315 (#21021)	GERALDINE FORD	1.0	EL PASO NATURAL GAS
8115319	24570	4213500000	108		GIST UNIT #44 (19373)	FOSTER	0.1	ODESSA NATURAL GAS C
8115387	25505	4222700000	108		H R CLAY A #19 (02694)	HOWARD-GLASSCOCK	1.0	PHILLIPS PETROLEUM C
8115385	25502	4222700000	108		H R CLAY A #50 (#18772)	HOWARD GLASSCOCK	1.0	PHILLIPS PETROLEUM C
8115222	22044	4215130985	103		ROUND TOP PALO PINTO UNIT #162	ROUND TOP	39.1	LONE STAR GAS CO
8115386	25503	4243300000	108		WEST FLOWER UNIT #7 (11787)	WEST FLOWERS	1.0	CITIES SERVICE CO
8115145	19789	4213500000	108		WIGHT UNIT #76 (20661)	COWDEN NORTH	7.2	AMOCO PRODUCTION CO
-CONVEST ENERGY CORP					RECEIVED: 01/30/81 JA: TX			
8115311	24430	4226330671	102		WAYNE WILIAMS ET AL #8	POLLAN	0.0	EL PASO NATURAL GAS
-COOK PRODUCTION CO					RECEIVED: 01/30/81 JA: TX			
*8115047	07587	4223700000	108		SHAWVER UNIT #2 RRC 61883	JACK COUNTY REGULAR	0.0	CITIES SERVICE CO
-COURSON OIL & GAS INC					RECEIVED: 01/30/81 JA: TX			
*8115155	20414	4235730939	103		FIRST NATIONAL TRUST #2-571	ELLIS RANCH (CLEVELAND U	125.0	TRANSWESTERN PIPELIN
-CPC EXPLORATION INC					RECEIVED: 01/30/81 JA: TX			
8115134	19295	4205130454	102		TATUM #1	CALDWELL (AUSTIN CHALK)	75.0	MAYNARD OIL CO
-DISCOVERY OPERATING INC					RECEIVED: 01/30/81 JA: TX			
8115080	18722	4241330806	102		STEWARD #1	GWYN (CANYON)	360.0	NORTHERN NATURAL GAS
8115080	18722	4241330806	103		STEWARD #1	GWYN (CANYON)	360.0	NORTHERN NATURAL GAS
-ENERGY RESERVES GROUP INC					RECEIVED: 01/30/81 JA: TX			
8115390	25589	4208100000	108		J E CHAPPELL #33	JAMESON	7.0	UNION TEXAS PETROLEU
8115393		4248500000	108		OLSEN A #1	DILLARD SE	4.5	CITIES SERVICE OIL C
8115392	25598	4207700000	108		OLSEN A #2	DILLARD S E	4.7	CITIES SERVICE OIL C
-ENRICH OIL CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115151	20151	4242931974	102		ED FORD A #2 ID-14332	LUCKY LANE (STRAWN) FIEL	15.0	LEW-TEX OIL & GAS CO
8115148	20148	4242931857	102		ED FORD C #1 ID-14449	LUCKY LANE (STRAWN) FIEL	20.0	LEW-TEX OIL & GAS CO
8115149	20149	4242931856	102		ED FORD D #1 ID-14441	LUCKY LANE (STRAWN) FIEL	21.0	LEW-TEX OIL & GAS CO
8115150	20150	4242931977	102		ED FORD D #2 ID-14441	LUCKY LANE (STRAWN) FIEL	11.0	LEW-TEX OIL & GAS CO
8115152	20154	4242932109	102		ED FORD GU NO 1AB #5-ID83531	LUCKY LANE (MARBLE FALLS	10.4	LEW-TEX OIL & GAS CO
8115285	24217	4242932209	102		TRAMMELL-SWANSON #2	JIM KERN SE (CONGL)	44.0	GREAT WESTERN GAS CO
8115286	24221	4244131514	102		Z CSWALT #2	GUION SE (GRAY SD)	8.0	UNION TEXAS PETROLEU
-ENSERCH EXPLORATION INC					RECEIVED: 01/30/81 JA: TX			
8115220	21763	4249731688	103		CRAFT-WATER BD UNIT 1 #2	BOONSVILLE	540.0	LONE STAR GAS CO
8115046	07446	4249731025	103		E E NORTON NO 3	BOONSVILLE (BCG)	295.0	LONE STAR GAS CO
*8115045	07434	4221330096	103		TEXIE YOUNG B NO 6	TRI-CITIES (TRAVIS PEAK)	68.0	LONE STAR GAS CO
-ESENJAY PETROLEUM CORP					RECEIVED: 01/30/81 JA: TX			
8115271	24002	4205103054	103		WALTER MAHLMANN NO 1	CALDWELL (AUSTIN CHALK)	75.0	FERGUSON CROSSING PI
-EXXON CORPORATION					RECEIVED: 01/30/81 JA: TX			
*8115215	21362	4236530580	103		B S BRODERICK GAS UNIT 2 #1	CARTHAGE (COTTON VALLEY)	190.0	ARMCO STEEL CO
*8115216	21364	4236530280	103		B S BRODERICK 1 #1	CARTHAGE (COTTON VALLEY)	475.0	ARMCO STEEL CO
8115093	19029	4215730961	103		BRAZOS RIVER STATE TRACT 4 #3	THOMPSONS SOUTHEAST (FRI	18.0	
8115344	25128	4236531039	103		CARTHAGE GU 2 ROSS #2	CARTHAGE (COTTON VALLEY)	0.0	
8115340	25049	4229732219	102		CHARLES L MCCASLIN #16	RAMIRENA SW (SEC A YEGUA	149.0	NATURAL GAS PIPELINE
*8115273	24100	4233930468	103		CONROE FIELD UNIT #1628	CONROE FIELD	135.0	MORAN UTILITIES
8115142	19723	4216730589	103		DICKINSON OIL UNIT 1 #3	DICKINSON DEEP (FRIO 16)	236.6	HOUSTON PIPELINE
8115143	19725	4219931256	103		EAST TEXAS OIL CO FEE B #5	VILLAGE MILLS (WILCOX 2)	25.5	

VOLUME 370 PAGE 004

ID NO	DISTRICT	API NO	SEC D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115094	19030	4207130977	103	G J J CLARK #29	ANAHUAC	732.0	HOUSTON PIPELINE
8115095	19031	4207130446	103	GALVESTON BAY STATE A #1740	RED FISH REEF S FRIO 15	1803.7	HOUSTON PIPELINE
8115096	19032	4207130965	103	H A GRIPON A/C 1 #29	ANAHUAC	657.0	HOUSTON PIPE LINE
*8115097	19033	4248131261	103	H C COCKBURN #109	MAGNET WITHERS	19.9	ARMCO STEEL CO
*8115098	19034	4215730439	103	H P LOCKWOOD #40	THOMPSON	128.0	ARMCO STEEL CO
*8115118	19080	4215730865	103	H P LOCKWOOD #41	THOMPSON	36.5	ARMCO STEEL CORP
*8115099	19035	4215730877	103	H P LOCKWOOD #42	THOMPSON	65.0	ARMCO STEEL CO
*8115189	21197	4249930689	103	HAWKINS FIELD UNIT # 0111	HAWKINS	100.0	ARMCO STEEL CO
*8115195	21203	4249930677	103	HAWKINS FIELD UNIT # 0112	HAWKINS	25.0	ARMCO STEEL CO
*8115205	21341	4249930585	103	HAWKINS FIELD UNIT # 0717	HAWKINS	53.8	ARMCO STEEL CO
*8115197	21205	4249930378	103	HAWKINS FIELD UNIT # 0820	HAWKINS	81.5	ARMCO STEEL CO
*8115196	21204	4249930591	103	HAWKINS FIELD UNIT # 1257	HAWKINS	156.5	ARMCO STEEL CO
*8115204	21340	4249930358	103	HAWKINS FIELD UNIT # 3424	HAWKINS	97.5	ARMCO STEEL CO
*8115180	21187	4249930661	103	HAWKINS FIELD UNIT # 4215	HAWKINS	40.0	ARMCO STEEL
*8115193	21201	4249930592	103	HAWKINS FIELD UNIT # 4296	HAWKINS	98.2	ARMCO STEEL CO
*8115198	21206	4249930680	103	HAWKINS FIELD UNIT # 9916	HAWKINS	60.0	ARMCO STEEL CO
*8115190	21198	4249930603	103	HAWKINS FIELD UNIT #0051	HAWKINS	170.7	ARMCO STEEL CO
*8115191	21199	4249930374	103	HAWKINS FIELD UNIT #0110	HAWKINS	119.7	ARMCO STEEL CO
*8115184	21191	4249930371	103	HAWKINS FIELD UNIT #1216	HAWKINS	42.5	ARMCO STEEL
*8115185	21193	4249930620	103	HAWKINS FIELD UNIT #1217	HAWKINS	100.0	ARMCO STEEL CO
*8115186	21194	4249930617	103	HAWKINS FIELD UNIT #2462	HAWKINS	80.0	ARMCO STEEL CO
*8115194	21202	4249930576	103	HAWKINS FIELD UNIT #4050	HAWKINS	69.0	ARMCO STEEL CO
*8115183	21190	4249930621	103	HAWKINS FIELD UNIT #4265	HAWKINS	55.0	ARMCO STEEL CO
*8115182	21189	4249930645	103	HAWKINS FIELD UNIT #4266	HAWKINS	55.0	ARMCO STEEL CO
*8115181	21188	4249930668	103	HAWKINS FIELD UNIT #4285	HAWKINS	100.0	ARMCO STEEL CO
*8115199	21221	4249930373	103	HAWKINS FIELD UNIT #4345	HAWKINS	67.1	ARMCO STEEL CO
*8115192	21200	4249930630	103	HAWKINS FIELD UNIT #4348	HAWKINS	70.0	ARMCO STEEL CO
*8115209	21349	4249930375	103	HAWKINS FIELD UNIT #9317	HAWKINS	244.2	ARMCO STEEL CO
8115208	21348	4249930589	103	HAWKINS FIELD UNIT #9914	HAWKINS	84.0	ARMCO STEEL CO
8115333	24875	4247532013	103	HOWE GAS UNIT NO 1 #2	HOWE (DEVONIAN)	62.0	INTRATEX GAS CO
8115083	18858	4247330307	103	KATY GAS FLD CONSOL UNIT # 4207H	KATY (IV)	350.0	UNITED TEXAS TRANSMI
8115082	18857	4247330305	103	KATY GAS FLD CONSOL UNIT #4404F	KATY (III-A)	4321.0	UNITED TEXAS TRANSMI
8115092	18999	4247330305	103	KATY GAS FLD CONSOL UNIT #4404H	KATY (I-B)	4380.0	UNITED TEXAS TRANSMI
8115266	23874	4227331282	102	KING RANCH ALAZAN 310-D (78606)	ALAZAN	1000.0	ARMCO STEEL CO
8115265	23872	4227331304	102	KING RANCH ALAZAN 319-D (81972)	ALAZAN	200.0	
8115268	23881	4227331315	102	KING RANCH ALAZAN 325-D (85978)	ALAZAN	725.0	ARMCO STEEL CO
8115267	23880	4227331349	102	KING RANCH ALAZAN 334 (85990)	ALAZAN	800.0	ARMCO STEEL CO
*8115100	19037	4215730434	103	LOCKWOOD & SHARP #A-81	THOMPSON	15.0	ARMCO STEEL CO
*8115101	19038	4215730864	103	LOCKWOOD & SHARP A-84	THOMPSON	55.0	ARMCO STEEL CO
*8115102	19039	4215730909	103	LOCKWOOD & SHARP A-85	THOMPSON	25.0	ARMCO STEEL CO
*8115103	19040	4215730935	103	LOCKWOOD & SHARP A-86	THOMPSON	19.7	ARMCO STEEL CO
*8115104	19041	4215730971	103	LOCKWOOD & SHARP A-87	THOMPSON	18.0	ARMCO STEEL CO
*8115119	19081	4215730425	103	LOCKWOOD & SHARP B-56	THOMPSON	17.0	ARMCO STEEL CORP
*8115105	19042	4215730871	103	LOCKWOOD & SHARP B-57	THOMPSON	36.0	ARMCO STEEL CO
*8115106	19043	4215730443	103	LOCKWOOD & SHARP B-58	THOMPSON	500.0	ARMCO STEEL CO
*8115107	19045	4215730880	103	LOCKWOOD & SHARP B-60	THOMPSON	13.1	ARMCO STEEL CO
*8115108	19046	4215730888	103	LOCKWOOD & SHARP B-61	THOMPSON S W (MIO 12-B)	73.0	ARMCO STEEL CO
*8115109	19047	4215730900	103	LOCKWOOD & SHARP B-63	THOMPSON	24.0	ARMCO STEEL CO
*8115110	19048	4207130963	103	MARIE ZAPPE #25	ANAHUAC	365.0	HOUSTON PIPELINE
*8115111	19049	4215730435	103	MARY GUBBELS #17	THOMPSON	37.0	ARMCO STEEL CO
*8115112	19050	4215730969	103	MARY GUBBELS #19	THOMPSON	18.2	ARMCO STEEL CO
8115233	22894	4207330147	103	NECHES OIL UNIT 4 WELL #3	NECHES (WOODBINE)	8.0	UNITED GAS PIPELINE
*8115217	21365	4236530898	103	NELLE OWENS #2 (CFEC 499)	CARTHAGE (COTTON VALLEY)	500.0	ARMCO STEEL CO

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRCD	PURCHASER
*8115210	21355	4242330197	103		OVERTON GAS UNIT 11 #1	OVERTON (HAYNESVILLE)	119.0	ARMCO STEEL CO
*8115211	21357	4242330204	103		OVERTON GAS UNIT 12 #1	OVERTON (HAYNESVILLE)	407.0	ARMCO STEEL CO
*8115214	21360	4242330300	103		OVERTON GAS UNIT 13 #1	OVERTON (HAYNESVILLE)	1872.0	ARMCO STEEL CO
*8115213	21359	4242330306	103		OVERTON GAS UNIT 14 #1	OVERTON (HAYNESVILLE)	762.1	ARMCO STEEL CO
*8115212	21358	4242330308	103		OVERTON GAS UNIT 15 #1	OVERTON (HAYNESVILLE)	1000.0	ARMCO STEEL CO
*8115157	20790	4242330319	103		OVERTON GAS UNIT 16 #1	OVERTON (HAYNESVILLE)	7375.0	
*8115113	19051	4203931202	103		PLEDGER GAS UNIT 3-2L	PLEDGER (BETTS 8000)	1549.0	ARMCO STEEL CO
*8115114	19052	4203931202	103		PLEDGER GAS UNIT 3-2U	PLEDGER (BRAMAN 7800)	1611.0	ARMCO STEEL CO
*8115115	19053	4215730430	103		R A WOLTERS A #7	THOMPSON SOUTH	110.0	ARMCO STEEL CORP
*8115187	21195	4234730422	103		TRAWICK GAS UNIT 1 #4	TRAWICK (JAMES)	600.0	ARMCO STEEL CO
*8115207	21343	4234730419	103		TRAWICK GAS UNIT 10 #4	TRAWICK (JAMES)	500.0	ARMCO STEEL CO
*8115188	21196	4234730434	103		TRAWICK GAS UNIT 20 #2AU	TRAWICK (JAMES)	250.0	ARMCO STEEL CO
*8115206	21342	4234730435	103		TRAWICK GAS UNIT 25 #2U	TRAWICK (JAMES)	300.0	ARMCO STEEL CO
8115116	19054	4207130573	103		TRINITY BAY STATE-UNIT 1 #119	TRINITY BAY	24.9	HOUSTON PIPELINE
*8115159	20941	4220130833	103		WEBSTER FIELD UNIT #0605	WEBSTER	218.4	HOUSTON PIPELINE CO
*8115172	20955	4220130817	103		WEBSTER FIELD UNIT #1318	WEBSTER	195.9	HOUSTON PIPELINE CO
*8115160	20943	4220130786	103		WEBSTER FIELD UNIT #1824	WEBSTER	390.0	HOUSTON PIPELINE CO
*8115161	20944	4220130965	103		WEBSTER FIELD UNIT #1826	WEBSTER	94.3	HOUSTON PIPELINE CO
*8115162	20945	4220130623	103		WEBSTER FIELD UNIT #2130	WEBSTER	499.6	HOUSTON PIPELINE CO
*8115170	20953	4220130622	103		WEBSTER FIELD UNIT #2131	WEBSTER	627.9	HOUSTON PIPELINE CO
*8115171	20954	4220130629	103		WEBSTER FIELD UNIT #2132	WEBSTER	934.6	HOUSTON PIPELINE CO
*8115163	20946	4220132951	103		WEBSTER FIELD UNIT #2134A	WEBSTER	408.7	HOUSTON PIPELINE CO
*8115164	20947	4220130842	103		WEBSTER FIELD UNIT #2135	WEBSTER	30.7	HOUSTON PIPELINE CO
*8115179	20965	4220130943	103		WEBSTER FIELD UNIT #2136	WEBSTER	91.0	HOUSTON PIPELINE CO
*8115176	20959	4220130616	103		WEBSTER FIELD UNIT #2407	WEBSTER	177.7	HOUSTON PIPELINE CO
*8115167	20950	4220130599	103		WEBSTER FIELD UNIT #2757	WEBSTER	714.6	HOUSTON PIPELINE CO
*8115165	20948	4220130605	103		WEBSTER FIELD UNIT #2758	WEBSTER	540.7	HOUSTON PIPELINE CO
*8115166	20949	4220130606	103		WEBSTER FIELD UNIT #2759	WEBSTER	131.4	HOUSTON PIPELINE CO
*8115169	20952	4220130656	103		WEBSTER FIELD UNIT #2760	WEBSTER	35.7	HOUSTON PIPELINE CO
*8115168	20951	4220130660	103		WEBSTER FIELD UNIT #2761	WEBSTER	36.3	HOUSTON PIPELINE CO
*8115174	20957	4220130658	103		WEBSTER FIELD UNIT #2762	WEBSTER	157.5	HOUSTON PIPELINE CO
*8115173	20956	4220130659	103		WEBSTER FIELD UNIT #2763	WEBSTER	33.6	HOUSTON PIPELINE CO
*8115175	20958	4220130800	103		WEBSTER FIELD UNIT #2766	WEBSTER	259.5	HOUSTON PIPELINE CO
*8115177	20960	4220130957	103		WEBSTER FIELD UNIT #2767	WEBSTER	7.3	HOUSTON PIPELINE CO
*8115178	20961	4220130784	103		WEBSTER FIELD UNIT #3907	WEBSTER	160.2	HOUSTON PIPELINE CO
-GETTY OIL	COMPANY				RECEIVED: 01/30/81 JA: TX			
8115349	25175	4238331495	103		J F NUNN E #1	CALVIN (DEAN)	37.0	EL PASO NATURAL GAS
8115040	05567	4206500000	108		SCHAFER RANCH NO 15	PANHANDLE	3.0	GETTY OIL COMPANY NA
8115043	06167	4206500000	108		SCHAFER RANCH NO 224	PANHANDLE	3.0	GETTY OIL CO
8115042	06141	4206500000	108		SCHAFER RANCH NO 226	PANHANDLE	3.0	GETTY OIL CO
8115044	06173	4206500000	108		SCHAFER RANCH NO 230	PANHANDLE	3.0	GETTY OIL CO
8115288	24268	4207900000	108		SOUTHWEST LEVELLAND #103	LEVELLAND	0.4	CITIES SERVICE CO
8115296	24285	4207900000	108		SOUTHWEST LEVELLAND #15	LEVELLAND	1.7	CITIES SERVICE CO
8115295	24284	4207900000	108		SOUTHWEST LEVELLAND #2	LEVELLAND	0.4	CITIES SERVICE CO
8115297	24287	4207900000	108		SOUTHWEST LEVELLAND #35	LEVELLAND	0.8	CITIES SERVICE CO
8115298	24288	4207900000	108		SOUTHWEST LEVELLAND #37	LEVELLAND	0.8	CITIES SERVICE CO
8115299	24289	4207900000	108		SOUTHWEST LEVELLAND #39	LEVELLAND	0.7	CITIES SERVICE CO
8115294	24282	4207900000	108		SOUTHWEST LEVELLAND #46	LEVELLAND	1.4	CITIES SERVICE CO
8115293	24281	4207900000	108		SOUTHWEST LEVELLAND #50	LEVELLAND	0.4	CITIES SERVICE CO
8115292	24279	4207900000	108		SOUTHWEST LEVELLAND #73	LEVELLAND	1.9	CITIES SERVICE CO
8115291	24278	4207900000	108		SOUTHWEST LEVELLAND #93	LEVELLAND	0.4	CITIES SERVICE CO
8115290	24277	4207900000	108		SOUTHWEST LEVELLAND #95	LEVELLAND	1.6	CITIES SERVICE CO

VOLUME 370 PAGE 006

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115289	24276	4207900000	108		SOUTHWEST LEVELLAND #97	LEVELLAND	2.0	CITIES SERVICE CO
-GRACE PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115242	23152	4236530993	103		CAPPS #1	CARTHAGE (COTTON VALLEY)	0.0	UNITED GAS PIPELINE
-GULF OIL CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115309	24379	4221131115	103		A A ROSS NO 8-71	HEMPHILL/GRANITE WASH	525.0	CITIES SERVICE GAS C
8115323	24638	4247932645	102		BRUNI MINERAL TRUST A #14	JUANITA (LOBO)	0.0	TENNESSEE GAS PIPELI
8115225	22377	4237132719	107		IVY B WEATHERBY NO 2	ROJO CABALLOS SOUTH (DEV	700.0	EL PASO NATURAL GAS
8115075	17526	4223300000	108		MOORE J W # 8	PANHANDLE HUTCHINSON	1.2	GETTY OIL CO
-H E BRYAN INC					RECEIVED: 01/30/81 JA: TX			
8115330	24803	4206530768	103		SHERIDAN NO 1	PANHANDLE WEST	90.0	NORTHERN NATURAL GAS
-HARKINS & COMPANY					RECEIVED: 01/30/81 JA: TX			
8115218	21484	4240930511	102		ERNA RANDOLF #1	467 FSL & 467 FNL OF 160	182.5	TRANSCONTINENTAL GAS
-HILL PRODUCTION CO					RECEIVED: 01/30/81 JA: TX			
*8115059	14000	4225931166	102		CULLERS & BAILEY #1	CULLERS & BAILEY (CANYON	36.5	PALO DURO PIPELINE C
8115270	23925	4225931329	102		SWANN A #101	CULLERS & BAILEY (CANYON	18.0	PALO DURO PIPELINE C
-HOME PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115377	25410	4229530641	103		BORN UNIT NO 1	STUART RANCH (MORROW LOW	314.0	NORTHERN NATURAL GAS
8115388	25534	4228730632	102		LEE IRICK #1	GIDDINGS (AUSTIN CHALK G	765.0	CLAJON GAS CO
-HOUSTON OIL & MINERALS CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115383	25472	4205130709	102		C P B UNIT I NO 1	GIDDINGS (AUSTIN CHALK)	0.0	
-HUFO OILS					RECEIVED: 01/30/81 JA: TX			
8115382	25459	4206530760	103		BURNETT 25 NO 7 #04227	PANHANDLE CARSON COUNTY	118.6	PANHANDLE EASTERN PI
8115381	25458	4206530696	103		ELLER NO 1 #047605	PANHANDLE CARSON COUNTY	20.0	NORTHERN NATURAL GAS
8115380	25457	4206530743	103		ELLER NO 2 #060915	PANHANDLE CARSON COUNTY	13.0	NORTHERN NATURAL GAS
-HUGHES & HUGHES					RECEIVED: 01/30/81 JA: TX			
8115400	25730	4220531268	102		JUDITH M HEALEY NO 3	HEALEY (HOCKLEY)	146.0	FERGUSON CROSSING PI
-HULEN H LEMON					RECEIVED: 01/30/81 JA: TX			
8115060	14020	4208100000	103		ARLEDGE #1	ARLEDGE	26.4	SUN GAS CO
-HUMBLE EXPLORATION CO INC					RECEIVED: 01/30/81 JA: TX			
8115084	18884	4228730464	102		APHRODITE #1 (12387)	GIDDINGS	373.0	PHILLIPS PETROLEUM
8115084	18884	4228730464	103		APHRODITE #1 (12387)	GIDDINGS	373.0	PHILLIPS PETROLEUM
8115085	18885	4228730490	102		ATHENA #1 - 12343	GIDDINGS	545.0	PHILLIPS PETROLEUM
8115085	18885	4228730490	103		ATHENA #1 - 12343	GIDDINGS	545.0	PHILLIPS PETROLEUM
8115090	18969	4228700000	102		AVERILL #1 (11953)	GIDDINGS	516.0	PHILLIPS PETROLEUM
8115090	18969	4228700000	103		AVERILL #1 (11953)	GIDDINGS	516.0	PHILLIPS PETROLEUM
8115087	18888	4228700000	102		BURTSCHELL #1 - 11725	GIDDINGS (AUSTIN CHALK)	188.0	PILLIPS PETROLEUM
8115087	18888	4228700000	103		BURTSCHELL #1 - 11725	GIDDINGS (AUSTIN CHALK)	188.0	PILLIPS PETROLEUM
8115086	18887	4228700000	102		CATHERINE #1 - 11930	GIDDINGS	160.0	PHILLIPS PETROLEUM
8115086	18887	4228700000	103		CATHERINE #1 - 11930	GIDDINGS	160.0	PHILLIPS PETROLEUM
8115122	19243	4228700000	102		CORNELIA #1 - 12597	GIDDINGS	874.0	PHILLIPS PETROLEUM
8115122	19243	4228700000	103		CORNELIA #1 - 12597	GIDDINGS	874.0	PHILLIPS PETROLEUM
8115123	19245	4247730312	102		ELEANOR EBERSOLE #1 - 85370	GIDDINGS AUSTIN CHALK GA	2482.0	PHILLIPS PETROLEUM C
8115123	19245	4247730312	103		ELEANOR EBERSOLE #1 - 85370	GIDDINGS AUSTIN CHALK GA	2482.0	PHILLIPS PETROLEUM C
8115124	19247	4246630308	102		GRETCHEN #1 - 12515	GIDDINGS	110.0	PHILLIPS PETROLEUM
8115124	19247	4246630308	103		GRETCHEN #1 - 12515	GIDDINGS	110.0	PHILLIPS PETROLEUM
8115126	19251	4228730415	102		HORTY #1 - 12093	GIDDINGS	933.0	PHILLIPS PETROLEUM
8115126	19251	4228730415	103		HORTY #1 - 12093	GIDDINGS	933.0	PHILLIPS PETROLEUM
8115128	19253	4228730466	102		JOAN KAY #1 - 12358	GIDDINGS	121.0	PHILLIPS PETROLEUM
8115128	19253	4228730466	103		JOAN KAY #1 - 12358	GIDDINGS	121.0	PHILLIPS PETROLEUM
8115127	19252	4228730432	102		KARYN #1 - 12247	GIDDINGS	548.0	PHILLIPS PETROLEUM
8115127	19252	4228730432	103		KARYN #1 - 12247	GIDDINGS	548.0	PHILLIPS PETROLEUM
8115130	19255	4228730416	102		LAURIE #1 - 12217	GIDDINGS	199.0	PHILLIPS PETROLEUM
8115130	19255	4228730416	103		LAURIE #1 - 12217	GIDDINGS	199.0	PHILLIPS PETROLEUM

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115125	19248	4214930324	102		LYDIA HANZEN #1 - 12240	GIDDINGS	55.0	PHILLIPS PETROLEUM
8115125	19248	4214930324	103		LYDIA HANZEN #1 - 12240	GIDDINGS	55.0	PHILLIPS PETROLEUM
8115120	19240	4214930370	102		MARCY ATKINS #1 - 12573	GIDDINGS	0.0	PHILLIPS PETROLEUM
8115120	19240	4214930370	103		MARCY ATKINS #1 - 12573	GIDDINGS	0.0	PHILLIPS PETROLEUM
8115129	19254	4247730307	102		ROBERT KOPLAR #1 - 12355	GIDDINGS	534.0	PHILLIPS PETROLEUM
8115129	19254	4247730307	103		ROBERT KOPLAR #1 - 12355	GIDDINGS	534.0	PHILLIPS PETROLEUM
8115131	19256	4247730309	102		ROSALYN #1 - 12516	GIDDINGS	80.0	PHILLIPS PETROLEUM
8115131	19256	4247730309	103		ROSALYN #1 - 12516	GIDDINGS	80.0	PHILLIPS PETROLEUM
8115088	18889	4228730426	102		RUSTY BECK #1-12142	GIDDINGS	37.0	PHILLIPS PETROLEUM
8115088	18889	4228730426	103		RUSTY BECK #1-12142	GIDDINGS	37.0	PHILLIPS PETROLEUM
8115121	19242	4228730539	102		SUSAN COCKERILL #1-12575	GIDDINGS	874.0	PHILLIPS PETROLEUM
8115121	19242	4228730539	103		SUSAN COCKERILL #1-12575	GIDDINGS	874.0	PHILLIPS PETROLEUM
-J R HAMILTON					RECEIVED: 01/30/81 JA: TX			
8115338	24977	4213100000	102		V CUELLAR NO 2A	J R FIELD	100.0	VALERO TRANSMISSION
-JAMES C FREEMAN					RECEIVED: 01/30/81 JA: TX			
8115308	24360	4239100000	102		M E OCONNOR NO 2-8	REFUGIO OLD (6000)	165.0	UNITED GAS PIPE LINE
-JATAM INC					RECEIVED: 01/30/81 JA: TX			
8115050	11465	4208100000	103		M C HENDRY #1	JAMESON (STRAWN)	48.0	SUN OIL CO
8115276	24166	4208130767	103		M C HENDRY #2	JAMESON (STRAWN)	48.0	SUN OIL CO
8115279	24169	4208130803	103		M C HENDRY #3	JAMESON (STRAWN)	48.0	SUN OIL CO
8115277	24167	4243130832	103		W T KNIGHT #1	JAMESON (STRAWN)	48.0	SUN OIL CO
8115280	24170	4243130831	103		W T KNIGHT #2	JAMESON (STRAWN)	48.0	SUN OIL CO
8115278	24168	4243130839	103		WIGGINS-TOWNSEND KNIGHT A #2	JAMESON (STRAWN)	48.0	SUN OIL CO
-JENNINGS EXPLORATION CO					RECEIVED: 01/30/81 JA: TX			
8115332	24834	4250731282	102		NO 1 H&F PROPERTIES A 87598	AIRSTRIP (3690)	47.0	VALERO TRANSMISSION
8115331	24817	4250731285	102		NO 2-C H&F PROPERTIES E 88035	ALLIGATOR SLOUGH (OLMOS)	146.0	VALERO TRANSMISSION
-KILLAM & HURD LTD					RECEIVED: 01/30/81 JA: TX			
8115262	23805	4250531172	102		BRUNI MINERAL TRUST #1-37	DAVIS S (5300)	73.0	INTRASTATE GATHERING
-KILROY CO OF TEXAS					RECEIVED: 01/30/81 JA: TX			
8115350	25180	4220130987	102		WISE UNIT #1	SATSUMA (6850)	40.0	UNITED TEXAS TRANSMI
-LA ACEITE ENERGY INC					RECEIVED: 01/30/81 JA: TX			
8115264	23967	4205932415	102		DR DONALD W WARREN #1 (87232)	HAPPY JACK (LAKE)	0.0	LONE STAR GAS CO
-LADD PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115071	16519	4236731402	103		BLAIR-WOODY #2	TOTO (M-1 LIME)	9.8	LONE STAR GAS CO
-LYNCO OIL CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115341	25086	4242731413	103		BRAZOS CATTLE CO LTD #2	WILDCAT-4700 VICKSBURG	250.0	VALERO TRANSMISSION
-MESA PETROLEUM					RECEIVED: 01/30/81 JA: TX			
8115334	24925	4247932415	102		R T SALDIVAR ESTATE NO 2	LA ROSITA (LOBO)	500.0	UNITED TEXAS TRANSMI
-MITCHELL ENERGY CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115374	25346	4214930551	103		B W ALLEN #1 13136	GIDDINGS (AUSTIN CHALK)	121.6	PHILLIPS PETROLEUM C
8115394	25617	4222500000	108		CCKE L GAGE #1 (28651)	BOONESVILLE (BEND CONGL	4.9	NATURAL GAS PIPELINE
8115089	18895	4249731536	103		G A LEHMBERG #2 84150	BOONSVILLE (BEND CONGL G	15.0	NATURAL GAS PIPELINE
8115306	24320	4249731821	103		MARIE WAGGONER #4	BOONESVILLE (BEND CONGL	400.0	NATURAL GAS PIPELINE
8115117	19060	4249731628	103		T W WOMACK #4	BOONSVILLE (BEND CONGL G	200.0	NATURAL GAS PIPELINE
-MOBIL PRDG TEXAS & NEW MEXICO INC					RECEIVED: 01/30/81 JA: TX			
*8115079	18102	4224931052	103		LA GLORIA GAS UNIT NO 56	LA GLORIA (6950)	900.0	TRANSCONTINENTAL GAS
8115227	22525	4240931301	103		MAYO-OWENS GAS UNIT NO 3	WHITE POINT EAST (MAYO)	227.0	TENNGASCO GAS GATHER
8115221	22033	4219931328	102		P I C A INVESTMENT NO 1-A	SOUR LAKE E (YEGUA LOWER	614.8	TRANSCONTINENTAL GAS
8115318	24549	4246131565	103		T X L T NO 2	DAVIS (WOLFCAMP)	0.0	EL PASO NATURAL GAS
-MORAN EXPLORATION INC					RECEIVED: 01/30/81 JA: TX			
8115063	15655	4223530327	108		ROCKER B N NO 3	SPRABERRY (TREND AREA)	2.6	NORTHERN NATURAL GAS
-MOSBACHER PRODUCTION CO					RECEIVED: 01/30/81 JA: TX			

VOLUME 370 PAGE 008

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115287	24250	4205130666	102		ROBERT SPEARMAN -A- NC 1	N E CALDWELL (GEORGETOWN	56.0	CLAJON GAS CO
-MOTE RESOURCES INC					RECEIVED: 01/30/81 JA: TX			
8115398	25710	4236700000	103		T A PRITCHARD NO 1	BARON LIME 1200	15.0	BUCKNER GAS CO
-NATOMAS NORTH AMERICA INC					RECEIVED: 01/30/81 JA: TX			
8115302	24295	4208130885	102		HIGGINS RANCH #10	WILDCAT	0.0	LONE STAR GAS CO
-NORTH AMERICAN ROYALTIES INC					RECEIVED: 01/30/81 JA: TX			
8115144	19751	4221131051	103		TEXAS PARKS & WILDLIFE NO 2	CANADIAN E (DOUGLAS)	500.0	CITIES SERVICE GAS C
-OILWELL OPERATORS INC					RECEIVED: 01/30/81 JA: TX			
8115365	25250	4217900000	108		HARRAH #11 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115364	25249	4217900000	108		HARRAH #12 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115363	25248	4217900000	108		HARRAH #13 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115362	25247	4217900000	108		HARRAH #14 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115361	25246	4217900000	108		HARRAH #15 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115360	25224	4217900000	108		HARRAH #2 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115359	25223	4217900000	108		HARRAH #3 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115358	25222	4217900000	108		HARRAH #4 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115357	25221	4217900000	108		HARRAH #5 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115356	25220	4217900000	108		HARRAH #6 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115355	25219	4217900000	108		HARRAH #7 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115367	25252	4217900000	108		HARRAH #8 00294	PANHANDLE	4.0	KERR-MCGEE CORP
8115366	25251	4217900000	108		HARRAH #9 00294	PANHANDLE	4.0	KERR-MCGEE CORP
-OMEGA PETROLEUM CORP					RECEIVED: 01/30/81 JA: TX			
8115077	17948	4223732572	102		WIMBERLY A NO 1-A	OMEGA (4950 CONGL)	365.0	NATURAL GAS PIPELINE
-OUTLINE OIL CORP					RECEIVED: 01/30/81 JA: TX			
8115068	15856	4246900000	102		LEWIS-SAGER UNIT 2-1	MISSION VALLEY (2400) (P	73.0	TRANSCONTINENTAL GAS
-PARKER & PARSLEY INC					RECEIVED: 01/30/81 JA: TX			
8115342	25126	4238331594	103		STATE NO 1	AMIGO (SAN ANDRES)	10.0	NORTHERN NATURAL GAS
8115343	25127	4238331595	103		STATE NO 2	AMIGO (SAN ANDRES)	10.0	NORTHERN NATURAL GAS
-PAUL D FRIEMEL & ASSOCIATES INC					RECEIVED: 01/30/81 JA: TX			
8115224	22361	4238300000	108		S E STOUT NO 1 (01563)	SPRABERRY (TREND AREA)	8.3	EL PASO NATURAL GAS
-PEERLESS OIL CO INC					RECEIVED: 01/30/81 JA: TX			
8115315	24476	4236731718	102		COTTON	MOBY DICK (STRAWN)	90.0	NATURAL GAS PIPELINE
8115317	24538	4236731741	102		R S BONNEAU	BARON LIME (1200)	300.0	NATURAL GAS PIPELINE
-PENNZOIL COMPANY					RECEIVED: 01/30/81 JA: TX			
8115337	24975	4248330654	102		QUILLIAN NO 1		54.0	
-PETRO-SEARCH INC					RECEIVED: 01/30/81 JA: TX			
8115053	12000	4223300000	108		COLEMAN #20 (1-117-00969-4)	PANHANDLE	10.6	GETTY OIL CO
-PETROMARK MINERALS INC					RECEIVED: 01/30/81 JA: TX			
8115313	24413	4214930425	102		MARANATHA NO 1	GIDDINGS (AUSTIN CHALK)	100.0	PHILLIPS PETROLEUM C
8115310	24413	4214930425	103		MARANATHA NO 1	GIDDINGS (AUSTIN CHALK)	100.0	PHILLIPS PETROLEUM C
-PETROTEX MANAGEMENT CO					RECEIVED: 01/30/81 JA: TX			
8115316	24479	4204730198	102		SYLVESTRE RODRIGUEZ (87653)	SCOTT & HOPPER (6100)	180.0	ESPERANZA TRANSMISSI
-PHILLIPS PETROLEUM COMPANY					RECEIVED: 01/30/81 JA: TX			
8115038	01994	4213532781	103		BAGLEY NO 14	FOSTER	4.5	ODESSA NATURAL CORP
-QUINTIN LITTLE CO					RECEIVED: 01/30/81 JA: TX			
8115352	25197	4214930438	102		BALD EAGLE #2	GIDDINGS (AUSTIN CHALK)	0.0	PHILLIPS PETROLEUM C
8115351	25194	4205130639	102		HEIN #1	CALDWELL (AUSTIN CHALK)	0.0	FERGUSON CROSSING PI
8115135	19299	4214930349	102		VICTORY HILLS UNIT #1	GIDDINGS (AUSTIN CHALK)	0.0	RESERVE GAS SYSTEMS
8115135	19299	4214930349	103		VICTORY HILLS UNIT #1	GIDDINGS (AUSTIN CHALK)	0.0	RESERVE GAS SYSTEMS
-R H SIEGFRIED INC					RECEIVED: 01/30/81 JA: TX			
8115303	24304	4249700000	103		R L MORRIS -A- (06978) #18-A	CHICO WEST (CADDO CONGL	191.0	NATURAL GAS PIPELINE
8115259	23503	4249700000	108		R L MORRIS A (06978) #2	CHICO WEST (CADDO CONGL	0.0	NATURAL GAS PIPELINE

JD NO	JA DKT	API NO	SEC	D	WELL NAME
8115259	23504	4249700000	108		R L MORRIS A (06978) #3
-R LACY INC					RECEIVED: 01/30/81 JA: TX
8115064	15759	4236500000	102		BROWN UNIT #1 WELL #4
8115066	15761	4236500000	102		BURNETT UNIT #9 WELL #4
8115065	15760	4236500000	102		BURNETT UNIT #10 WELL #5
-RANGER OPERATING CO					RECEIVED: 01/30/81 JA: TX
8115254	23354	4223732681	103		LANCER NO 1 #87014
-REMUDA OIL & GAS CO					RECEIVED: 01/30/81 JA: TX
8115158	20844	4240130844	102		PRIOR GAS UNIT WELL #1
-RESERVE OIL INC					RECEIVED: 01/30/81 JA: TX
8115039	03965	4208300000	103		BROWN #2 RRC# 73004
-RIO BRAVO OIL CO INC					RECEIVED: 01/30/81 JA: TX
8115335	24930	4225530665	102		J P SELLERS ET AL #1
8115403	25825	4225530778	102		J P SELLERS ET AL #3
-ROY G NIVENS					RECEIVED: 01/30/81 JA: TX
8115376	25407	4223300000	108		HERRING #4
-SABINE PRODUCTION COMPANY					RECEIVED: 01/30/81 JA: TX
8115275	24132	4216500000	108		BRUMLEY #1
-SANCHEZ-OBRIEN MINERALS CORP					RECEIVED: 01/30/81 JA: TX
8115223	22164	4229732067	102		BODDEN-FROST GU #1 WELL #1
8115073	17081	4229732051	102		PAWLIK GAS UNIT NO 1
-SED INC					RECEIVED: 01/30/81 JA: TX
8115391	25597	4202531254	102		CARL STEINMEYER NO 1-C
8115399	25720	4202531254	102		CARL STEINMEYER NO 1-T
-SHELL OIL CO					RECEIVED: 01/30/81 JA: TX
8115354	25205	4204730822	102		HECTOR LOPEZ NO 1
-SOUTHWEST PETROCHEM INC					RECEIVED: 01/30/81 JA: TX
8115371	25272	4228930369	102		M ALBRECHT NO 1 - 88043
-SOUTHWESTERN GAS EXPLORATION CORP					RECEIVED: 01/30/81 JA: TX
8115336	24970	4249731798	103		H D SCROGGINS #1
8115249	23237	4214330477	103		A DEAVER UNIT #1
8115246	23219	4214330425	103		C F KEITH #3
8115247	23227	4214330478	103		C F KEITH #5
8115244	23215	4214330475	103		C L YARBROUGH #1
8115132	19264	4236332210	103		F H MARQUESS #1
8115245	23216	4236731531	103		LITTLE BEAR RANCH #2
8115243	23214	4236731565	103		LITTLE BEAR RANCH #5
8115232	22861	4222100000	103		M PEVELER #4
8115248	23228	4222130565	103		M PEVELER #5
8115241	23146	4205931758	103		ROY TATUM #1
-STAHL PETROLEUM CO					RECEIVED: 01/30/81 JA: TX
8115154	20377	4217900000	103		PATTERSON #2
-SUN OIL COMPANY (DELAWARE)					RECEIVED: 01/30/81 JA: TX
8115146	19831	4217900000	108		BROWN DOLOMITE NO 1-2
*8115048	07641	4233330314	103		D B KIRK NO 2
8115261	23691	4250730988	103		JOHN B BAGGETT A NO 2
8115041	06116	4239330273	103		PARSELL ESTATE NO 7-U
8115397	25704	4238300000	108		RUPERT P RICKER NO1
8115037	01833	4233531346	103		V T MCCABE D #16
-SUPRON ENERGY CORPORATION					RECEIVED: 01/30/81 JA: TX
8115348	25172	4200130960	102		LARGE #2
-TENNECO OIL COMPANY					RECEIVED: 01/30/81 JA: TX
8115136	19362	4242731231	103		T GARCIA NO 3-L

FIELD NAME	PRCD	PURCHASER
CHICO WEST (CADDO CONGL	0.0	NATURAL GAS PIPELINE
CARTHAGE (TRAVIS PEAK LO	0.0	ARKANSAS LOUISIANA G
CARTHAGE (TRAVIS PEAK LO	0.0	ARKANSAS LOUISIANA G
CARTHAGE (TRAVIS PEAK LO	0.0	ARKANSAS LOUISIANA G
JACK COUNTY REGULAR (GAS	75.0	TEXAS UTILITIES FUEL
CHURCHILL (TRAVIS PEAK)	80.0	ARKANSAS-LOUISIANA G
SANTA ANNA MARBLE FALLS	46.6	LONE STAR GAS CO
PORTER (LULING 7350)	1100.0	INTRASTATE GATHERING
PORTER (LULING 7350)	800.0	INTRASTATE GATHERING
WEST PANHANDLE FIELD	14.0	PANHANDLE PRODUCING
BRUMLEY (CLEARFORK LOWER	6.0	EL PASO NATURAL GAS
WILDCAT FIELD	500.0	UNITED TEXAS TRANSMI
WEST GEORGE WEST	500.0	TEXAS EASTERN TRANSM
LITTLE JOHN (1170)	1.0	UNITED GAS PIPELINE
LITTLE JOHN (1430)	117.0	UNITED GAS PIPELINE
LOPEZ RANCH (VICKSBURG 1	400.0	
CENTERVILLE SE	409.0	SOUTHWEST GATHERING
BOONESVILLE (BEND CONGL	168.0	
MORGAN MILL (MARBLE FALL	40.6	ENERGY PIPELINE CORP
MORGAN MILL (MARBLE FALL	50.6	ENERGY PIPELINE CORP
MORGAN MILL (MARBLE FALL	29.3	ENERGY PIPELINE CORP
MORGAN MILL (MARBLE FALL	89.9	ENERGY PIPELINE CORP
WILDCAT	70.0	SOUTHWESTERN GAS PIP
ALEDO S (ATOKA)	180.6	
ALEDO S (ATOKA)	136.6	
BRATTEN (MARBLE FALLS)	251.3	SOUTHWESTERN GAS PIP
MCINTOSH (BIG SALINE)	0.0	SOUTHWESTERN GAS PIP
DELIGHT (DUFFER)	35.0	SOUTHWESTERN GAS PIP
EAST PANHANDLE	0.0	EL PASO NATURAL GAS
PANHANDLE GRAY	0.1	PHILLIPS PETROLEUM C
HANSFORD (LOWER MORROW)	47.0	TRANSWESTERN PIPELIN
PEARSALL (AUSTIN CHALK)	29.0	HOUSTON PIPE LINE CO
PARSELL	324.0	TRANSWESTERN PIPELIN
SPRABERRY (TREND AREA)	9.0	EL PASO NATURAL GAS
JAMESON NORTH (STRAWN)	50.0	LONE STAR GAS CO
BOIS DARC/RODESSA	145.0	LONE STAR GAS CO
GARCIA (GUZMAN 3500)	28.0	LOVACA GATHERING CO

VOLUME 370 PAGE 010

JD NO	JA DKT	API NO	SEC	D	WELL NAME
8115081	18780	4242731231	103		T GARCIA WELL #3-U
-TEXACO INC					RECEIVED: 01/30/81 JA: TX
8115091	18989	4219532198	102		J D LEE GAS UNIT WELL #1
8115370	25270	4247532026	103		STATE OF TEXAS DL #2
8115369	25269	4247500000	103		STATE OF TEXAS ET #2
8115263	23809	4224531310	102		WESTBURY FARMS GU #1
-TEXAS INTERNATIONAL PET CORP					RECEIVED: 01/30/81 JA: TX
8115353	25202	4205130731	102		B J SHUPAK #1
8115327	24728	4205130663	102		MACHOVSKY #1
-TEXAS OIL & GAS CORP					RECEIVED: 01/30/81 JA: TX
8115049	09151	4226130463	102		ERCK #13-L
8115070	16479	4239131317	103		MARBERRY B #4 - 05765-4
8115072	16919	4240931351	102		PERSON WELL #1
-THE ANSCHUTZ CORPORATION					RECEIVED: 01/30/81 JA: TX
8115269	23914	4203531327	102		ADA SHARPE UNIT NO 1 (#87096)
-TIPPERARY OIL AND GAS CORP					RECEIVED: 01/30/81 JA: TX
8115281	24186	4237133089	107		HOLBERT #1
-TRA-C OIL & GAS CO INC					RECEIVED: 01/30/81 JA: TX
8115314	24475	4236731518	102		GORDON DOSS JR #1
-TREND RESOURCES LTD					RECEIVED: 01/30/81 JA: TX
8115389	25586	4248131949	102		KAINER-ELLIOT #1
-TUMBLEWEED PRODUCTION CO					RECEIVED: 01/30/81 JA: TX
8115301	24291	4206500000	103		HESS #1
8115300	24290	4206500000	103		HESS #2
-U S OPERATING INC					RECEIVED: 01/30/81 JA: TX
8115396	25696	4228730655	102		SUSIE EMRICH #1
-W WALDO LYNCH					RECEIVED: 01/30/81 JA: TX
8115401	25808	4250731297	102		EZRA MEISTER NO 1
8115329	24738	4250731305	102		LA MANTIA NO 5 90127
-WALLACE CO INC					RECEIVED: 01/30/81 JA: TX
8115326	24670	4208931090	102		ARMIT THOMAS NO 1
-WAYMAN W BUCHANAN					RECEIVED: 01/30/81 JA: TX
8115201	21249	4246131469	103		COWDEN ET AL A #1
8115200	21248	4246131498	103		COWDEN ET AL A NO 2
8115203	21256	4246131465	103		COWDEN ET AL NO 3
8115202	21254	4246131489	103		LATTNER NO 1
8115272	24081	4236731770	103		TRAVIS JOHNSON NO 1
-YATES EXPLORATION CO					RECEIVED: 01/30/81 JA: TX
8115256	23441	4228730614	103		GUS BAMSCH UNIT NO 1
8115257	23454	4228730615	103		H C HANNES NO 1
-ZONERGY INC					RECEIVED: 01/30/81 JA: TX
8115304	24309	4205130721	102		BATES #1
8115313	24461	4228730578	102		KNOX-SHEPARD #1
8115305	24312	4228730414	102		RAY JENSEN ESTATE #1

FIELD NAME	PROD	PURCHASER
GARCIA (STRAY - 3470)	6.0	LOVACA GATHERING CO
K B DOYLE (LEGER)	700.0	
WAR-WINK S (WOLFCAMP)	292.0	
WAR-WINK S (WOLFCAMP)	18.0	
CONSTITUTION (WESTBURY)	500.0	TRANSCONTINENTAL GAS
GIDDINGS	144.0	CLAJON GAS CO
GIDDINGS FIELD	144.0	CLAJON GAS CO
MCGILL	548.0	
MCFADDIN (5600)	20.0	UNITED GAS PIPELINE
WILLMANN (4320)	100.0	UNITED GAS PIPELINE
DANBURY SW (13660 - F)	0.0	DOW CHEMICAL CO
ROJO CABALLOS SOUTH (DEV	0.0	
MOBY DICK (STRAWN)	125.0	NATURAL GAS PIPELINE
KAINER (FRIO 4490) FIELD	365.0	HOUSTON PIPELINE CO
PANHANDLE	127.0	PANHANDLE EASTERN PI
PANHANDLE	127.0	PANHANDLE EASTERN PI
GIDDINGS (AUSTIN CHALK G	300.0	PGP GAS PRODUCTS INC
LAMANTIA (SAN MIGUEL)	180.0	VALERO TRANSMISSION
LA MANTIA (SAN MIGUEL)	180.0	VALERO TRANSMISSION
COX (3800) FIELD	144.0	TENNESSEE GAS PIPELI
SPRABERRY (TREND AREA)	18.3	PHILLIPS PETROLEUM C
SPRABERRY (TREND AREA)	18.3	PHILLIPS PETROLEUM C
SPRABERRY (TREND AREA)	18.3	PHILLIPS PETROLEUM C
SPRABERRY (TREND AREA)	18.3	PHILLIPS PETROLEUM C
MALES (4850)	47.0	LONE STAR GAS CO
GIDDINGS (AUSTIN CHALK)	24.0	PGP GAS PRODUCTS INC
GIDDINGS (AUSTIN CHALK)	12.0	PGP GAS PRODUCTS INC
GIDDINGS	360.0	CLAJON GAS CO
GIDDINGS	0.0	PGP GAS PRODUCTS INC
GIDDINGS	387.2	PGP GAS PRODUCTS INC

OTHER PURCHASERS VOLUME NO 1370

8115045	DELHI GAS P L CORP
8115047	TEXAS UTILITIES FUEL COMPANY
8115048	NORTHERN NATURAL GAS CO
8115059	SID RICHARDSON CARBON & GASOLINE CO
8115061	AMOCO GAS CO
8115079	NATURAL GAS P L CO OF AMER
8115097	E I DUPONT DE NEMOURS & CO INC
8115098	E I DUPONT DE NEMOURS & CO INC
8115099	E I DUPONT DE NEMOURS & CO INC
8115100	E I DUPONT DE NEMOURS & CO INC
8115101	E I DUPONT DE NEMOURS & CO INC
8115102	E I DUPONT DENEMOURS & CO INC
8115103	E I DUPONT DENEMOURS & CO INC
8115104	E I DUPONT DENEMOURS & CO INC
8115105	E I DUPONT DENEMOURS & CO INC
8115106	E I DUPONT DENEMOURS & CO INC
8115107	E I DUPONT DE NEMOURS & CO INC
8115108	E I DUPONT DENEMOURS & CO INC
8115109	E I DUPONT DENEMOURS & CO INC
8115110	E I DUPONT DENEMOURS & CO INC
8115111	E I DUPONT DENEMOURS & CO INC
8115112	E I DUPONT DENEMOURS & CO INC
8115113	E I DUPONT DENEMOURS & CO INC
8115114	E I DUPONT DENEMOURS & CO INC
8115115	E I DUPONT DENEMOURS & CO INC
8115118	E I DUPONT DE NEMOURS & CO INC
8115119	E I DUPONT DE NEMOURS & CO INC
8115155	EL PASO NATURAL GAS CO
8115157	TEJAS GAS CORPORATION
8115159	ENTEX INC
8115160	ENTEX INC
8115161	ENTEX INC
8115162	ENTEX INC
8115163	ENTEX INC
8115164	ENTEX INC
8115165	ENTEX INC
8115166	ENTEX INC
8115167	ENTEX INC
8115168	ENTEX INC
8115169	ENTEX INC
8115170	ENTEX INC
8115171	ENTEX INC
8115172	ENTEX INC
8115173	ENTEX INC
8115174	ENTEX INC
8115175	ENTEX INC
8115176	ENTEX INC
8115177	ENTEX INC
8115178	ENTEX INC
8115179	ARMCO STEEL CO
8115180	E I DUPONT DEMOURS & CO INC
8115181	E I DUPONT DEMOURS & CO INC
8115182	E I DUPONT DEMOURS & CO INC
8115183	E I DUPONT DEMOURS & CO INC
8115184	E I DUPONT DEMOURS & CO INC
8115185	E I DUPONT DEMOURS & CO INC
8115186	E I DUPONT DEMOURS & CO INC
8115187	E I DUPONT DEMOURS & CO INC
8115188	E I DUPONT DEMOURS & CO INC
8115189	E I DUPONT DEMOURS & CO INC
8115190	E I DUPONT DEMOURS & CO INC
8115191	E I DUPONT DEMOURS & CO INC
8115192	E I DUPONT DEMOURS & CO INC
8115193	E I DUPONT DEMOURS & CO INC
8115194	E I DUPONT DEMOURS & CO INC
8115195	E I DUPONT DEMOURS & CO INC
8115196	E I DUPONT DEMOURS & CO INC
8115197	E I DUPONT DEMOURS & CO INC
8115198	E I DUPONT DEMOURS & CO INC
8115199	E I DUPONT DEMOURS & CO INC
8115204	E I DUPONT DE NEMOURS & CO INC
8115205	E I DUPONT DE NEMOURS & CO INC
8115206	E I DUPONT DE NEMOURS & CO INC
8115207	E I DUPONT DE NEMOURS & CO INC
8115209	E I DUPONT DE NEMOURS & CO INC
8115210	E I DUPONT DE NEMOURS & CO INC
8115211	E I DUPONT DENEMOURS & CO INC
8115212	E I DUPONT DENEMOURS & CO INC
8115213	E I DUPONT DENEMOURS & CO INC
8115214	E I DUPONT DENEMOURS & CO INC
8115215	E I DUPONT DENEMOURS & CO INC
8115216	E I DUPONT DENEMOURS & CO INC
8115217	E I DUPONT DENEMOURS & CO INC
8115273	CHAMPLIN PETROLEUM CO
8115325	TEXAS EASTERN TRANSMISSION CU
8115404	TEXAS UTILITIES FUEL CO

BILLING CODE 6450-81-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before March 16, 1981.

Please reference the FERC Control Number (JD No.) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-3820 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-81-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 24, 1981.

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRCD	PURCHASER
TEXAS RAILROAD COMMISSION.								
-ADOBE OIL & GAS CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115608	27092	4247531895	103		BARSTOW 13 #1	SCOTT (CHERRY CANYON)	37.0	TRANSWESTERN PIPELIN
8115500	26363	4213300000	102		CLABORN #1	MANGUM NORTH	18.0	ODESSA NATURAL CORP
8115499	26362	4213300000	102		SNEED B #1	MANGUM NORTH (3200)	15.0	ODESSA NATURAL CORP
-AKERS AND FULTZ INC					RECEIVED: 01/30/81 JA: TX			
8115568	26952	4223700000	108		T H CHERRYHOMES A #03976	WIZZARD WELLS/ATOKA CONG	12.0	CITIES SERVICE
-AMOCO PRODUCTION CO					RECEIVED: 01/30/81 JA: TX			
8115808	28079	4236531135	103		BURNETT BROTHERS NO 14	CARTHAGE/TRAVIS PEAK/	182.0	TENNESSEE GAS PIPELI
8115505	26386	4234931276	102		DRU MILLIGAN OIL UNIT /A/ #1	CHENEYBORO/COTTON VALLEY	52.9	LONE STAR GAS CO
8115617	27127	4222732045	103		EMMA F DAVIS ESTATE A #2	COAHOMA N (FUSSEL)	9.1	GETTY OIL CO
8115616	27119	4220330656	102		H G BECKER GAS UNIT #1	BLOCKER/COTTON VALLEY/	328.0	UNITED GAS PIPE LINE
8115620	27161	4234931115	102		INA K CARROLL OIL UNIT /D/ #1	CHENEYBORO/COTTON VALLEY	109.0	LONE STAR GAS CO
8115506	26387	4234931092	102		JOHN D CUNNINGHAM #1	CHENEYBORO /COTTON VALLE	127.0	LONE STAR GAS CO
8115619	27157	4220330743	102		MACK V RUNNELS GU NO 1	BLOCKER/COTTON VALLEY/	365.0	UNITED GAS PIPE LINE
*8115504	26385	4203931545	103		MARGARET KIDD NO 8	HASTINGS EAST	119.0	AMOCO GAS CO
8115784	28003	4200331742	103		MIDLAND FARMS DEEP UNIT #73	MIDLAND FARMS (FUSSELMAN	21.5	PIONEER NATURAL GAS
8115783	28002	4200332095	103		MIDLAND FARMS UNIT #403A	MIDLAND FARMS	20.8	PIONEER NATURAL GAS
8115782	28001	4249531148	103		SEALY SMITH FND B #5	OARMER NE (PENN)	175.0	PIONEER NATURAL GAS
-ARCO OIL AND GAS COMPANY					RECEIVED: 01/30/81 JA: TX			
8115686	27594	4213134897	103		HAGIST GAS UNIT 1 WELL #2	HAGIST RANCH (WILCOX 980	102.0	NATURAL GAS PIPELINE
8115464	26071	4223531435	103		J R SCOTT EST 30 #1	SPRABERRY TREND AREA	13.4	J L DAVIS
8115460	26012	4221131126	103		MAMIE PEARL RISLEY #6	HEMPHILL (GRANITE WASH)	365.0	CITIES SERVICE GAS C
-ARKANSAS LOUISIANA GAS CO					RECEIVED: 01/30/81 JA: TX			
8115566	26826	4236530956	103		BECKWORTH #1	CARTHAGE (COTTON VALLEY)	255.0	ARKANSAS LOUISIANA G
-ATAPCO					RECEIVED: 01/30/81 JA: TX			
8115493	26306	4247532047	103		F H SCOTT #6 RRC #25366	SCOTT (DELAWARE)	2.9	TRANSWESTERN PIPELIN
8115473	26191	4230130241	103		THAXTON #1 RRC# 26008	WHEAT	6.2	
-BETTIS BOYLE & STOVALL					RECEIVED: 01/30/81 JA: TX			
*8115456	25982	4223732812	103		RIDDLE NO 1	DILLARD S E ELLENBURGER	18.3	CITIES SERVICE CO
-BLADE OIL CO					RECEIVED: 01/30/81 JA: TX			
8115825	28113	4223300000	103		J M SANFORD E #8 (04570)	PANHANDLE	0.0	
8115590	26997	4223300000	103		J M SANFORD E#16	PANHANDLE	0.0	PHILLIPS PETROLEUM C
-BLAIR EXPLORATION INC					RECEIVED: 01/30/81 JA: TX			
8115454	25972	4224731182	102		RAMIREZ 1-588	RAMIREZ (QUEEN CITY)	250.0	VALERO TRANSMISSION
-BORDER EXPLORATION CO					RECEIVED: 01/30/81 JA: TX			
8115561	26788	4214330616	103		W B PIPES #2	X-RAY (MARBLE FALLS)	0.4	VALERO ENERGY CORP
-BRONCO OIL CO					RECEIVED: 01/30/81 JA: TX			
8115585	26945	4248300000	108		SITTER-WARREN #1 01430	PANHANDLE WHEELER COUNTY	0.0	WARREN PETROLEUM CO
-C F LAWRENCE & ASSOC INC					RECEIVED: 01/30/81 JA: TX			
8115450	25946	4237100000	103		MERCHANT ST #6	LEHN - APCO S (WICHITA-A	539.0	DELHI GAS PIPELINE C

VOLUME 371 PAGE 002

JO NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRED	PURCHASER
-CANUS PETROLEUM INC					RECEIVED: 01/30/81 JA: TX			
8115409	25867	4235531508	103		#2 STATE TRACT 691	SAXET 2700 AND SAXET 420	230.0	UNITED GAS PIPELINE
8115741	27852	4240900000	103		W O HART #1	RIVERSIDE EAST (6400 FRI	0.0	TEXAS EASTERN TRANSM
-CHALMERS OPERATING CO INC					RECEIVED: 01/30/81 JA: TX			
8115490	26298	4239900000	108		DONNIE MAE BOMAR #1 RRC #45945	HOLLOW CREEK (FRY LOWER)	14.0	
8115489	26297	4239900000	108		SEALY-SMITH #1 RRC #48702	HOLLOW CREEK (GARDNER)	7.0	LONE STAR GAS CO
-CHAMPLIN EXPLORATION INC					RECEIVED: 01/30/81 JA: TX			
8115664	27397	4214930588	103		ALVIN D BOEHNKE #1	GIDDINGS (AUSTIN CHALK)	0.0	
8115666	27399	4228700000	103		GARWOOD GERDES G #1	GIDDINGS (AUSTIN CHALK)	365.0	CLAJON GAS CO
8115663	27396	4228730600	103		GERDES E	GIDDINGS (AUSTIN CHALK)	85.0	CLAJON GAS CO
8115665	27398	4228730693	103		GERDES F #1	GIDDINGS AUSTIN CHALK	365.0	CLAJON GAS CO
8115667	27401	4214930514	103		HULDA EPHRAIM A #1	GIDDINGS (AUSTIN CHALK)	9.1	
8115668	27402	4214930509	103		RIGHTMER #1	GIDDINGS (AUSTIN CHALK)	0.0	
-CHAPARROSA CIL CO					RECEIVED: 01/30/81 JA: TX			
8115748	27884	4250730902	102		B K JOHNSON #4	LAGUNA (OLMOS)	0.0	VALERO TRANSMISSION
8115748	27884	4250730902	103		B K JOHNSON #4	LAGUNA (OLMOS)	0.0	VALERO TRANSMISSION
-CHRISTI CO INC					RECEIVED: 01/30/81 JA: TX			
8115492	26303	4204932301	103		BURCHAM #2	BROWN COUNTY REGULAR (MA	125.0	ODESSA NATURAL CORP
-CIMMARON OIL CO INC					RECEIVED: 01/30/81 JA: TX			
8115481	26222	4222130575	102		DAY GAS UNIT #1	GRANBURY NE (MARBLE FALL	167.9	EMPIRE PIPE LINE COR
8115480	26221	4222130605	102		DENNIS GAS UNIT #1	GRANBURY NE (MARBLE FALL	237.2	EMPIRE PIPE LINE COR
8115482	26223	4222130582	102		TANTON #2	GRANBURY NE (MARBLE FALL	219.0	EMPIRE PIPE LINE COR
-CITIES SERVICE COMPANY					RECEIVED: 01/30/81 JA: TX			
8115447	25939	4217900000	108		BAGGERMAN A #1	PANHANDLE GRAY	0.3	PHILLIPS PETROLEUM C
8115443	25935	4217900000	108		BAGGERMAN A #10	PANHANDLE GRAY	0.9	PHILLIPS PETROLEUM C
8115442	25934	4217900000	108		BAGGERMAN A #11	PANHANDLE GRAY	1.7	PHILLIPS PETROLEUM C
8115441	25933	4217900000	108		BAGGERMAN A #13	PANHANDLE GRAY	0.4	PHILLIPS PETROLEUM C
8115440	25932	4217900000	108		BAGGERMAN A #15	PANHANDLE GRAY	1.2	PHILLIPS PETROLEUM C
8115439	25931	4217900000	108		BAGGERMAN A #17	PANHANDLE GRAY	1.7	PHILLIPS PETROLEUM C
8115438	25930	4217900000	108		BAGGERMAN A #19	PANHANDLE GRAY	2.4	PHILLIPS PETROLEUM C
8115446	25938	4217900000	108		BAGGERMAN A #3	PANHANDLE GRAY	1.0	PHILLIPS PETROLEUM C
8115445	25937	4217900000	108		BAGGERMAN A #4	PANHANDLE GRAY	0.4	PHILLIPS PETROLEUM C
8115444	25936	4217900000	108		BAGGERMAN A #5	PANHANDLE GRAY	0.8	PHILLIPS PETROLEUM C
8115449	25941	4206500000	108		BURNETT RANCH C #1-92	PANHANDLE CARSON	1.4	PHILLIPS PETROLEUM C
8115448	25940	4206500000	108		BURNETT RANCH C #2-92	PANHANDLE CARSON	1.5	PHILLIPS PETROLEUM C
8115437	25929	4223300000	108		CANADIAN KINGSLAND #6	PANHANDLE HUTCHINSON	3.7	PHILLIPS PETROLEUM C
8115436	25928	4223300000	108		COCKRELL A #10	PANHANDLE HUTCHINSON	0.4	PHILLIPS PETROLEUM C
8115430	25921	4223300000	108		COCKRELL D #10	PANHANDLE HUTCHINSON	0.6	PHILLIPS PETROLEUM C
8115435	25927	4223300000	108		COCKRELL D #2	PANHANDLE HUTCHINSON	1.4	PHILLIPS PETROLEUM C
8115434	25926	4223300000	108		COCKRELL D #3	PANHANDLE HUTCHINSON	1.1	PHILLIPS PETROLEUM C
8115433	25925	4223300000	108		COCKRELL D #6	PANHANDLE HUTCHINSON	1.3	PHILLIPS PETROLEUM C
8115432	25924	4223300000	108		COCKRELL D #7	PANHANDLE HUTCHINSON	1.1	PHILLIPS PETROLEUM C
8115431	25923	4223300000	108		COCKRELL D #8	PANHANDLE HUTCHINSON	1.2	PHILLIPS PETROLEUM C
8115429	25920	4223300000	108		COCKRELL E #4	PANHANDLE HUTCHINSON	2.0	PHILLIPS PETROLEUM C
8115425	25915	4223300000	108		COCKRELL GULF #10	PANHANDLE HUTCHINSON	1.5	PHILLIPS PETROLEUM C
8115424	25913	4223300000	108		COCKRELL GULF #12	PANHANDLE HUTCHINSON	1.0	PHILLIPS PETROLEUM C
8115423	25912	4223300000	108		COCKRELL GULF #14	PANHANDLE HUTCHINSON	3.5	PHILLIPS PETROLEUM C
8115422	25911	4223300000	108		COCKRELL GULF #15	PANHANDLE HUTCHINSON	1.7	PHILLIPS PETROLEUM C
8115428	25919	4223300000	108		COCKRELL GULF #3	PANHANDLE HUTCHINSON	0.5	PHILLIPS PETROLEUM C
8115427	25918	4223300000	108		COCKRELL GULF #6	PANHANDLE HUTCHINSON	2.3	PHILLIPS PETROLEUM C
8115426	25917	4223300000	108		COCKRELL GULF #7	PANHANDLE HUTCHINSON	0.6	PHILLIPS PETROLEUM C
8115421	25910	4223300000	108		KINGSLAND B #1	PANHANDLE HUTCHINSON	1.1	PHILLIPS PETROLEUM C

JD NO	JA DKT	API NO	SEC	D	WELL NAME
8115420	25909	4223300000	108		KINGSLAND B #2
8115419	25908	4223300000	108		KINGSLAND C #1
8115418	25907	4223300000	108		KINGSLAND C #2
8115417	25906	4223300000	108		KINGSLAND C #3
8115416	25905	4223300000	108		KINGSLAND C #4
8115415	25904	4223300000	108		KINGSLAND C #5
8115414	25903	4223300000	108		KINGSLAND C #6
8115413	25902	4223300000	108		MAGIC A #2
8115412	25901	4223300000	108		SMITH F #1
-CLAYTON W WILLIAMS JR					RECEIVED: 01/30/81 JA: TX
8115598	27063	4228730702	102		ARTHUR STORK #1
8115606	27071	4205130497	102		BENN #1
8115600	27065	4205130641	102		C SOBOTIK #1
8115607	27072	4205130606	102		CHARANZA #1
8115597	27062	4214930546	102		G L HILLBOLT UNIT #1
8115603	27068	4205130660	102		JOE URBANOVSKY UNIT #1
8115601	27066	4205130693	102		LEO HAVEMANN #1
8115732	27839	4236500000	103		OSBORNE ESTATE NO 1
8115604	27069	4205130642	102		REYNOLDS #1
8115599	27064	4205130719	102		ROY H HERRMANN #1
8115602	27067	4205130607	102		RUST #1
8115605	27070	4228730695	102		WILLIE ZOCH #1
-CLYDE HOUSTON					RECEIVED: 01/30/81 JA: TX
8115625	27220	4213332298	103		L W TUCKER # 2 (16289)
-COLORADO INTERSTATE GAS CO					RECEIVED: 01/30/81 JA: TX
8115773	27980	4237530094	108		MASTERSON 79-1R
-COLUMBIA GAS DEVELOPMENT CORP					RECEIVED: 01/30/81 JA: TX
8115484	26255	4205130548	102		CALVIN KOCUREK ET AL UNIT #1
-CONOCO INC					RECEIVED: 01/30/81 JA: TX
8115736	27845	4243331076	103		ARTHUR BRINKLEY JR -A- #41
8115452	25952	4213533366	103		E COWDEN GRAYBURG UT #59 (22927)
8115794	28023	4247532046	103		F H SCOTT-31-#2
8115521	26554	4238930327	108		G E RAMSEY JR B #14 ID #21020
8115569	26874	4222732185	103		G O CHALK C #25 (#18989)
8115465	26074	4242713188	103		T B SLICK EST B NO 162 89107
8115511	26423	4247932599	102		VAQUILLAS RANCH A NC 2
-CORPUS CHRISTI OIL AND GAS CO					RECEIVED: 01/30/81 JA: TX
8115517	26482	4224731183	102		ALFRED RAY HOLBEIN NO 1
-COTTON PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX
8115677	27513	4229530722	103		HARRIS B NO 1
-CPC EXPLORATION INC					RECEIVED: 01/30/81 JA: TX
8115818	28101	4205130796	102		S GOLD #1
8115715	27797	4240931398	102		STARR #1 RRC #87978
8115716	27798	4240931398	102		STARR #1 RRC# 87977
8115819	28102	4240931397	102		WEBB #1
-CREST RESOURCES & EXPL CORP					RECEIVED: 01/30/81 JA: TX
8115518	26490	4207131044	103		FRANKLAND GU#1 - WELL #2
-CRYSTAL OIL COMPANY					RECEIVED: 01/30/81 JA: TX
8115466	26076	4249930757	103		GUY COOPER #1
-D O HOUTCHENS					RECEIVED: 01/30/81 JA: TX
8115688	27599	4208700000	103		HARDIN WELL #1
-DAVIS OIL COMPANY					RECEIVED: 01/30/81 JA: TX

FIELD NAME	PROD	PURCHASER
PANHANDLE HUTCHINSON	1.6	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	2.0	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	1.6	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	1.1	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	3.0	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	2.1	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	2.3	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	3.4	PHILLIPS PETROLEUM C
PANHANDLE HUTCHINSON	13.3	PHILLIPS PETROLEUM C
GIDDINGS	678.0	VALERO TRANSMISSION
GIDDINGS	342.5	VALERO TRANSMISSION
GIDDINGS	237.9	VALERO TRANSMISSION
GIDDINGS	602.9	VALERO TRANSMISSION
GIDDINGS	16.0	VALERO TRANSMISSION
GIDDINGS	183.9	VALERO TRANSMISSION
GIDDINGS	117.6	VALERO TRANSMISSION
PINE HILL S E (RODESSA G	0.0	VALERO TRANSMISSION
GIDDINGS	321.2	VALERO TRANSMISSION
GIDDINGS	47.5	VALERO TRANSMISSION
GIDDINGS	404.7	VALERO TRANSMISSION
GIDDINGS	46.1	VALERO TRANSMISSION
FOSTER (MARBLE FALLS)	51.0	ODESSA NATURAL CORP
PITCHER CREEK (RED CAVE)	13.0	COLORADO INTERSTATE
GIDDINGS (AUSTIN CHALK)	9.0	FERGUSON CROSSING PI
FLOWERS (CANYON SAND)	15.0	CITIES SERVICE OIL C
COWDEN NORTH	73.0	AMOCO PRODUCTION CO
SCOTT (CHERRY CANYON)	292.0	INTRATEX GAS CO
GERALDINE FORD	4.3	EL PASO NATURAL GAS
HOWARD-GLASSCOCK	0.3	PHILLIPS PETROLEUM C
RINCON (B-2 FRIO)	1.5	TENNESSEE GAS PIPELI
PENDING	300.0	E I DUPONT DE NEMOUR
ESCONDIDO EAST	100.0	VALERO INTERSTATE TR
FOLLETT (MORROW)	1100.0	TRANSWESTERN PIPELIN
CALDWELL (AUSTIN CHALK)	100.0	FERGUSON CROSSING PI
WEBB (9500)	250.0	VALERO TRANSMISSION
WEBB (9000)	150.0	VALERO TRANSMISSION
WEBB (6250)	200.0	VALERO TRANSMISSION
MAYES SOUTH (FRIO 5)	250.0	WINNIE PIPELINE CO
WINNSBORO FIELD	48.5	LONE STAR GAS CO
PANHANDLE EAST	0.0	EL PASO NATURAL GAS

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PRCD	PURCHASER
8115578	26899	4220130960	102		VAN VORST #1 (UPPER)	CLINTON (YEQUA A-2)	216.0	HOUSTON PIPELINE CO
8115579	26900	4220130960	102		VAN VORST #1 LOWER	CLINTON (YEQUA B)	540.0	HOUSTON PIPELINE CO
-DELHI OIL CORP & NRM					RECEIVED: 01/30/81 JA: TX			
8115522	26588	4217730571	102		FLOYD-REAVES UNIT NO 1	PEACH CREEK (AUSTIN CHAL	10.0	TIPPERARY CORP
-DELRAY OIL INC					RECEIVED: 01/30/81 JA: TX			
8115595	27043	4204932366	103		JERRY C TONGATE NO 3	BROWN COUNTY REGULAR	64.0	
-DELTA DRILLING CO					RECEIVED: 01/30/81 JA: TX			
8115612	27114	4210500000	103		HENDERSON 32 #3	OZONA (CANYON SAND)	190.0	NORTHERN NATURAL GAS
8115611	27113	4241300000	103		JONES #2	ELDORADO (CANYON)	91.0	NORTHERN NATURAL GAS
-DILLEY PRODUCTION CO					RECEIVED: 01/30/81 JA: TX			
8115582	26909	4216331796	103		HUGO-ASTRO #1	PEARSALL (AUSTIN CHALK)	16.2	TGP INC
-E BRUCE STREET JR					RECEIVED: 01/30/81 JA: TX			
8115793	28019	4223700000	108		H C GILMORE #3 56819	FINIS SW (CONGL 4100)	10.0	SOUTHWESTERN GAS PIP
-ECHO PRODUCTION INC					RECEIVED: 01/30/81 JA: TX			
8115807	28075	4249731597	103		SHANNON HARRIS #1-C	BOONSVILLE (CADDO LIME)	7.7	LONE STAR GAS CO
-EL PASO NATURAL GAS COMPANY					RECEIVED: 01/30/81 JA: TX			
8115775	27984	4208726128	108		LAYCOCK #10	PANHANDLE EAST	22.0	EL PASO NATURAL GAS
8115774	27983	4243519228	108		THOMSON A #1	SONORA CANYON UPPER	9.0	EL PASO NATURAL GAS
8115809	28080	4208726276	108		TINDALL A #1	BROWN DOLOMITE GRANITE W	20.0	EL PASO NATURAL GAS
-ELF AQUITAINE INC					RECEIVED: 01/30/81 JA: TX			
8115577	26896	4247932607	102		CARR #4	GATO CREEK (9800)	68.0	UNITED TEXAS TRANSMI
-ESTATE OF WM D MCBEE					RECEIVED: 01/30/81 JA: TX			
8115746	27867	4220330634	102		HADDAD GAS UNIT #1 WELL #1	LONGWOOD (COTTON VALLEY)	350.0	ARKANSAS LOUISIANA G
-EUROPEAN SOUTHWEST CO					RECEIVED: 01/30/81 JA: TX			
8115712	27739	4213332211	103		CLARK NO 2	DESDEMONA (BRESSLER SAND	20.0	NORTH GORMAN GATHERI
8115713	27741	4213332083	103		SLAMPA NO 1	DESDEMONA E (MARBLE)	20.0	NORTH GORMAN GATHERI
8115714	27742	4213332290	103		T L BARTON NO 2	DESDEMONA (BRESSLER SAND	2.0	NORTH GORMAN GATHERI
-EXXON CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115752	27913	4204730796	103		AMADO TRAD B-3 (89108)	SCOTT AND HOPPER (6900)	400.0	TENNESSEE GAS PIPELI
8115837	28138	4221131146	103		CAMPBELL SANTA FE UNIT #2	MENDOTA NW (GRANITE WASH	363.0	TRANSWESTERN PIPELIN
8115701	27687	4204730808	102		D J SULLIVAN B-46-T (89525)	PITA (E-7 SE)	730.0	TENNESSEE GAS PIPELI
8115838	28139	4249531169	103		EUGENIA E BROWN E #3	EMPEROR E (CLEARFORK LO)	28.0	PIONEER NATURAL GAS
8115834	28135	4237100000	103		FORT STOCKTON UNIT #1419	FT STOCKTON (L YATES)	57.0	NUECES CO
8115835	28136	4237100000	103		FORT STOCKTON UNIT #1623	FT STOCKTON (L YATES)	154.0	NUECES CO
8115831	28127	4237133101	103		FORT STOCKTON UNIT #615	FORT STOCKTON (L YATES)	30.0	NUECES CO
8115836	28137	4237100000	103		FORT STOCKTON UNIT #718	FORT STOCKTON (LOWER YAT	13.0	NUECES CO
8115833	28131	4247532062	103		FRANCES J HAYMORE #3	RHODA WALKER (CANYON 590	8.0	INTRATEX GAS CO
8115583	26933	4210332308	103		J B TUBB A/C 1 #223L	SAND HILLS (TUBB)	14.0	EL PASO NATURAL GAS
8115661	27381	4210332309	103		J B TUBB A/C 1 #224U	SAND HILLS (MCKNIGHT)	24.0	EL PASO NATURAL GAS
8115832	28130	4210300000	103		J B TUBB A/C 1 #226U	SAND HILLS (MCKNIGHT)	94.0	EL PASO NATURAL GAS
8115516	26472	4245130490	103		JOE FUNK #16	H-J (STRAWN)	29.0	PRODUCERS GAS CO
8115753	27914	4224730912	102		MRS A M K BASS 41-C (89433)	KELSEY DEEP (ZONE 20-J S	325.0	TRUNKLINE GAS CO
8115785	28005	4224731224	102		NICEFORO PENA 11 (88874)	KELSEY DEEP (20-J SW)	400.0	TRUNKLINE GAS CO
-FAGADAU ENERGY CORP					RECEIVED: 01/30/81 JA: TX			
8115626	27227	4223700000	102		WORTHINGTON-EDWARDS G NO 1	EDWARDS RANCH (CONGL 540	0.0	SOUTHWESTERN GAS PIP
8115626	27227	4223700000	103		WORTHINGTON-EDWARDS G NO 1	EDWARDS RANCH (CONGL 540	0.0	SOUTHWESTERN GAS PIP
-FOREST OIL CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115459	26005	4247932635	102		OLMITOS RANCH INC NO 2	PROPOSED NICHOLSON LOBO	276.0	TRANSCONTINENTAL GAS
-FRANK J KING					RECEIVED: 01/30/81 JA: TX			
8115788	28011	4239931562	103		LEWIS B WILLIAMS NO 1	TOMCHUCK (MORRIS)	0.0	UNION TEXAS PETROLEU
-FRANKS PETROLEUM INC					RECEIVED: 01/30/81 JA: TX			
8115405	25847	4236530772	102		DAVID DUNHAM NO 1	CARTHAGE (COTTON VALLEY)	30.0	UNITED GAS PIPELINE

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
-G M LEHNERTZ					RECEIVED: 01/30/81 JA: TX			
8115498	26328	4220300000	102		#1 B A HARRISON GU	L C G (PAGE)	24.0	ARKANSAS LOUISIANA G
-GENERAL PRODUCTION CORP					RECEIVED: 01/30/81 JA: TX			
8115453	25963	4205133503	103		JONES LEWIS NO 2	INEZ JAMESON (NAVARRO) F	44.0	FERGUSON CROSSING PI
-GENESIS PETROLEUM CORP					RECEIVED: 01/30/81 JA: TX			
8115593	27040	4232130930	103		STATE TRACT 157 NO 1 ID 87932	MATAGONDA BAY S (MIOCENE	91.2	DOW CHEMICAL CO
8115622	27197	4232130987	103		STATE TRACT 309 WELL NO 2-U	OLIVER POINT S (3800)	365.0	DOW CHEMICAL COMPANY
-GEODYNAMICS OIL &GAS INC					RECEIVED: 01/30/81 JA: TX			
8115564	26820	4205130598	102		JUNEK A #1	GIDDINGS (AUSTIN CHALK)	156.0	CLAJON GAS CO
8115537	26637	4205130686	102		PATTERSON B #1	GIDDINGS (AUSTIN CHALK)	71.0	CLAJON GAS CO
8115563	26819	4205130763	102		PORTER B #1	TUNIS EAST (AUSTIN CHALK	12.0	CLAJON GAS CO
-GETTY OIL COMPANY					RECEIVED: 01/30/81 JA: TX			
8115475	26194	4207900000	108		C S DEAN A UNIT NO 155	SLAUGHTER	5.0	AMOCO PRODUCTION CO
8115476	26195	4207900000	108		C S DEAN A UNIT NO 170	SLAUGHTER	4.0	AMOCO PRODUCTION CO
8115765	27936	4207900000	103		C S DEAN A UNIT NO 201	SLAUGHTER	15.0	AMOCO PRODUCTION CO
8115474	26193	4207900000	108		C S DEAN A UNIT NO 35	SLAUGHTER	3.0	AMOCO PRODUCTION CO
8115770	27972	4211500000	108		MARY MATHIS NO. 2	TEX-HAMON	1.0	GETTY OIL CO
8115763	27933	4207900000	108		SOUTHWEST LEVELLAND #75	LEVELLAND	2.0	CITIES SERVICE CO
8115486	26282	4249531084	107		UNIVERSITY 32-21 #1U	WILDCAT	1460.0	INTRATEX GAS CO
8115761	27931	4207900000	108		XIT UNIT NO 100	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115762	21932	4207900000	108		XIT UNIT NO 115	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115764	27934	4207900000	108		XIT UNIT NO 138	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115760	27930	4207900000	108		XIT UNIT NO 156	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115759	27929	4207900000	108		XIT UNIT NO 52	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115755	27925	4207900000	108		XIT UNIT NO 69	LEVELLAND-SAN ANDRES	1.0	CITIES SERVICE CO
8115756	27926	4207900000	108		XIT UNIT NO 76	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115758	27928	4207900000	108		XIT UNIT NO 92	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
8115757	27926	4207900000	108		XIT UNIT NO 98	LEVELLAND - SAN ANDRES	1.0	CITIES SERVICE CO
-GRACE PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115587	26971	4228930346	102		SAVAGE NO 1	BEAR GRASS (COTTON VALLE	1250.0	DELHI GAS PIPELINE C
-GULF ENERGY PRODUCING COMPANY					RECEIVED: 01/30/81 JA: TX			
8115463	26052	4236332272	102		JENNIE EWTON #1 (88086)	METCALF BEND (STRAWN)	0.0	SOUTHWESTERN GAS P/L
8115462	26049	4236332371	102		JENNIE EWTON #3	METCALF BEND (STRAWN)	0.0	SOUTHWESTERN GAS P/L
-H & L OPERATING COMPANY					RECEIVED: 01/30/81 JA: TX			
8115826	28115	4219530729	103		GUTHRIE #1 RRC #87998	HANSFORD (MORROW MIDDLE)	200.0	NORTHERN NATURAL GAS
-H L BROWN JR					RECEIVED: 01/30/81 JA: TX			
8115592	27037	4248330598	103		G EDWARDS #1	LOTT RANCH (UPPER MORROW	36.5	MICHIGAN-WISCONSIN P
-HAMCO EXPLORATION & DEVELOPMENT CO					RECEIVED: 01/30/81 JA: TX			
8115781	28000	4244131560	103		B J TITTLE #2	SAM W (STRAWN SAND)	66.9	PALO DURO PIPELINE C
8115780	27999	4244131546	103		C R TITTLE #2	SAM W (STRAWN SAND)	93.6	PALO DURO PIPELINE C
-HARKEN OIL & GAS INCORP					RECEIVED: 01/30/81 JA: TX			
8115509	26412	4214330417	103		BOGGUS UNIT #2	SAP OAK (DUFFER)	123.0	NORTHERN GAS PRODUCT
8115721	27814	4236332250	103		MOORE #1	BRAZOS E (MARBLE FALLS)	182.5	INTRA-STATE GATHERIN
8115749	27885	4236332269	103		VAUGHAN #1	MINERAL WELLS S (GEORGIA	200.0	INTRA-STATE GATHERIN
-HARKINS & COMPANY					RECEIVED: 01/30/81 JA: TX			
8115747	27870	4242731390	102		COATES ESTATE NO 5	RINCON (VICKSBURG D)	73.0	
8115747	27870	4242731390	103		COATES ESTATE NO 5	RINCON (VICKSBURG D)	73.0	
-HINTON PRODUCTION COMPANY					RECEIVED: 01/30/81 JA: TX			
8115407	25863	4237330387	102		DORRANCE A NO 1 78580	GOAT HILL	151.0	ST REGIS PAPER CO
8115408	25866	4237330404	102		DORRANCE A NO 2	GOAT HILL	209.0	ST REGIS PAPER CO
-HOUSTON OIL & MINERALS CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115539	26658	4238331619	103		BOOK #1	CALVIN (DEAN)	180.0	UNION TEXAS PETROLEU
8115559	26784	4205130779	102		D M SKOPIK NO 1	GIDDINGS (AUSTIN CHALK)	106.0	CLAJON GAS CO

JD NO	DKT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
-HUGHES & HUGHES				RECEIVED: 01/30/81 JA: TX			
8115687	27598	4250731353	102	B K JOHNSON B #2-C	NORTE (OLMOS)	18.0	VALERO TRANSMISSION
8115689	27600	4250700000	102	B K JOHNSON B #2-T	NORTE (SAN MIGUEL) FIELD	73.0	VALERO TRANSMISSION
8115674	27484	4247932618	102	LINCOLN ESTATE #1	LINCOLN (WILLIAMSON 7480	730.0	HOUSTON PIPE LINE CO
-HUGHES & HUGHES OIL AND GAS				RECEIVED: 01/30/81 JA: TX			
8115580	26903	4242731269	102	LEE M GREEN #1	SUN NORTH (4430)	37.0	
-HUNT OIL COMPANY				RECEIVED: 01/30/81 JA: TX			
*8115488	26296	4236530614	102	LUKE MOTLEY UNIT 2 #1	CARTHAGE (COTTON VALLEY)	500.0	DELHI GAS PIPELINE C
-INDIAN WELLS OIL CO				RECEIVED: 01/30/81 JA: TX			
8115520	26553	4223531510	102	MCMANUS 44-1	PROBANDT (CANYON SAND)	300.0	NORTHERN NATURAL GAS
8115519	26552	4223531512	102	RICHEY 43 A-2	PROBANDT (CANYON SAND)	55.0	NORTHERN NATURAL GAS
-INEXCO OIL COMPANY				RECEIVED: 01/30/81 JA: TX			
8115660	27325	4221531018	102	TREVINO&LONGORIA HEIRS NO 1	GUADALUPE (CAVAZOS)	37.0	VALERO INTERSTATE TR
-INTERNATIONAL OIL & GAS CORP				RECEIVED: 01/30/81 JA: TX			
8115467	26091	4210532753	103	FORT LANCASTER #2	INGHAM DEVONIAN	360.0	EL PASO NATURAL GAS
-J & M WELL SERVICE INC				RECEIVED: 01/30/81 JA: TX			
8115594	27042	4242700000	108	EST OF F W SEABURY #2 RRC# 74075	ZIM-RICABY 1100	11.0	TENNESSEE GAS PIPELI
-J M HUBER CORPORATION				RECEIVED: 01/30/81 JA: TX			
8115491	26300	4210532186	103	UNIVERSITY 12-39 NO 1	BLOCK 39-B (ELLENBERGER)	164.0	EL PASO NATURAL GAS
-JACK L PHILLIPS				RECEIVED: 01/30/81 JA: TX			
8115558	26715	4236530829	102	CLAUD HOLDER NO 2	CARTHAGE (COTTON VALLEY)	109.0	NATURAL GAS PIPE LIN
-JACK WORSHAM				RECEIVED: 01/30/81 JA: TX			
8115588	26977	4223330764	103	BURNETT #1	PANHANDLE	3600.0	PANHANDLE EASTERN PI
8115830	28122	4223330905	103	BURNETT #3	PANHANDLE	0.0	PANHANDLE EASTERN PI
-JOHN L COX				RECEIVED: 01/30/81 JA: TX			
8115725	21026	4230930867	103	FRANKLIN #3 RRC #23224	SPRABERRY (TREND AREA)	10.0	EL PASO NATURAL GAS
-K&H LTD				RECEIVED: 01/30/81 JA: TX			
8115470	26135	4250531212	102	L F VELA NO 4	EL GRULLO (7780)	800.0	INTRASTATE GATHERING
-K-B EXPLORATION CO				RECEIVED: 01/30/81 JA: TX			
8115468	26130	4248131944	102	ALLEN PEIKERT NO 3	N SPANISH CAMP (FRIO 425	400.0	HOUSTON PIPE LINE CO
-KASLE ENERGY INC				RECEIVED: 01/30/81 JA: TX			
8115787	28010	4236731871	103	BENNETT #1 - C (88976)	MOBY DICK (STRAWN)	0.0	SOUTHWESTERN GAS PIP
8115786	28009	4236731871	103	BENNETT #1 - T (88908)	MOBY DICK (CONGL)	4000.0	SOUTHWESTERN GAS PIP
-KEITH D GRAHAM				RECEIVED: 01/30/81 JA: TX			
8115618	27139	4205130847	102	MAREK-BUNDICK UNIT #1	GIDDINGS (AUSTIN CHALK)	153.6	CLAJON GAS CO
-KERR-MCGEE CORPORATION				RECEIVED: 01/30/81 JA: TX			
8115815	28090	4223330847	103	COCKRELL NO 30	PANHANDLE (HUTCHINSON)	26.0	GETTY OIL CO
8115694	27642	4234130585	103	EMMA MCDOWELL NO 8	PANHANDLE	33.0	PHILLIPS PETROLEUM C
8115670	27407	4235731016	102	I R SIMMONS 1176 NO 2	RICKS (MORROW UPPER)	62.0	HIGH PLAINS NATURAL
8115816	28091	4223330778	103	PITTS NO 103	PANHANDLE (HUTCHINSON)	23.0	GETTY OIL CO
8115814	28089	4223330775	103	PITTS NO 105	PANHANDLE (HUTCHINSON)	33.0	GETTY OIL CO
-KILLAM & HURD LTD				RECEIVED: 01/30/81 JA: TX			
8115479	26212	4217531344	102	HATTENBACH NO 2	COLLETOVILLE CREEK FIELD	73.0	
8115469	26133	4246931569	102	N L DIETZEL NO 1	COLLETOVILLE CREEK (4100	300.0	
-KILROY CO OF TEXAS				RECEIVED: 01/30/81 JA: TX			
8115531	26624	4217500000	102	JOHN HOFF NO 1	PECK (FRIO 3400)	146.0	TRANSCONTINENTAL GAS
-KNOX INDUSTRIES INC				RECEIVED: 01/30/81 JA: TX			
8115771	27973	4238331675	103	TALLEY A NO 1	SPRABERRY TREND AREA	0.0	
-L W LESIKAR				RECEIVED: 01/30/81 JA: TX			
8115673	27433	4236731832	103	PURYEAR-LESIKAR UNIT NO 1	TOTO (CADDO CONGLOMERATE	128.0	NATURAL GAS PIPELINE
-L W YAGER DBA JYM OIL & GAS				RECEIVED: 01/30/81 JA: TX			
8115514	26450	4223700000	108	W D MOTT # 1	DEES ATOKA CONGLOMERATE	17.4	LONE STAR GAS CO

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
-LAMBERT HOLLUB DRILLING CO					RECEIVED: 01/30/81 JA: TX			
8115722	27820	4205130710	102		FARMER NO 1	HOOKER CREEK (NAVARRO A)	72.0	
8115723	27821	4228730504	102		PEEBLES NO 1	HOOKER CREEK (NAVARRO A)	10.8	
-LEEDE OIL & GAS INC					RECEIVED: 01/30/81 JA: TX			
8115681	27544	4238331657	103		JP #1	FARMER (SAN ANDRES)	1.0	J L DAVIS
8115678	27541	4238331658	103		JP #2	FARMER (SAN ANDRES)	1.0	J L DAVIS
8115680	27543	4238331659	103		JP #3	FARMER (SAN ANDRES)	1.0	J L DAVIS
8115679	27542	4238331660	103		JP #4	FARMER (SAN ANDRES)	1.0	J L DAVIS
-LENOIR M JOSEY INC					RECEIVED: 01/30/81 JA: TX			
8115829	28120	4208900000	102		BEN WALIGURA ET AL UNIT NO 1	GARWOOD NORTH (3590)	365.0	
-LIFESTYLE ENERGY CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115828	28117	4239931517	103		F N ROBINSON NO 1	DEIKE FRY	54.7	UNION TEXAS PETROLEU
-MAY PETROLEUM INC					RECEIVED: 01/30/81 JA: TX			
8115662	27391	4229530825	103		HEIL #2	FOLLETT (MORROW UPPER)	110.0	NORTHERN NATURAL GAS
-NEWBOURNE OIL COMPANY					RECEIVED: 01/30/81 JA: TX			
8115503	26381	4229530851	103		FRASS 68 #3-A ID #04470	FRASS (TONKAWA)	50.0	TRANSWESTERN PIPELIN
8115740	27849	4235731033	103		JUDICE #5 ID #04414	BULER NORTH	10.0	TRANSWESTERN PIPELIN
-NGF OIL CORP					RECEIVED: 01/30/81 JA: TX			
8115754	27917	4211531374	103		KOSLAN #1	ACKERLY (DEAN SAND)	29.8	
-MITCHELL ENERGY CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115567	26827	4249731589	103		CHANDLER DAVIS #2	BOONSVILLE (BEND CONGL G	0.0	NATURAL GAS PIPELINE
8115803	28049	4236300000	108		J R HALSELL #13 (39978)	GRAFORD WEST (CADDO CONG	8.0	SOUTHWESTERN GAS PIP
8115805	28059	4236700000	108		L W RAGLE #1 (34842)	DICEY (5200)	5.0	SOUTHWESTERN GAS PIP
8115477	26202	4223733047	103		OLIVER LOVING #1	JERMYN WEST (CADDO)	75.0	
8115804	28050	4236300000	108		R H GAULDIN #2 (41786)	GRAFORD WEST (CADDO CONG	10.0	SOUTHWESTERN GAS PIP
8115806	28061	4236300000	108		W T GREEN #1 (37089)	GRAFORD WEST (CADDO CONG	8.6	SOUTHWESTERN GAS PIP
8115515	26455	4249700000	108		WALTER R BENNETT #1 41506	BOONESVILLE (BEND CONGL	12.0	NATURAL GAS PIPELINE
-MOBIL PROD TEXAS & NEW MEXICO INC					RECEIVED: 01/30/81 JA: TX			
8115810	28084	4237133091	103		CHARLES B ATHEY NO 3	COYANOSA NORTH (DELAWARE	164.6	EL PASO NATURAL GAS
8115789	28013	4217900000	108		FEE LAND 227 #14	PANHANDLE WEST	7.0	PHILLIPS PETROLEUM C
8115676	27511	4237133090	103		FRED SCHLOSSER ESTATE B #2	ROJO CABALLOS (DELAWARE)	186.2	EL PASO NATURAL GAS
*8115472	26157	4247931890	102		GUILLERMO GARZA B NC 1	DOS PAYASOS E (WILCOX 72	84.3	UNITED TEXAS TRANSMI
*8115813	28087	4237133146	103		JAMES O NEAL NO 11	COYANOSA NORTH (DELAWARE	14.2	EL PASO NATURAL GAS
*8115812	28086	4237133137	103		JAMES O NEAL NO 9	COYANOSA NORTH (DELAWARE	17.5	EL PASO NATURAL GAS
8115811	28085	4233531700	103		MARY FOSTER NO 135	IATAN EAST HOWARD	0.4	GETTY OIL CO
-MONSANTO COMPANY					RECEIVED: 01/30/81 JA: TX			
8115533	26628	4207931172	103		BANK #53-10	LEVELLAND	3.4	CITIES SERVICE CO
8115532	26627	4207931235	103		BANK #53-13	LEVELLAND	2.4	CITIES SERVICE CO
8115536	26634	4207931173	103		BANK #53-14	LEVELLAND	2.3	CITIES SERVICE CO
8115535	26630	4207931138	103		BANK #53-8	LEVELLAND	2.7	CITIES SERVICE CO
8115534	26629	4207931236	103		BANK #53-9	LEVELLAND	1.8	CITIES SERVICE CO
8115573	26889	4207931191	103		DYKE #59-10	LEVELLAND	1.7	CITIES SERVICE CO
8115572	26888	4207931164	103		DYKE #59-13	LEVELLAND	6.2	CITIES SERVICE CO
8115571	26887	4207931192	103		DYKE #59-14	LEVELLAND	1.8	CITIES SERVICE CO
8115574	26890	4207931140	103		DYKE #59-9	LEVELLAND	3.4	CITIES SERVICE CO
8115575	26891	4207931214	103		RITA #52-1	LEVELLAND	2.9	CITIES SERVICE CO
8115552	26701	4207931144	103		RITA #52-11	LEVELLAND	0.1	CITIES SERVICE CO
8115553	26702	4207941189	103		RITA #52-13	LEVELLAND	4.9	CITIES SERVICE CO
8115554	26703	4207931202	103		RITA #52-14	LEVELLAND	0.7	CITIES SERVICE CO
8115556	26705	4207931180	103		RITA #52-3	LEVELLAND	2.3	CITIES SERVICE CO
8115549	26698	4207931178	103		RITA #52-4	LEVELLAND	1.1	CITIES SERVICE CO
8115550	26699	4207931212	103		RITA #52-5	LEVELLAND	4.5	CITIES SERVICE CO

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115555	26704	4207931215	103		RITA #52-6	LEVELLAND	1.8	CITIES SERVICE CO
8115551	26700	4207931205	103		RITA #52-9	LEVELLAND	5.3	CITIES SERVICE CO
8115528	26612	4207931200	103		WOOD NO 46-11	LEVELLAND	5.6	CITIES SERVICE CO
8115527	26611	4207931201	103		WOOD NO 46-12	LEVELLAND	3.4	CITIES SERVICE CO
8115526	26610	4207931141	103		WOOD NO 46-15	LEVELLAND	2.1	CITIES SERVICE CO
8115525	26609	4207931177	103		WOOD NO 46-16	LEVELLAND	10.3	CITIES SERVICE CO
8115530	26614	4207931232	103		WOOD NO 46-7	LEVELLAND	2.3	CITIES SERVICE CO
8115529	26613	4207903121	103		WOOD NO 46-8	LEVELLAND	3.6	CITIES SERVICE CO
-MORAN EXPLORATION INC					RECEIVED: 01/30/81 JA: TX			
8115692	27633	4223531316	108		CHILDRESS #2	ELA SUGG (WOLFCAMP)	8.8	NORTHERN NATURAL GAS
8115693	27635	4238330267	108		ROCKER B -O- #1 (06156)	SPRABERRY (TREND AREA)	4.7	NORTHERN NATURAL GAS
-MORMAC OIL & GAS CO					RECEIVED: 01/30/81 JA: TX			
8115562	26809	4250531188	102		VELA GAS UNIT NO 1	ROLETA (8200) - (PROPOSE	550.0	DELHI GAS PIPELINE C
-MUSTANG EXPLORATION CO INC					RECEIVED: 01/30/81 JA: TX			
8115507	26395	4246931300	102		GERDES #4	NURSERY (3440)	120.0	RAY ENERGY CORP
-NAPECO INC					RECEIVED: 01/30/81 JA: TX			
8115675	27498	4244330196	102		ALLISON #A-1	WILBOURNE (DETRITAL)	110.0	NATURAL GAS PIPELINE
8115778	27991	4221100000	102		CIRCLE DOT RANCH UNIT NO 1	CIRCLE DOT (ATOKA)	202.0	NATURAL GAS PIPELINE
8115777	27990	4221100000	102		MILLER-NEECE UNIT #1-240	CIRCLE DOT (UPPER MORROW	289.0	NATURAL GAS PIPELINE
8115671	27422	4244330077	102		RASHAP #1	RASHAP (PENN)	110.0	NATURAL GAS PIPELINE
-NORTH CENTRAL OIL CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115769	27965	4221500000	108		H L MARTIN NO 1 (84378)	PENITAS (7400)	13.0	CENTRAL POWER & LIGH
-NORTH STAR PETROLEUM CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115496	26312	4223300000	108		E P HACKLEY #1 (42528)	PANHANDLE E (ALBANY DOL	20.2	DIAMOND SHAMROCK COR
-O H BERRY					RECEIVED: 01/30/81 JA: TX			
8115478	26205	4223500000	103		FAWN A-1	SIXTY-SEVEN CANYON	6.0	NORTHERN NATURAL GAS
-OIL AND GAS CO					RECEIVED: 01/30/81 JA: TX			
8115817	28099	4205100000	102		W E ALLEY UNIT #1	GIDDINGS (AUSTIN CHALK)	27.4	FERGUSON CROSSING PI
-PALO PETROLEUM INC					RECEIVED: 01/30/81 JA: TX			
8115696	27650	4213332411	103		FLEMING NO 1	BLIND HOG (RANGER)	36.5	ODESSA NATURAL CORP
-PALO-PLACER					RECEIVED: 01/30/81 JA: TX			
8115727	27830	4246131491	103		AMACKER 46-1	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
8115726	27829	4246131492	103		AMACKER 46-2	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
8115728	27831	4246131521	103		AMACKER 46-3	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
8115730	27833	4246131529	103		MCDANIEL 36-1	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
8115729	27832	4246131530	103		MCDANIELS 36-2	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
8115731	27834	4246131544	103		WILSON 45-1	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
-PARKER & PARSLEY INC					RECEIVED: 01/30/81 JA: TX			
8115792	28018	4232930919	103		ANDREW BRADFORD NO 1	SPRABERRY (TREND AREA)	15.0	EL PASO NATURAL GAS
8115791	28015	4232930918	103		JACKSON A NO 1	SPRABERRY (TREND AREA)	15.0	PHILLIPS PETROLEUM C
8115485	26276	4217331045	103		WALTON A NO 1	SPRABERRY (TREND AREA)	15.0	PHILLIPS PETROLEUM C
8115790	28014	4232930912	103		WINDHAM NO 1	PEGASUS (SPRABERRY)	15.0	PHILLIPS PETROLEUM C
-PEERLESS OIL CO INC					RECEIVED: 01/30/81 JA: TX			
8115711	27733	4235731887	102		WYLER #1	WEATHERFORD ATOKA (UPPER	28.0	NATURAL GAS PIPELINE
-PENNZOIL PRODUCING COMPANY					RECEIVED: 01/30/81 JA: TX			
8115458	25989	4221530433	103		ADERHOLD UNIT NO 5-U	SAN CARLOS (FF-2)	219.0	TRUNKLINE GAS CO
8115658	27298	4235531248	103		E A KINSEY NO A-3	AGUA DULCE (YAHUDE RESER	450.0	UNITED GAS PIPE LINE
8115457	25988	4235500000	103		E A KINSEY NO B-3-F	AGUA DULCE (WINFIELD STR	43.0	UNITED GAS PIPE LINE
-PETROLERO EXPLORATIONS INC					RECEIVED: 01/30/81 JA: TX			
8115767	27959	4239931046	102		C R YATES #1 - 08151	OUTLAWS (GOEN REEF)	0.0	UNION OF TEXAS PETRO
8115766	27958	4239931525	102		PRICE #1 - 08278	OUTLAWS (GOEN REEF)	51.5	UNION TEXAS PETROLEU
-PHILLIPS PETROLEUM COMPANY					RECEIVED: 01/30/81 JA: TX			

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115623	27198	4213533350	103		(18713) GOLDSMITH ADOBE UT #18-7	GOLDSMITH (5600)	24.0	EL PASO NATURAL GAS
8115796	28035	4238300744	108		JEFFS #2 (01612)	SPRABERRY (TREND AREA)	14.0	NORTHERN NATURAL GAS
8115797	28037	4237103785	108		ODOM-D #2 (20644)	PUCKETT (ELLENBURGER)	16.0	NORTHERN NATURAL GAS
8115768	27963	4240130000	108		PENNY #2	EAST TEXAS	0.8	PARADE CO
-PIONEER PRODUCTION CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115750	27889	4239330800	103		FIELDS-MAHLER #5-98	MENDOTA NW	275.0	PIONEER NATURAL GAS
8115624	27205	4229500000	103		JOE IMKE #2-982	N MAMMOTH CREEK	110.0	NORTHERN NATURAL GAS
-POGO PRODUCING COMPANY					RECEIVED: 01/30/81 JA: TX			
8115501	26371	4224531384	102		MCFADDIN TRUST #1	FRENCH ISLAND (MARGL)	180.0	WINNIE PIPELINE CO
-POLK & PATTON INC					RECEIVED: 01/30/81 JA: TX			
8115538	26655	4236332330	102		RIDGEWOOD ESTATES #1	MINERAL WELLS S (CONGL)	127.7	SOUTHWESTERN GAS PIP
-PYRAMID EXPLORATION					RECEIVED: 01/30/81 JA: TX			
8115724	27822	4240730419	102		ELMORE NC L 88298	FLORES (10970)	150.0	TEXAS EASTERN TRANSM
-R L BURNS CORP					RECEIVED: 01/30/81 JA: TX			
8115702	27695	4247931331	103		RETTIG NO 13	SEGUNDO (OLMOS)	17.8	HOUSTON PIPE LINE CO
8115703	27696	4247931402	103		RETTIG NO 21	SEGUNDO (OLMOS)	34.6	HOUSTON PIPE LINE CO
8115704	27697	4247931547	103		RETTIG NO 23	SEGUNDO (OLMOS)	27.7	HOUSTON PIPE LINE CO
8115705	27698	4247931741	103		RETTIG NO 24-A	SEGUNDO (OLMOS)	137.9	HOUSTON PIPE LINE CO
8115706	27699	4247931803	103		RETTIG NO 25	SEGUNDO (OLMOS)	70.3	HOUSTON PIPE LINE CO
8115707	27700	4247931802	103		RETTIG NO 26	SEGUNDO (OLMOS)	124.1	HOUSTON PIPE LINE CO
8115708	27701	4247931812	103		RETTIG NO 27	SEGUNDO (OLMOS)	339.0	HOUSTON PIPE LINE CO
-R LACY INC					RECEIVED: 01/30/81 JA: TX			
8115739	27848	4236531024	103		CAMERON UNIT 3 #5	CARTHAGE (TRAVIS PEAK LO	206.0	ARKANSAS LOUISIANA G
8115738	27847	4220330594	103		VERHALEN #7	WASKOM (COTTON VALLEY)	35.0	ARKANSAS LOUISIANA G
8115737	27846	4220330700	103		VERHALEN UNIT #11	SCOTTSVILLE SW (PAGE)	146.0	ARKANSAS LOUISIANA G
-REALITOS ENERGY CORP					RECEIVED: 01/30/81 JA: TX			
8115502	26380	4248131987	102		MRNUSTIK GAS UNIT NO 1	WILDCAT-PROPOSED JONES C	0.0	TRANSCONTINENTAL GAS
8115776	27988	4246931561	103		WELDON L SCHMIDT NC 1	COLOGNE (4700)	0.0	TENNESSEE GAS PIPELI
8115508	26407	4248131902	102		WENDEL-HARRIS NO 2	WILDCAT-PROPOSED WHARTON	365.0	HOUSTON PIPE LINE CO
-REALITOS IV EXPLORATION PROGRAM					RECEIVED: 01/30/81 JA: TX			
8115557	26706	4246931560	102		AGNES MURPHY NO 1	WILDCAT - PROPOSED GAFFN	365.0	DELHI GAS PIPELINE C
-REPUBLIC OIL & GAS CORP					RECEIVED: 01/30/81 JA: TX			
8115406	25852	4242731408	102		ELCY #1	KELSEY SOUTH (5730) FIEL	20.0	SUN GAS CO
-ROCKWOOD RESOURCES INC					RECEIVED: 01/30/81 JA: TX			
8115718	27801	4223931474	103		BENNIE NO 1	GANADO E (WHISLER)	0.0	LONE STAR GAS CO
8115717	27799	4248131796	102		EDWARD L FRELS NO 1	JONES CREEK N (5050)	0.0	FLORIDA GAS TRANSMIS
8115586	26967	4248131890	102		KELLY NO 1	HILLJE (7140 FRIO) FIELD	0.0	LONE STAR GAS CO
-RYDER SCOTT OIL CO					RECEIVED: 01/30/81 JA: TX			
8115802	28047	4207731558	102		WINKLER #1	WINKLER (CONGL)	30.0	TEXAS UTILITIES FUEL
-SAMEDAN OIL CORPORATION					RECEIVED: 01/30/81 JA: TX			
8115576	26892	4270230122	102		STATE TRACT 818-L #C-1	MSTG IS BLK 818L & 820L	900.0	EL PASO NATURAL GAS
-SANCHEZ-OBRIEN MINERALS CORP					RECEIVED: 01/30/81 JA: TX			
8115497	26321	4250531185	102		3-D RANCHES LTD GU NO 1	BLANCAS CREEK (8600) PRO	500.0	TRANSCONTINENTAL GAS
-SANTA FE ENERGY COMPANY					RECEIVED: 01/30/81 JA: TX			
8115483	26253	4216531507	103		FOLK A #5	HANFORD (SAN ANDRES)	9.0	
-SAXON OIL COMPANY					RECEIVED: 01/30/81 JA: TX			
8115827	28116	4238331665	103		STATE EIGHT NO 1	SPRABERRY (TREND AREA)	26.7	PHILLIPS PETROLEUM C
-SAYERS OPERATING CO					RECEIVED: 01/30/81 JA: TX			
8115610	27104	4203330521	103		CLAYTON-JOHNSON RRC # 62529	GOOD	28.0	GETTY OIL CO
8115609	27103	4222732119	103		HELEN RRC # 25898	COAHOMA N (FUSSELMAN)	0.0	GETTY OIL CO
8115584	26938	4203330566	103		JONES NO 1 62940	SEVEN-J (STRAWN)	30.0	SUN GAS CO
-SEARCH DRILLING CO					RECEIVED: 01/30/81 JA: TX			

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8115513	26446	4248330648	107		FARRIS C NO 2-18	FARRIS-HUNTON	2500.0	EL PASO NATURAL GAS
-SERVICE DRILLING CO			RECEIVED: 01/30/81 JA: TX					
8115682	27552	4223300000	108		W A CARVER A #7	PANHANDLE	0.3	DIAMOND SHAMROCK COR
-SHELL OIL CO			RECEIVED: 01/30/81 JA: TX					
8115614	27117	4221530927	103		BOSTON-TEXAS LAND TRUST #13	JAVELINA (VICKSBURG LO 1	150.0	NATURAL GAS PIPELINE
8115669	27405	4249531225	103		SEALY SMITH FOUNDATION #182A	MONAHANS (CLEAR FORK)	73.0	EL PASO NATURAL GAS
8115643	27254	4213300000	108		SLATOR B #7	TXL (SAN ANDRES)	9.1	SHELL OIL CO
8115644	27255	4213300000	108		SLATOR B #8	TXL (SAN ANDRES)	9.1	SHELL OIL CO
8115635	27243	4213300000	108		SLATOR E-#12L	TXL (DEVONIAN)	7.9	SHELL OIL CO
8115637	27247	4213300000	108		THOMAS B TR #II #13	TXL (SAN ANDRES)	1.0	SHELL OIL CO
8115636	27246	4213300000	108		THOMAS B TR #II #15	TXL (SAN ANDRES)	1.6	SHELL OIL CO
8115638	27248	4213300000	108		THOMAS B TR #II #7U	TXL (SAN ANDRES)	1.0	SHELL OIL CO
8115640	27250	4213300000	108		THOMAS B TR 1 #14	TXL (SAN ANDRES)	1.0	SHELL OIL CO
8115639	27249	4213300000	108		THOMAS B TR 1 #16	TXL (SAN ANDRES)	1.4	SHELL OIL CO
8115648	27260	4213300000	108		THOMAS C #6U	TXL (SAN ANDRES)	0.0	SHELL OIL CO
8115647	27259	4213300000	108		THOMAS C #8	TXL (SAN ANDRES)	0.0	SHELL OIL CO
8115645	27256	4213300000	108		THOMAS DEE #6	TXL (SAN ANDRES)	0.0	SHELL OIL CO
8115629	27236	4213300000	108		TXL NORTH UNIT NO 621L	TXL (TUBB)	7.0	SHELL OIL CO
8115628	21233	4213300000	108		TXL NORTH UNIT NO 642L	TXL (TUBB)	2.0	SHELL OIL CO
8115627	27234	4213300000	108		TXL NORTH UNIT NO 738	TXL (TUBB)	0.8	SHELL OIL CO
8115656	27268	4213300000	108		TXL NORTH UNIT NO 740	TXL (TUBB)	0.5	SHELL OIL CO
8115655	27267	4213300000	108		TXL NORTH UNIT NO 745L	TXL (TUBB)	1.3	SHELL OIL CO
8115654	27266	4213300000	108		TXL NORTH UNIT NO 753	TXL (TUBB)	0.0	SHELL OIL CO
8115653	27265	4213300000	108		TXL NORTH UNIT NO 757	TXL (TUBB)	2.7	SHELL OIL CO
8115652	27264	4213300000	108		TXL NORTH UNIT NO 776	TXL (TUBB)	5.5	SHELL OIL CO
8115651	27263	4213300000	108		TXL NORTH UNIT NO 778	TXL (TUBB)	0.0	SHELL OIL CO
8115642	27252	4213300000	108		TXL-D-#7	TXL (SAN ANDRES)	3.3	SHELL OIL CO
8115641	27251	4213300000	108		TXL-D-#8	TXL (SAN ANDRES)	2.8	SHELL OIL CO
8115632	27240	4213300000	108		TXL-DEVONIAN MAIN PAY UT #303	TXL (DEVONIAN-MAIN PAY)	3.2	SHELL OIL CO
8115631	27239	4213300000	108		TXL-DEVONIAN MAIN PAY UT #503	TXL (DEVONIAN-MAIN PAY)	0.0	SHELL OIL CO
8115630	21231	4213300000	108		TXL-DEVONIAN MAIN PAY UT #603	TXL (DEVONIAN-MAIN PAY)	13.4	SHELL OIL CO
8115646	27258	4213300000	108		TXL-K-TR 1 #17	TXL (SAN ANDRES)	0.0	SHELL OIL CO
8115649	27261	4213300000	108		TXL-L-A/C 1 WELL #35	GOLDSMITH W (SAN ANDRES)	12.3	SHELL OIL CO
8115650	27262	4213300000	108		TXL-L-A/C 1 WELL #7	GOLDSMITH W (SAN ANDRES)	4.0	SHELL OIL CO
8115634	27242	4213300000	108		TXL-M-#4	TXL (SAN ANDRES)	12.1	SHELL OIL CO
8115633	27241	4213300000	108		TXL-M-#5	TXL (SAN ANDRES)	10.5	SHELL OIL CO
8115613	27116	4221530974	103		WOODS CHRISTIAN NO 24	MCALLEN RANCH (VICKSBURG	200.0	VALERO INTERSTATE TR
-SMACKOVER SHELL LIMITED			RECEIVED: 01/30/81 JA: TX					
8115596	27049	4221330049	102		A G JONES GU #1 WELL #1	EUSTACE (SMACKOVER)	1600.0	LONE STAR GAS CO
8115751	27907	4221330215	102		JOHNNIE MOSELEY UNIT 1 NO 2	EUSTACE (SMACKOVER)	1800.0	LONE STAR GAS CO
-SOHIO PETROLEUM CO			RECEIVED: 01/30/81 JA: TX					
8115657	27281	4224731219	103		S K EAST NO 429	PRADO (COMBINED ZONES)	314.0	VALERO INTERSTATE TR
*8115570	26878	4217331048	103		SPRABERRY DRIVER UT NO 872	SPRABERRY (TREND AREA)	13.0	EL PASO NATURAL GAS
-SUBURBAN PROPANE GAS CORP			RECEIVED: 01/30/81 JA: TX					
8115565	26823	4210532885	103		MEYBIN 4 NO 4	DAVIDSON RANCH (PENN 789	110.0	NORTHERN NATURAL GAS
-SUN OIL COMPANY (DELAWARE)			RECEIVED: 01/30/81 JA: TX					
8115512	26445	4213500000	108		FOSTER JOHNSON UNIT NO 15-7	FOSTER (GRAYBURG)	1.0	ODESSA NATURAL CORP
8115621	27191	4222700000	108		L C DENMAN -C- NO 8	IATAN E HOWARD	0.0	GETTY OIL CO
8115541	26671	4222700000	108		WARDER NO 18	HOWARD-GLASSCOCK	0.2	PHILLIPS PETROLEUM C
8115540	26670	4222700000	108		WARDER NO 36	HOWARD-GLASSCOCK	0.4	PHILLIPS PETROLEUM C
-SUPERIOR OIL CO			RECEIVED: 01/30/81 JA: TX					
8115779	27995	4228730736	103		EDGMON-CAMERON NO 3	GIDDINGS (AUSTIN CHALK)	360.0	

JD NO	JA DKT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
-T A D ENERGY				RECEIVED: 01/30/81 JA: TX			
8115697	27663	4236332377	103	J T COOK NO 1	PERRIN SW (CONGL 4850)	0.0	LONE STAR GAS CO
-TAMPA COVE INVESTMENTS INC				RECEIVED: 01/30/81 JA: TX			
8115451	25948	4220130985	102	ALTA G LONGENBAUGH UNIT #1	CYPRESS W WILCOX (C-6) P	250.0	TRUNKLINE GAS CO
-TAYLOR OPERATING COMPANY				RECEIVED: 01/30/81 JA: TX			
8115683	27570	4223700000	103	MIDDLEBROOKS-CAMPSEY NC 2 (89405)	BOONSVILLE (BEND CONGL G	0.0	NATURAL GAS PIPE CO
-TENNECO OIL COMPANY				RECEIVED: 01/30/81 JA: TX			
8115487	26283	4242731429	102	T B SLICK ESTATE NC 73	HINDE	400.0	TENNESSEE GAS PIPELI
-TERRA RESOURCES INC				RECEIVED: 01/30/81 JA: TX			
8115720	27810	4248131849	102	ELIZABETH HARRISON #1	WHARTON WEST	169.0	NATURAL GAS PIPELINE
-TERRELL OIL CO				RECEIVED: 01/30/81 JA: TX			
8115589	26980	4215131061	102	JAKE T WEIR NO 1 (16127)	HAMLIN NORTH (CANYON)	85.0	PALO DURO PIPELINE C
-TEXACO INC				RECEIVED: 01/30/81 JA: TX			
8115672	27427	4224731225	102	A K EAST FEE #19	BLACK DIAMOND (PETTUS 1)	30.7	VALERO TRANSMISSION
8115471	26140	4232930889	102	FIRST UNITED METH CHURCH #1	BRADFORD RANCH (ATOKA)	281.0	
8115581	26904	4226130488	102	YTURRIA L & C NCT-1 #42-U	RAYMONDVILLE (A-6)	37.0	TENNESSEE GAS PIPELI
-TEXAS INTERNATIONAL PET CORP				RECEIVED: 01/30/81 JA: TX			
8115545	26688	4205130757	102	CRUMP-GIESSEL #1	GIDDINGS (AUSTIN CHALK)	144.0	CLAJON GAS CO
8115546	26689	4205130773	102	LOCKHART-FASKE #1	GIDDINGS (AUSTIN CHALK)	144.0	CLAJON GAS CO
8115410	25868	4220300000	108	THOMPSON #1	BETHANY	7.1	UNITED GAS PIPELINE
-TEXAS OIL & GAS CORP				RECEIVED: 01/30/81 JA: TX			
8115524	26602	4223500000	103	WINTERBOTHAM F #2	DOVE CREEK (CANYON D)	183.0	COLUMBIA GAS TRANSMI
-TEXAS PACIFIC OIL COMPANY INC				RECEIVED: 01/30/81 JA: TX			
8115615	27118	4246131562	102	DAMRON C #1	HELUMA S E	1.2	PHILLIPS PETROLEUM C
-THREE-B OIL CO				RECEIVED: 01/30/81 JA: TX			
8115455	25981	4210532741	103	SHANNON LINDA #1	NOELKE N E (QUEEN)	0.0	EL PASO NATURAL GAS
-TOMLINSON OIL CO INC				RECEIVED: 01/30/81 JA: TX			
*8115695	27648	4250131845	103	OBERHOLTZER #2	REEVES (SAN ANDRES)	8.6	PHILLIPS PETROLEUM C
-TOWNSEND CO				RECEIVED: 01/30/81 JA: TX			
8115542	26677	4239900000	103	CHARLES MATSCHEK NC 2-L	ROWENA NORTH (GARDNER LI	25.0	LONE STAR GAS CO
8115543	26678	4239900000	103	CHARLES MATSCHEK NC 2-U	ROWENA NORTH (CAPPS UPPE	25.0	LONE STAR GAS CO
8115544	26679	4239900000	103	CHARLES MATSCHEK NC 5	ROWENA NORTH (CAPPS LOWE	25.0	LONE STAR GAS CO
-TUCKER DRILLING COMPANY INC				RECEIVED: 01/30/81 JA: TX			
8115510	26417	4223531522	103	FRANK LINDLEY #3	CHRISTI (CANYON 6800)	36.0	CRA INC
-UNION OIL COMPANY OF CALIF				RECEIVED: 01/30/81 JA: TX			
8115698	27670	4213533338	103	MOSS UNIT #1-10	COWDEN SOUTH	10.0	ODESSA NATURAL CORP
-UNITED PETROSEARCH INC				RECEIVED: 01/30/81 JA: TX			
8115800	28044	4217930717	103	BAILEY-JOHNSON #1	EAST PANHADLE GAS	76.7	PHILLIPS PETROLEUM C
8115801	28046	4217930721	103	F BAILEY #1	EAST PANHADLE GAS	21.2	PHILLIPS PETROLEUM C
8115799	28043	4217930716	103	J BAILEY #1	EAST PANHANDLE GAS	0.0	PHILLIPS PETROLEUM C
8115798	28042	4217930718	103	L HARLAN #1	EAST PANHADLE GAS	23.7	PHILLIPS PETROLEUM C
-W C S PETROLEUM INC				RECEIVED: 01/30/81 JA: TX			
8115411	25883	4205130738	102	JOHN LAWRENCE UNIT #1	GIDDINGS (AUSTIN CHALK)	0.0	CLAJON GAS CO
-W M NULL				RECEIVED: 01/30/81 JA: TX			
8115591	27018	4212731892	102	STUMBERG RANCH #1 (#06089)	STUMBERG (OLMOS 4150)	14.0	VALERO TRANSMISSION
8115591	27018	4212731892	103	STUMBERG RANCH #1 (#06089)	STUMBERG (OLMOS 4150)	14.0	VALERO TRANSMISSION
-WALSH AND WATTS INC				RECEIVED: 01/30/81 JA: TX			
8115700	27672	4215100000	103	BOYD D #6 (10970)	JUDY GAIL (CANYON SAND)	0.0	LONE STAR GAS CO
8115699	27671	4215100000	103	BOYD D #7 (10970)	JUDY GAIL (CANYON SAND)	0.0	LONE STAR GAS CO
8115795	28034	4249500000	108	COLBY NO 3 (03202)	KERMIT	18.0	CABOT CORP
8115744	27856	4215100000	103	YORK NO 1 (15270)	JUDY GAIL (CANYON SAND)	0.0	LONE STAR GAS CO
8115745	27857	4215100000	103	YORK NO 2 (15270)	JUDY GAIL (CANYON SAND)	0.0	LONE STAR GAS CO

JD NO	DA DKT	API NO	SEC	D	WELL NAME
-WALTER EXPLORATION INC					RECEIVED: 01/30/81 JA: TX
8115772	27979	4236332301	103		RICHARDSON GAS UNIT NO 1
-WARREN PETR CO A DIV OF GULF OIL CO					RECEIVED: 01/30/81 JA: TX
8115734	27843	4210332270	103		HATTIE CONNELL ET AL NO A-22
8115823	28108	4210332246	103		J V TERRILL A NO 12
8115824	28109	4210332247	103		J V TERRILL A NO 13
8115822	28107	4210332251	103		STATE EB NO 9
8115821	28106	4210332258	103		STATE EC NO 5
8115820	28105	4210300000	103		STATE EE NO 7
8115735	27844	4210332287	103		TUBB NO 5
8115461	26035	4247532041	103		UNIVERSITY 18-29 WELL NO 2
8115733	27842	4210332261	103		W A ESTES NO 108
-WAYMAN W BUCHANAN					RECEIVED: 01/30/81 JA: TX
8115684	27572	4246131575	103		CONNELL EST A NO 1
8115685	27574	4246131462	103		CONNELL EST NO 2
8115659	27324	4214930527	103		M M MCCOLLUM NO 1
-WESTLAND OIL DEVELOPMENT CORP					RECEIVED: 01/30/81 JA: TX
8115560	26786	4200331178	103		UNIVERSITY 6-25SE NO 1
-WILBROOK EXPLORATION INC					RECEIVED: 01/30/81 JA: TX
8115691	27608	4213332255	103		HALEY-HUNTER NO 1 (16131)
8115548	26694	4213331899	103		HANCOCK #2-C (85408)
8115547	26693	4213331900	103		HANCOCK #3 (84795)
8115690	27603	4213332112	103		JUANITA MASSENGALE A NC 2 (16038)
-WINDSOR PRODUCING CO					RECEIVED: 01/30/81 JA: TX
8115709	27703	4205130531	103		KNOX #1
8115710	27716	4228730355	103		STORK #1
-WORLD PRODUCERS INC					RECEIVED: 01/30/81 JA: TX
8115719	27809	4236731762	102		L S BYRD #4
8115742	27854	4223732892	102		MARLEY PARRISH E #6
8115743	27855	4223733099	102		MARLEY PARRISH F #7
-WYNN D MILLER					RECEIVED: 01/30/81 JA: TX
8115495	26308	4202531300	103		SID I MALONE NO 3
8115494	26307	4202531284	103		SID MALONE NO 2
-ZINN PETROLEUM CO					RECEIVED: 01/30/81 JA: TX
8115523	26597	4219931376	102		KIRBY FOREST IND #1 (#89643)

OTHER PURCHASERS

8115456 TEXAS UTILITIES FUEL CO
8115472 TRANSCONTINENTAL GAS P L CO
8115488 UNITED GAS P L CO
8115506 TEXAS EASTERN TRANS CO
8115570 PHILLIPS PETROLEUM CO
8115695 EL PASO NATURAL GAS CO
8115812 PIONEER NATURAL GAS CO
8115813 PIONEER NATURAL GAS CO

BILLING CODE 6450-85-C

VOLUME 571 PAGE 012

FIELD NAME	PROD	PURCHASER
PALO PINTO COUNTY REGULA	0.0	LONE STAR GAS CO
C-BAR (TUBB)	11.0	EL PASO NATURAL GAS
SAND HILLS (TUBB)	21.0	EL PASO NATURAL GAS
SAND HILLS (JUDKINS)	0.0	EL PASO NATURAL GAS
DUNE	2.0	EL PASO NATURAL GAS
DUNE	1.0	EL PASO NATURAL GAS
DUNE	1.0	EL PASO NATURAL GAS
SAND HILLS (TUBB)	24.0	EL PASO NATURAL GAS
WAR-WINK S (WOLFCAMP)	241.0	VALERO TRANSMISSION
SAND HILLS WEST (WADDELL	11.0	EL PASO NATURAL GAS
SPRABERRY (TREND AREA)	14.5	PHILLIPS PETROLEUM C
SPRABERRY (TREND AREA)	14.5	PHILLIPS PETROLEUM C
GIDDINGS - AUSTIN CHALK	56.0	PHILLIPS PETROLEUM C
BLOCK 6 N E (SPRABERRY)	12.0	PHILLIPS PETROLEUM C
JOSHUA (CONGLOMERATE)	20.0	LONE STAR GAS CO
LEHMAN (BEND CONGLOMERAT	22.0	LONE STAR GAS CO
MASSENGALE (DUFFER)	51.0	LONE STAR GAS CO
LEHMAN (BEND CONGLOMERAT	25.0	LONE STAR GAS CO
GIDDINGS (AUSTIN CHALK)	150.0	PGP GAS PRODUCTS INC
GIDDINGS (AUSTIN CHALK)	225.0	PGP GAS PRODUCTS INC
MOBY DICK (CONGL)	72.0	NATURAL GAS PIPELINE
BOGEN (MISS)	0.0	SOUTHWESTERN GAS PIP
BOGEN (MISS)	30.0	SOUTHWESTERN GAS PIP
NORMANNA S (2050)	60.0	FERGUSON CROSSING PI
NORMANNA S (2050)	66.0	FERGUSON CROSSING PI
SEGNO SOUTH (YEGUA 6800)	128.0	HOUSTON PIPELINE CO

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before March 16, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

BILLING CODE 6450-85-M

[FR Doc. 81-5827 Filed 2-26-81; 8:45 am]

CORRECTIONS TO PREVIOUS NOTICES/REVISIONS TO PRIOR DETERMINATIONS

JD No.	JA	APPLICANT	WELL NAME	ORIG. FERC VOL. NO.	DATE PUB. IN FEDERAL REGISTER	R: Revision of Regional Agency C: Correction to Prior Fed. Reg. Notice
81-10027	WV	Fox Drilling Co Inc	H POLING #3	349	01/29/81	R: Control No. deleted (Refer to 81- 10024)
81-09975	WV	Fuel Resources Inc	Jr. Phillips #1	349	01/29/81	C: 108 Denied
81-09976 thru 81-09986	WV	Pennzoil/Consolidated Gas/ W. E. Smith		349	01/29/81	C: Control No. deleted (filings were corrections to previous filings)
81-10026	WV	Fox Drilling Co Inc	H POLING #2	349	01/29/81	R: Control No. deleted (Refer to 81-10025)
81-10576	TX	Placid Oil Co	PAUL P ROGERS #2	352	02/04/81	C: 102 only approved, not 107
81-10427	TX	Phillips Petroleum Co	BUELOW #2	352	02/04/81	C: 103 & 108 approved
79-06286	LA	Texaco Inc	SL 340 Cote Blanche IS #172			C: 103 & 107 approved
79-08595	LA	Texaco Inc	10300 RR SUA St. Martin PSB #22	41	07/06/79	C: 102 & 103 approved
79-11323	LA	Texaco	VUL DGL U-12 #55	50	07/23/79	C: 102 & 103 approved
80-07578	LA	Texaco Inc	7200 RA SUA DDC #3	127	01/22/80	C: 102 & 103 approved
81-11908	TX	Grand Banks Energy Co	E B CHALKLEY #2	356	02/05/81	C: Well Name
81-09975	WV	Fuel Resources Inc	Jr. Phillips #1	349	01/29/81	C: Denied

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Office of Hearing and Appeals

Issuance of Proposed Decisions and Orders; Week of January 26 Through January 30, 1981

During the week of January 26 through January 30, 1981, the proposed decisions and orders summarized below were issued by the Office of Hearings and Appeals of the Departmeent of Energy with regard to applications for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decisions and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

George B. Breznay,

Director, Office of Hearings and Appeals.

February 20, 1981.

Cooper Oil Company, Farmington, Missouri, BEE-0734, motor gasoline

Cooper Oil Company filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit Cooper Oil Company to increase its base period allocation of motor gasoline for the purpose of blending and marketing gasohol. On January 27, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

Twin-Tech Oil Company, Washington, D.C., DEX-0212, DXE-0069, natural gasoline

Twin-Tech Oil Company filed an application for Exception from the provision of 10 CFR Part 212, Subpart K. In response to this Application, the Department of Energy determined in *Twin-Tech Oil Co.*, 6 FEA ¶ 63,126 (1977), and *Twin-Tech Oil Co.*, 5 FEA ¶ 80,565 (1977), that the firm should be granted partial exception relief permitting it to prospectively increase its maximum lawful selling prices for natural gas liquids and natural gas liquid products and that the firm's request for retroactive exception relief should be denied. Subsequently, *Twin-Tech Oil Co., v. Schlesinger*, 462 F. Supp. 639 (S.D. Tex. 1978), and *Twin-Tech Oil Co. v. Schlesinger*, 603 F. 2d 197 (Temp. Emer. Ct. App. 1979) directed the DOE to reconsider its earlier determination with respect to the firm's Application for Exception. On January 27, 1981, the DOE issued a Proposed Decision and Order which determined that Twin-Tech be granted additonal prospective exception relief. After a reconsideration on the merits, the firm's request for retroactive exception relief was tentatively denied. In addition, the DOE determined that Twin-Tech's October 18, 1977 application for extension of the exception relief previously approved should be partially granted.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firm filed an Application for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception request, if granted, would result in an increase in the firm's base period allocation of motor gasoline. The DOE issued a Proposed Decision and Order which determined that the exception request be granted.

Company Name, Case No., and Location

Ligon's Service Station, BEE-1161, Petersburg, KY

[FR Doc. 81-65 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Objection to Proposed Remedial Orders; Week of January 26 through January 30, 1981

During the week of January 26 through January 30, 1981, the notices of objection to proposed remedial orders listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who wishes to participate in the proceeding the Department of Energy will conduct concerning the proposed remedial orders described in the Appendixa to this Notice must file a request to participate pursuant to 10 CFR 205.194 within 20 days after publication of this Notice. The Office of Hearings and Appeals will then determine those persons who may participate on an active basis in the proceeding and will prepare an official service list, which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown.

All requests to participate in these proceedings should be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

George B. Breznay,

Director, Office of Hearings and Appeals.

February 20, 1981.

Ed's Auto Service, San Lorenzo, California, BRO-1379, motor gasoline

On January 28, 1981, Ed's Auto Service, 1210 Blockman, San Lorenzo, CA. 94580 filed a Notice of Objection to a Proposed Remedial Order which the DOE Western District Office of Enforcement issued to the firm on November 28, 1980. In the PRO the Western District found that during the period October 1, 1979 through October 3, 1980, Ed's Auto Service committed pricing violations in the sale of motor gasoline in the State of California.

According to the PRO the Ed's Auto Service violation resulted in $10,686.49 of overcharges.

This Notice of Objection has been transferred to the Western Regional Center of the Office of Hearings and Appeals for analysis.

InterNorth, Inc., Omaha, Nebraska, BRO-1380, natural gas liquids

On January 30, 1981, InterNorth, Inc., 2223 Dodge Street, Omaha, Nebraska 68102, filed a Notice of Objection to a Proposed Remedial Order which the DOE Central District Office of Enforcement issued to the firm on December 31, 1980. In the PRO the Central Enforcement District found that during the period September 1, 1973 through October 31, 1978, InterNorth charged prices for natural gas liquid products which exceeded the prices permitted by 10 CFR 212.82, 212.143 and 212.163.

According to the PRO the InterNorth, Inc. violation resulted in $203 million of overcharges.

Rucci Oil Co., New York, New York, BRO-1378, heating oil

On January 28, 1981, Rucci Oil Company, 1693 Richmond Terrace, Staten Island, New York 10310, filed a Notice of Objection to a Proposed Remedial Order which the DOE Northeast District Office of Enforcement issued to the firm on January 11, 1980. In the PRO the Northeast District found that during the period November 1, 1973 through December 31, 1974, Rucci Oil Company sold No. 2 heating oil to certain of its customers at prices in excess of those allowed under 10 CFR 212.93(a).

According to the PRO the Rucci Oil Company violation resulted in $283,435 of overcharges.

South Fork Marina, Mystic, Iowa, BRO-1381, motor gasoline

On January 30, 1981, South Fork Marina, Route 1, Mystic, Iowa 52574 filed a Notice of Objection to a Proposed Remedial Order which the DOE Central district Office of

Enforcement issued to the firm on October 22, 1980. In the PRO the Central District found that during the period April 24, 1980 through August 23, 1980, South Fork Marina committed pricing violations in the sale of motor gasoline in the State of Iowa.

According to the PRO the South Fork Marina violation resulted in $1,684.58 of overcharges.

This Notice of Objection has been transferred to the Central Regional Center of the Office of Hearings and Appeals for analysis.

[FR Doc. 81-66 Filed 2-26-81; 8:45 am]

BILLING CODE 6450-01-M

Western Area Power Administration

Central Valley Project Proposed Centralia and Northwest Power Rate Adjustment

AGENCY: Western Area Power Administration, Department of Energy.

ACTION: Notice of Proposed Power Rate Adjustment (Central Valley Project, California) for Sales of Centralia Capacity and Energy and Northwest Energy to the Pacific Gas and Electric Company.

SUMMARY: The Western Area Power Administration (Western) is proposing an adjustment in the rate for sales of Centralia capacity and energy and Northwest energy made under the contract with the Pacific Gas and Electric Company (PG&E) entitled "Sale, Interchange and Transmission Contract No. 14-06-200-2948A" (Contract No. 2948A). The proposed rate schedule is printed in its entirety under the Supplementary Information section below. The proposed rate would be established in accordance with the provisions of Contract No. 2948A, the Delegation Order No. 0204-33, 43 FR 60636 (December 28, 1978), and the "Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions" (Procedures), 45 FR 86976 (December 31, 1980); 10 CFR Part 903. Written public comment on this proposed rate adjustment is invited. Central Valley Project (CVP) contractors and other interested parties will be contacted regarding this proposed power rate adjustment. A public information forum and a public comment forum will be held in accordance with the current Western procedures for public participation in rate adjustments.

DATES: The proposed rate for Centralia capacity and energy would be for the period of April 1, 1981, through December 31, 1981, and for Northwest energy would be for the period of April 1, 1981, through March 31, 1986. A public information forum will be held March 17, 1981, and a public comment forum on March 31, 1981. Each forum will begin at 9:30 a.m. in the Sutter Mill Room, Holiday Inn—Holidome, 5321 Date Avenue, Sacramento, California.

At the public information forum Western will outline the reasons for, and set forth the methodology of, the proposed rate adjustment. The public comment forum will afford the public an opportunity for oral presentation regarding the proposed rate.

Written comments concerning this proposed rate adjustment should be received by the addressees below by no later than April 16, 1981, to be assured of consideration.

ADDRESSES: Interested persons wishing to submit written comments pertaining to the proposed rate adjustment to PG&E for Centralia capacity and energy and Northwest energy should mail a copy of such comments to each of the following:

Mr. David Coleman, Area Manager, Western Area Power Administration, Sacramento Area Office, 2800 Cottage Way, Sacramento, CA 95825, (916) 484-4251

Mr. Conrad Miller, Chief, Rates and Statistics Branch, Western Area Power Administration, P.O. Box 3402, Golden, CO 80401, (303) 231-1535

Mr. James A. Braxdale, Office of Power Marketing Coordination, Department of Energy, RA-50, Federal Building, Washington, DC 20461, (202) 633-8338

FOR FURTHER INFORMATION CONTACT: David Coleman, Area Manager, Western Area Power Administration, Sacramento Area Office, 2800 Cottage Way, Sacramento, CA 95825, (916) 484-4251.

SUPPLEMENTARY INFORMATION: Power rates for the Central Valley Project are established pursuant to the Department of Energy Organization Act of August 4, 1977 (42 U.S.C. 7101, *et seq.);* the Reclamation Act of 1902 (42 U.S.C. 372, *et seq.)* as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

The Secretary of Energy delegated to the Assistant Secretary for Resource Applications, by Delegation Order No. 0204-33, effective January 1, 1979 (43 FR 60636 (December 28, 1978)), the authority to develop, acting by and through the Administrator (of Western), and to confirm, approve, and place in effect on an interim basis, power and transmission rates; and to the Federal Energy Regulatory Commission (FERC), the authority to confirm and approve, on a final basis, or to disapprove such rates.

The regulations of the Department of Energy entitled "Subpart A—Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions for the Alaska, Southeastern, Southwestern, and Western Area Power Administrations" (10 CFR Part 903) establish procedures for confirmation and approval on an interim basis by the Assistant Secretary for Resource Applications for new, revised, or extended power and transmission rates and provide for opportunities for interested members of the public to participate in the development of such rates. These procedures supplement Delegation Order No. 0204-33 with respect to the activities of the Assistant Secretary for Resource Applications and the power marketing administrations.

Pursuant to Contract No. 2948A between Western and PG&E, Western sells to PG&E, for banking, all dependable capacity and energy which is not required to meet the CVP customer and project loads. Western has purchased, under contracts expiring December 31, 1981, capacity and energy from the Centralia coal-fired powerplant located at Centralia, Washington. From time to time Western purchases dump and exchange energy which can be used beneficially in PG&E's service area. The proposed rate adjustment is for Western's sales to PG&E of Centralia capacity and energy for the period of April 1, 1981, through December 31, 1981, and Northwest energy for the period of April 1, 1981, through March 31, 1986.

Under the Procedures the proposed rate adjustment will increase the Central Valley Project's annual revenue by more than 1 percent and is therefore categorized as major rate action. However, the normal consultation and comment period of 90 days will be shortened to approximately 45 days pursuant to § 903.14 of the Procedures for the following reasons:

The rate for Centralia capacity and energy will be in effect for only 9 months, from April 1, 1981, through December 31, 1981.

Pursuant to a January 27, 1981, letter agreement between Western and PG&E, the rate adjustment and/or submittal to the FERC is to be accomplished by July 1, 1981. This does not allow sufficient time for extended comment and review.

The proper level of the Centralia rate was thoroughly discussed and comments were received during the public forum held prior to establishing the project rate which is identified as Rate Order WAPA-2.

Numerous negotiations and discussions regarding the Centralia sale have been held with PG&E, the CVP customers, and other interested parties during the last 9 months. Western believes that no new issues will be

raised or identified during the comment and consultation period.

The proposed rate which the Western Area Power Administration plans to establish pursuant to Contract No. 2948A is as follows:

Proposed Rate Schedule

1. Capacity rate: The annual cost of Centralia capacity will be calculated as the sum of:

a. 100 percent of annual fixed cost to CVP of the Centralia facilities.

b. 65 percent of the annual O&M cost to CVP of the Centralia facilities.

c. 10 percent of the annual fuel cost to CVP for the Centralia facilities.

d. That part of wheeling and capacity reserve annual cost paid to Bonneville Power Administration (BPA) by CVP proportional to the capacity component of the total capacity and energy cost of Centralia.

e. $1,340,000 which is the annual cost to CVP for the use of the Pacific Northwest-Pacific Southwest Intertie facilities.

The monthly capacity charge per kilowatt will be the total annual cost for Centralia capacity divided by 12 and then by 382,000 kilowatts, which is the Centralia capacity delivered to the CVP load center at Tracy.

2. Energy rate: The annual cost of Centralia energy up to 7,050 kWh/kW/yr will be calculated as the sum of:

a. 35 percent of the annual O&M cost to CVP of the Centralia facilities.

b. 90 percent of the annual fuel cost to CVP of the Centralia facilities.

c. That part of the wheeling and capacity reserve annual cost paid BPA by CVP proportional to the energy component of the total capacity and energy cost of Centralia.

d. Estimated annual energy support for Centralia purchased by CVP.

The energy per kilowatthour will be the total energy cost to CVP of Centralia energy divided by the Centralia energy delivered to the CVP load center at Tracy during the year.

3. For both capacity and energy rates: Prior to April 1, 1981, Western will prepare and furnish to PG&E estimated energy and capacity charges for firm Centralia power determined on this basis. These charges will apply to sales to PG&E during the period from April 1, 1981, to December 31, 1981. The billing to PG&E for the previous 9-month period will be adjusted during January 1982, as necessary, based on the best data available to the CVP, and as soon as possible thereafter will be readjusted, as necessary, based on the actual billing power costs to CVP.

4. The rate for Northwest energy in excess of the 7,050 kWh/kW/yr from Centralia before December 31, 1981, and all Northwest energy after December 31, 1981, will be determined by the cost as purchased from the Northwest and adjusted upward for losses to the CVP load center at Tracy.

The proposed rate is a "passthrough" rate that will recover all cost of centralia power incurred by CVP in the purchase of this power, including reserves and the intertie wheeling charge from Malin, Oregon, to Tracy, California. In computing cost to PG&E, the rate will apply to the portion of Centralia capacity and energy that is not used to supply preference customer loads. The previous rate was not a "passthrough" rate because:

a. The capacity rate was a split rate; i.e., all capacity associated with energy at 60-percent capacity factor was sold to PG&E at the cost of Centralia capacity and any capacity sold over and above that associated with energy at 60-percent capacity factor was sold at the lower project rate.

b. The costs of transmission service (wheeling charge) over the Pacific Northwest-Pacific Southwest Intertie from Malin to Tracy were not included as an element to be recovered by the rate.

The proposed rate is one which more nearly reflects cost to the Government and is considered by Western to be fair and equitable. The proposed rate is consistent with the position taken in the Assistant Secretary for Resource Application's rate order (WAPA-2) of October 2, 1979, to the effect that it was intended that the split rate to PG&E would not be perpetuated beyond April 1, 1981, which is the first opportunity to amend the rate under the PG&E contract. Rate Order WAPA-2 was published in 44 FR 57962 (October 9, 1979), and the Assistant Secretary's position presented above appears on page 57969.

Western has not been able to reach agreement with PG&E on the new proposed rate. PG&E, therefore, opposes the proposed rate. It is PG&E's position that the previous rate should continue in effect. Article 32 provides in relevant part:

> If the parties are unable to agree on a change of any rate or charge, the matter shall be submitted to the Federal Power Commission for final decision.

The Federal Power Commission no longer exists. Many of the former Federal Power Commission's functions were transferred to the Federal Energy Regulatory Commission. Also, pursuant to the Delegation Order No. 0204-33 effective January 1, 1979 (43 FR 60636 (December 28, 1978)), the Assistant Secretary for Resource Applications has the authority to develop, acting by and through the Administrator (of Western), and to confirm, approve, and place in effect on an interim basis, power and transmission rates; and the Federal Energy Regulatory Commission has the authority to confirm and approve, on a final basis, or to disapprove such rates. For the above reasons, the Department of Energy interprets contract No. 2948A to provide for decision by the Federal Energy Regulatory Commission in the event Western and PG&E cannot agree on the appropriate rates.

The process for determining the rate is affected both by the provisions of article 32 of Contract No. 2948A and by Delegation Order No. 0204-33 and the new Procedures. After reviewing all of the comments received during the comment period, the Assistant Secretary for Research Applications will determine a position on the rate to PG&E for Centralia capacity and energy and Northwest energy. If PG&E agrees with this position, the Assistant Secretary for Resource Applications will, under the Delegation Order, place the new rate in effect on an interim basis and submit it to the FERC for confirmation and approval on a final basis. If PG&E disagrees with this position, the matter will be submitted to the FERC for final determination as provided in article 32 and the Assistant Secretary for Resource Applications will not place a rate in effect on an interim basis. In either event, the final decision will be retroactive to april 1, 1981, as provided in the letter agreement of January 27, 1981, between the parties.

The proposed rate adjustment will be studied as to the potential for environmental impact in accordance with the National Environmental Policy Act of 1969. The environmental impact, if any, of this rate adjustment will be determined prior to implementation of the proposed rate.

Issued in Golden, Colorado, February 20, 1981.

Robert L. McPhail,

Administrator.

[FR Doc. 81-3795 Filed 2-24-81; 4:08 pm]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-1763-6]

Availability of Environmental Impact Statements

AGENCY: Office of Federal activities (A-104), US Environmental Protection Agency.

PURPOSE: This notice lists the environmental impact statements (EIS's) which have been officially filed with the EPA and distributed to Federal agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's regulations (40 CFR Part 1506.9).

PERIOD COVERED: This notice includes EIS's filed during the week of February 16, 1981 to February 20, 1981.

REVIEW PERIODS: The 45-day review period for draft EIS's listed in this notice is calculated from February 27, 1981 and will end on April 13, 1981. The 30-day review period for final EIS's as calculated from february 27, 1981 will end on March 30, 1981.

EIS AVAILABILITY: To obtain a copy of an EIS listed in this notice you should contact the Federal agency which prepared the IES. This notice will give a contact person for each Federal agency which has filed an EIS during the period covered by the notice. If a Federal agency does not have the EIS available upon request you may contact the Office of Environmental Review, EPA, for further information.

BACK COPIES OF EIS'S: Copies of EIS's previously filed with EPA or CEQ which are no longer available from the originating agency are available with charge from the following source: Information Resources Press, 1700 North Moore Street, Arlington, Virginia 22209, (703) 558–8270.

SUMMARY OF NOTICE: This notice sets forth a list of EIS's filed with EPA during the week of February 16, 1981 to February 20, 1981. The Federal agency filing the EIS, the name, address, and telephone number of the Federal agency contact for copies of the EIS, the filing status of the EIS, the actual date the EIS was filed with EPA, the title of the EIS, the State(s) and county(ies) of the proposed action and a brief summary of the proposed Federal action and the Federal agency EIS number, if available, is listed in this notice. Commenting entities on draft EIS's are listed for final EIS's. All additional information relating to EIS's such as time extensions or reductions of prescribed review periods, withdrawals, retractions, corrections or supplemental reports is also noticed under the appropriate agency.

FOR FURTHER INFORMATION CONTACT: Kathi L. Wilson, Office of Federal Activities, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 245–3006.

Dated: February 24, 1981.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A–104).

DEPARTMENT OF AGRICULTURE

Contact: Mr. Barry Flamm, Director, Office of Environmental Quality, Office of the Secretary, U.S. Department of Agriculture, Room 412–A, Admin. Building, Washington, D.C. 20250, (202) 447–3965.

Soil Conservation Service

Draft

UPPER BIG BLUE RIVER WATERSHED PROTECTION, Henry and Rush Counties, Ind., February 19: Proposed is the awarding of financial assistance for protection and flood prevention measures within the upper Big Blue River watershed in Rush and Henry Counties, Indiana. Measure to be completed are 2 flood prevention structures, 18.2 miles of channel work and approximately 25,000 acres of accelerated land treatment. Eight alternatives are considered. (EIS Order No. 810133.)

LOS OLMOS CREEK WATERSHED FLOOD PREVENTION, Jim Hogg and Starr Counties, Tex., February 20: Proposed is the awarding of Federal assistance for a watershed protection and flood prevention plan for the Los Olmos Creek watershed in Jim Hogg and Starr Counties, Texas. The recommended works of improvement consist of one floodwater retarding structure and two dikes to be constructed during a four year installation period. The alternatives consider: (1) construction of one floodwater retarding structure and dikes, (2) use of dikes only, (3) construction of two floodwater retarding structures and dikes, (4) permanent evacuation, and (5) no action. (EIS Order No. 810137.)

EXTENSION: The review period for the above EIS has been extended until May 15, 1981. (No. 810137.)

Forest Service

Final

MAINE SPRUCE BUDWORM MANAGEMENT (1981–1985), several counties in Maine, February 17: This programmatic EIS addresses the awarding of funding on an annual basis for a 5 year spruce budworm integrated pest management program in the counties of Aroostook, Piscataquis, Somerset, Penobscot, Washington, Franklin and Hancock, Maine. The preferred alternative would involve an increase in the use of silviculture and utilization-marketing, while the use of chemicals is reduced and the use of biologicals is increased. All of the alternatives consider, except no action, an increase in the use of silviculture and utilization-marketing. The alternatives vary in the use of chemicals and biologicals. The cooperating agency is the State of Maine. (USDA–FS–NA–81–01.) Comments made by: HUD, HHS, DOT, EPA, DOI, State and local agencies, groups, individuals and businesses. (EIS Order No. 810126.)

U.S. ARMY CORPS OF ENGINEERS

Contact: Mr. Richard Makinen, Office of the Chief of Engineers, Attn: DAEN–CWR–P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 20 Massachusetts Avenue; Washington, D.C. 20314, (202) 272–0121.

Draft

FISHERMAN'S WHARF AREA NAVIGATION IMPROVEMENTS: San Francisco County, Calif., February 20: Proposed are light-draft navigation improvements for the fisherman's wharf area of San Francisco Harbor in San Francisco County, Calif. Improvements would involve the construction of fishing craft harbor consisting of: (1) a 700 foot concrete pile and baffle breakwater extending from the solid portion of the Hyde Street pier; (2) a 1,200 foot concrete sheet pile breakwater extending from the baffled breakwater, with a 10 foot wide concrete walkway and a 370 foot concrete pile and baffle breakwater extending along the bayward end of pier 45. The original draft EIS, No. 751280, filed 8–25–75 was replaced by revised draft, No. 770688, filed 6–2–77. (San Francisco Harbor) (EIS Order No. 810141)

Final

OAKLAND OUTER HARBOR NAVIGATION IMPROVEMENTS: Alameda County, Calif., February 22: Proposed are navigation improvements for the Oakland outer deep-draft harbor in Alameda County, Calif. Improvements will include: (1) deepening the channel to a depth of −42 feet mean low lower water; (2) widening the channel to 1,100 feet at the entrance, and 800 feet adjacent to berth E at the outer harbor dogleg; and (3) relocating the existing turning basin 3,300 feet westward and expanding its width to 1,800 feet. The original draft EIS, No. 760886, filed 6–14–76 was replaced by revised draft EIS, No. 790014, filed 1–3–79. (San Francisco District) Comments made by: DOC, DOI, EPA, USN, DOT, State and local agencies (EIS Order No. 810139)

Final

ROCKPORT GENERATING STATION, PERMIT: Spencer County, Ind., February 17: Proposed is the issuance of a permit for the construction and operation of the Rockport generating station in Spencer County, Ind. The facility would consist of two 1,300 megawatt coal-fired electrical generating units and will require one 1,040-foot stack, two natural draft cooling towers, coal storage area, wastewater treatment system, ash disposal area, barge unloading facilities, and river intake and discharge structures. The project would encompass 3,820 acres and will require two 765 kilovolt transmission lines. (Louisville District) Comments made by: EPA, DOI, DOC, USDA, FERC, HUD, DOT, ORBC, State and local agencies, groups and businesses (EIS Order No. 810125)

TYLER BEACH MAINTENANCE DREDGING, JAMES RIVER: Isle of Wight County, Va., February 19: Proposed is maintenance dredging of Tyler Beach which is located on the west shore of the James River in Isle of Wight County, Va. The preferred alternative involves hydraulically pumping dredged material into a natural trough which is 31 feet deep. Other alternatives consider: (1) No action, and (2) placing dredged material in a previously used

upland marsh. (Norfolk District) Comments made by: DOI, EPA, DOC, USDA, State and local agencies (EIS Order No. 810129)

DEPARTMENT OF DEFENSE, ARMY

Contact: Col. Kenneth Halleran, Chief of the Environmental Office, Headquarters DAEN–ZCE, Office of the Assistant Chief of Engineers, Department of the Army, room 1E676, Pentagon, Washington, D.C. 20310, (202) 694–4269.

Draft Supplement

OPERATION RMT, CHEMICAL MATERIAL TRANSPORT (DS–2): Several counties, Utah, February 17: This statement supplements a final EIS, No. 771352, filed 11–4–77 concerning the transporation of chemcial materials from Rocky Mountain Arsenal in Colorado to Toole Army Depot in Utah. This supplement provides additional information concerning the preparation and shipment of the US Naval MK116 MOD 0 weteye bombs filled with nerve agent GB and the results of the 1979 weteye reassessment inspection. (EIS Order No. 810140)

DEPARTMENT OF COMMERCE

Contact: Dr. Robert T. Miki, Acting Deputy Assistant Secretary for Regulatory Policy, room 7814, Department of Commerce, Washington, D.C. 20230, (202) 377–2482.

National Oceanic and Atmospheric Administration.

Draft

FLORIDA COASTAL MANAGEMENT PROGRAM, CZM: Florida, February 20: Proposed is a coastal zone management program for the State of Florida. Approval would allow program administrative grants to be awarded to the State, and would require that Federal actions be consistent with the program. Implementation of the program will enhance governance of the State's coastal land and water areas and uses according to coastal policies and standards contained in existing statutes, authorities and rules. The effect of these is to condition, restrict or prohibit various uses in parts of the coastal zone, while encouraging development and other uses in other parts. (EIS Order No. 810146

ENVIRONMENTAL PROTECTION AGENCY

Draft

Contact: Dr. Stanley Lichtman, Criteria and Standards Division (ANR–460), US Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, (703) 557–8927.

INACTIVE URANIUM PROCESSING SITES, STANDARDS: Regulatory, February 19: Proposed are standards for the disposal of uranium mill tailings from inactive processing sites, and for cleanup of land and buildings contaminated by tailings. There presently exists 25 designated sites in 9 states. The standards would involve: (1) limiting random releases within the range of variation found in normal soils, (2) application of ground water standards within one kilometer of existing sites and within 0.1 kilometer at new disposal sites, and (3) consideration of the length of control. (EPA 520/4–80–011) (EIS Order No. 810128)

EXTENSION: The review period for the above EIS has been extended until May 11, 1981. (No. 810128)

Final

Contact: Mr. Daniel Sullivan, Region II, US Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007, (212) 264–1858.

HIGHLANDS AND HIGHLAND FALLS WWT FACILITIES: Orange County, N.Y., February 19: Proposed is the awarding of a grant for the construction of wastewater treatment plants for the town of Highlands and the village of Highland Falls, Orange County, New York. The preferred alternative would involve the construction of a sewage treatment plant at Mine Dock Road which would serve the town. Three alternatives are examined for the village of Highland Falls. Also recommended is the establishment of a septic tank management district to serve homes outside the sewered core area. Comments made by: individuals. (EIS Order No. 810132)

Final

Contact: Mr. John Hagan, Region IV, U.S. Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30308 (404) 881–7458.

CRYSTAL RIVER UNITS 4 & 5, NPDES PERMIT: Citrus County, Fla., February 19: Proposed is the issuance of a NPDES permit for the construction and operation of two coal-fired steam electric generating plants at the existing Crystal River complex located in Citrus County, Florida. Components of the facility would include: (1) Two 440 feet tall natural draft salt water cooling towers, (2) two 660 feet tall chimneys, (3) a wastewater treatment system, (4) a coal storage area, and (5) a residuals disposal area. Alternatives are considered concerning: (1) Management, (2) energy source, (3) siting, (4) plant location, (5) cooling systems, (6) water source and intake, (7) wastewater treatment, (8) emissions, (9) waste disposal, (10) transmission, and (11) no action. Comments made by: USAF, USDA, HUD, DOI, HHS, NRC, HEW, DOC, COE, State, and local agencies, individuals and businesses. (EIS Order No. 810131).

Draft Supplement

Contact: Ms. Lisa Corbin, Region X, U.S. Environmental Protection Agency, 1200 6th Avenue, Seattle, Washington 98101 (206) 442–1285.

CHAMBERS CREEK INTERCEPTOR, GRANT (DS–1): Pierce County, Wash., February 18: Proposed is the awarding of a grant for the construction of the Chambers Creek Interceptor, a part of a basinwide final EIS, No. 780015, filed 1–5–78 and examines a new alternative. The proposed alternative would transport sewage from an inlet structure near Bridgeport way through a 12,800 foot tunnel to the sewage treatment plant near the mouth of Chambers Creek. The alternatives consider: (1) No action, and (2) construction of a pump station. (EPA–910/9–81–082) (EIS Order No. 810127.)

Final

Contact: Mr. Eugene Wojcik, Region V, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604 (312) 353–2157.

SLUDGE DISPOSAL AND LAND RECLAMATION, FULTON CO.: Fulton County, Ill., February 19: Proposed is the continued application of sludge on stripmined land in Fulton County, Illinois. This statement examines various methods of application. The current method being utilized is tandem disk incorporation. Alternatives are considered for the following areas: (1) Sludge disposal, (2) sludge utilization, and (3) transportation of sludge. Comments made by: USDA, DOI, State, and local agencies, groups, individuals and businesses. (EIS Order No. 810130).

CITY OF PORTAGE WWT FACILITIES: Columbia County, Wisc., February 17: Proposed is the replacement of the existing wastewater treatment plant on the Fox River with a new one adjacent to the Wisconsin River in the City of Portage, Columbia County, Wisconsin. A new interceptor would be built to the plant eliminating five existing lift stations. The new plant would have a design capacity of 2.6 million gallons per day and would provide secondary treatment by rotating biological contractors prior to chlorination and discharge to the Wisconsin River. Comments made by: DOT, USDA, DOI, DJUS, AHP, State, and local agencies, groups, individuals and businesses. (EIS Order No. 810124.)

Federal Energy Regulatory Commission

Contact: Dr. Jack M. Heinemann, Advisor on Environmental Quality, Room 3000 S–22, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, (202) 357–8228.

Anyone desiring to protest or file a petition to intervene with the FERC on the basis of a draft EIS listed below should do so in accordance with the requirements of FERC's rules of practice and procedure, 18 CFR 1.8, 1.10 (1979), within the time period set forth in this notice, unless otherwise stated.

Draft

BALSAM MEADOW DEVELOPMENT/BIG CREEK PROJECT NO. 67, Fresno County, Calif., February 20: Proposed is the amendment of a license for the construction of the Balsam Meadow development as a part of the Big Creek Project No. 67 in the Sierra National Forest, Fresno County, Calif. The development would consist of: (1) A diversion channel, (2) Construction of the Balsam Meadow Dam, (3) A power tunnel, (4) An underground powerhouse, (5) A tailrace tunnel from the powerhouse to Shaver Lake, (6) A 4.5 mile 230 KV transmission line, and (7) recreational facilities. Alternatives are considered for the following areas: (1) Nonstructural measures, (2) Energy, and (3) Design. (FERC/EIS–0022/D). (EIS Order No. 810138).

Draft Supplement

STATEN ISLAND LNG PROJECT (DS–1), Staten Island County, N.Y., February 20: This statement supplements final EIS, No. 741107, filed 3–7–74. Proposed is the issuance of certificates of public convenience and necessity to construct and/or operate an LNG peak-shaving facility on Staten Island, New York. The facility would use existing facilities

in Rossville consisting of two 900,000-barrel LNG storage tanks, appurtenant facilities, and vaporization and compression equipment. New construction would involve a 30 billion BTU/day liquefaction unit and vaporization units. Alternatives are considered for: (1) Energy sources, (2) Conservation, (3) LNG sources, (4) Peak shaving methods, (5) Peak shaving sites, and (6) facility use. (FERC/EIS-0025D) (EIS Order No. 810145).

EXTENSION: The review period for the above EIS has been extended until May 15, 1981. (810145)

General Services Administration

Contact: Mr. Carl W. Penland, Acting Director, Environmental Affairs Division, General Services Administration, 18th and F Streets, N.W., Washington, D.C. 20405, (202) 566-1416.

Final

VARICK STREET FEDERAL BUILDING, MANHATTAN, New York, February 19: Proposed is the repair and alteration of the Federal Office Building at 201 Varick Street in the Borough of Manhattan, City of New York, New York. The Building would provide 230,000 square feet of space to House the Immigration and Naturalization Service and related facilities. The alternatives consider: (1) Repair and Alteration, (2) No action, and (3) postponement. Comments made by: DOI, AHP, HHS, EPA, DOT, DJUS, SBA, State and local agencies. (EIS order No. 810134).

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7274, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, (202) 755-6300.

Draft

ROBINSON RANCH COMMUNITY, MORTGAGE INSURANCE: Orange County, Calif. February 20: Proposed is the issuance of HUD home mortgage insurance for the Robinson Ranch planned Community in Orange County, Calif. The site encompasses 822 acres which would be developed with 782 units of mixed densities and types. Also included in the development would be recreation facilities, functional open space and commercial support facilities. (HUD-R09-EIS-81-2D) (EIS Order No. 810147).

Final

GRANTLAND HOUSING DEVELOPMENT, MORTGAGE INSURANCE: Missoula County, Mont., February 20: Proposed is the issuance of HUD home mortgage insurance for the Grantland Housing Development in Missoula County, Montana. The subdivision would encompass 3,600 acres and when completed will consist of 2,200 single and multi-family dwelling units. The development would also contain commerical, school, park and open space sites. (HUD-R08-EIS-81-11F); Comments made by: HHS, DOI, State and Local Agencies, Businesses (EIS Order No. 810143).

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 4256 Interior Bldg., Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

National Park Service

Final

CUMBERLAND ISLAND NATIONAL SEASHORE, WILDERNESS:, Georgia, February 20: Proposed is a general management plan for the Cumberland National Seashore in Georgia. The plan provides for: (1) development of visitor facilities on the island and mainland, (2) Establishment of visitor programs and use levels, and (3) The generation of resource management policies. Also examined is the designation of 20,000 acres as wilderness or as potential wilderness. In addition to no action, alternatives are considered for transportation, individual practices and various sites within the seashore area. (FES-81-9) Comments made by: USDA, DOC, COE, HUD, DOI, DOT, EPA, DOD, USN, State and local agencies, groups, individuals and businesses (EIS Order No. 810142).

OHIO RIVER BASIN COMMISSION

Contact: Ohio River Basin Commission, 36 East Fourth Street, Suite 208, Cincinnati, Ohio 45202, (513) 684-3831.

Draft

GREEN RIVER BASIN WATER AND LAND RESOURCES PLAN: Several Counties in Kentucky and Tennessee, February 19: Proposed is a water and land resources plan for the Green River Basin, which encompasses 5,952,000 acres, in several counties of Kentucky and Tennessee. The plan consists of: (1) 54 projects including 41 municipal wastewater treatment facility improvements; (2) 12 PL 566 watershed and RC&D projects; (3) a wildlife management area; (4) programmatic recommendations for agriculture/forest land treatment, floodplain management and energy treatment; and (5) State programmatic recommendations for acid mine drainage control and cost sharing. Alternatives are considered for each major type of recommended action. (EIS Order No. 810136.)

EXTENSION: The review period for the above EIS has been extended until May 14, 1981 (No. 810136).

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environment and Safety, U.S. Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590, (202) 426-4357.

Federal Highway Administration

Final

AUGUSTA RR DEMONSTRATION PROJECT/SOUTHERN RR (F-2): Georgia and South Carolina, February 17: Proposed is a Railroad Demonstration Project for the Augusta metro area encompassing all or a portion of Richmond and Columbia Counties, Georgia and the city of North Augusta and Aiken County, South Carolina. This EIS concerns only the Southern Railroad, one of three rail systems serving the area. The project would involve relocating the main line and yard out of the Augusta Central City area and bridge construction over Savannah River. The cooperating agency is the State of Georgia. A final EIS, No. 810092 was filed 1-28-81 concerning the Georgia RR portion of the project as addressed in draft EIS, No. 781312, filed 12-7-78. (FHWA-GA-EIS-78-03-F.) Comments made by: USDA, HUD, DOI, HEW, EPA, COE, State and local agencies, businesses. (EIS Order No. 810123.)

BARNES ROAD, US 26/OR-217 TO MULTNOMAH CO. LINE: Washington County, Oregon, February 20: Proposed is the widening of Barnes Road from the US 26/OR-217 Interchange and the Multnomah County line in Washington County, Oregon. The length of the project is 1.7 miles and would involve reconstructing Barnes Road with additional lanes and adding curbs and sidewalks or paved shoulders. The alternatives consider: (1) No Action, (2) widen to five lanes in some sections, and (3) widen to four lanes in some sections. (FHWA-OR-EIS-80-03-F.) Comments made by: EPA, DOI, State and local agencies, groups. (EIS Order No. 810144.)

Final

MARY CLARK EXPRESSWAY, CONSTRUCTION: Berkeley and Charleston Counties, South Carolina: Proposed is the construction of the Mary Clark Expressway in Berkeley and Charleston Counties, South Carolina, from Virginia Avenue easterly across the Cooper and Wando Rivers to a terminus with US 17 and US 701 at Mount Pleasant. The four-lane freeway segment would be built entirely on new location and would provide direct service between the North Charleston and Mt. Pleasant areas in Charleston County and including the Thomas and Daniel Island areas of Berkeley County. The proposed freeway will be approximately nine miles in length. (FHWA-SC-EIS-79-01-F.) Comments made by: COE, DOT, HEW, DOI, EPA, DOC, USN, State and local agencies. (EIS Order No. 810135.)

[FR Doc. 81-3843 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-37-M

[ER-FRL 1763-5]

EPA Comments on Environmental Impact Statements and Other Actions Impacting the Environment; Availability of Report

AGENCY: Office of Federal Activities (A-104), U.S. Environmental Protection Agency.

PURPOSE: Pursuant to the requirements of Section 102(2)(c) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment.

SUMMARY OF NOTICE: A report which identifies EPA's comments on EIS's and other actions impacting the environment which were released during January 1981 has been prepared and is available upon request. To obtain a copy of this report you should contact: Ms. Kathi L. Wilson, Office of Federal Activities (A-

104), U.S. Environmental Protection Agency, Washington, D.C. 20460.

This report is also published in the monthly publication entitled, 102 Monitor, which is available through subscription with the Government Printing Office, Superintendent of Documents, Washington, D.C. 20402.

CONTENTS OF REPORT: The report contains the type and title of the document reviewed by EPA, the agency responsible for preparing document, the EPA review control number, the classification of the nature of EPA's comments for draft EIS's and a summary of the EPA's comments is given for final EIS's and other actions.

Dated: February 23, 1981.

William N. Hedeman, Jr.,

Director, Office of Federal Activities.

[FR Doc. 81-75 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-37-M

[A-2-FRL 1762-8]

Prevention of Significant Air Quality Deterioration (PSD); Determination of PSD Applicability

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action.

SUMMARY: The purpose of this notice is to announce that on November 14, 1980, the EPA Region II Office issued a determination of PSD applicability to the Auburn Steel Company (ASC) for its proposed electric arc furnace expansion program at the ASC Auburn, New York plant. This determination was issued under EPA's Prevention of Significant Air Quality Deterioration regulations codified at 40 CFR 52.21 (45 FR 52676) and is final action under the Clean Air Act (the Act).

DATES: This determination is effective on February 27, 1981. (See Supplemental Information).

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Permits Administration Branch, Planning and Management Division, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, Room 432, New York, New York 10278, (212) 264-4711.

SUPPLEMENTARY INFORMATION: Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit by April 28, 1981. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

This determination of PSD applicability is contained in a letter dated November 14, 1980, from Mr. Charles S. Warren, Region II Administrator to Mr. Tim Hiyamuta of ASC. The text of the letter reads, in pertinent part:

November 14, 1980.

Mr. Tim Hiyamuta,

President, Auburn Steel Company, Inc., P.O. Box 98, Auburn, New York 13021.

Dear Mr. Hiyamuta: This is to inform you that the United States Environmental Protection Agency (EPA), Region II Office, has reviewed the Galson Technical Services, Inc. emissions test report (received by this office on September 22, 1980) that you submitted to facilitate on applicability determination of the Federal Prevention of Significant Air Quality Deterioration (PSD) regulations to the Auburn Steel Company (ASC) electric arc furnace (EAF) expansion program at its Auburn, New York plant. Based upon this review, it is the EPA determination that this project *is* subject to the PSD requirements for the pollutant carbon monoxide (CO).

Pursuant to the final decision in the case of *Alabama Power v. Costle* (No. 78-1006, D.C. Cir.) (a consolidation of numerous challenges to the June 19, 1978, PSD regulations), the EPA promulgated amendments to the PSD regulations on August 7, 1980. The regulations apply to (among other sources) any modification at a major stationary source (one that emits or has the potential to emit 100 tons per year (TPY) or more of any pollutant subject to regulation under the Clean Air Act (the Act) that would result in a significant net emissions increase (an increase above the de minimis level listed in the PSD regulations) of any pollutant subject to regulation under the Act. ASC is an existing major stationary source of CO, a regulated pollutant, and the emissions increase of CO associated with the EAF expansion (approximately 170 TPY) is greater than the de minimis level listed in the PSD regulations (100 TPY for CO); therefore, the ASC modification is subject to PSD for this pollutant.

The determination that ASC is subject to the PSD regulations for CO is final action under the Act. Under Section 307(b)(1) of the Act, judicial review of this determination is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of the date on which this determination is published in the *Federal Register*. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

Sincerely yours,

Charles S. Warren,

Regional Administrator.

Dated: February 13, 1981.

Charles S. Warren,

Regional Administrator.

[FR Doc. 81-76 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

[A-2-FRL 1763-4]

Prevention of Significant Air Quality Deterioration (PSD); Determination of PSD Non-Applicability

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action.

SUMMARY: The purpose of this notice is to announce that on October 24, 1980, the EPA Region II Office issued a determination of PSD non-applicability to Edward Fields Inc. (EFI) for its proposed cogeneration facility at the EFI carpet manufacturing plant in Flushing, New York. This determination was issued under EPA's Prevention of Significant Air Quality Deterioration regulations codified at 40 CFR 52.21 (45 FR 52676) and is final action under the Clean Air Act (the Act).

DATE: This determination is effective on February 27, 1981. (See Supplemental Information).

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Permits Administration Branch, Planning and Management Division, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, Room 432, New York, New York 10278, (212) 264-4711.

SUPPLEMENTARY INFORMATION: Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit by April 28, 1981. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

This determination of PSD non-applicability is contained in a letter dated October 24, 1980, from Mr. Charles S. Warren, Region II Administrator to Mr. Louis J. Pucca, representing EFI. The text of the letter is as follows:

October 24, 1980.

Mr. Louis J. Pucca,

Michael Dalton Associates, 202 Mamaroneck Avenue, White Plains, New York 10601.

Dear Mr. Pucca: This is to inform you that the United States Environmental Protection Agency (EPA), Region II Office, has reviewed the information submitted dated August 25, 1980, relative to the applicability of the Federal Prevention of Significant Air Quality Deterioration (PSD) regulations to a new congeneration project (to consist of three 250 kilowatt diesel generators with one unit for standby purposes) at the Edward Fields, Inc. carpet manufacturing plant in Flushing, Queens, New York. Based upon this review, it is the EPA determination that this

congeneration project is *not* subject to the PSD regulations.

Pursuant to the final decision in the case of *Alabama Power v. Costle* (No. 78-1006, D.C. Cir.) (a consolidation of numerous challenges to the June 19, 1978, PSD regulations), the EPA promulgated amendments to the PSD regulations on August 7, 1980. These regulations apply to (among other sources) new sources, such as the new carpet manufacturing plant, which will emit or will have the potential to emit 250 tons per year (TPY) or more of any pollutant regulated under the Clean Air Act (the Act). Based upon a review of the congeneration project, the 250 TPY threshold level will not be exceeded by emissions of any regulated pollutant; therefore, PSD does not apply to this project.

This determination is final action under the Act. Under Section 307(b)(1) of the Act, judicial review of this determination is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of the date on which this determination is published in the **Federal Register**. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

All information used in making this determination is available for public inspection upon request at the following location: Permits Administration Branch, Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278; Attention: Mr. Kenneth Eng (212) 264-4711.

Sincerely yours,

Charles S. Warren,

Regional Administrator.

Dated: February 13 1981.

Charls S. Warren,

Regional Administrator.

[FR Doc. 81-78 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

[A-2-FRL 1762-7]

Prevention of Significant Air Quality Deterioration (PSD); Issuance of PSD Permit to Construct

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action.

SUMMARY: The purpose of this notice is to announce that on October 27, 1980, the EPA Region II Office issued a PSD permit to construct to Exxon Company, U.S.A. (Exxon) to modify its existing Bayway Refinery located in Linden, New Jersey. This determination was issued under EPA's Prevention of Significant Air Quality Deterioration regulations codified at 40 CFR 52.21 (43 FR 26830) and is final action under the Clean Air Act (the Act).

DATES: This determination is effective on February 27, 1981. (See Supplemental Information.)

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Permits Administration Branch, Planning and Management Division, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, Room 432, New York, New York 10278, (212) 264-4711.

SUPPLEMENTARY INFORMATION: Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit by April 28, 1981. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

This PSD permit is contained in a letter dated October 27, 1980, from Mr. Charles S. Warren, Region II Administrator to Mr. F. A. Westphal of Exxon. The text of the letter is as follows:

October 27, 1980.

Mr. F. A. Westphal, Manager, Refining Department, Bayway Refinery, Exxon Company, U.S.A., P.O. Box 222, Linden New Jersey 07036.

Dear Mr. Westphal: This is to inform you that a final determination has been made by the United States Environmental Protection Agency (EPA), Region II Office, on the Prevention of Significant Air Quality Deterioration (PSD) application submitted by the Exxon Company, U.S.A. (Exxon) for a permit to modify its existing Bay Way Refinery located in Linden, New Jersey. The EPA has determined that the proposed project (ICN Reforming Project) will meet all of the requirements of the Clean Air Act and the PSD regulations (40 CFR 52.21) and, therefore, this PSD permit approval is hereby granted. *Attachment I* contains a description of the proposed ICN Reforming Project and the conditions to the EPA approval.

In the course of evaluating this project and arriving at a final decision to approve it, the EPA requested public comments concerning the Exxon project and solicited comments on the need to hold a public hearing relative to the project. A notice requesting such was published in the *Newark Star Ledger* on July 3, 1980. The public comment period ended on August 2, 1980; no public hearing was requested during the fifteen day period in which requests were to have been considered. The EPA did *not* receive any public comments on the proposed project.

In a July 22, 1980, letter to the EPA (along with supporting information contained in an August 7, 1980, letter to Mr. William Hart of the New Jersey Department of Environment Protection) Exxon proposed design changes to its ICN Reforming Project. As a result of these changes, some of EPA's findings and determinations are no longer applicable. Specifically, the emissions of the pollutants carbonmonoxide and particulate matter (PM) are expected to be reduced significantly and thus no PSD review would apply to these pollutants. In addition, PM is no longer subject to the Emissions Offset Policy. The emissions of nitrogen oxides (NO_x) are expected to increase; however, the ambient air quality impact, inclusive of the incremental emissions increase, is expected to be acceptable (no National Ambient Air Quality Standards for NO_x will be violated). In view of our findings that the proposed design changes do not represent major alterations to the original project, will not adversely affect the ambient air quality in the area, and do not require the EPA to change its emissions limitations, the EPA has determined that the proposed design modifications and the attendant EPA revised determinations need not have to undergo additional public review. Revisions addressing the design changes and consequently, the new emissions estimates have been incorporated into this permit (see *Attachment I*, Appendices A and B).

Authority to commence construction on this project shall be effective on the date of this approval. If construction is not commenced within eighteen months of this notice, discontinued for a period of eighteen months or more, or not completed within a reasonable time, such authority shall become invalid. In accordance with the regulations set forth in 40 CFR 52.21(r)(2)(viii), this notification shall be made available for pubic inspection at the Metropolitan Field Office, Bureau of Air Pollution Control, New Jersey Department of Environmental Protection, 1259 Route 46, Building No. 3, Parsippany, New Jersey 07054.

Please be advised that the EPA has revised on August 7, 1980, the 1978 PSD regulations under which your appication was reviewed and under which this final detemination of approvability was reached. As a result, this final determination may contain requirements which are not applicable to your project under the revised 1980 PSD regulations. Please see attached copy of 1980 PSD regulations. If such is the case, the 1980 PSD regulations allow for the recision of a PSD permit (or portions therefore) upon satisfactory showing by the source that the 1980 PSD regulations (or portions thereof) would not apply to the source.

If you have any questions concerning the final determination herein communicated to you, please call Mr. Kenneth Eng at (212) 264-4711.

Sincerely yours,

Charles S. Warren,

Regional Administrator.

Attachment I

The Exxon Company, USA (Exxon) (Bayway Refinery) Bayway ICN Reforming Project consists of the following facilities: an ICN splitter tower, a feed hydrofiner, a powerformer unit, 6 fossil fuel-fired heaters (one associated with the hydrofiner and five associated with the power former), 2 naphtha feed tanks, 2 acid tanks and 2 slop feeders. Construction and operation of these Exxon facilities are subject to the following conditions:

1. Exxon shall meet all the specifications (including, but not limited to design

parameters and emissions estimates) described in the completed PSD application package and the BACT described in *Appendix A;*

2. Exxon shall maintain the sulfur feed rates to the sulfur recovery unit from the hydrofiner so that there is no net difference (except within the daily allowable fluctuation levels) in the net sulfur dioxide (SO_2) emissions from the sulfur recovery unit;

3. Exxon shall obtain all New Jersy Department of Environmental Protection (NJDEP) permits and all required emissions offsets before a final PSD permit can be issued. Specifically, Exxon shall obtain and NJDEP permit which demonstrates compliance with the Emission Offset Policy;

4. Exxon shall meet all other applicable federal (including, but not limited to the New Source Performance Standards), state and local requirements.

Appendix A.—*Emissions and BACT Summary for Exxon Co., U.S.A., Bayway ICN Reforming Project*

Emission facilities	Pollutant	Potential emissions (TPY)	Allowable emissions (TPY)	BACT
A. Process heater	HC	5.1	5.1	Exempt [1]—requires LAER.
	NO_x	1,663.0	1,663.0	Conventional burners.
	SO_2	195.4	195.4	Noncommercial fuel gas of less than 0.1 grain of hydrogen disulfide (H_2S) per day standard cubic foot; when this fuel is not available, a noncommercial liquid fossil fuel containing no more than 0.5 percent sulfure by weight will be used as an alternate.
B. Hydrofiner and powerformer	HC	123.2	2.5	Exempt [1]—requires LAER.
	SO_2	[2] <4,416.6	[2] 4,416.6	Three Claus units and a Parson Beavon tail-gas clean-up unit.
C. Tankage	HC	<235.6	4.1	Exempt [1]—requires LAER.
D. Fugitive emissions	HC	<203.0	203.0	Exempt [1]—requires LAER.

[1] The Exxon project is exempt from BACT analysis because it is subject to EOP for HC; must employ LAER (equal to or more stringent than BACT).

[2] Equal to amount of sulfur converted to SO_2 as sent to sulfur recovery plant as H_2S. However, this is equal to the amount being sent now by the facilities to be idled; thus, there is no net increase in SO_2 from the sulfure recovery facility and the emissions need not be considered in the total scheme.

Appendix B.—*Increment Consumption for Exxon Co., U.S.A., Bayway ICN Reforming Project*

Pollutant	Averaging time	Operating load (percent)	Exxon plant maximum calculated level concentration ($\mu g/m^3$)	PSD class II allowable increments	Adjusted PSD class II maximum allowable increments ($\mu g/m^3$) [1]	Percent of adjusted increment consumed by Exxon
SO_2	3 hours	100	[2] 5.1	512	521.9	0.98
SO_2	24 hours	100	[2] 1.5	91	96.9	1.55
SO_2	Annual	100	[2] .11	20	20.5	.54

[1] PSD increment adjusted for consumption or expansion of air increments due to major source growth or shutdowns.

[2] Located 2 kilometers northeast (approximately 70°) from facility.

Dated: February 13, 1981.

Charles S. Warren,

Regional Administrator.

[FR Doc. 81-77 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

[A-2-FRL 1763-3]

Prevention of Significant Air Quality Deterioration (PSD); Determination of PSD Non-Applicability

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action.

SUMMARY: The purpose of this notice is to announce that on October 30, 1980, the EPA Region II Office issued a determination of PSD non-applicability to Essex Chemical Corporation (ECC) for a proposed magnesium oxide regeneration facility at its Newark, New Jersey plant. This determination was issued under EPA's Prevention of Significant Air Quality Deterioration regulations codified at 40 CFR 52.21 (45 FR 52676) and is final action under the Clean Air Act (the Act).

DATES: This determination is effective on February 27, 1981 (See Supplemental Information).

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Permits Administration Branch, Planning and Management Division, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, Room 432, New York, New York 10278, (212) 264-4711.

SUPPLEMENTARY INFORMATION: Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit by April 28, 1981 Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

This determination of PSD non-applicability is contained in a letter dated October 30, 1980, from Mr. Charles S. Warren, Region II Administrator to Mr. Irwin S. Zonis of ECC. The text of the letter is as follows:

October 30, 1980.

Mr. Irwin S. Zonis,

Vice President, Essex Chemical Corporation, 1401 Broad Street, Clifton, New Jersey 07015.

Dear Mr. Zonis: This is to inform you that the United States Environmental Protection Agency (EPA), Region II Office, has completed its review of the information you submitted (a letter dated May 28, 1980, and a package dated July 31, 1980) relative to the proposed modification (construction of a new magnesium oxide regeneration facility) at the Essex Chemical Corporation (Essex) Newark, New Jersey plant. This information was submitted to facilitate a determination of applicability or non-applicability to the Prevention of Significant Air Quality Deterioration (PSD) regulations (45 FR 52676 codified at 40 CFR 52.21 (1980)). On the basis of this review it is the determination of the EPA that this project is *not* subject to the PSD regulations.

The EPA determination that the proposed magnesium oxide regeneration facility is *not* subject to PSD review is based upon its finding that the emissions of each pollutant regulated under the Clean Air Act associated with the facility are below the levels at which the PSD regulations are applicable. Specifically, the emissions of the principal pollutants, carbon monoxide (CO), hydrocarbons (HC), nitrogen oxides (NO_x), particulate matter (PM) and sulfur dioxides (SO_2) are below their respective *de minimis* levels (100 tons per year (TPY) for CO, 40 TPY for HC, 40 TPY for NO_x, 25 TPY for PM and 40 TPY for SO_2) based upon federally enforceable limitations on the hours of operation of the facility as stated in the New Jersey Department of Environmental Protection permits to construct.

This determination is final action under the Act. Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of

the date on which this determination is published in the **Federal Register**. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

All information used in making this determination is available for public inspection at the following location: Permits Administration Branch, Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278, Attention: Mr. Kenneth Eng (212) 264–4711.

Sincerely yours,

Charles S. Warren,

Regional Administrator.

Dated: February 13, 1981.

Charles S. Warren,

Regional Administrator.

[FR Doc. 81-70 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

[A-2-FRL 1763-1]

Prevention of Significant Air Quality Deterioration (PSD); Issuance of PSD Permit to Construct

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action.

SUMMARY: The purpose of this notice is to announce that on November 17, 1980, the EPA Region II Office issued a PSD permit to construct to Martin Marietta Aluminum, Inc. (MMA) for a modification at its existing alumina refinery located in St. Croix in the U.S. Virgin Islands. This determination was issued under EPA's Prevention of Significant Air Quality Deterioration regulations codified at 40 CFR 52.21 (43 FR 26830) and is final action under the Clean Air Act (the Act).

DATES: This determination is effective on February 27, 1981 (See Supplemental Information).

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Permits Administration Branch, Planning and Management Division, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, Room 432, New York, New York 10278, (212) 264–4711.

SUPPLEMENTARY INFORMATION: Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit by April 28, 1981. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

This PSD permit is contained in a letter dated November 17, 1980, from Mr. Charles S. Warren, Region II Administrator to Dr. Bernard W. Gamson of MMA. The text of the letter is as follows:

November 17, 1980.

Dr. Bernard W. Gamson,

Executive Vice President, Martin Marietta Aluminum, Inc., 6801 Rockledge Drive, Bethesda, Maryland 20034.

Dear Dr. Gamson: This is to inform you that a final determination has been made by the United States Environmental Protection Agency (EPA), Region II Office, on the Prevention of Significant Air Quality Deterioration (PSD) application submitted by Martin Marietta Aluminum, Inc. (MMA) for a permit to modify its existing alumina refinery located in St. Croix, in the Virgin Islands. The EPA has determined that the proposed project (Expansion "D" coal-conversion) will meet all of the requirements of the Clean Air Act and the PSD regulations (43 FR 26830 (1978) codified at CFR 52.21) and, therefore, this PSD permit approval is hereby granted. *Attachment I* contains a description of the proposed project and the conditions to the EPA approval.

In the course of evaluating this project and arriving at a final decision to approve it, the EPA requested public comments concerning the MMA project and solicited comments on the need to hold a public hearing relative to the project. A notice requesting such was published in the *St. Thomas Daily News* and the St. Croix *Avis* on September 17, 1980. The public comment period ended on October 17, 1980; no public hearing was requested during the fifteen day period in which requests were to have been considered. The EPA did *not* receive any public comments on the proposed project.

In a September 19, 1980, telephone call from Mr. Werner Furth and Mr. Maclyn McCarty of MMA to Ms. Carol Casazza and Mr. Paul Kahn of the EPA (followed by a letter from MMA to the EPA dated September 30, 1980) MMA requested several changes to the permit conditions in order to clarify the wording and to resolve certain discrepancies. The requested changes have been reviewed by EPA and, where appropriate, the permit conditions have been revised.

Authority to commence construction on this project shall be effective on the date of this approval. If construction is not commenced within eighteen months of this notice, discontinued for a period of eighteen months or more, or not completed within a reasonable time, such authority shall become invalid. In accordance with the regulations set forth in 40 CFR 52.21(r)(2)(viii), this notification shall be made available for public inspection by the Virgin Islands Department of Conservation and Cultural Affairs at the Christiansted Library, King Street, St. Croix, Virgin Islands 00820.

Please be advised that the EPA has revised on August 7, 1980, the 1978 PSD regulations under which your application was reviewed and under which this final determination of approvability was reached. As a result, this final determination may contain requirements which are not applicable to your project under the revised 1980 PSD regulations. Please see the attached copy of the 1980 PSD regulations. If such is the case, the 1980 PSD regulations allow for the recision of a PSD permit (or portions thereof) upon satisfactory showing by the source that the 1980 PSD regulations (or portions thereof) would not apply to the source.

This determination to issue MMA a PSD permit is final action under the Act. Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of the date on which this determination is published in the *Federal Register*. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

If you have any questions concerning the final determination herein communicated to you, please call Mr. Kenneth Eng at (212) 264–4711.

Sincerely yours,

Charles S. Warren,

Regional Administrator.

Attachment I

The MMA project consists of the construction of a new 775 million British thermal unit (MMBtu) (total heat input) coal-fired boiler (with standby oil capacity) to replace three existing No. 6 oil-fired boilers at its plant (Expansion "D" site) in St. Croix in the Virgin Islands. The existing oil-fired boilers will be retained as back-up for the new coal-fired boiler. Other facilities associated with the MMA project include equipment used for coal-handling, coal crushing and storage, bottom ash disposal, and fly ash disposal. Construction and operation of these MMA facilities are subject to the following conditions:

I. *Conditions on Fuel Usage:*

1. MMA shall restrict the sulfur content of the coal to be used such that the SO_2 emissions will not exceed 1.2 pounds (lbs) per MMBtu (the New Source Performance Standard (NSPS) limitation for fossil fuel-fired boilers);

2. MMA shall use fuel oil in the standby oil burner (for start-up and emergency use only) with a sulfur content consistent with that allowed under the Virgin Islands State Implementation Plan (SIP). In the event that the SIP permits the use of fuel oil with a sulfur content in excess of 1.5% sulfur by weight, MMA must demonstrate to the EPA that the use of such fuel will satisfy all applicable federal, state and local regulations.

II. *Conditions on Fugitive Emissions:*

1. MMA shall use coal silos for routine coal storage. Outside coal storage is permitted only in emergency situations. MMA shall, if outside coal storage is to be used, apply a suitable crusting agent as frequently as necessary to prevent excessive fugitive emissions so as to comply with § 204.25 of the Virgin Islands SIP.

III. *Conditions on Control Equipment:*

A. Particulate Matter (PM) Controls:

1. MMA shall meet the NSPS limitation of 0.1 lbs of PM/MMBtu;

2. MMA shall submit to the EPA specific baghouse design and operating parameters

listed in *Attachment Ia* for each proposed baghouse prior to awarding the final contract;

3. MMA shall conduct tests in accordance with the procedures delineated in 40 CFR § 60.46 of the NSPS (Subpart D, standards for boilers) and submit an appropriate test report to EPA;

4. MMA shall install, operate and maintain emissions and fuel monitoring devices as required in 40 CFR § 60.45 of the NSPS;

5. MMA shall equip the boiler flue gas baghouse with the following devices:

a. an opacity monitor which meets EPA performance specifications found at 40 CFR § 60, *Appendix B*, Specification 1 of the NSPS;

b. a pressure differential sensor with audible control room alarm to indicate the presence of one or more broken bags;

c. a collecting hopper level gauge which will indicate the level of accumulated fly ash or coal dust;

6. MMA shall maintain inventories of spare bags and baghouse parts as recommended by the baghouse manufacturer.

B. Nitrogen Oxides (NO_x) Controls:

1. MMA shall, prior to awarding final boiler contracts provide detailed information as to how the prospective boiler will meet the 0.7 lbs/MMBtu NO_x emission limitation of NSPS Subpart D.

IV. *Other Conditions:*

1. MMA shall use the baghouse by-pass only when the boiler is firing fuel oil;

2. MMA shall, in addition to the above conditions, meet all the specifications (including, but not limited to) design parameters and emission estimates described in the completed PSD application package and the Best Available Control Technology (BACT) limitations delineated in *Appendix A;*

3. MMA shall meet all other applicable federal (including, but not limited to the NSPS), state and local requirements;

4. MMA shall limit the combustion rate of coal in the facility to not exceed 775 MMBtu total heat input.

MMA shall submit the following baghouse design and operating parameters:

1. Design emission rate (lbs/MMBtu) for particulate matter (before and after proposed controls);

2. Estimated total gas flow in actual cubic feet per minute (ACFM) from steam generator at full load and at baghouse operation temperature;

3. Baghouse operation temperature (±°F) range;

4. Number of separate baghouses;

5. Number of isolated compartments per baghouse;

6. Design criteria for air to cloth ratio or range of acceptable ratios (cloth area divided by total ACFM);

7. Cloth description;

8. Type of bag cleaning under consideration and subsequent cleaning controls;

9. Strategy for detecting and replacing faulty bags;

10. Description of ash handling and disposal system;

11. Nature and terms of performance guarantee.

Appendix A.—*Emissions and BACT Summary for Martin Marietta Aluminum, Inc., Coal-Conversion at Expansion "D"*

Emission facilities	Pollutant	Potential emissions (TPY)	Allowable emissions (TPY)	BACT
A. One 755 MMBtu coal-fired boiler	SO_x	3,856	4,039	Low sulfur content coal, not to exceed 1.2 lbs/MMBtu.
	NO_x	4,007 [1]	2,378	Boiler design, staged combustion or stoichiometric firing (low excess air).
	CO	133	133	Proper boiler operation.
	PM	16,498 [1]	339	Baghouse.
B. Coal-handling	PM	Approximately 60	Approximately 121 [2]	Baghouse.
C. Ash disposal	PM	Not quantifiable	Not quantifiable	Baghouse.

[1] Although the potential emissions are greater than the allowable emissions, MMA must comply with the allowable emissions (based on Federal, State and local requirements).

[2] In pounds per hour; the total annual emissions dependent upon the amount of coal burned.

NOTE.—Allowable emissions based upon operation limitation of 8,760 hours per year.

Appendix B.—*Increment Consumption for Martin Marietta Aluminum, Inc., Coal-Conversion at Expansion "D"*

Pollutant	Averaging time	Operating load (percent)	MMA plant maximum calculated level concentration (μg/m³)	PSD class II maximum allowable increments (μg/m³)	Adjusted PSD class II maximum allowable increments (μg/m³) [1]	Percent of adjusted increment consumed by MMA
SO_x	3 hours	100	[2] 113.0	512	252	22
SO_x	24 hours	100	[3] 47.5	91	80.2	52
SO_x	Annual	100	[4] 4.9	20	19.94	24
PM	24 hours	100	[3] 3.4	37	25.1	9
PM	Annual	100	[4] 1.63	19	16.9	9

[1] PSD increment adjusted for consumption of air increments due to major source growth (MMA Expansion "E").

[2] Maximum impact occurs approximately 2 kilometers (Km) northwest (300°) from the plant.

[3] Maximum impact occurs approximately 1.5 km northwest (300°) from the plant.

[4] Maximum impact occurs approximately 1.5 km northwest (320°) from the plant.

Dated: February 13, 1981.

Charles S. Warren,

Regional Administrator.

[FR Doc. 81-80 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

[A-2-FRL 1763-2]

Prevention of Significant Air Quality Deterioration (PSD); Determination of PSD Non-Applicability

AGENCY: Environmental Protection Agency.

ACTION: Notice of final action.

SUMMARY: The purpose of this notice is to announce that on November 13, 1980, the EPA Region II Office issued a determination of PSD non-applicability to the Norlite Corporation (NC) for a new kiln NC is proposing to construct at its Cohoes, New York plant. This determination was issued under EPA's Prevention of Significant Air Quality Deterioration regulations codified at 40 CFR 52.21 (45 FR 52676) and is final action under the Clean Air Act (the Act).

DATE: This determination is effective on February 27, 1981. (See Supplemental Information).

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Eng, Chief, Air and Environmental Applications Section, Permits Administration Branch, Planning and Management Division, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, Room 432, New York, New York 10278, (212) 264-4711.

SUPPLEMENTARY INFORMATION: Under Section 307(b)(1) of the Act, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit by April 28, 1981. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

This deterimnation of PSD non-applicability is contained in a letter dated October 24, 1980, from Mr. Charles S. Warren, Region II Administrator to Mr. Paul R. Kneuer of NC. The text of the letter is as follows:

November 13, 1980.

Mr. Paul R. Kneuer,

Vice President, Administration, Norlite Corporation, 628 South Saratoga Street, Cohoes, New York 12047.

Dear Mr. Kneuer: This is to inform you that the United States Environmental Protection Agency (EPA), Region II Office, has reviewed the information submitted by Whiteman, Osterman & Hanna on behalf of the Norlite Corporation (NC) dated October 8, 1980, relative to the applicability of the federal Prevention of Significant Air Quality deterioration (PSD) regulations to a new kiln that NC is proposing to construct at its Cohoes, New York plant. Based upon this review, it is the EPA determination that this project is *not* subject to the PSD regulations.The PSD regulations apply to

(among other sources), modifications at existing major sources (sources which emit or which have the potential to emit 250 tons per year (TPY) or more of any pollutant subject to regulation under the Clean Air Act (the Act)) that would result in a significant net emissions increase (an increase greater than the threshold limitation (de minimis level) listed in the PSD regulations) of any pollutant subject to regulation under the Act or modifications that, by themselves, would result in a net emissions increase of 250 TPY or greater of a subject pollutant. In a letter from this office dated September 25, 1980, you were informed that the proposed kiln was subject to PSD for the pollutants particulate matter (PM) and sulfur dioxide (SO_2). This determination was based upon the EPA findings that the existing NC Cohoes plant is a major source (emits greater than 250 TPY of SO_2) and that the proposed kiln will result in net emissions increases of PM and SO_2 (approximately 60 TPY and 105 TPY, respectively) above the *de minimis* levels (25 TPY for PM and 40 TPY for SO_2). The October 8, 1980, submission showed that a wet scrubber to control SO_2 emissions is being employed at the existing kiln. Based upon this recent submission, th EPA has determined that the NC Cohoes plant is not a major source (it emits, after application of legally enforceable air pollution control equipment, less than 250 TPY of SO_2). Since the NC plant is not a major source and since the proposed modification by itself does not result in a net emission increase of 250 TPY or greater of a subject pollutant the PSD regulations do *not* apply to this project.

This determination is final action under the Act. Under Section 307(b)(1) of the Act, judicial review of this determination is available only by the filing of a petition for review in the United States Court of Appeals for the apprpriate circuit within 60 days of the date on which this determination is published in the **Federal Register**. Under Section 307(b)(2) of the Act, this determination shall *not* be subject to later judicial review in civil or criminal proceedings for enforcement.

All information used in making this determination is available for public inspection upon request at the following location: Permits Administration Branch, Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278; Attention: Mr. Kenneth Eng (212) 264–4711.

Sincerely yours,

Charles S. Warren,

Regional Administrator.

Dated: February 13, 1981.

Charles S. Warren,

Regional Administrator.

[FR Doc. 81-81 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-38-M

[OPP-180574; PH-FRC 1764-5]

U.S. Department of Agriculture; Crisis Exemption for Methyl Bromide in Warehouse

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA gives notice that the Animal and Plant Health Inspection Service, U.S. Department of Agriculture (hereafter referred to as "USDA"), has availed itself of a crisis exemption for the use of methyl bromide as a fumigant in a New York warehouse to control the khapra beetle *(Trogoderma granarium, Everts)*.

DATE: The crisis period has ended.

FOR FURTHER INFORMATION CONTACT: Jack E. Housenger, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509B, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703–557–7123).

SUPPLEMENTARY INFORMATION: USDA notified the Administrator on November 28, 1980, that it had initiated a crisis exemption for the use of methyl bromide as a fumigant in a warehouse in Gloversville, New York, to eradicate the khapra beetle. USDA reported that there was insufficient time to request a specific exemption due to the urgency for immediate eradication treatments.

Khapra beetle is one of the world's most devastating pests of stored products. It was not known to be present in the United States, and USDA states that immediate eradication treatments were necessary to prevent its spread and possible serious economic damage.

USDA reported that there are no registered pesticides readily available other than methyl bromide that will eradicate the khapra beetle. Methyl bromide is registered for khapara beetle use but at a lower rate than is necessary to eradicate the pest. USDA reported that the higher rate of treatment was required.

The warehouse, which contains hides, was fumigated with methyl bromide at the rate of 12 pounds of methyl bromide per 1,000 cubic feet for 24–32 hours. The crisis period has ended.

(Sec. 18 as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: February 18, 1981.

James M. Conlon,

Associate Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-74 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-180575; PH-FRC 1763-8]

U.S. Department of Agriculture; Crisis Exemption for Methyl Bromide in Warehouses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA gives notice that the Animal and Plant Health Inspection Service, U.S. Department of Agriculture (hereafter referred to as "USDA"), has availed itself of a crisis exemption for the use of methyl bromide as a fumigant at four sites in Maryland to control the khapra beetle (*Trogoderma granarium, Everts*).

DATE: The crisis period has ended.

FOR FURTHER INFORMATION CONTACT: Jack E. Housenger, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509B, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703–557–7123).

SUPPLEMENTARY INFORMATION: USDA notified the Administrator on December 17, 1980, that it had initiated a crisis exemption for the use of methyl bromide as a fumigant at four sites in Baltimore, Maryland, to eradicate the khapra beetle. USDA reported that there was insufficient time to request a specific exemption due to the urgency for immediate eradication treatments.

Khapra beetle is one of the world's most devastating pests of stored products. It was not known to be present in the United States, and USDA states that immediate eradication treatments were necessary to prevent its spread and possible serious economic damage.

USDA reported that there are no registered pesticides readily available other than methyl bromide that will eradicate the khapra beetle. Methyl bromide is registered for khapra beetle use but at a lower rate than is necessary to eradicate the pest. Two of the infested establishments were spice warehouses, another a used bag and burlap company, and the fourth, an export firm dealing in machinery and equipment for export to foreign countries.

The four facilities were treated with methyl bromide for 12 hours at a rate of 7½ pounds per 1,000 cubic feet.

Tolerances of 400 parts per million are established for inorganic bromide in spices. The crisis period has ended.

(Sec. 18 as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: February 18, 1981.

James M. Conlon,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-69 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-180572, PH-FRL 1764-3]

California; Specific Exemption for Mesurol on Artichokes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has issued a specific exemption to the California Department of Food and Agriculture (hereafter referred to as the "Applicant") to use Mesurol (methiocarb) to control snails and slugs on approximately 3,420 acres of artichokes in California. The specific exemption is issued under the Federal Insecticide, Fungicide, and Rodenticide Act.

DATE: The specific exemption expires on December 31, 1981.

FOR FURTHER INFORMATION CONTACT: Jack E. Housenger, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509B, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7123).

SUPPLEMENTARY INFORMATION: According to the Applicant, unusually wet conditions followed by warming conditions have caused populations of brown garden snails and gray garden slugs in coastal artichoke acreage to be extremely high and increasing rapidly. These pests scar the flower bracts, making the artichokes unmarketable, the Applicant reports. Many of the snails remain on the plant and do not descend to the ground. Therefore, according to the Applicant, to achieve control of the pest, the artichoke plant itself must be treated rather than the surrounding area.

The Applicant projects losses of $1.8 million if Mesurol cannot be used; with Mesurol, losses could be reduced to $300,000.

Metaldehyde in granular form is registered for control of snails and slugs in crop plantings; however, the Applicant states that it may be applied only to the ground surrounding the plant, and not to the plant itself where the pests remain. Furthermore, according to the Applicant, metaldehyde is not effective enough to control the current high populations. The proposed pesticide (Mesurol 75 WP) allows for treatment of the plants.

The Applicant proposes to use Mesurol 75 WP at a rate of 1 pound product (0.75 pound active ingredient) per acre. A maximum of five applications will be made using ground equipment by, or under the supervision of, State-certified applicators. EPA has determined that residues of methiocarb and its cholinesterase-inhibiting metabolites from the proposed use should not exceed 3 parts per million (ppm). This methiocarb residue level has been judged adequate to protect the public health. This pesticide is toxic to fish and aquatic invertebrates; however, since applications are to be made directly to the artichoke plants, and if care is taken to prevent significant drift to water sources, no hazard to aquatic life is expected. There are no endangered or threatened species that would be adversely affected as a result of this use.

After reviewing the application and other available information, EPA has determined that the criteria for an exemption have been met. Accordingly, the Applicant has been granted a specific exemption to use the pesticide noted above until December 31, 1981. The specific exemption is also subject to the following conditions:

1. The Applicant is responsible for ensuring that all of the provisions of this specific exemption are met. Reports of time, location, and extent of pesticide use are due during the course of the program. In addition, a final report summarizing the results of this program must be submitted by March 1, 1982.

2. The product Mesurol 75 WP (EPA Reg. No. 3125-288) will be used at a dosage rate of 1 pound product (0.75 pound active ingredient) per acre.

3. A maximum of 5 applications may be made.

4. A maximum of 3,420 acres may be treated.

5. Application may be made by ground equipment only in 50-150 gallons of water per acre;

6. All applications will be made by or under the direct supervision of applicators State-certified in this category of pest control.

7. This product is toxic to fish. It may not be applied directly to any body of water and drift reduction precautions must be observed. It may not be applied where excessive runoff is likely to occur. Care must be taken to prevent contamination of water by the cleaning of equipment or disposal of wastes or excess pesticides.

8. All applicable directions, restrictions, and precautions on the EPA-accepted label must be followed.

9. The EPA shall be immediately informed of any adverse effect resulting from the use of Mesurol in connection with this exemption.

10. Artichokes with residues of methiocarb and its cholinesterase-inhibiting metabolites that do not exceed 3 ppm may enter interstate commerce. The Food and Drug Administration, U.S. Department of Health and Human Services, has been notified of this action.

11. A 7-day preharvest interval will be observed.

(Sec. 18, as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: February 18, 1981.

James M. Conlon,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-73 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-180571; PH-FRC 1763-7]

Florida; Issuance of Specific Exemption for Fenvalerate on Cabbage

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted permission to the Florida Department of Agriculture and Consumer Services (hereafter referred to as the "Applicant") to use fenvalerate to control the cabbage looper and diamondback moth caterpillar on 20,000 acres of cabbage in Florida. The specific exemption is issued under the Federal Insecticide, Fungicide, and Rodenticide Act.

DATE: The specific exemption expires on November 1, 1981.

FOR FURTHER INFORMATION CONTACT: Libby Welch, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 502C, 1921 Jefferson Davis Highway, Arlington, Va 22202, (703-557-7123).

SUPPLEMENTARY INFORMATION: According to the Applicant, cabbage loopers and diamondback moth caterpillars have been pests in cole crops for many years. Direct feeding damage to the marketable, edible plants and contamination through fecal material make the crops unmarketable and unsuitable for processing. Effective control is needed throughout the season since poor control during any portion results in more adults to attack before the crop has matured, the Applicant reports.

The Applicant states that these pests have developed resistance to registered insecticides such as methomyl and *Bacillus thruingiensis*. Data indicate that methamidophos is very effective but cannot be used within 35 days of harvest. The Applicant reported that during the 1978–1979 season even the most effective insecticides used at maximum rates at minimum time intervals did not provide economic control. The Applicant estimates that without the use of fenvalerate, economic loss due to the cabbage looper and diamondback moth could be as high as $3 million and could drive some growers out of business.

The Applicant proposed to apply fenvalerate at a rate of 0.05 to 0.1 pound per acre using the product Pydrin 2.4 EC, manufactured by Shell Chemical Company.

EPA has determined that residues of fenvalerate from the proposed use should not exceed 2.0 parts per million (ppm) in cabbage. This level has been judged by the EPA to be adequate to protect the public health. EPA has also determined that the proposed use should not have an unreasonable adverse effect on the environment.

After reviewing the application and other available information, EPA has determined that the criteria for an exemption have been met. Accordingly, the Applicant has been granted a specific exemption to use the pesticide noted above until November 1, 1981, to the extent and in the manner set forth in the application. The specific exemption is also subject to the following conditions:

1. The product Pydrin 2.4 EC (EPA Reg. No. 201–401) manufactured by Shell Chemcial Company may be used.

2. Total acreage of cabbage may not exceed 20,000 acres.

3. A maximum of 16,000 pounds of active ingredient (a.i.) may be applied at a maximum rate of 0.05 to 0.1 pound a.i. per acre.

4. A maximum of 8 applications are authorized.

5. A 7-day preharvest interval is imposed.

6. All applications must be made by State-certified appicators or persons under their direct supervision.

7. Root crops may not be planted in treated fields for 12 months after application. A 60-day crop rotation restriction is imposed for any other crop, other than cotton.

8. Fenvalerate will be applied by ground equipment in a minimum spray volume of 20 gallons of water or by air in a minimum spray volume of 5 gallons of water per acre.

9. Fenvalerate may be applied to cabbage fields only when fields are to be harvested within 35 days and a State entomologist has determined that:

a. A major infestation of cabbageworm complex exists.

b. Registered pesticides are not controlling the cabbageworm complex.

c. Significant economic losses to cabbage growers will occur.

10. It is recommended that fenvalerate not be applied any closer to fish-bearing fresh waters than 100 feet by ground equipment or 450 feet by aerial equipment (at the 0.05 lb. a.i. rate) and 200 feet by ground equipment or 750 feet by air equipment (at the 0.1 lb. a.i. rate). Application closer than these may result in fish and/or other aquatic organism kills. The buffer zones do not apply to saltwater as marine organism toxicity is low.

11. Participants are to be notified of their obligation to report any and all adverse effects on nontarget organisms arising from the use of this product. The EPA shall be immediately informed of any adverse effects resulting from the proposed use.

12. Precautions must be taken to avoid or minimize spray drift to nontarget areas. It is recommended that pesticide application be made when wind speeds are between 2 and 5 miles per hour. No pesticide applications are to be made when wind speed exceeds 10 miles per hour.

13. This product is highly toxic to bees exposed to direct treatment or to residues on crops or weeds. It may not be applied or allowed to drift to weeds or crops in bloom if bees are actively visiting the treatment area. Protective information may be obtained from the State Cooperative Agricultural Extension Service.

14. Fenvalerate is extremely toxic to fish and aquatic invertebrates. It must be kept out of any body of water and drift reduction precautions must be observed. Care must be taken to prevent contamination of water by cleaning of equipment or disposal of waste or excess pesticides.

15. Cabbage with residues of fenvalerate not exceeding 2 ppm may enter interstate commerce. The Food and Drug Administration, U.S. Department of Health and Human Services, has been advised of this action.

16. Cabbage trimmings from treated fields must not be fed to livestock.

17. All applicable directions, restrictions, and precautions on the EPA-registered product label must be followed.

18. The Applicant is responsible for assuring that all of the provisions of this specific exemption are met and must submit a final report summarizing the results of this program by May 1, 1982.

(Sec. 18 as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: February 18, 1981.

James M. Conlon,

Associate Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-70 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-180560; PH-FRL 1764-1]

Florida; Issuance of Specific Exemption for Oxamyl on Green Beans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted a specific exemption to the Florida Department of Agriculture and Consumer Services (hereafter referred to as the "Applicant") for the use of oxamyl on a maximum of 20,000 acres of bush and pole green beans in Broward, Dade, and Palm Beach Counties, Florida, for control of various nematodes. The specific exemption is issued under the Federal Insecticide, Fungicide, and Rodenticide Act.

DATE: The specific exemption expires on June 30, 1981.

FOR FURTHER INFORMATION CONTACT: Libby Welch, Registration Division (TS-767), Office of Pesticide Programs, Environmental Protection Agency, Rm. 502C, CM No. 2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7123).

SUPPLEMENTARY INFORMATION: According to the Applicant, soil nematodes are becoming an increasing severe production problem for South Florida's vegetable areas. The root-knot and reniform types are the most damaging in the rock land of Dade County while these two plus the sting nematode are common in the sandier soils of Broward and Palm Beach Counties. Previously, nematodes were not considered to be too detrimental to bean production except in the sandy soils of Broward and Palm Beach Counties where preplant applications of Nemagon (DBCP) were common until that production's registration was removed. Rapid disappearance of land available to agriculture has essentially eliminated the practice of crop rotation. This had led not only to constant cultivation, but also to double and even triple cropping, practices that intensify a variety of production problems, including nematode populations. Without an adequate nematode control,

the Applicant reports that green bean farmers could incur a $4 million loss.

D-D, Telone, and ethylene dibromide are registered for this use. According to the Applicant, these chemicals should be "sealed" in the soil for a period of time in order to be effective. This process, which involves plastic mulch to be effective, is prohibitively expensive and requires costly specialized equipment, the Applicant reports. Mocap 10G is registered for snap and lima beans; however, it is not recommended for control of root-knot nematodes in these crops and is suggested only as an alternative for sting nematode control. Mocap works best in acid soils whereas Dade County soils are all basic in reaction, the Applicant states.

The Applicant proposes to use Vydate L which contains the active ingredient (a.i.) oxamyl. Applications will be either a foliar treatment or a single soil treatment incorporated into the soil following application but before planting. A preharvest interval of 7 days is proposed.

EPA has determined that residues of oxamyl resulting from the combined pre-plant or at-plant and foliar treatments are not expected to exceed 3 parts per million (ppm) on beans, 11 ppm in bean vines, and 25 ppm in bean hay. These levels have been judged adequate to protect the public health.

The Southern Bald Eagle is the only endangered species likely to have any contact with the product, but the hazard to the bird is estimated to be slight. The proposed use is not expected to pose an unreasonable hazard to the environment.

After reviewing the application and other available information, EPA has determined that the criteria for an exemption have been met. Accordingly, the Applicant has been granted permission to use the pesticide noted above until June 30, 1981. The specific exemption is subject to the following conditions:

1. The product Vydate L (EPA Reg. No. 352-372), manufactured by E. I. duPont de Nemours and Co., may be applied. If an unregistered label is used in connection with this product, it must contain the identical, applicable precautions and restrictions which appear on the registered label.

2. Only fields in which an economically significant number of root-knot, sting, and reniform nematodes are present may be treated.

3. Oxamyl may be applied as a foliar treatment at 0.5 to 1 pound a.i. per acre (2-4 pints product) beginning 2 weeks following germination and repeated 14 to 21 days later. A maximum of 1 gallon (2 pounds a.i.) may be applied with a maximum of two applications. Oxamyl may also be applied as a single soil treatment of 1 to 2 gallons per acre (2-4 pounds a.i.). Following application and before planting oxamyl will be incorporated 2 to 4 inches into the soil.

4. A preharvest interval of 7 days will be observed. Livestock may not be grazed or fed treated forage within 7 days of the last treatment.

5. A maximum of 20,000 acres in the counties named above may be treated.

6. A maximum of 30,000 gallons product (60,000 pounds a.i.) may be applied based on the fact that not all the acreage authorized will be treated at maximum rates.

7. Applications will be made with ground equipment in sufficient water to obtain uniform coverage of foliage.

8. Oxamyl is toxic to fish, birds, and other wildlife. It may not be applied directly to any body of water and drift reduction precautions must be observed. It may not be applied where excessive runoff is likely to occur. Care must be taken to prevent contamination of water by the cleaning of equipment or disposal of wastes or excess pesticides.

9. Oxamyl is toxic to bees. It may not be applied or allowed to drift to weeds or crops in bloom if bees are visiting the treatment area. Protective information may be obtained from the Florida Cooperative Agricultural Extension Service.

10. All applicable directions, precautions, and restrictions on the EPA-registered product label must be followed.

11. Green beans (succulent or dry), bean vines, and bean hay will not have residues of oxamyl in excess of 3 ppm, 11ppm, and 25 ppm, respectively, when green beans are treated according to the above provisions. These commodities with residues of oxamyl not exceeding these levels may enter interstate commerce. The Food and Drug Administration, U.S. Department of Health and Human Services, has been advised of this action.

12. EPA must be immediately informed of any adverse effects resulting from the use of oxamyl in connection with this exemption.

13. The Applicant is responsible for assuring that the provisions of this specific exemption are met and must submit a report summarizing the results of this program by December 30, 1981.

(Sec. 18 as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: February 2, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-72 Filed 2-26-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-180533; PH-FRL 1763-6]

Georgia; Crisis Exemption for Permethrin on Soybeans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA gives notice that the Georgia Department of Agriculture (hereafter referred to as "Georgia") has availed itself of a crisis exemption for the use of permethrin to control the soybean looper on a maximum of 200,000 acres of soybeans in Georgia. Because the need for treatment was expected to go beyond 15 days, Georgia submitted a request for a specific exemption for continuation of this program.

DATE: The crisis period started on September 17, 1980. The emergency was expected to end by October 15, 1980.

FOR FURTHER INFORMATION CONTACT: Jack E. Housenger, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 509B, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7123).

SUPPLEMENTARY INFORMATION: Georgia reported that general pest control on soybeans has become increasingly more difficult over the last several years as registered pesticides including methyl parathion, methyl parathion combined with toxaphene, methomyl, and acephate have become totally ineffective in certain areas of high-volume use. Georgia stated that even the highest rates of registered pesticides were not giving control in many areas and that these rates had become prohibitive from a cost standpoint. These chemicals were still showing acceptable control in some areas where low insect pressures were present and biologicals, such as *Bacillus thuringiensis*, will give adequate control under normal conditions of temperature and moisture. However, according to Georgia, extremely dry conditions, such as were experienced this past summer, reduce their effectiveness and make them prohibitively uneconomical to use at the maximum rates, and results are slow.

Because of the early drought, Georgia stated, approximately 50 percent of the soybean crop was late-planted. Much of

this acreage was under drought stress and was threatened by infestations of the soybean looper. Georgia estimated losses without the use of permethrin could come to $32 million to growers.

Georgia used Pounce 3.2 E.C., EPA Reg. No. 279–3014, at a rate of 2–4 ounces per acre, and Ambush, EPA Reg. No. 10182–18, at a rate of 3.2–6.4 ounces per acre. A maximum of two applications were to be made at these rates which would result in a total of 10,000 gallons of Ambush and 6,250 gallons of Pounce, when used at the highest rate of 0.1 pound active ingredient per acre. State-certified private and commercial applicators were to make the applications in accordance with the Georgia-approved supplemental label directions. Georgia determined that limitation to two applications, feeding restrictions, a 21-day preharvest interval, and environmental precautions, including protection for bees, were sufficient to prevent any unreasonable adverse effects from this use.

Georgia requested tolerances for residues of permethrin in or on soybeans at 0.05 part per million (ppm), in soybean oil at 0.2 ppm, and in soybean meal at 0.05 ppm. Since the emergency period has ended, the request for a specific exemption has been withdrawn.

(Sec. 18 as amended 92 Stat. 819; (7 U.S.C. 136))

Dated: February 2, 1981.

James M. Conlon,

Associate Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81–71 Filed 2–25–81; 8:45 am]

BILLING CODE 6560–32–M

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 80–197; FCC 81–59]

Monitoring Compliance With Conditions Underlying General Telephone and Electronics Corporation's Acquisition of Telenet

AGENCY: Federal Communications Commission.

ACTION: Order modifying conditions placed on merger.

SUMMARY: This order modifies and streamlines conditions which apply to GTE and Telenet. Modifications were made to give Telenet greater freedom within GTE's Communication Network Systems group. The conditions were streamlined to make them easier to obey and enforce. In a separate action published in this issue, the Commission is accepting comments on these conditions.

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

FOR FURTHER INFORMATION CONTACT: James Lande, Enforcement Division, Common Carrier Bureau, Federal Communications Commission, Washington, D.C. 20554 (202) 632–4887.

Adopted: February 11, 1981.

Released: February 18, 1981.

By the Commission: Commissioner Ferris, Chairman; not participating; Commissioner Fogarty concurring and issuing a statement.

In the matter of monitoring compliance with conditions underlying General Telephone and Electronics Corporation's Acquisition of Telenet; CC Docket No. 80–197; Order.

1. On June 11, 1980, the Commission released an order calling for comments on a staff audit of the GTE-Telenet merger conditions. 78 FCC 2d 403. The report recommended that the existing 10 GTE-Telenet conditions be replaced with 3 streamlined conditions which would eliminate structural separation requirements within GTE's Communications Network Service group, of which Telenet is one of three entities. In addition to the staff report, we have for consideration GTE's assessment of the conditions, comments by the Computer Corporation of America and Tymnet, Inc., and responsive comments by GTE. This order examines comments on the proposed conditions, including the relationship of Telenet within the network group. Based on the staff report, GTE compliance with recommendations contained in the report, and the subsequent comments, we modify the GTE-Telenet conditions along the lines of the staff proposal.

Background

2. The Commission authorized the merger of GTE and Telenet by order of May 11, 1979, 72 FCC 2d 111, *modified* 72 FCC 2d 516. In evaluating the merger, we found that GTE would have incentives to cross subsidize Telenet, and provide it with other unfair and anti-competitive advantages. In addition, we found some indications that Telenet might not compete with AT&T in the future. These findings led to the development of ten protective conditions. See also 72 FCC 2d 516, *recon. denied*, FCC 79–759 (Released: December 4, 1979). In early 1980, the bureau staff performed an audit of GTE's compliance with the conditions. In its audit report, the staff commented on GTE's accounting practices, changed circumstances, and how the conditions could be simplified. The report proposed three conditions which (1) set forth accounting requirements, (2) structured the relationship of GTE and Telenet, and (3) prohibited interactions of Telenet and some affiliates in some functional areas. The Commission required GTE to file some additional material, as well as comments. The historical background is summarized in more detail in Attachment I.

Comments

3. In its comments, GTE requested three clarifications of the conditions. First, retain the term "augmented", which has specific meaning in this proceeding, while the phrase "enhanced data service" may not. Second, GTE noted that the original conditions only applied to GTE domestic operations while the proposed conditions appear to apply internationally as well. Finally, the existing conditions allow some GTE affiliates outside of Communications Network group to provide installation and maintenance services for Telenet. GTE seeks to have the proposed conditions clarified to retain this exception. Appendix A to GTE's comments lists administrative services that the GTE Service Corporation may provide for Telenet. In Exhibit 2 attached to its comments, GTE shows quarterly forms that may be used to monitor transactions between Telenet and affiliates. In Exhibit 4 GTE describes circumstances in which Telenet will use vouchers to initiate requests for services from affiliates.

4. The Computer Corporation of America claims that GTE is financing predatory pricing by Telenet. Accordingly, it proposes that limits be placed on the amount of equity that Telenet can obtain from GTE. Furthermore, Computer Corporation believes that Telenet should provide sufficient financial data to show that Telenet is fully charged for the cost of all debt and equity.

5. Tymnet notes that the merger was found to be in the public interest because it would facilitate further expansion of Telenet. Tymnet opposes any lessening of the conditions until Telenet has documented continued expansion, and until there has been a full evidentiary hearing into the original conditions. It also contends that relaxing separation within the Network Group will result in GTE carriers subsidizing Telenet. Tymnet argues that GTE's third clarification would allow GTE manufacturers and R&D entities to provide services to both Telenet and GTE Telephone operating companies. This would result in cross-subsidization. Finally, Tymnet believes that Telenet should use vouchers for all transactions with affiliates.

6. In reply, GTE stated that the accounting procedures it has instituted, along with continuing staff and surveillance, would prevent CNS affiliates from being used as vehicles for cross-subsidization. GTE also contends that there is a low risk of subsidy because of the limited interaction between CNS affiliates and GTE telcos. The comments are summarized in greater detail in Attachment II.

Discussion

7. GTE represented that its accounting procedures will prevent cross-subsidization. Based on the record before us, we conclude that interactions between Telenet and the Network Group affiliates will not create any undue risk of cross-subsidization or other abuses. *See* 78 FCC 2d at 425. In all other respects, the parties appear to accept the framework of conditions proposed by the staff.

8. There was no substantive opposition to GTE's suggestion that the conditions apply to "augmented data"rather than "enhanced data" services. Similarly, no reasons were advanced to apply the conditions to international operations. Tymnet questioned whether Telenet should receive installation and maintenance services from R&D or manufacturing affiliates. The existing conditions do not bar such transactions, and after nearly two years of experience with the conditions, we have no indication of any abuses. The modified conditions will therefore incorporate the existing installation and maintenance provisions.

9. Computer Corporation contends that limits on financing are needed to prevent predatory pricing by Telenet. We have previously found that GTE financing is permitting Telenet to provide the public with innovative service more quickly than it could do otherwise. There is no evidence in the audit report to contradict this finding. Computer Corporation has not convinced us that Telenet is engaging in predatory pricing. At this time, the benefits of continued GTE financing outweigh the risk of predatory pricing by Telenet. If stronger evidence is brought to our attention, we will take whatever action is appropriate, consistent with our jurisdiction.

10. Tymnet argues that Telenet should use vouchers for all transactions with affiliates. This would provide a check to ensure that all work for Telenet is recorded. This would, however, limit GTE's flexibility in areas where services are routinely provided for Telenet. On balance, we accept the staff's recommendation that no additional accounting procedures should be required. Furthermore, we do not see the need to voucher all intercorporate transactions.

11. Computer Corporation contended that Telenet should record all information exchanges with affiliates, and should file additional financial data with the Commission. The question of future reporting and recording requirements, if any, will be considered in a companion order we are adopting today, FCC 81. GTE should continue to provide information as necessary to facilitate continuing staff monitoring and surveillance. However, no additional recording or reporting requirements will be imposed here.

Revised Conditions

12. Based on the record before us, and the above discussion, the conditions can be streamlined without significantly weakening them. The staff will continue to monitor and audit to ensure that no abuses occur and that Telenet continues to expand. The following conditions will be substituted for the existing GTE-Telenet conditions and waivers:

Condition 1: Accounting and Reporting Requirements—Telenet shall retain its separate corporate structure. Telenet shall maintain an independent accounting system in accordance with FCC requirements, fully disclosing all actual costs and revenues. Telenet shall maintain quarterly records of all financial transactions with affiliates.

Condition 2: Separation for Permitted Interactions—(a) No GTE affilliate besides Telenet (except Hawaiian Telephone Company) shall provide or market augmented data services in this country. GTE carriers may only participate in other companies's augmented data services by providing tariffed services.

(b) All financing of Telenet shall be provided directly by the GTE holding company or by unaffilliated sources.

(c) Telenet must bear the costs of administrative services provided by affiliates. Telenet shall only receive proprietary R&D results from affiliates outside of CNS if Telenet pre-funded the work by contract. Telenet shall obtain all other non-proprietary or network design information, services, and equipment from non-CNS affiliates on a non-discriminatory and arms length basis.

Condition 3: Prohibited Interactions—Telenet shall not directly or indirectly exchange customer proprietary information, jointly use physical space, share employees or officers, or obtain non-administrative services from GTE companies outside of CNS in the following functional areas:

(a) Marketing and customer sales engineering—except for institutional advertising which is neither product nor service specific.

(b) Software or firmware development for Telenet's network or customer premise equipment—except for providing equipment containing generic software that is routinely sold to unaffiliated customers.

(c) Operations, installation and maintenance—except that affiliates other than telephone operating companies, GTE Service Corporation, and GTE Satellite Corporation may install, maintain, and operate Telenet customer-premise equipment.

13. It is ordered, pursuant to sections 4(i), 214(c), 212, 218, 220, 403 and 602(d) of the Communications Act of 1934, as amended, 47 U.S.C. 4(i), 212, 214(c), 218, 219, 220, 403 and 602(d), That the conditions imposed on the acquisition of Telenet by GTE are modified as provided herein.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Attachment I—History of the GTE-Telenet Proceeding

On December 28, 1978, in response to a staff inquiry, General Telephone and Electronics Corporation (GTE) and Telenet Corporation (Telenet) informed the Commission by letter that GTE intended to acquire Telenet. We responded that GTE and Telenet must secure authorization pursuant to Section 214 of the Communications Act, as amended, 47 U.S.C. 214, before the acquisition could be completed. (Letter, January 25, 1979). In addition, the letter posed questions concerning:

1. How GTE would assure that it would compete with AT&T,

2. The potential for cross subsidization of Telenet by GTE ratepayers,

3. The impact of the merger on the data communications marketplace, and

4. Whether GTE could successfully enter the market if the merger were not permitted.

GTE, Telenet, and Telenet Communications (Telenet's wholly-owned subsidiary) filed a Section 214 application requesting authority for GTE to acquire control of Telenet (Application, Feb. 16, 1979). The application contained information addressing the above questions, as well as others posed by the Commission's letter.

Graphnet, Inc. and Tymnet, Inc. filed pleadings urging that the application be denied or set for trial type hearing. Other parties commented that special

conditions should be imposed on a grant of the application. An investigation was conducted by the staff and additional information and comments were filed by the parties, including GTE Hart-Scott-Rodino material previously provided to the Department of Justice.

This record formed the basis for a decision, released May 11, 1979, which found that GTE would have incentives to cross subsidize Telenet, and provide it with other unfair and anti-competitive advantages. 72 FCC 2d 111. In addition, we found some indications that GTE might not compete with AT&T in data communications markets. However, protective conditions were placed on the merger, so that the public could be protected adequately. Furthermore, the merger would provide needed capital, and allow Telenet to extend its service. (para. 41–44). Therefore, while granting the application, we imposed 10 conditions, and stated that the staff would closely monitor Telenet's first two years as part of GTE.

GTE responded to these conditions by letter filed May 14, 1979. GTE contended that many of the conditions were either ambiguous or unnecessarily stringent, and instead proposed revised conditions. To further investigate the construction of conditions, the Commission held an oral presentation on May 31, and allowed interested parties to file pleadings addressing GTE's concerns. The Commission then reevaluated, clarified, and modified the conditions that would apply to GTE and Telenet. 72 FCC 2d 516 (1979). Thereupon GTE and Telenet consummated the merger, and accepted the resulting conditions.

While GTE did not challenge the Commission's authorization, Graphnet and Tymnet did. These parties argued on reconsideration that the merger proceedings had violated their due process rights, primarily because some documents had been treated confidentially. In addition, Tymnet contended that the Commission had unjustifiably modified the original conditions, and that the resulting conditions were too weak.

The Commission rejected these arguments on reconsideration, and affirmed the conditions as modified. FCC 79–759, Released: December 4, 1979. The decision provided clarification on such subjects as the definition of institutional advertising; the administrative areas in which accounting separation is allowed; types of employees included under marketing; and the disclosure of non-customer proprietary information. In addition, the order announced that the staff would conduct an audit to insure compliance with the conditions. (para. 54).

By letter from the Chief, Common Carrier Bureau dated September 28, 1979 GTE was informed that an audit would be performed. On November 4, 1979, the staff provided GTE with a list of items which GTE was expected to make available at Telenet's headquarters in Vienna, Virginia. The actual audit began on February 4, 1980, and was substantially completed shortly thereafter. An order releasing the staff's audit report was adopted on April 24, 1980. In that order, the Commission directed GTE to file additional material, and comment on the report.

The audit report focused on three subjects: Telenet's Independent Accounting System; Telenet's Interactions with GTE and AT&T; and an evaluation of the conditions. The report primarily recommended that GTE be directed to file additional material, and that the conditions be modified. GTE filed the requested material on July 11, 1980. The Computer Corporation of America ("CCA") filed comments on August 25, 1980 and Tymnet, Inc. ("Tymnet") filed comments on September 2, 1980. GTE replied on September 17, 1980. While the report covered a broad range of topics, the comments reveal that the parties primarily disagree on the modification of the conditions.

Attachment II—Summary of Pleadings

As directed in the Commission's order of June 11, 1980, GTE filed a *Response* including additional material and comments on the staff Report. Tymnet and CCA filed comments on the staff report and the *Response*. GTE filed reply comments and a subsequent letter.

1. GTE's *Response* of July 11, 1980 notes that the staff described Telenet's accounting system and GTE's treatment of costs to be charged to Telenet. (page 3). The Telenet accounting system is provided as Exhibit 3. Exhibit 1 describes the procedures for accounting costs attributable to Telenet. Appendix A describes the GTE Service Corp. departments that will provide services for Telenet. GTE states that Service Corp. employee will record time spent on behalf of Telenet on a monthly basis. (pages 4). GTE agree that the quarterly intercompany financial transaction report would be a good substitute for the kind of financial information required by Condition 10. GTE would prefer that no extensive modifications be made to this report. (page 4).

GTE opposes the use of vouchers for all Telenet requests for services. Instead GTE proposes that intracorporate request for goods and services would be vouchered if expected to exceed $10,000. (Exhibit 4).

GTE states that "enhanced data services" as referred to in the proposed conditions, is not defined. "Augmented" would be more consistent with the existing conditions. (page 6). GTE believes that Condition 2 should retain the qualification "domestic", or the Commission should clarify why the term was dropped. (page 6). GTE notes that the existing conditions allow GTE manufacturers to provide installation and maintenance services for Telenet, but the proposed conditions would not. GTE proposes language that would broaden the proposed conditions to preserve the original limits. (page 7).

GTE notes that the activities of CNS, apart from Telenet's network servives, have not been subject to the Commission's regulation. (page 8). There are presently few transactions between CNS affiliates and GTE telephone companies, and therefore there is little risk that transactions within CNS will burden monopoly ratepayers. (page 9). Transactions between CNS companies and GTE telcos are subject to the scrutiny of state regulatory commissions, and planned periodic staff audits. (page 9). Use of the intercorporate transaction reports will strengthen accounting oversight. (page 10).

CCA states that accounting systems will prevent cross subsidization only if there is full financial disclosure. (page 13). CCA recommends that the Commission require Telenet to have the same capital structure as GTE, that Telenet should be charged a fair market value of the cost of GTE financing, and that all financial dealings be made public. (page 14).

3. Tymnet's *comments* of September 2, 1980 object to any modification of the original conditions without a full evidentiary hearing into accounting procedures. The staff report achieves some of the goals of such a hearing (page 2); however, Tymnet believes that the modifications proposed by GTE would substantially dilute the competitive safeguards provided by the conditions. (page 3). Furthermore, there is no objective evidence that Telenet is growing, and this implies that the public has not benefited from the merger. (page 4).

Tymnet is extremely concerned that CNS will be used as a vehicle to subsidize Telenet. (page 4). The Commission should establish explicit guidelines for dealings within CNS or for dealings between all CNS companies and other GTE affiliates. (pages 4 & 5). Tymnet strenuously opposes allowing Telenet to obtain installation and

maintenance services from R&D or manufacturing affiliates. GTE can channel ratepayer money through these sources, especially if the same employees are servicing Telco and Telenet equipment. (page 6). Telenet is already receiving adequate service from one CNS affiliate. (page 7).

Tymnet contends that all transactions between Telenet and affiliates should be vouchered. Oral requests invite potential abuse—particularly if amounts approach $10,000. The vouchers are needed to provide written documentation of transactions. (page 7). Vouchering would only add minimal expense. (page 8).

Tymnet argues that accounting procedures are not a substitute for structural separation. (page 8). Tymnet urges the Commission to continue to monitor GTE's compliance with the structural conditions, and to impose stricter conditions if violations occur. (page 9).

4. GTE's *Reply* of September 17, 1980 dismisses CCA's "more emotional challenges" as being recycled from earlier proceedings, and sees capital structure as the only concrete proposal. (page 2). GTE claims that any proposal to limit GTE's financing of Telenet is unwarranted. (page 3). It states that CCA's characterization of Telenet losses are not accurate (no exact figures are provided by GTE). (page 4). The brochure cited by CCA was used at a trade show where Telenet and CNS affiliates shared an exhibition booth, pursuant to Commission approval. Telenet was charged the full cost ($4) for each copy of this brochure. (page 5).

GTE states that it is not seeking modifications that weaken the conditions, but rather clarifications which preserve the original conditions. (page 5). GTE believes that staff audits will be adequate to prevent CNS affiliates from being used as conduits of ratepayer money. (page 6). There is no need to make the conditions fully apply to CNS affiliates, and doing so would extend regulation to formerly unregulated areas. (page 6).

Statement of Commissioner Joseph R. Fogarty

In Re: Monitoring Compliance with Conditions Underlying General Telephone and Electronics Corporation's Acquisition of Telenet, CC Docket No. 80-197—*Order* and *Further Order*.

I think it proper that the Commission has modified the GTE-Telenet merger conditions. While I prefer that the conditions be abolished, I believe that the action we take today represents, nevertheless, a good interim step. The modifications which we have adopted eliminate clearly unnecessary restrictions within GTE's Communications Network Group (CNS) of which GTE Telenet is a part. Furthermore, the Commission's prompt action in this matter will permit Telenet and other CNS affiliates to obtain those benefits of complementary capabilities which are, at present, denied them by virtue of the original conditions. I became concerned that any delay in, at least, the interim modification of the conditions would negatively affect the competitive viability of Telenet and CNS. This order allays my immediate fears.

My support for modification of the GTE-Telenet merger conditions does not signify that I have changed my belief in the necessity for the abolition to these conditions. As I stated in my concurrence in *Computer II Reconsideration* order, I believe that the merger conditions are "inconsistent with the plain effect and rationale of the Commission's decision [in the *Second Computer Inquiry*] lifting the separate subsidiary requirement from GTE." [1] Moreover, the continued application of the merger conditions will only result in additional costs to consumers and restrictions on technological innovation.

It is for this reason that I support the *Further Notice* which specifically considers whether the merger conditions should be abolished in light of *Computer II*. The approach taken in the *Further Notice* is well-balanced and I am hopeful that the Commission can move to a quick resolution of the issue.

[FR Doc. 81-3768 Filed 2-26-81; 8:45 am]
BILLING CODE 6712-01-M

[CC Docket No. 80-197; FCC 81-60]

Monitoring Compliance With Conditions Underlying General Telephone and Electronics Corporation's Acquisition of Telenet

AGENCY: Federal Communications Commission.

ACTION: Order requesting comments on GTE-Telenet merger conditions.

SUMMARY: This order requests comments on the continuing need for GTE-Telenet merger conditions. As a result of Commission action prior to their merger, GTE and Telenet must adhere to certain accounting and structural separation requirements. In the Second Computer Inquiry, the Commission did not find reason to impose separate subsidiary requirements on GTE. Based on comments and other information, the Commission may further modify or eliminate the conditions.

DATES: Comments must be received on or before April 3, 1981, and Reply Comments must be received on or before April 23, 1981.

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

FOR FURTHER INFORMATION CONTACT: James Lande, Enforcement Division, Common Carrier Bureau, Federal Communications Commission, Washington, D.C. 20554, (202) 632-4887.

Adopted: February 11, 1981.

Released: February 18, 1981.

By the Commission: Commissioner Ferris, Chairman; not participating; Commissioner Fogarty concurring and issuing a statement.

In the matter of monitoring compliance with Conditions Underlying General Telephone and Electronics Corporation's Acquisition of Telenet; CC Docket No. 80-197; Further Order.

1. The Commission has previously found that the merger of GTE and Telenet would only benefit the public if certain protective conditions were imposed. (72 FCC 2d 111, *modified* 72 FCC 2d 516, *recon. denied*, FCC 79-759, Released: December 4, 1979.) In a companion order we streamline the conditions and reduce some burdens on GTE, but under those conditions, GTE is still required to maintain Telenet as a separate subsidiary. Our *Second Computer Inquiry* decision does not direct GTE to establish separate subsidiaries for the provision of enhanced services; 77 FCC 2d 384, *reconsidered* FCC 80-628, Released: December 30, 1980. This Further Order seeks comments on how the *Second Computer Inquiry* decision impacts on the GTE-Telenet conditions adopted in our companion order.

2. In analyzing the merger, we found that Telenet offers augmented data services. Telenet's network uses computer processing to provide message storage, protocol conversion, multiple addressing, and other services. Prior to the merger, GTE did not offer such "augmented" services, while Telenet was considered to be an innovative provider. We found that a merger of the two might diminish competition in the augmented service market in three ways. (1) Merger with GTE might ultimately reduce competition between Telenet and AT&T. (2) Subsidies at GTE monopoly ratepayer expense could finance predatory pricing by Telenet. (3) GTE might use its control over local access facilities and access to proprietary customer information to give

[1] *See* Concurring Statement of Commissioner Joseph R. Fogarty, Second Computer Inquiry (on reconsideration) FCC 80-628 (released December 30, 1980).

Telenet unfair advantages. *See* 72 FCC 2d 111, 131.

3. The Commission required Telenet to maintain separate facilities and operations. If Telenet's physical operations were combined with those of GTE carrier affiliates, augmented service cost would have to be allocated from the Uniform System of Accounts. In addition, GTE's local operating telephone companies operate in partnership with AT&T. The Commission feared that a complete merger would bring Telenet into this partnership. Finally, we concluded that merger of facilities would make it difficult to ensure that competitors would have equal access to underlying facilities.

4. The Commission required structural separation in two additional areas, marketing and software development. Joint marketing would allow Telenet's services to be marketed with complete knowledge of monopoly customer information. This would include information about competitors, and could place competitors at a substantial disadvantage. The Commission also separated software and firmware development, reasoning that Telenet might otherwise obtain proprietary network information before its competitors.

5. In our *Second Computer Inquiry* proceeding, 77 FCC 2d 384, on reconsideration, FCC 80-628, released December 30, 1980, we analyzed the markets for customer premise equipment and enhanced services. We found that AT&T had the ability and incentive either the cross-subsidize the provision of CPE and enhanced services or to engage in anticompetitive conduct through its control over bottleneck facilities. FCC 80-628, para. 71. Consequently, AT&T is required to create a separate subsidiary to offer customer premise equipment and enhanced services. GTE is dependent upon AT&T for most of its interstate transmission needs, cannot control access to the whole interstate network, and has far less resources than AT&T. The costs of separation for GTE would outweigh the potential benefits to the public. Consequently, we did not require GTE to create a separate subsidiary to offer customer premise equipment and enhanced services. *Id.*, para. 66. These findings suggest that it might be appropriate to substantially modify the GTE-Telenet merger conditions, or drop them entirely. Accordingly we invite comments on how the conditions in our Second Computer Inquiry decision should be applied to structuring the merger of GTE and Telenet. More specifically, we pose the following:

1. In light of our decision in Second Computer Inquiry, comment is sought on the degree of structural separation, if any, that should be maintained for Telenet in the provision of augmented data services.

2. What regulatory interest, if any, warrants maintaining any or all of the merger conditions, if the need to maintain structural separation no longer exists. Should any accounting or reporting requirements be required, or should disclosure of network information be required insofar as it may affect intercarrier interconnection, or the attachment and effective utilization of customer-premises equipment.

6. Interested parties may file comments by April 3, 1981. Reply comments must be filed by April 23, 1981.

7. Accordingly, it is ordered, pursuant to sections 4(i), 212, 214(c), 218, 220, 403 and 602(d) of the Communications Act of 1934, as amended, 47 U.S.C. 4(i), 212, 214(c), 218, 219, 220, 403 and 602(d) that the foregoing Order is hereby adopted.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Statement of Commissioner Joseph R. Fogarty

In Re: Monitoring Compliance with Conditions Underlying General Telephone and Electronics Corporation's Acquisition of Telenet, CC Docket No. 80-197—*Order* and *Further Order.*

I think it proper that the Commission has modified the GTE-Telenet merger conditions. While I prefer that the conditions be abolished, I believe that the action we take today represents, nevertheless, a good interim step. The modifications which we have adopted eliminate clearly unnecessary restrictions within GTE's Communications Network Group (CNS) of which GTE Telenet is a part. Furthermore, the Commission's prompt action in this matter will permit Telenet and other CNS affiliates to obtain those benefits of complementary capabilities which are, at present, denied them by virtue of the original conditions. I became concerned that any delay in, at least, the interim modification of the conditions would negatively affect the competitive viability of Telenet and CNS. This order allays my immediate fears.

My support for modification of the GTE-Telenet merger conditions does not signify that I have changed my belief in the necessity for the abolition of these conditions. As I stated in my concurrence in *Computer II Reconsideration* order, I believe that the merger conditions are "inconsistent with the plain effect and rationale of the Commission's decision [in the *Second Computer Inquiry*] lifting the separate subsidiary requirement from GTE." [1] Moreover, the continued application of the merger conditions will only result in additional costs to consumers and restrictions on technological innovation.

It is for this reason that I support the *Further Notice* which specifically considers whether the merger conditions should be abolished in light of *Computer II.* The approach taken in the *Further Notice* is well-balanced and I am hopeful that the Commission can move to a quick resolution of the issue.

[FR Doc. 81-6799 Filed 2-26-81; 8:45 am]

BILLING CODE 6712-01-M

TV Broadcast Applications Accepted for Filing and Notification of Cut-Off Date; Correction

Released: February 20, 1981.

On the public Notice released January 27, 1981, captioned *TV Broadcast Applications Accepted for Filing and Notification of Cut-Off Date* (Mimeo No. 06290), published in the **Federal Register** on February 18, 1981 (46 FR 12852), the date for filing competing applications and petitions to deny any application on the list was stated as March 12, 1981. The "cut-off" date is hereby extended to *March 31, 1981.* This action is necessary in order to assure that a full thirty (30) days expires from the date the list first appears in the **Federal Register.**

Additionally, the following applications listed on the notice released January 27, 1981, are hereby deleted:

BPTT-800919IQ (new), Des Moines, Iowa, Neighborhood TV Company, Inc., Req: Channel 53, 704-710 MHz, 100 watts, Primary: KUSK-TV, Prescott, Arizona.

BPTT-800922IO (new), Dallas, Texas, Richard V. Menchaca, Req: Channel 55, 716-722 MHz, 100 watts, Primary: KWEX-TV, San Antonio, Texas.

BPTT-801003IG (new), Chattanooga, Tennessee, Neighborhood TV Company, Inc., Req: Channel 67, 788-794 MHz, 100 watts, Primary: KUSK-TV, Prescott, Arizona.

BPTT-801117JL (new), Jackson, Mississippi, Leslie Alan Williams, Req: Channel 62, 800-806 MHz, 100 watts, Primary: WRBV-TV, Vineland, New Jersey.

BPTT-800910IJ (new), Buffalo, New York, Neighborhood TV Company, Inc., Req:

[1] *See* Concurring Statement of Commissioner Joseph R. Fogarty, Second Computer Inquiry (on reconsideration) FCC 80-628 (released December 30, 1980).

Channel 58, 734—740 MHz, 100 watts, Primary: KUSK-TV, Prescott, Arizona.
BPTT-800915IM (new), Montgomery, Alabama, Ronald D. Artelia G. Fleming, Req: Channel 61, 752–758 MHz 100 watts, Primary: WRBV-TV, Vineland New Jersey.
BPTT-800915IN (new), Portland, Oregon, Ronald D. & Artelia G. Fleming, Req: Channel 58, 734–740 MHz, 100 watts, Primary: KSTS-TV, San Jose, California.
BPTT-800827IG (new), Sebring, Florida, WTSP-TV, Inc., Req: Channel 48, 674–680 MHz, Primary: WTSP-TV, Largo, Florida.
Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-19 Filed 2-26-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed De Novo Nonbank Activities

The bank holding company listed in this notice has 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 the application, 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 the 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 that proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for the application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than March 22, 1981.

A. *Federal Reserve Bank of Chicago* (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

MILLIKIN BANCSHARES, INC., Decatur, Illinois (mortgage banking activities; Illinois and Iowa): to engage through its subsidiary Millikin Realty Financing Corp., in mortgage loan originating activities. These activities would be conducted from offices located in Bloomington, Champaign, Mount Vernon and Molene, Illinois, serving the following Illinois counties: McLean, Livingston, LaSalle, Logan, Champaign, Vermillion, Douglas, Pratt, Effingham, Marion, Saline, Jackson, Randolph, Massac, Franklin, Lawrence, Wayne, Rock Island, Mercer and Henry; and Scott County, Iowa.

B. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, February 20, 1981.

Jefferson A. Walker,

Assistant Secretary of the Board.

[FR Doc. 81-3853 Filed 2-26-81; 8:45 am]

BILLING CODE 6210-01-M

First Nocona Bancshares, Inc.; Formation of Bank Holding Company

First Nocona Bancshares, Inc., Nocoma, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of First National Bank of Nocona, Nocona, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than March 25, 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, identififying 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 23, 1981.

Jefferson A. Walker,

Assistant Secretary of the Board.

[FR Doc. 81-3854 filed 2-26-81; 8:45 am]

BILLING CODE 6210-01-M

GENERAL ACCOUNTING OFFICE

Designation of Acting Comptroller General

AGENCY: U.S. General Accounting Office.

ACTION: Notice of designation of Acting Comptroller General for the U.S. General Accounting Office.

SUMMARY: The Independent Offices Appropriation Act, 1945, Section 101, 58 Stat. 371, as amended, 31 U.S.C. 43a, authorizes the Comptroller General to designate an employee of the General Accounting Office to act as Comptroller General during the absence or incapacity of the Comptroller General and Deputy Comptroller General, or during a vacancy in both of these Offices. Since the position of Deputy Comptroller General is currently vacant and the term of the incumbent Comptroller General is currently vacant and the term of the incumbent Comptroller General expires at the close of business on March 3, 1981, Milton J. Socolar, General Counsel of the General Accounting Office was designated to serve as Acting Comptroller General during any absence of the Comptroller General during the remainder of his term, and thereafter.

FOR FURTHER INFORMATION CONTACT: Harry R. Van Cleve (202) 275–5207.

Harry R. Van Cleve,

Acting General Counsel.

[FR Doc. 81-49 Filed 2-26-81; 8:45 am]

BILLING CODE 1610-01-M

GENERAL SERVICES ADMINISTRATION

Federal Property Resources Service

[Wildlife Order 143]

Former Nash Island Light Station South Addison, Maine; Transfer of Property

Pursuant to section 2 of Pub. L. 537, 80th Congress, approved May 19, 1948, (16 U.S.C. 667c), notice is hereby given that:

1. By transfer letter from the General Services Administration dated December 17, 1980, the property, consisting of 4.72 acres of unimproved land, known as the former Nash Island Light Station, South Addison, Maine (1-GR-(2)-ME-597), has been transferred to the U.S. Department of the Interior, Fish and Wildlife Service.

2. The above described property was conveyed for the purpose of carrying out the national migratory bird management program in accordance with the

provision of section 1 of said Pub. L. 80–537 (16 U.S.C. 667b), as amended by Pub. L. 92–432.

Dated: February 19, 1981.

Roy Markon,

Commissioner, Federal Property Resources Service.

[FR Doc. 81-2 Filed 2-26-81; 8:45 am]

BILLING CODE 6820-96-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Assistant Secretary for Health

Health Maintenance Organizations

AGENCY: Public Health Service, HHS.

ACTION: Notice, January—qualified health maintenance organizations.

SUMMARY: This notice sets forth the names, addresses, service areas, and dates of qualification of entities determined by the Secretary to be qualified health maintenance organizations (HMOs).

FOR FURTHER INFORMATION CONTACT: Howard R. Veit, Director, Office of Health Maintenance Organizations, Park Building—Third Floor, 12420 Parklawn Drive, Rockville, Maryland 20857, 301/443–4106.

SUPPLEMENTARY INFORMATION: Regulations issued under Title XIII of the Public Health Service Act, as amended, (42 CFR 110.605(b)) require that a list and description of all newly qualified HMOs be published on a monthly basis in the Federal Register. The following entities have been determined to be qualified HMOs under Section 1310(d) of the Public Health Service Act (42 U.S.C. 300e–9(d)):

Qualified Health Maintenance Organizations

Name, address, service area, and date of qualification—(Preoperational Qualified Health Maintenance Organization: 42 CFR 110.603(c)).

1. Health First, (Staff Model, see Section 1310(b)(1) of the Public Health Service Act), 6445 Poplar Avenue, Memphis, Tennessee 38119. Service area: Shelby County, Tennessee. Date of qualification: January 26, 1981.

(Transitional Qualified Health Maintenance Organization: 42 CFR 110.603(b))

1. Pomona Valley Health Plan, (Individual Practice Association Model, see Section 1310(B)(2)(A) of the Public Health Service Act), 146 Nemaha Street, Pomona, California 91767. Service area: Zip codes in the following counties: *Los Angeles;* 91711, 91740, 91750, 91765–8, 91773. *San Bernardino;* 91701, 91710, 91730, 91739, 91743, 91759, 91761–4, 91786.

Date of qualification: January 23, 1981.

(Operational Qualified Health Maintenance Organizations: 42 CFR 110.603(a))

1. Prudential Health Care Plan, Inc., 1600 West 38th Street, Suite 404, Austin, Texas 78731, (a regional component of Prudential Health Care Plan, Houston, Texas—see 45 FR 13899–900). Service area: City of Austin and zip codes in the following counties: *Bastrop;* 78613. *Hays;* 78610, 78619–20, 78652. *Williamson;* 78626, 78634, 78641, 78660, 78664. *Travis;* 78617, 78653, 78625, 78732, 78734–7, 78742–4, 78746–50, 78754, 78758.

Effective date: January 27, 1981.

2. Prudential Health Care Plan, Inc., Suite 100, Box 12, Insurance Exchange Building, Two Vantage Way, Nashville, Tennessee 37228, (a regional component of Prudential Health Care Plan, Houston, Texas—see 45 FR 13899–900). Service area: Davidson, Cheatham, Robertson, Sumner, Wilson, Rutherford, and Williamson Counties, Tennessee. Efective date: January 27, 1981.

Files containing detailed information regarding qualified HMOs will be available for public inspection between the hours of 8:30 a.m. and 5:00 p.m. on Tuesdays and Thursdays, except for Federal holidays, in the Office of Health Maintenance Organizations, Office of the Assistant Secretary for Health, Department of Health and Human Services, Park Building, 3rd Floor, 12420 Parklawn Drive, Rockville, Maryland 20857.

Questions about the qualification review process or requests for information about qualified HMOs should be sent to the same office.

Dated: February 20, 1981.

Howard R. Veit,

Director, Office of Health Maintenance Organizations.

[FR Doc. 81-6506 Filed 2-26-81; 8:45 am]

BILLING CODE 4110-85-M

National Center for Health Care Technology; Evaluation of Medical Technology; Anti-Thymic Globulin

The National Center for Health Care Technology (Center) announces that it is conducting an evaluation of what is known of the safety and clinical effectiveness of anti-thymic globulin as an immunosuppressive technique in renal transplantation.

Based on this evaluation, a recommendation will be formulated to assist the Health Care Financing Administration (HCFA) in establishing Medicare coverage policy. Any person or group wishing to provide the Center with information relevant to this evaluation should do so in writing no later than May 28, 1981. To enable the Center's staff to give appropriate consideration To any literature references or analyses of clinical data, a written summary no longer than 10 pages should be attached to any such material submitted.

Written material should be submitted to: Division of Medical and Scientific Evaluation, National Center for Health Care Technology, Room 17A29, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

For further information contact: Dennis J. Cotter, Health Science Analyst, at the above address or by telephone (301) 443–4990.

Dated: February 20, 1981.

Wayne C. Richey, Jr.,

Acting Executive Secretary, Office of Health Research, Statistics, and Technology.

[FR Doc. 81-10 Filed 2-26-81; 8:45 am]

BILLING CODE 4110-85-M

National Center for Health Care Technology; Evaluation of Medical Technology; Transcutaneous Electrical Nerve Stimulation

The National Center for Health Care Technology (Center) announces that it is conducting an evaluation of what is known of the safety and clinical effectiveness of transcutaneous electrical nerve stimulation for treatment of post-surgical acute incision pain.

Based on this evaluation, a recommendation will be formulated to assist the Health Care Financing Administration (HCFA) in establishing Medicare coverage policy. Any person or group wishing to provide the Center with information relevant to this evaluation should do so in writing no later than May 28, 1981. To enable the Center's staff to give appropriate consideration to any literature references or analyses of clinical data, a written summary no longer than 10 pages should be attached to any such material submitted.

Written material should be submitted to: Division of Medical and Scientific Evaluation, National Center for Health Care Technology, Room 17A29, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

For further information contact: Dennis J. Cotter, Health Science Analyst, at the above address or by telephone (301) 443–4990.

Dated: February 20, 1981.

Wayne C. Richey, Jr.,

Acting Executive Secretary, Office of Health Research, Statistics, and Technology.

[FR Doc. 81-9 Filed 2-26-81; 8:45 am]

BILLING CODE 4110-85-M

Food and Drug Administration

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming Consumer Exchange Meeting to be chaired by George R. White, District Director, Atlanta District Office, Atlanta, GA.

DATE: The meeting will be held from 7:30 p.m. to 9:30 p.m., Wednesday, March 11, 1981.

ADDRESS: The meeting will be held at the Nozingo Bldg., Darlington, SC 29532.

FOR FURTHER INFORMATION CONTACT: Wilhelmina M. Lombardi, Consumer Affairs Officer, Food and Drug Administration, 1182 W. Peachtree St. NW., Atlanta, GA 30309, 404-881-7355.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's Atlanta District Office, and contribute to the agency's policymaking decisions on vital issues.

Dated: February 23, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-11 Filed 2-26-81; 8:45 am]

BILLING CODE 4110-03-M

Office of the Secretary

Withdrawal of Notice of Intent To Make "March-In" Determination

On February 18, 1981 a notice (46 FR 12856) was inadverently published to determine whether the government is entitled to exercise its rights to require the licensing of U.S. Patent No. 3,397,267. The notice of intent (46 FR 12856) is hereby withdrawn.

FOR FURTHER INFORMATION CONTACT: Leroy B. Randall, Chief, Patent Branch, Westwood Building, Room 5A03, c/o National Institutes of Health, Bethsda, MD 20205, or (301) 496-7056.

(45 CFR, Parts 6 and 8)

Dated: February 20, 1981.

Charles Miller,

Acting Assistant Secretary for Health.

[FR Doc. 81-3829 Filed 2-26-81; 8:45 am]

BILLING CODE 4110-85-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Endangered Species Permit: Receipt of Application

Applicant: Dr. William M. Howell, Samford University, Birmingham, AL.

The applicant requests a permit to take (capture) watercress darter fish (*Etheostoma nuchale*) from Glen Spring, Alabama to be relocated at Thomas Spring, Alabama, where the species has been extirpated, for enhancement of survival.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WPO), P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-7698. Interested persons may comment on this application by March 30, 1981 by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: February 24, 1981.

Larry LaRochelle,

Acting Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 81-3841 Filed 2-26-81; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Applications

The applicants listed below wish to conduct specific activities with various Endangered Species:

Applicant: United Peregrine Society, Inc., Colorado, Springs, CO, PRT 2-7690.

The applicant requests a permit to take young peregrine falcons (*Falco peregrinus anatum*) from western states and to import young peregrine falcons from Mexico and Canada for enhancement of propagation and survival. No birds would be taken without approval from appropriate state conservation agencies and/or Federal land management agencies. The applicant plans to establish a breeding colony of peregrine falcons representing a geographic diversity as reflected by the North American Continent.

Applicant: Patuxent Wildlife Research Center, U.S. Fish & Wildlife Service, Laurel, MD, PRT 2-7680.

The applicant requests a permit to export California condor (*Gymnogyps californianus*) eggshell materials to the Wildlife Toxicology Division, Canadian Wildlife Service, Ontario, Canada for organochlorine analysis and scientific research.

Applicant: Dr. Richard Arnold, Division of Entomology and Parsitology, University of California at Berkley, Berkley, CA, PRT 2-682.

The applicant requests a permit to take (capture) all endangered and threatened insects native to California, butterflies primarily, to establish a breeding colony of each species for enhancement of propagation and survival.

Applicant: Memphis Zoo and Aquarium, Memphis, TN, PRT 2-7691.

The applicant requests a permit to purchase in foreign commerce four bontebok antelope (*Damaliscus dorcas dorcas*) held at the Memphis Zoo from G. Van de Brink, Netherlands for enhancement of propagation.

Applicant: Central Florida Zoological Park, Sanford, FL, PRT 2-7693.

The applicant requests a permit to import in foreign commerce one 10 year old mandrill (*Popio sphinx*) from the Bucharest Zoo, Bucharest, Rumania for enhancement of propagation and survival.

Humane care and treatment during transport, if applicable, has been indicated by the applicants.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish & Wildlife Service, WPO, P.O. Box 3654, Arlington, VA 22203.

Interested persons may comment on these applications by March 30, 1981 by submitting written data, views, or arguments to the Director at the above address.

Dated: February 24, 1981.

Larry LaRochelle,

Acting Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 81-3842 Filed 2-26-81; 8:45 am]

BILLING CODE 4310-55-M

Bureau of Land Management

[AA-6701-C]

Alaska Native Claims Selection

On May 10, 1974, Seldovia Native Association, Inc., filed selection application AA-6701-C, as amended, under the provisions of Sec. 12 of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611) (ANCSA), for the surface estate of certain lands in the vicinity of Seldovia.

On October 25, 1974, a decision was issued by the Bureau of Land Management (BLM) rejecting AA-6701-C as to U.S. Survey 4747, lots 2 and 4, U.S. Survey 4746, lots 1 and 2, U.S. Survey 4742, lot 8, and U.S. Survey 4750, lots 1 and 3. The basis for the rejection was that the State had validly selected the lands pursuant to the Alaska Mental Health Enabling Act of July 28, 1956 (70 Stat. 709), and therefore, these lands were not available for selection by Seldovia Native Association, Inc., under ANCSA. An appeal was filed but on July 1, 1976, BLM's decision was affirmed by the Alaska Native Claims Appeal Board (ANCAB). On February 14, 1977, Seldovia Native Association, Inc., filed a complaint for judicial review in the U.S. District Court. On February 27, 1980, a stipulation was filed with ANCAB by all parties, in which it was agreed that the lands listed above were erroneously rejected by BLM as they were not validly State-selected. On March 5, 1980, a partial reconsideration was issued by ANCAB ordering BLM to correct the decision of October 25, 1974, consistent with the stipulation.

Accordingly, State selection application A-057389, filed December 29, 1959, as amended, pursuant to the Alaska Mental Health Enabling Act of July 28, 1956 (70 Stat. 709) is hereby rejected as to the lands herein approved for conveyance. These lands were segregated by applications pursuant to the public land laws at the time the State selected, therefore, were not available for selection and will not be charged against the village corporation as State-selected lands.

Further action on the subject State selection application as to those lands not rejected herein will be taken at a later date.

As to the lands described below, selection application AA-6701-C, as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating 138.64 acres, is considered proper for acquisition by Seldovia Native Association, Inc., and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

U.S. Survey No. 4742, Alaska, lot 8, situated in Tutka Bay Kachemak Bay area.
Containing 5.00 acres.
U.S. Survey No. 4746, Alaska, lots 1 and 2, situated on Cronin Island on the south side of Kachemak Bay in the Herring Islands group.
Containing 14.28 acres.
U.S. Survey No. 4747, Alaska, lots 2 and 4, situated on Kasitsna Bay and the eastern shore of Jakolof Bay southerly of the Herring Islands.
Containing 91.18 acres.
U.S. Survey No. 4748, Alaska, lots 3, 4, 5, and 6, situated on the easterly shore of Jakolof Bay.
Containing 18.91 acres.
U.S. Survey No. 4750, Alaska, lots 1 and 3, situated on the southerly shore of Kasitsna Bay at the entrance to Jakolof Bay.
Containing 9.27 acres.
Aggregating 138.64 acres.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)), the following public easement, referenced by easement identification number (EIN) on the easement map attached to this document, a copy of which will be found in case file AA-6701-EE, is reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for this type of easement. Any uses which are not specifically listed are prohibited.

60 Foot Road—The uses allowed on a sixty (60) foot wide road easement are: travel by foot, dogsleds, animals, snowmobiles, two and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

(EIN 1 D9) An easement sixty (60) feet in width for an existing road from a point on the south boundary of U.S. Survey 4750, through Lot 5, in Sec. 19 T. 8 S., R. 13 W., Seward Meridian, and continuing to and through U.S. Survey 4750, Lot 3, in Sec. 20, T. 8 S., R. 13 W., Seward Meridian. The uses allowed are those listed above for a sixty (60) foot wide road easement.

The grant of the above-described lands shall be subject to:

1. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17 (b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

2. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Seldovia Native Association, Inc., is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 67,701.28 acres. The remaining entitlement of approximately 47,498.72 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA, conveyance of the subsurface estate of the lands described above shall be issued to Cook Inlet Region, Inc., when the surface estate is conveyed to Seldovia Native Assoication, Inc., and shall be subject to the same conditions as the surface conveyance.

There are no inland water bodies considered to be navigable within the above-described lands.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the Anchorage times.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Pub. L. 96-487, this decision constitutes the final administrative determination of the Department of the

Interior concerning navigability of water bodies.

Appeals should be filed with Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until March 30, 1981 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

State of Alaska, Department of Natural Resources, Division of Research and Development, 323 East Fourth Avenue, Anchorage, Alaska 99501;
Seldovia Native Association, Inc., P.O. Drawer L, Seldovia, Alaska 99663;
Cook Inlet Region, Inc., P.O. Drawer 4–N, Anchorage, Alaska 99509.

Ann Johnson,

Chief, Branch of Adjudication.

[FR Doc. 81-3706 Filed 2-26-81; 8:45 am]

BILLING CODE 4310-84-M

Colorado, Utah; Availability of Final Uinta-Southwestern Utah Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, notice is hereby given that the Bureau of Land Management, Department of the Interior, has prepared a final environmental impact statement (FEIS) analyzing: (1) the proposed 1981 leasing of Federal coal in the Uinta-Southwestern Utah Coal Production Region; (2) the R. J. Hollberg preference right lease application (PRLA); and (3) the proposed exchange of PRLA's held by Utah Power and Light Company (UP&L) on the Kaiparowitz Plateau for Federal coal leases on the Wasatch Plateau.

ADDRESSES: Single copies of the final EIS may be obtained from the Utah State Office, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111. In addition, review copies may be examined at the following locations:

Office of Public Affairs, Bureau of Land Management, Interior Building, 18th and C Streets, NW, Washington, D.C. 20240.
Price River Resource Area Office, Bureau of Land Mangement, 900 North 7th East, P.O. Box AB, Price, Utah 84501.
Moab District Office, Bureau of Land Management, 125 West 2nd South, P.O. Box 970, Moab, Utah 84532.
Escalante Resource Area, Bureau of Land Management, Escalante, Utah 84726.
Cedar City District Office, Bureau of Land Management, 1579 North Main, P.O. Box 724, Cedar City, Utah 84720.
Richfield District Office, 150 East 900 North, P.O. Box 768, Richfield, Utah 84701.

FOR FURTHER INFORMATION: Ronald Bolander, Uinta-Southwestern Utah Coal Region EIS Team Leader, Utah State Office, Bureau of Land Management, 136 East South Temple, Salt Lake City, Utah 84111.

SUPPLEMENTAL INFORMATION: The final Uinta-Southwestern Utah Regional Coal EIS analyzes five coal leasing alternatives: (1) lease 11 tracts containing 561.8 million tons of in-place coal, (2) lease seven tracts containing 465.2 million tons of in-place coal, (3) lease three tracts containing 335.3 million tons of in-place coal, (4) lease three tracts containing 153.7 million tons of in-place coal, and (5) no action. The Hollberg PRLA is considered in each alternative. Alternative Two is the preferred alternative and would provide for leasing of Federal coal through both competitive bid and small business set-aside.

Two alternatives are considered for the proposed UP&L exchange. They are (1) proceed with the exchange, and (2) no action.

About 1,100 copies of the draft EIS were sent to Federal, State, and local government agencies, non-governmental organizations, and private citizens for their reivew and comment. Public hearings were held in Escalante, Castle Dale, Price, and Salt Lake City, Utah. All substantive comments on the adequacy of the draft EIS have been responded to in the final EIS.

The following are the legal descriptions for 10 of the 11 tracts:

Tucker Canyon Tract—U–47973

T. 12 S., R. 7 E., SLM, Utah,
Sec. 30, lots 1, 2, S½NE¼NE¼, W½NW¼NE¼, SE¼NW¼NE¼, NE¼NW¼.
Containing 161.40 acres Carbon County.

Miller Creek Tract—U–47974

T. 13 S., R. 7 E., SLM, Utah,
Sec. 3, lots 9, 10, N½SW¼;
Sec. 9, NE¼, S½NW¼, E½SW¼, E½SE¼;
Secs. 10, and 15, all;
Sec. 16, E½E½.
Containing 1,999.06 acres Carbon County.

Gordon Creek Tract—U–47975

T. 13 S., R. 7 E., SLM, Utah,
Sec. 1, SW¼NW¼, SW¼, W½SE¼, SE¼SE¼;
Sec. 2, all;
Sec. 3, lots 1, 2, 5–8, SW¼NE¼, NW¼SE¼;
Sec. 11, all;
Sec. 12, W½W½;
Sec. 13, S½S½NW¼NE¼, S½NE¼, W½, SE¼;
Secs. 14, and 23, all;
Sec. 24, N½N½, SW¼NW¼, NW¼SW¼.
T. 13 S., R. 8 E., SLM, Utah,
Sec. 19, lots 1, 2, SE¼NW¼.
Containing 4,283.89 acres Carbon County.

Rilda Canyon Tract—U–47977

T. 16 S., R. 7 E., SLM, Utah,
Sec. 32, all.
Containing 640.00 acres.

Cottonwood Tract—U–7978

T. 17 S., R. 7 E., SLM, Utah,
Sec. 27, S½NW¼, N½SW¼;
Sec. 28, S½N½, S½;
Sec. 29, S½N½, S½;
Sec. 30, SE¼NE¼, E½SE¼;
Sec. 31, NE¼NE¼;
Sec. 32, all;
Sec. N½, SW¼.
Containing 2,400.00 acres Emery County.

Meetinghouse Canyon Tract—U–47979

T. 16 S., R. 7 E., SLM, Utah,
Sec. 34, S½NE¼, NE¼SW¼, S½SW¼, SE¼.
T. 17 S., R. 7 E., SLM, Utah,
Sec. 3, lots 1–8, 10–12, SW¼, SW¼SE¼;
Sec. 4, lots 1, 8, 9, E½SE¼.
Containing 1,063.36 acres Emery County.

Emery North Tract

T. 22 S., R. 6 E., SLM, Utah,
Sec. 1, lots 1, 2, S½NE¼, SE¼;
Sec. 10, SE¼SE¼;
Sec. 11, NE¼, SE¼NW¼, E½SE¼;
Sec. 12, NE¼, S½;
Sec. 13, E½, N½NW¼, SW¼NW¼, N½SE¼NW¼, S½NE¼SW¼, W½SW¼, SE¼SW¼;
Sec. 14, SW¼NW¼, NW¼SW¼, SE¼SW¼, S¼SE¼;
Sec. 15, NE¼NE¼;

Sec. 22, SW¼NW¼, N½SW¼, SE¼SW¼;
Sec. 23, NE¼NW¼.
Containing 2,161.00 acres Emery County.

Emery South Tract

T. 24 S., R. 6 E., SLM, Utah,
Sec. 4, lots 4–7, SW¼NE¼, S½NW¼, N½SW¼, NW¼SE¼;
Sec. 5, lots 1, 2, 7, 8, S½NE¼, N½SE¼.
Containing 748.49 acres Emery County.

Slaughterhouse Canyon Tract

T. 13 S., R. 7 E., SLM, Utah,
Sec.19, SE¼SE¼;
Sec. 20, SE¼SW¼;
Sec. 29, NW¼NW¼;
Sec. 30, E½.
Containing 440.00 acres Carbon County.

Emery Central Tract

T. 22 S., R. 6 E., SLM, Utah,
Sec. 34, S½;
Sec. 35, all.
T. 23 S., R. 6 E., SLM, Utah,
Sec. 3, all;
Sec. 4, lot 1, SE¼NE¼, E½SE¼;
Sec. 10, all;
Sec. 11, W½E½, W½;
Sec. 15, NW¼NE¼, NE¼NW¼.
Containing 2,967.65 acres Emery County.

North Horn Mountain—U–47981

Exact boundaries for the eleventh tract, North horn Mountain, have not yet been determined.

Dated: February 20, 1981.

Ed Hastey,

Acting Director, Bureau of Land Management.

Approved:

Cecil S. Hoffmann,

Special Assistant to Assistant Secretary of the Interior.

[FR Doc. 81–6162 Filed 2–26–81; 8:45 am]

BILLING CODE 4310–84–M

Medford District Advisory Council; Meeting

Notice is hereby given in accordance with 43 CFR 1780 that a meeting of the Medford District Advisory Council will be held on March 27, 1981.

The meeting will begin at 9:00 A.M. and end at 12:00 noon in the Oregon Room of the Bureau of Land Management Office at 3040 Biddle Road, Medford, Oregon.

The agenda for this meeting will include:

1. Presentation by BLM Oregon State Director on "Sagebrush Rebellion" and how it is affecting Oregon.
2. Update on status of wilderness regulations.
3. General announcements of BLM Medford District activities including budget constraints and effects of freezes.
4. Follow-up on concerns of ranchers in regard to herbicide program.
5. Follow-up on 1981 vegetative management environmental assessment.

The meeting is open to the public and news media. Interested persons may make oral statements to the Council between 11:30 A.M. and 12:00 noon or file written statements for the Council's consideration. Anyone wishing to make an oral statement must notify the Public Information Officer, Bureau of Land Management, 3040 Biddle Road, Medford, Oregon 97501, telephone 503–776-4198, by close of business March 25, 1981. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

Summary minutes of the Council Meeting will be maintained at the District Office and be available for public inspection and reproduction at the cost of duplication.

Dated: February 20, 1981.

Wayne Boden,

Acting District Manager.

[FR Doc. 81–4 Filed 2–26–81; 8:45 am]

BILLING CODE 4310–84–M

Susanville District Advisory Council; Meeting

Notice is hereby given in accordance with Pub. L. 94–579 (FLPMA) that a meeting of the Susanville District Advisory Council will be held on March 17 and 18, due to the cancellation of the meeting scheduled for February 24 and 25, 1981.

The meeting will begin at 10:00 a.m. in the Ravendale Fire Station of the Bureau of Land Management, Ravendale, California.

The agenda for the meeting will include:

1. Ad Hoc Committee Report on Role Statement.
2. Ad Hoc Committee Report on Process for Reporting ES Implementation Progress to Public.
3. Cowhead/Massacre MFP III.
4. Cal Neva and Willow Creek EIS Status Report.
5. Alturas RMP Status Report.

The meeting is open to the public and time will be provided for public comment.

Summary minutes of the council meeting will be maintained in the District Office and will be available for public inspection and reproduction within 30 days following the meeting.

C. Rex Cleary,

District Manager.

[FR Doc. 81–6570 Filed 2–26–81; 8:45 am]

BILLING CODE 4310–84–M

Oregon; Closure of Lands and Roads During Herbicide Application Operations

Notice is hereby given that public access to certain public lands and roads in the Medford District will be temporarily prohibited during herbicide application operations in accordance with the provisions of 43 CFR 6010.4. These closures do not apply to emergency, law enforcement, and federal or other government personnel while performing emergency or official acts, or to persons authorized to be present by permit or contract.

The following described lands and the roads thereon shall be closed.

Spring-Early Summer Herbicide Program

Willamette Meridian, Oregon

T. 31 S., R. 8 W.,
Sec. 7, W½SW¼;
Sec. 19, E½;
Sec. 31, E½;
Sec. 33, W½; and
T. 31 S., R. 9 W.,
Sec. 11, SW¼SW¼;
Sec. 13, E½NE¼;
Sec. 14, NE¼;
Sec. 15, All;
Sec. 27, NE¼NE¼; and
T. 32 S., R. 5 W.,
Sec. 5, SW¼NE¼, W½SW¼;
Sec. 23, NW¼NE¼; and
T. 32 S., R. 8 W.,
Sec. 17, SE¼;
Sec. 15, NW¼NW¼;
Sec. 21, W½; and
T. 32 S., R. 9 W.,
Sec. 4, NW¼NW¼;
Sec. 5, NW¼NW¼;
Sec. 16, SW¼;
Sec. 17, S½SW¼;
Sec. 19, All;
Sec. 20, N½NW¼, SW¼SE¼;
Sec. 21, W½SE¼;
Sec. 22, SW¼SW¼;
Sec. 26, S½SW¼;
Sec. 27, SE¼SE¼;
Sec. 29, NW¼NE¼;
Sec. 32, SE¼;
Sec. 33, W½;
Sec. 35, All; and
T. 32 S., R. 10 W.,
Sec. 24, NW¼SW¼;
Sec. 35, NE¼NE¼;
Sec. 36, W½NE¼, E½NW¼, NW¼SW¼; and
T. 33 S., R. 2 W.,
Sec. 5, All; and
T. 33 S., R. 3 W.,
Sec. 19, SW¼;
Sec. 33, W½; and
T. 33 S., R. 4 W.,
Sec. 33, SE¼, E½SW¼, SW¼SW¼; and
T. 33 S., R. 6 W.,
Sec. 31, NE¼, E½NW¼, SW¼NW¼, N½SE¼, N½SW¼, SE¼SW¼; and
T. 33 S., R. 9 W.,
Sec. 30, SW¼SW¼;
Sec. 31, NW¼NW¼; and
T. 33 S., R. 10 W.,
Sec. 2, NW¼SW¼;

Sec. 3, NE¼SE¼;
Sec. 36, N½NE¼; and
T. 34 S., R. 3 W.,
Sec. 15, NE¼NE¼;
Sec. 21, S½; and
T. 34 S., R. 4 W.,
Sec. 3, N½, N½S½, SW¼SW¼;
Sec. 5, E½;
Sec. 9, NW¼;
Sec. 17, SE¼SE¼; and
T. 34 S., R. 6 W.,
Sec. 15, NE¼SW¼, NE¼NE¼; and
T. 34 S., R. 9 W.,
Sec. 6, SE¼;
Sec. 7, S½NW¼, N½SE¼;
Sec. 17, E½SE¼, NW¼SE¼;
Sec. 23, E½SW¼, SW¼SE¼; and
T. 35 S., R. 3 W.,
Sec. 9, E½;
Sec. 17, SW¼; and
T. 35 S., R. 5 W.,
Sec. 1, SW¼;
Sec. 7, NE¼NE¼; and
T. 37 S., R. 3 W.,
Sec. 21, N½; and
T. 37 S., R. 4 W.,
Sec. 7, S½SE¼;
Sec. 18, N½NE¼;
Sec. 27, S½SE¼, NW¼SE¼, SW¼NE¼; and
T. 37 S., R. 5 W.,
Sec. 11, SE¼, E½SW¼;
Sec. 13, N½NW¼;
Sec. 14, N½NE¼, NE¼NW¼; and
T. 38 S., R. 2 W.,
Sec. 21, NE¼SW¼, S½SW¼;
Sec. 29, NE¼; and
T. 38 S., R. 3 W.,
Sec. 21, E½SE¼, SW¼SE¼;
Sec. 22, W½SW¼; and
T. 38 S., R. 4 W.,
Sec. 13, NW¼;
Sec. 14, NE¼NE¼;
Sec. 23, N½NE¼;
Sec. 31, W½NW¼, NE¼NW¼, NW¼NE¼; and
T. 39 S., R. 1 W.,
Sec. 21, All;
Sec. 7, SE¼; and
T. 39 S., R. 2 W.,
Sec. 3, All;
Sec. 4, SE¼NE¼;
Sec. 27, S½;
Sec. 34, All;
Sec. 35, S½; and
T. 39 S., R. 3 W.,
Sec. 5, All;
Sec. 7, All;
Sec. 8, All;
Sec. 25, All;
Sec. 28, W½NW¼;
Sec. 29, All;
Sec. 35, E½;
Sec. 36, All; and
T. 39 S., R. 4 W.,
Sec. 11, E½NE¼;
Sec. 12, NW¼;
Sec. 17, SW¼SW¼;
Sec. 19, NE¼;
Sec. 20, NW¼; and
T. 39 S., R. 6 W.,
Sec. 6, N½NW¼;
Sec. 9, W½; and
T. 33 S., R. 2 E.,
Sec. 13, All;
Sec. 19, N½; and
T. 33 S., R. 3 E.,
Sec. 18, W½SW¼;
Sec. 19, All;
Sec. 33, S½, S½N½, NW¼NW¼; and
T. 34 S., R. 3 E.,
Sec. 3, SW¼, W½SE¼, NE¼SE¼;
Sec. 9, N½;
Sec. 27, All;
Sec. 33, S½, SW¼NE¼, NE¼NE¼, NW¼; and
T. 36 S., R. 3 E.,
Sec. 7, All; and
T. 38 S., R. 3 E.,
Sec. 17, SE¼;
Sec. 26, NW¼SE¼, NE¼SW¼; and
T. 38 S., R. 4 E.,
Sec. 17, E½SW¼; and
T. 39 S., R. 4 E.,
Sec. 3, NE¼NW¼, NW¼NE¼.

Late Summer-Fall Herbicide Program

Willamette Meridian, Oregon

T. 31 S., R. 3 W.,
Sec. 19, E½SE¼; and
T. 31 S., R. 4 W.,
Sec. 25, SE¼SE¼;
Sec. 29, E½SW¼;
Sec. 32, NE¼SW¼;
Sec. 35, SE¼; and
T. 31 S., R. 9 W.,
Sec. 19, N½;
Sec. 33, SW¼SW¼;
Sec. 35, W½SW¼; and
T. 32 S., R. 1 W.,
Sec. 29, All; and
T. 32 S., R. 4 W.,
Sec. 8, NE¼SE¼;
Sec. 9, SW¼NE¼, NE¼SW¼, SW¼SW¼, NE¼SE¼;
Sec. 22, N½NE¼;
Sec. 23, W½NE¼, E½NW¼; and
T. 32 S., R. 5 W.,
Sec. 27, SW¼;
Sec. 33, NE¼; and
T. 32 S., R. 7 W.,
Sec. 17, All; and
T. 32 S., R. 9 W.,
Sec. 3, NE¼;
Sec. 4, S½SW¼;
Sec. 7, All;
Sec. 9, N½NW¼;
Sec. 10, N½NW¼;
Sec. 14, SE¼SE¼;
Sec. 26, NE¼; and
T. 33 S., R. 2 W.,
Sec. 3, All;
Sec. 19, All; and
T. 33 S., R. 3 W.,
Sec. 19, SW¼;
Sec. 33, W½; and
T. 33 S., R. 5 W.,
Sec. 26, NE¼SW¼, SW¼SE¼;
Sec. 35, E½NE¼; and
T. 33 S., R. 6 W.,
Sec. 33, NW¼, W½SE¼; and
T. 33 S., R. 7 W.,
Sec. 1, S½SW¼;
Sec. 11, W½NE¼, NW¼; and
T. 34 S., R. 2 W.,
Sec. 7, All; and
T. 34 S., R. 3 W.,
Sec. 15, NE¼NE¼ and
T. 34 S., R. 4 W.,
Sec. 3, SW¼SW¼;
Sec. 5, E½, E½SW¼, SW¼SW¼; and
T. 34 S., R. 5 W.,
Sec. 18, S½SE¼, E½SW¼, W½SE¼;
Sec. 27, W½SW¼, NE¼SW¼; and
T. 34 S., R. 7 W.,
Sec. 1, S½NW¼, SW¼SW¼;
Sec. 2, SW¼SW¼;
Sec. 11, W½NE¼, S½SW¼;
Sec. 13, E½SW¼, S½SE¼;
Sec. 15, All; and
T. 34 S., R. 8 W.,
Sec. 22, NW¼NE¼;
Sec. 23, W½NW¼;
Sec. 26, NW¼NW¼;
Sec. 29, SE¼;
Sec. 32, SE¼NE¼;
Sec. 33, SW¼NW¼, SW¼SW¼; and
T. 34 S., R 9 W.,
Sec. 7, SE¼SE¼;
Sec. 8, SW¼SW¼;
Sec. 25, SW¼NE¼, SE¼NW¼;
Sec. 34, NE¼NE¼;
Sec. 35, NE¼NE¼, N½NW¼; and
T. 35 S., R. 3 W.,
Sec. 9, S½;
Sec. 17, W½;
Sec. 19, E½; and
T. 35 S., R. 4 W.,
Sec. 1, W½ and
T. 37 S., R. 3 W.,
Sec. 9, SW¼;
Sec. 17, E½NE¼;
Sec. 21, N½; and
T. 37 S., R. 4 W.,
Sec. 7, All;
Sec. 18, N½N½; and
T. 38 S., R. 5 W.,
Sec. 5, All; and
T. 39 S., R. 2 W.,
Sec. 3, All;
Sec. 4, SE¼NE¼; and
T. 39 S., R. 3 W.,
Sec. 25, All;
Sec. 30, All;
Sec. 35, E½;
Sec. 36, All; and
T. 39 S., R. 4 W.,
Sec. 14, S½;
Sec. 22, E½;
Sec. 23, N½; and
T. 39 S., R. 6 W.,
Sec. 5, NE¼NW¼, S½NW¼, NE¼; and
T. 32 S., R. 1 E.,
Sec. 9, All; and
T. 33 S., R. 1 E.,
Sec. 5, W½, SW¼SE¼; and
T. 33 S., R. 2 E.,
Sec. 23, All;
Sec. 24, W½SE¼;
Sec. 25, All; and
T. 33 S., R. 3 E.,
Sec. 19, All; and
T. 34 S., R. 2 E.,
Sec. 26, All;
Sec. 35, All; and
T. 34 S., R. 3 E.,
Sec. 5, All; and
T. 37 S., R. 1 E.,
Sec. 13, NW¼; and
T. 37 S., R. 2 E.,
Sec. 17, S½NW¼, N½SW¼;
Sec. 33, SW¼SW¼, S½SE¼; and
T. 38 S., R. 2 E.,
Sec. 9, NE¼NW¼, E½SW¼, SE¼SE¼; and
T. 38 S., R. 3 E.,
Sec. 11, E½NE¼;
Sec. 12, W½NW¼;

Sec. 13, S½NE¼, N½SE¼;
Sec. 15, NW¼NW¼;
Sec. 17, NW¼NW¼, NE¼SW¼;
Sec. 21, N½NW¼;
Sec. 23, SW¼;
Sec. 25, NW¼NW¼;
Sec. 27, NE¼NE¼;
Sec. 29, NE¼;
Sec. 32, S½NW¼, N½SW¼; and
T. 38 S., R. 4 E.,
Sec. 17, S½NW¼, N½SW¼, NE¼SE¼, SE¼NE¼;
Sec. 20, SE¼SE¼; and
T. 39 S., R. 3 E.,
Sec. 9, NW¼SW¼, SE¼; and
T. 39, S., R. 4 E.,
Sec. 3, NE¼NW¼, NW¼NE¼;
Sec. 6, NE¼SW¼.

A total of approximately 50,000 acres of public lands will be involved in this closure. This closure will be effective during the performance of herbicide application operations. During such times a closure notice shall be posted at normal access points and at appropriate road junctions. The lands affected shall be listed on the closure notice and designated on an attached map. Copies of these detailed closure notices will also be available at the following locations:

Oregon State Office, 729 NW. Oregon Street, Portland, OR 97208
Medford District Office, 3040 Biddle Road, Medford, OR 97501

The purpose of these closures is to insure the effectiveness of the herbicide application program design features as developed in the Environmental Statement entitled *Vegetation Management with Herbicides: Western Oregon 1978–1987,* to protect the health and safety of the public and to prevent interference with the silvicultural treatment of these lands. Persons violating this closure order are subject to arrest and criminal prosecution under Oregon Revised Statute 164.245 (criminal trespass in the second degree; 30 days and/or $250) or 43 CFR 6010.6 and 43 U.S.C. 1733 (1 year and/or $1000).

This closure notice expires on December 31, 1981.

Wayne A. Boden,

Acting District Manager.

February 20, 1981.

[FR Doc. 81-5 Filed 2-26-81; 8:45 am]

BILLING CODE 4310-84-M

Upper Missouri National Wild and Scenic River; Open Season for Recreation Use Permit Applications

AGENCY: Bureau of Land Management; Lewistown District Office.

ACTION: Open season for commercial permit applications on the Upper Missouri National Wild and Scenic River.

SUMMARY: This notice establishes an "open season" for applying for Special Recreation Use Permits on the Upper Missouri National Wild and Scenic River in Montana required of all commercial float boating operations. Other requirements of commercial outfitting and guiding operations remain as outlined in the **Federal Register,** Vol. 44, No. 62, Thursday, March 29, 1979, entitled "Establishment of Recreation Use Permit System for the Upper Missouri National Wild and Scenic River".

DATES: Applications must be sent to the Lewistown District, Bureau of Land Management, Drawer 1160, Lewistown, Montana 59457 between February 25 and March 30, 1981.

FOR FURTHER INFORMATION CONTACT: Carl Lind, River Manager, Drawer 1160, Lewiston, Montana 59457.

Glenn W. Freeman,

District Manager.

[FR Doc. 81-3 Filed 2-26-81; 8:45 am]

BILLING CODE 4310-84-M

National Park Service

Revision to Standard Concession Contract Language

On July 13, 1976 (41 FR 28809), the National Park Service published in the **Federal Register** proposed revisions to the then Standard Concession Contract. The comments received were evaluated and, subsequently, changes based thereon were again published in the **Federal Register.** The current Standard Concession Contract was adopted on November 11, 1978.

During the initial stages of using the new standard language, some technical and editorial changes were made. Another change was necessary due to a new legislative requirement in the FY 80 Appropriations Act. This notice is given to advise all interested parties of the current standard concession contract.

The revisions made since November 11, 1978, are as follows:

1. *Alternative Paragraphs on Corporations, Partnerships and Sole Proprietorships in "Whereas" clause.* The word "behalf" has been changed to "matter."

Reason: To be technically correct so as to say that the Secretary acts in behalf of the United States in this matter.

2. *Second "Whereas" Clause.* First sentence, the words "The said" were changed to "These".

Reason: To refer to the purposes stated in a particular contract.

3. *Fifth "Whereas" Clause.* Revised to read "**profit on 'the' operations 'conducted' hereunder**."

Reason: For clarity.

4. *Section 1(b).* First paragraph, we added the word "appropriate."

Reason: So it is understood that there is no single index. The construction review contains many indexes.

5. *Section 1(d).* We have omitted using the alternate of "Its" or "His." We are saying "its" throughout the contract.

Reason: The word "Its" refers to a concessioner, i.e., the Business Organization.

6. *Section 2.* Subsection (c), first sentence, we added the word "Concession."

Reason: To make sure the language could not be construed as applying to anything other than concession operations.

7. *Section 3(a)(2).* At the end of the first sentence we added a new sentence as follows: "The Secretary shall exercise his decision-making authority with respect to the Concessioner's rates and prices in a manner consistent with a reasonable opportunity for the concessioner to realize a profit on its operations hereunder as a whole commensurate with the capital invested and the obligations assumed."

Reason: To make clear to both parties to a contract that rates will be approved in a manner consistent with the concessioner's reasonable opportunity to a profit, which is the standard prescribed by Pub. L. 89–249.

8. *Section 3.* Subsection (a)(3), last sentence, made the word "Concessioners" singular and added the word "the."

Reason: A contract is with a specific concessioner and not concessioners generally.

9. *Section 3(b)(2).* Changed the word "employee(s)" to "employees."

Reason: Plural is the proper use of the word in this instance.

10. *Section 4(a).* This subsection has been substantially revised following the word "judgment" to define more clearly the criteria by which the Secretary may withdraw assigned lands or facilities.

There follows Revised Subsection 4(a) in its entirety.

Sec. 4. *Government Land and Improvements.* (a) The Secretary hereby assigns for use by the Concessioner during the term of this contract, certain parcels of land and Government Improvements, if any, (as described in Exhibit "A" hereto) necessary to conduct the operations authorized hereunder. The Secretary reserves the right to withdraw such assignments or parts thereof at any time during the term of this contract if, in his judgment, (1) such withdrawal is necessary for the purpose of

protecting visitors or area resources, or, (2) the operations utilizing such assigned lands are terminated pursuant to Section 11 hereof. Any permanent withdrawal of assigned lands or improvements which are essential for conducting the operation authorized hereunder will be considered by the Secretary as a termination pursuant to Section 11 hereof. The Secretary shall compensate the Concessioner for any possessory interest in such withdrawn properties at book value as described in Section 12 hereof, or, in the event that Concessioner Improvements in which the Concessioner has a possessory interest are to be replaced by the Concessioner within the area, in accordance with fair value compensation for possessory interest described in subsection 12(b) hereof.

11. *Section 4(b).* First sentence, added the words "if any."

Reason: Because it implied that there are Government facilities assigned and there may not be.

12. *Section 4(b).* In addition, where a concessioner is or may be utilizing a Government building, and improvements to that facility are to be made, it is desirable to avoid mixed ownership. Accordingly, the following language has been added to this paragraph. "The Concessioner shall have a possessory interest in improvements it makes to Government Improvements. In the event that such possessory interest is acquired by the Government or a successor concessioner, at any time, the Concessioner will be compensated for such possessory interest pursuant to section 12 hereof."

Reason: See above.

Please note that the changes in this subsection as previously amended involve the last 2 sentences thereof. The last sentence, beginning with "in the event * * *, has been moved to Section 12(b) for better position.

13. *Section 4(c).* We have taken out the word "assigned" and have added the words "utilized by the Concessioner."

Reason: The word "assigned" has a legal meaning that may be construed as covering the life of the contract. This revision is consistent with subsection 4(a) on withdrawal of buildings.

14. *Section 4(c).* After the word "therein" we have omitted the rest of that sentence.

Reason: This is a duplication of 4(a) on withdrawal of buildings.

15. *Section 5.* Second sentence, we have omitted the word "annual" which appeared between the words"appropriate" and "inspections".

Reason: We did not want it to imply that we only inspect on an annual basis. Inspections should be carried out as many times as may be needed.

16. *Section 6(a).* We have added after the word "contract," the words "(excluding improvements made to Government Improvements by the Concessioner,)". With this addition, we have deleted the bracketed item (3) which was an optional item to be used as appropriate.

Reason: Because there are two levels of compensation for improvements, i.e., Concessioner Improvements and concessioner improvements to Government Improvements. It is desirable to make this distinction. Section 12 on compensation addresses both circumstances.

17. *Section 7.* We have taken out the word "approximate" and added the words "at least equal."

Reason: To comply with 16 U.S.C. 1b–4 and OMB Circular A–25 (which is based on 31 U.S.C. 483a).

18. *Section 8(a).* Beginning of second sentence, we changed the word "it" to "The Concessioner."

Reason: Grammatical.

19. *Section 8(a).* The $100,000 figure regarding audited financial statements has been increased to $250,000.

Reason: To update the $100,000 requirement which was established in 1966. This amount is no longer realistic. In additon, the audit costs are not justified when compared to the benefits accruing to the National Park Service and the general public.

20. *Section 9.* Subsection (a) has been deleted in its entirety and replaced with the following:

(a) For the term of this contract, the Concessioner shall pay to the Secretary for the privileges granted herein, as follows:

(1) An annual fee for the use of any Government Improvements utilized by the concessioner hereunder, if any. Such fee and assigned Government buildings to be as set forth in Exhibit "A" hereto but in no event shall the fee exceed the fair annual value of such Government Improvements as determined by the Secretary.

(2) In addition to the foregoing, a further sum equal to PERCENT (%) of the Concessioner's gross receipts, as herein defined for the preceding year."

Sections 9 (b) and (c), as shown below, have been added and existing subsections (b) and (c) are redesignated as (d) and (e) respectively.

(b) The franchise fee shall be due on a monthly basis in such a manner that payment shall be received by the Secretary within 15 days after the last day of each month that the concessioner operates. Such monthly payment shall include the annual use fee for assigned government Improvements, as set forth in Exhibit "A" hereto, divided by the expected number of operating months, as well as the specified percentages of gross receipts for the preceding month. The payment of any additional amounts due at the end of the operating year as a result of adjustments shall be paid at the time of submission of the annual financial report. Overpayments shall be offset against the following year's franchise fees due.

(c) An interest charge will be assessed on overdue amounts for each 30 day period, or portion thereof, that payment is delayed. The percent of interest charged will be based on the current value of funds to the U. S. Treasury which is published quarterly in the Treasury Fiscal Requirements Manual.

Reason: To assure effective cash management practices in the Government. Periodic billing and collection and charges for late payments are universally accepted business practices. Subsection 9(c) has been changed further because the cost of money borrowed by the U.S. Treasury is subject to change. Therefore, this change allows necesary flexibility. In addition in subsection 9(a)(1), the words "Assigned to" have been changed to "utilized by", See item 13 above.

21. *Section 11(a).* We took out the words "or visitors safety" and reinserted the words "visitors or".

Reason: Technically inaccurate to say that we may terminate for the protection of visitor safety. (Same change in 11(b).)

22. *Section 11(a).* Fourth sentence, after the word "including" we have struck out the remaining portion of that sentence and replaced it with "failure to maintain and operate the required accommodations, facilities and services to the satisfaction of the Secretary in accordance with the Secretary's requirements hereunder."

Reason: This is necessary because of the language inserted in the National Park Service 1980 Appropriations Act by the Congress. This change in Section 11 makes it consistent with a new Section 12(a) which is required by that Congressional action.

23. *Section 11(c).* The word "temporarily", which was located between the words "to" and "suspend", and the words "or the health, safety, or welfare of visitors and employees due to causes beyond the control of the Secretary", which were located between the words "area" and "the Secretary", have been omitted because they are extraneous.

24. *Section 12(b).* Section 12 has been revised to meet the requirements of Public Law 96–126, approved November 27, 1979 (93 Stat. 954, 959). That law provides that "***The Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation:***."

In addition, the last sentence of subsection 12(b) has been amended to include that advisory arbitration will be provided on the value of the concession where the government is the successor concessioner.

Reason: A Federal Government entity cannot be bound by arbitration. In the event of dispute, advisory arbitration is being included to provide a mechanism for reviewing the amount of compensation to be paid in the event the Government is the successor.

There follows Section 12 in its entirety. Those additions to the Standard Contract Language are underscored.

SECTION *12. Compensation.* (a) *Just compensation:* The compensation described herein shall constitute full and just compensation to the Concessioner from the Secretary for all losses and claims occasioned by the circumstances described below.

(b) *Contract termination or expiration where operations are to be continued:* If for any reason, including contract expiration or termination as described herein, *and subject to the limitation on compensation for possessory interest contained in subsection (d) hereof,* the Concessioner shall cease to be required by the Secretary to conduct the operations authorized hereunder, or substantial part thereof, and, at the time of such event the Secretary intends for substantially the same or similar operations to be continued by a successor, whether a private person, corporation or an agency of the Government, (i) the Concessioner will sell and transfer to the successor designated by the Secretary its possessory interest in Concessioner *and Government* Improvements, if any, as defined under this contract, and all other property of the Concessioner used or held for use in connection with such operations; and (ii) the Secretary will require such successor, as a condition to the granting of a contract to operate, to purchase from the Concessioner such possessory interests, if any, and such other property, and to pay the Concessioner the fair value thereof. *The fair value of any possessory interest in Government Improvements shall be book value as described in Section 12(c) hereof.* In the event that such possessory interest in Government Improvements is acquired by a successor, the successor will not be permitted to revalue such possessory interest. The fair value of possessory interest in Concessioner's Improvements shall be deemed to be the sound value of the improvement to which it relates at the time of transfer of such possessory interest, without regard to the term or other benefits of the contract. The sound value of any structure, fixture, or improvement shall be determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. *The fair value of* merchandise and supplies shall be replacement cost including transportation. The fair value of equipment shall be replacement cost less depreciation and obsolescence. If the Concessioner and the successor, excepting Government agencies, cannot agree upon the fair value of any item or items, either party may serve a request for arbitration upon the other party, and the fair value of the item or items in question shall be determined by the majority vote of a board of three arbitrators, selected as follows: Each party shall name one member of such board and the two members so named shall select the third member. If either party fails to appoint an arbitrator within 15 days after the other shall have appointed an arbitrator and served written notice, including the name and address of the arbitrator appointed, upon the other party, then the American Arbitration Association shall be requested by the Secretary to appoint an arbitrator to represent the party failing to make the appointment. The costs and expenses of the arbitrator appointed by the American Arbitration Association to represent the party failing to make the appointment shall be paid for by that party. The two arbitrators so named shall select the third member. If the third member is not selected within 15 days after the appointment of the latter of the other two arbitrators, the American Arbitration Association shall be requested by the Secretary to appoint the third arbitrator. In requesting that the American Arbitration Association appoint an arbitrator in the situations discussed above, the Secretary shall request that the person or persons appointed shall be impartial and specially qualified in commercial and real estate appraisal. The fair value determined by the Board of Arbitrators shall be binding on the parties. The compensation and expenses of the third member shall be paid by the Concessioner and one-half of the amount so paid shall be added to the purchase price. Before reaching its decision, the board shall give each of the parties a fair and full opportunity to be heard on the matters in dispute. If the successor is a Government agency and there is a dispute as to the fair value of any possessory interest, or other items, an advisory arbitration panel will be established at the request of the Concessioner (one member to be selected by the Secretary, one by the Concessioner, and the third by agreement of the original two) for the purpose of recommending to the Secretary an appropriate fair value. The Secretary and the Concessioner shall share equally the expenses of such advisory arbitration. The written decision of the Secretary as to such fair value will be final and binding upon all parties.

(c) *Contract expiration or termination where Operations are to be discontinued:* If for any reason, including contract expiration or termination as described herein, the Concessioner shall cease to be required by the Secretary to conduct the operations authorized hereunder, or substantial part thereof, and the Secretary at the time chooses to discontinue such operations, or substantial part thereof within the area, and/or to abandon, remove, or demolish any of the Concessioner's Improvements, if any, then the Secretary will take such action as may be necessary to assure the Concessioner of compensation for (i) its possessory interest in Concessioner Improvements *and Government Improvements,* if any, in the amount of their book value (unrecovered cost as shown in Federal Income Tax returns); (ii) the cost to the Concessioner of restoring any assigned land to a natural condition, including removal and demolition, (less salvage) if required by the Secretary; and (iii) the cost of transporting to a reasonable market for sale such movable property of the Concessioner as may be made useless by such determination. Any such property that has not been removed by the Concessioner within a reasonable time following such determination shall become the property of the United States without compensation therefor.

(d) *Contract Termination for Default for Unsatisfactory Performance Where Operations are to be Continued. Notwithstanding any provision of this contract to the contrary, in the event of termination of this Contract for default for failure to maintain and operate the required accommodations, facilities and services to the satisfaction of the Secretary in accordance with the Secretary's requirements hereunder, compensation for the Concessioner's possessory interest in Concessioner's Improvements, if any, shall be at book value as described in Subsection 12(c) herein.*

(e) *Other Compensation.* In the event of termination of this contract or portions thereof, for the purpose of protecting visitors or area resources the Concessioner may be compensated (in addition to the applicable compensation described in Subsections (b) or (c) above) for such other costs as the Secretary, in his discretion, considers necessary to compensate the Concessioner for actual losses occasioned by such termination, including, but not limited to, and as the needs appear, cost of relocating from one building to another building, reasonable severance pay to employees that may be affected, penalties for early loan repayments, and reasonable overhead expenses required by such termination, but, not for lost profit or other anticipated gain from the operations authorized hereunder or anticipated sale or assignment of the Concessioner's assets, including this contract or any of its benefits.

25. *Section 12.* Subsection (d) added for the same reason as the change in section 11(a).

26. *Section 13(a)(1).* The word "and" in the second sentence was deleted and the words "for which this Contract may be terminated immediately by the Secretary without regard to the procedures for termination for default described in Section 11 hereof, and the Secretary shall not be obliged to recognize any right of any person entity to an interest in this contract or to own or operate the operations authorized hereunder acquired in violation hereof," inserted.

Reason: This insertion is the result of taking out subsection 13(b)(3). This addition permits an immediate contract termination if the sale or transfer takes place without NPS approval.

27. *Section 13(b)(3).* This was omitted because it is not enforceable in some instances, may inhibit the raising of needed capital and is very cumbersome.

28. *Section 15.* Section 15 has been totally replaced. This change represents a substantial expansion of the role of the National Park Service in managing concessioner insurance. It is necessitated because the present contract language is too vague and the guidance provided the field too limited for the program to provide proper protection for the visitor and the Government.

There follows Section 15 in its entirety.

"SEC. *15. INSURANCE AND INDEMNITY.*

(a) *General.*

The Concessioner shall save, hold harmless, defend and indemnify the United States of America, its agents and employees for losses, damages or judgments and expenses on account of fire or other peril, bodily injury, death or property damage, or claims for bodily injury, death or property damage of any nature whatsoever, and by whomsoever made, arising out of the activities of the Concessioner, his employees, sub-contractors or agents under the contract. The types and amounts of insurance coverage purchased by the Concessioner shall be approved by the Secretary. The Concessioner shall, annually, or at the time insurance is purchased provide the Secretary with Certificates of Insurance, Broker's Analysis or similar documents sufficient to evidence compliance with this section and shall provide the Secretary thirty (30) days advance written notice of any material change in the concessioner's insurance program hereunder.

(b). *Property Insurance*

The Concessioner at its cost shall secure and maintain, for both Concessioner improvements and assigned government improvements, fire, extended coverage and such other perils insurance in such types and limits as are determined by the Secretary to be necessary to repair or replace those buildings, structures, equipment, furnishings, betterments and improvements, and merchandise necessary to satisfactorily discharge the Concessioner's obligations under this Contract. For insurance purposes, values of such property shall be determined at the inception of this contract and updated annually thereafter. Those values currently in effect are set forth in Exhibit "E" to this contract. Such insurance shall provide for the Concessioner and the United States of America to be named insureds as their interest may appear. Insurance provisions respecting replacement at the "same site" shall be waived. In the event of loss the Concessioner shall use all proceeds of such insurance to repair, rebuild, restore or replace Concessioner and Government Improvements, equipment, furnishings and other personal property hereunder, as directed by the Secretary. The lien provision of Section 10 shall apply to such insurance proceeds.

The Concessioner shall purchase the following additional property coverages:

*Flood	Boiler and machinery	Earthquake

(c). *Additional Property Damage Requirements—Government Improvements, Property and Equipment*

The following additional requirements shall apply to structures, all or any part of which are "government improvements" as defined in Section 4(b).

(1) The insurance policy shall contain a loss payable clause approved by the Secretary which provides that insurance proceeds shall be paid directly to the Concessioner without requiring endorsement by the United States.

(2) The use of insurance proceeds for repair or replacement of government structures will not alter their character as government structures and the concessioner shall gain no possessory interest therein.

(d). *Public Liability*

The Concessioner shall purchase and maintain during the term of this contract Comprehensive General Liability insurance against claims occasioned by actions or omissions of the Concessioner in carrying out the activities and operations authorized hereunder. Such insurance shall be in the amount commensurate with the degree of risk and the scope and size of such activities authorized herein, but in any event not less than ($_____)[2] for bodily injury per person and ($_____)[2] per accident and property damage of at least ($_____)[2] per occurence. All liability policies are to specify that the insurance company shall have no right of subrogation against the United States of America except that caused by the sole negligence of the United States or its employees and have no recourse against the government for payment of any premiums or assessments.

Specific types of coverages the Concessioner shall purchase and maintain during the term of this contract include Comprehensive General Liability, with extensions which provide Product Liability and Contractual Liability and Liquor Liability if liquor is served.

The Concessioner shall also obtain the following additional coverages:

a. *Automobile Liability*

The Concessioner shall provide the following coverages respecting vehicles owned and/or operated by the Concessioner: Comprehensive Automobile Liability, Uninsured Motorist coverages, and Statutory "No-Fault" coverages, as required by the state of operation.

b. *Workers' Compensation*

Statutory Workers' Compensation as required in the state of operation, Employers' Liability coverage (Broad Form "All State" coverage, if the Concessioner operates in more than one state)[1], Voluntary Compensation endorsement, and (Employers' Liability in states with monopolistic Workers' Compensation funds).[1]

c. *Other*

The Concessioner shall also obtain the following coverages, in at least the limits set forth for Comprehensive General Liability.

[1]Protection and Indemnity (Watercraft Liability)

[1]Aircraft Liability

[1]Umbrella Liability Policy.

(Limits_____)

EXHIBIT "E"

BUILDING REPLACEMENT COST FOR INSURANCE PURPOSES

CONCESSIONER: _____

CONCESSION CONTRACT NO:_____

FOR THE OPERATING YEAR: STARTING _____

AND ENDING _____

The replacement costs set forth herein are established for the sole purpose of insuring adequate property insurance coverage and shall not be construed as having application for any other purpose.

I GOVERNMENT BUILDINGS

Building No.	Description	Insurance Replacement Value

II CONCESSIONER BUILDINGS

Building No.	Description	Insurance Replacement Value

(Concessioner)_____

UNITED STATES OF AMERICA

By _____

Title _____

Date _____

29. *Section 18(c).* We have added the words "'[1]with nonprofit organizations" after the word "agreements".

Reason: To clarify National Park Service authority to enter into non-concession agreements with nonprofit organizations.

Dated: February 20, 1981.

Russell E. Dickenson,

Director, National Park Service.

STANDARD LANGUAGE TO BE USED, WHERE APPLICABLE, IN CONCESSION CONTRACTS

UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

(Name of Concessioner)_____

(Name of Area) _____

CONTRACT NO._____

EXECUTED _____

COVERING THE PERIOD

_____

Through_____

CONCESSION CONTRACT

TABLE OF CONTENTS

1. WHEREAS CLAUSES
2. SECTION 1. Term of Contract
3. SECTION 2. Accommodations, Facilities and Services
4. SECTION 3. Plant, Personnel and Rates

5. SECTION 4. Government Land and Improvements
6. SECTION 5. Maintenance
7. SECTION 6. Concessioner's Improvements
8. SECTION 7. Utilities
9. SECTION 8. Accounting Records and Reports
10. SECTION 9. Franchise Fee
11. SECTION 10. Bond and Lien
12. SECTION 11. Termination
13. SECTION 12. Compensation
14. SECTION 13. Assignment or Sale of Interest
15. SECTION 14. Approval of Subconcession Contracts
16. SECTION 15. Insurance and Indemnity
17. SECTION 16. Procurement of Goods, Equipment, and Services
18. SECTION 17. Disputes
19. SECTION 18. General Provisions
20. SIGNATURE EXECUTION PAGE

EXHIBITS

1. Exhibit "A": Government-Owned Structures Assigned
2. Exhibit "B": Nondiscrimination
3. Exhibit "C": Preferential Right to Additional Services
4. Exhibit "D": Possessory Interest Assests
5. Exhibit "E": Buidling Replacement Cost for Insurance Purposes

Contract No. ———————

CORPORATION

THIS CONTRACT made and entered into by and between the United States of America, acting in this matter by the Secretary of the Interior, through the Director of the National Park Service, hereinafter referred to as the "Secretary," and ———————a corporation organized and existing under the laws of the State of———————, doing business as———————hereinafter referred to as the "Concessioner":

PARTNERSHIP

THIS CONTRACT made and entered into by and between the United States of America, acting in this matter by the Secretary of the Interior, through the Director of the National Park Service, hereinafter referred to as the "Secretary," and ——————— of ———————, ——————— and ——————— of ———————, ——————— partners, doing business as ——————— pursuant to a partnership agreement dated ———————, with the principal place of business at ———————, ——————— ———————, hereinafter referred to as the "Concessioner":

SOLE PROPRIETORSHIP

THIS CONTRACT made and entered into by and between the United States of America, acting in this matter by the Secretary of the Interior, through the Director of the National Park Service, hereinafter referred to as the "Secretary," and ——————— an individual of ———————, doing business as ——————— ——————— hereinafter referred to as the "Concessioner":

WITNESSETH:

THAT WHEREAS, (Name of Park, Recreation Area, etc.) (hereinafter Referred to as the "Area") is administered by the Secretary to conserve the scenery and the natural and historic objects and the wildlife therein, and to provide for the public enjoyment of the same in such manner as will leave such area unimpaired for the enjoyment of future generations; and

WHEREAS, the accomplishment of these purposes requires that facilities and services be provided for the public visiting the area and that all private interest shall be excluded except so far as may be necessary for the accomplishment of said purposes, including accommodation of the public; and

WHEREAS, the United States has not itself provided such necessary facilities and services and desires the Concessioner to establish and operate the same at reasonable rates under the supervision and regulation of the Secretary; and

WHEREAS, the establishment and maintenance of such facilities and services involves a substantial investment of capital and the assumption of the risk of operating loss, it is therefore proper, in consideration of the obligations assumed hereunder and as an inducement to capital, that the Concessioner be given assurance of security of such investment and of a reasonable opportunity to make a profit; and

WHEREAS, pursuant to law the Secretary is required to exercise his authority hereunder in a manner consistent with a reasonable opportunity by the Concessioner to realize a profit on the operations conducted hereunder as a whole commensurate with the capital invested and the obligations assumed:

NOW, THEREFORE, pursuant to the authority contained in the Acts of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), and other laws supplemental thereto and amendatory thereof, the said parties agree as follows:

SEC. *1. TERM OF CONTRACT.* (a) This contract shall [1] [supersede and cancel Contract No. ——— effective upon the close of business ——— 19—, and shall] be for the term of ——— (———) years from ———, 19———.

[2](b) The Concessioner shall undertake and complete an improvement and building program costing not less than $——— as adjusted per project to reflect par value in the year of actual construction in accordance with the appropriate indexes of the Department of Commerce's "Construction Review".

It is agreed that such investment is consistent with Section 3(a) hereof. Such improvement and building program shall include:

[2](c) The Concessioner shall start the improvement and building program on or before ——— in such a manner as to demonstrate to the satisfaction of the Secretary that it is in good faith carrying said program forward reasonably under the circumstances. After approval of plans and specifications, the Concessioner shall provide the Secretary with such evidence or documentation, as may be satisfactory to the Secretary, to demonstrate that such program is being carried forward, and shall complete and have it available for public use on or before ———.

[2](d) The Concessioner may, in the discretion of the Secretary, be relieved in whole or in part of any or all of the obligations of the improvement program for such stated periods as the Secretary may deem proper upon written application by the Concessioner showing circumstances beyond its control warranting such relief.

SEC. *2. ACCOMMODATIONS, FACILITIES AND SERVICES.* (a) The Secretary requires and hereby authorizes the Concessioner during the term of this contract to provide accommodations, facilities, and services for the public within ———, as follows:

(Broad generalizations such as "any and all facilities and Services customary in such operations" or "such additional facilities and services as may be required" are not to be used. A provision stating "The Concessioner may provide services incidental to the operations authorized hereunder at the request of the Secretary," is acceptable.)

(b) The Secretary reserves the right to determine and control the nature, type and quality of the merchandise and services described herein as authorized and required to be sold or furnished by the Concessioner within the area. Operations under this contract and the administration thereof by the Secretary shall be subject to the laws of Congress governing the area and the rules, regulations, and policies promulgated thereunder, whether now in force or hereafter enacted or promulgated, including but not limited to the United States Public Health Service requirements. Concessioners must also comply with current applicable criteria promulgated by the United States Department of Labor's Occupational Safety and Health Act of 1970 (OSHA) and those provisions outlined in the National Park Service's Safety and Occupational Health Policy associated with visitor safety and health.

[3](c) During the term hereof and subject to satisfactory performance hereunder, the Concessioner is granted a right of first refusal to provide such additional concession accommodations, facilities and services of the same character as required and authorized hereunder as the Secretary may designate as necessary or desirable for accommodation and convenience of the public in the [description of the area(s) or that portion of the park in which a right of first refusal is to be granted] [delineated on Exhibit"C"]. If the Concessioner doubts the necessity, desirability, timeliness, reasonableness, or practicability of such new or additional facilities, accommodations or services and/or declines or fails within a reasonable time to comply with the designation of the Secretary, then the Secretary in his discretion may authorize

[1] To be used when existing contract is to be replaced, before expiration of time.

[2] To be used where improvement programs are included in the contract. *NOTE: Do Not USE* Sec. 1, (b) (c) or (d), if there is *NO* building program.

[3] OPTIONAL—To be included only where a preferential right to additional services is to be granted. This is discretionary and should be included only upon a specific determination that granting such is in the public interest.

others under substantially the same terms and conditions to provide such designated accommodation, facilities, or services. This right of first refusal does not apply to concession operations in connection with lands hereafter acquired which expand the existing boundary of the area. Nothing contained in this section or elsewhere in this contract shall be construed as prohibiting or curtailing operations conducted in the area by other concessioners now authorized by the Secretary to provide accommodations therein for the public, including the successors or assigns of such concessioners, when approved by the Secretary.

SEC. 3. *PLANT, PERSONNEL, AND RATES.* (a)(1) The Concessioner shall maintain and operate the said accommodations, facilities, and services to such extent and in such manner as the Secretary may deem satisfactory, and shall provide the plant, personnel, equipment, goods, and commodities necessary therefor provided that the Concessioner shall not be required to make investments inconsistent with a reasonable opportunity to realize a profit on its operations hereunder commensurate with the capital invested and the obligations assumed.

(2) All rates and prices charged to the public by the Concessioner for accommodations, services, or goods furnished or sold hereunder shall be subject to regulation and approval by the Secretary. The Secretary shall exercise his decision making authority with respect to the Concessioner's rates and prices in a manner consistent with a reasonable opportunity for the Concessioner to realize a profit on its operations hereunder as a whole commensurate with the capital invested and the obligations assumed. Reasonableness of rates and prices will be judged primarily by comparison with those currently charged for comparable accommodations, services, or goods furnished or sold outside of the areas administerd by the National Park Service under similar conditions, with due allowance for length of season, provision for peak loads, [average percentage of occupancy],[4] accessibility, availability and cost of labor and materials, type of patronage, and other conditions customarily considered in determining charges, but due regard may also be given to such other factors as the Secretary may deem significant.

(3) The Concessioner shall require its employees to observe a strict impartiality as to rates and services in all circumstances. The Concessioner may, subject to the prior approval of the Secretary, grant complimentary or reduced rates under such circumstances as are customary in businesses of the character conducted hereunder. The Concessioner shall not offer and employees of the Federal Government shall not receive discounts unless such discounts are available to the general public.

(b)(1) The Concessioner may be required to have its employees who come in direct contact with the public, so far as practicable, to wear a uniform or badge by which they may be known and distinguished as the employees of the Concessioner. The Concessioner shall require its employees to exercise courtesy and consideration in their relations with the public.

(2) The Concessioner shall review the conduct of any of its employees whose action or activities are considered by the Concessioner or the Secretary to be inconsistent with the proper administration of the area and enjoyment and protection of visitors and shall take such actions as are necessary to fully correct the situation.

(3) The Concessioner shall comply with the requirements of (a) Title VII of the Civil Rights Act of 1964, as well as Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, (b) Title V, Section 503 of the Rehabilitation Act of September 26, 1973, P.L. 93-112, which requires Government Contractors and Subcontractors to take affirmative action to employ and to advance in employment qualified handicapped individuals, and with regulations heretofore or hereafter promulgated, relating to nondiscrimination in employment and in providing facilities and services to the public and shall do nothing in advertising for employees which will prevent those covered by these laws from qualifying for such employment. Regulations heretofore promulgated are set forth in Exhibit "B" attached hereto and made a part hereof.

SEC. 4. *GOVERNMENT LAND AND IMPROVEMENTS.* (a) The Secretary hereby assigns for use by the Concessioner during the term of this contract, certain parcels of land and Government Improvements, if any, (as described in Exhibit "A" hereto) necessary to conduct the operations authorized hereunder. The Secretary reserves the right to withdraw such assignments or parts thereof at any time during the term of this contract if, in his judgement, (1) such withdrawal is necessary for the purpose of protecting visitors or area resources, or (2) the operations utilizing such assigned lands are terminated pursuant to Section 11 hereof. Any permanent withdrawal of assigned lands or improvements which are essential for conducting the operation authorized hereunder will be considered by the Secretary as a termination pursuant to Section 11 hereof. The Secretary shall compensate the Concessioner for any possessory interest in such withdrawn properties at book value as described in Section 12 hereof, or, in the event that Concessioner Improvements in which the Concessioner has a possessory interest are to be replaced by the Concessioner within the area, in accordance with fair value compensation for possessory interest described in subsection 12(b) hereof.

(b) "Government Improvements" as used herein, means the buildings, structures, utility systems, fixtures, equipment, and other improvements upon the lands assigned hereunder, if any, constructed or acquired by the Government and provided by the Government for the purpose of this contract. The Concessioner shall have a possessory interest in improvements it makes to Government Improvements. In the event that such possessory interest is acquired by the Government or a successor Concessioner at any time the Concessioner will be compensated for such possessory interest pursuant to Section 12 hereof.

(c) The Secretary shall have the right at any time to enter upon the lands and improvements utilized by the Concessioner hereunder for any purpose he may deem reasonably necessary for the administration of the area and the Government services therein.

(d) The Concessioner may construct or install upon the assigned lands such buildings, structures, and other improvements as are necessary for the operations required hereunder, subject to the prior written approval by the Secretary of the location, plans, and specifications thereof. The Secretary may prescribe the form and contents of the application for such approval. The desirability of any project as well as the location, plans and specifications thereof will be reviewed in accordance with the provisions of the National Environmental Policy Act of 1969 and the National Historic Preservation Act of 1966.

(e) If during the term hereof a Government Improvement requires repairs or improvements that serve to prolong the life of the Government Improvement to an extent requiring capital investment for major repair, such capital investment shall be borne by the Government subject to the availability of appropriated funds. If appropriated funds are not available, and the Secretary determines that such repairs or improvements are necessary to satisfactory performance of the Concessioner's obligations hereunder, the Concessioner may be required to repair the Government Improvement subject to the limitations on investment set forth in Section 3(a) hereof.

SEC. 5. *MAINTENANCE.* Subject to Section 4(e) hereof, the Concessioner will physically maintain and repair all facilities (both Government and Concessioner's Improvements) used in the operation hereunder, including maintenance of assigned lands and all necessary housekeeping activities associated with the operation to the satisfaction of the Secretary. In order that a high standard of physical appearance, operations, repair and maintenance be maintained, appropriate inspections will be carried out jointly by the Secretary and the Concessioner.

SEC. 6. *CONCESSIONER'S IMPROVEMENTS.* (a) "Concessioner's Improvements," as used herein, means buildings, structures, fixtures, equipment, and other improvements, affixed to or resting upon the lands assigned hereunder in such manner as to be a part of the realty, provided by the Concessioner for the purposes of this contract, (excluding improvements made to Government Improvements by the Concessioner), as follows: (1) such improvements upon the lands assigned at the date hereof as described in Exhibit "D" hereto; and (2) all such improvements hereafter constructed upon or affixed to the lands assigned to the Concessioner with the written consent of the Secretary. Concessioner's Improvements do not include any interest in the land upon which the described structures are located.

(b) The Concessioner shall have a possessory interest in all Concessioner's

[4] This should be used only in contracts involving lodging.

Improvements recognized by this contract. Possessory Interest shall consist of all incidents of ownership, except legal title which shall be vested in the United States. However, such possessory interest shall not be construed to include or imply any authority, privilege, or right to operate or engage in any business or other activity and the use or enjoyment of any structure, fixture, or improvement in which the Concessioner has a possessory interest shall be wholly subject to the applicable provisions of this contract and to the laws and regulations relating to the area. The said possessory interest shall not be extinguished by the expiration or other termination of this contract, and may not be terminated or taken for public use without just compensation as determined in accordance with Section 12. Wherever used in this contract, "possessory interest" shall mean the interest described in this paragraph. Performance of the obligations assumed by the Secretary under Section 12 hereof shall constitute just compensation with respect to the taking of a possessory interest in the circumstances therein described.

(c) Any salvage resulting from the authorized removal, severance, or demolition of a Concessioner's Improvement or any part thereof shall be the property of the Concessioner.

(d) In the event that a Concessioner's Improvement is removed, abandoned, demolished, or substantially destroyed and no other improvement is constructed on the site, the Concessioner shall promptly upon the request of the Secretary, restore the site as nearly as practicable to a natural condition.

SEC. *7. UTILITIES.* (a) The Secretary shall furnish utilities to the Concessioner, for use in connection with the operations authorized hereunder, when available, at reasonable rates to be fixed by the Secretary, which shall at least equal the actual cost of providing the utility or service.

(b) Should any such service not be available or sufficient, the Concessioner may, with the written approval of the Secretary and under such requirements as shall be prescribed by him, secure the same at its own expense from sources outside the area or may install the same within the area subject to the following conditions:

(1) Any water rights deemed necessary by the Concessioner for use of water on Federal lands shall be acquired at its expense in accordance with any applicable state procedures and state law. Such water rights, upon expiration or termination of this contract for any reason shall be assigned to and become the property of the United States without compensation.

(2) Any service provided by the Concessioner under this section shall, if requested by the Secretary, be furnished to the Government to such an extent as will not unreasonably restrict anticipated use by the Concessioner. The rate per unit charged the Government for such service shall be approximately the average cost per unit of providing such service.

(3) All appliances, and machinery to be used in connection with the privileges granted in this section, as well as the plans for location and installation of such appliances and machinery shall first be approved by the Secretary.

SEC. *8. ACCOUNTING RECORDS AND REPORTS.* (a) The Concessioner shall maintain an accounting system whereby the accounts can be readily identified with the System of Account Classification prescribed by the Secretary. The Concessioner shall submit annually as soon as possible but not later than ——— [———] days after the ——— day of ——— a financial statement for the preceding year [5] as prescribed by the Secretary, and such other reports and data as may be required by the Secretary. If annual gross receipts are in excess of $250,000, the financial statements shall be audited by an independent certified public accountant or by an independent licensed public accountant certified or licensed by a regulatory authority of a state or other political subdivision of the United States on or before December 31, 1970. The examination shall be made in accordance with the "Standards for Audit of Governmental Organizations, Programs, Activities and Functions" issued by the Comptroller General of the United States, as they apply to financial and compliance examinations, and the "Audit Guide for National Park Service Concessioners" issued by the Secretary.

Financial statements accompanied by remarks such as "prepared from client records without audit" are unacceptable.

The independent licensed or certified public accountant shall include a statement to the effect that the amounts included in the financial report are consistent to those included in the Federal and state tax returns. If they are not, then a statement showing differences shall be included. The Secretary shall have the right to verify and copy for his own use all such reports from the books, correspondence, memoranda, and other records of the Concessioner and subconcessioners, if any, and of the records pertaining thereto of a proprietary or affiliated company, if any, during the period of contract, and for such time thereafter as may be necessary to accomplish such verification.

[6][(b) Within ninety (90) days of the execution of this contract or its effective date, whichever is later, the Concessioner shall submit to the Secretary [7] [a balance sheet as of the beginning date of the term of this contract. The balance sheet shall be audited by an independent certified public accountant or by an independent licensed public accountant, certified or licensed by a regulatory authority of a state or other political subdivision of the United States on or before December 31, 1970. The balance sheet shall be accompanied by] a schedule that indentifies and provides details for assets in which the Concessioner claims a possessory interest. The schedule must describe these assets in detail showing for each such asset the date acquired, useful life, cost and book value.

(c) The Secretary and Comptroller General of the United States, or any of their duly authorized representatives, shall, until the expiration of five (5) calendar years after the close of business year of the Concessioner and any subconcessioner have access to and the right to examine any of the pertinent books, documents, papers, and records related to this contract including Federal, and state income tax returns.

SEC. *9. FRANCHISE FEE.* (a) For the term of this contract, the Concessioner shall pay to the Secretary for the privileges granted herein as follows:

(1) An annual fee for the use of any Government Improvements utilized by the Concessioner hereunder, if any. Such fee and assigned Government buildings to be as set forth in Exhibit "A" hereto but in no event shall the fee exceed the fair annual value of such Government Improvements as determined by the Secretary.

(2) In addition to the foregoing, a further sum equal to ——— PERCENT [——— %) of the Concessioner's gross receipts, as herein defined, for the preceding year.

(b) The franchise fee shall be due on a monthly basis in such a manner that payment shall be received by the Secretary within 15 days after the last day of each month that the concessioner operates. Such monthly payment shall include the annual use fee for assigned Government Improvements, as set forth in Exhibit "A" hereto, divided by the expected number of operating months, as well as the specified percentage of gross receipts for the preceding month. The payment of any additional amounts due at the end of the operating year as a result of adjustments shall be paid at the time of submission of the annual financial report. Overpayments shall be offset against the following year's franchise fees due.

(c) An interest charge will be assessed on overdue amounts for each 30 day period, or portion thereof, that payment is delayed. The percent of interest charged will be based on the current value of funds to the United States Treasury which is published quarterly in the Treasury Fiscal Requirements Manual.

(d) (1) The term "gross receipts," as used herein, shall be construed to mean the total amount received or realized by, or accruing to, the Concessioner from all sales, including those through vending machines and other coin-operated devices, for cash or credit, of services, accommodations, materials and other merchandise made pursuant to the rights granted in this contract, including gross receipts of subconcessioners as hereinafter defined and commissions earned on contracts or agreements with other persons or companies operating in the area, and excluding gross receipts from the sale of genuine United States Indian and native handicraft, intracompany earnings on account of charges to other departments of the operation (such as laundry), [charges for employees' meals, lodgings, and transportation] cash discounts on purchases,

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[5] *ADD:* "or portion of a year" if execution date doesn't make up full fiscal year or calender year for concessioner.

[6] OPTIONAL—Subsection 8(b), in its entirety, may be excluded where the Concessioner has not acquired possessory interest assets are involved and no balance sheet is required.

[7] [ ] DELETE this section for FACT SHEETS when Balance Sheet is not required.

NOTE TO PREPARER: Use section *NOT* bracketed if Concessioner has possessory interest.

cash discounts on sales, returned sales and allowances, interest on money loaned or in bank accounts, income from investments, income from subsidiary companies outside of the area, sale of property other than that purchased in the regular course of business for the purpose of resale, and sales and excise taxes that are added as separate charges to approved sales prices, gasoline taxes, fishing license fees, and postage stamps, provided that the amount excluded shall not exceed the amount actually due or paid Governmental agencies.[8]

(2) The term "gross receipts of subconcessioners" as used in subsection (b)(1) of this section shall be construed to mean the total amount received or realized by, or accruing to, subconcessioners from all sources, including that through vending machines, or other coin-operated devices, as a result of the excercise of the rights conferred by subconcession contracts hereunder without allowances, exclusions, or deductions of any kind or nature whatsoever and the subconcessioner shall report the full amount of all such receipts to the Concessioner within 45 days after the _____ day of _____ of each year.[9] The subconcessioners shall maintain an acurate and complete record of all items listed in subsection (b)(1) of this section as exclusions from the Concessioner's gross receipts and shall report the same to the Concessioner with the gross receipts. The concessioner shall be entitled to exclude items listed in subsection (b)(1) in computing the franchise fee payable to the Secretary as provided for in subsection (a) hereof.

[10](e) Within sixty (60) days after the end of each five year period of this contract or as otherwise specified, at the instance of either party hereto, the amount and character of the franchise fees provided for in this section may be reconsidered. Such request shall be made in writing within 60 days after the end of the applicable contract year but cannot be made before the end of such year. In the event that the Secretary and the Concessioner cannot agree upon an adjustment of the franchise fees within 120 days from the date of the request for renegotiation as made by either party, the position of the Concessioner must be reduced to writing within 30 days therefrom and submitted to the Secretary for a determination of appropriate fees consistent with the fair value of any assigned Government Improvements and the probable value to the Concessioner of the privileges granted by this contract based upon a reasonable opportunity for a profit in relation to both gross receipts and capital invested. If desired by the Concessioner an advisory arbitration panel will be established (one member to be selected by the Secretary, one by the Concessioner, and the third by agreement of the original two) for the purpose of recommending to the Secretary appropriate franchise fees. The Secretary and the Concessioner shall share equally the expenses of such advisory arbitration. The written determination of the Secretary as to franchise fees shall be final and conclusive upon the parties hereto. Any new fees established will be retroactive to the commencement of the applicable period for which notice of reconsideration is given and be effective for the remaining term of the contract unless subsequent negotiations establish yet a different franchise rate. If new rates are greater than existing rates, the Concessioner will pay all back fees due with the next regular payment. If new rates are less than the existing rate the Concessioner may withhold the difference between the two rates from future payments until he has recouped the overpayment. Any new franchise fees will be evidenced by an amendment to the contract unless based upon the written determination of the Secretary in which event a copy of the determination will be attached hereto and become a part hereof, as fully as if originally incorporated herein.

SEC. *10. BOND AND LIEN.* The Secretary may, in his discretion, require the Concessioner to furnish a surety bond acceptable to the Secretary conditioned upon the faithful performance of this contract, in such form and in such amount as the Secretary may deem adequate, not in excess of _____ DOLLARS [11] ($_____). As additional security for the faithful performance by the Concessioner of all of its obligations under this contract, and the payment to the Government of all damages or claims that may result from the Concessioner's failure to observe such obligations, the Government shall have at all times the first lien on all assets of the Concessioner within the area.

SEC. *11. TERMINATION.* (a) The Secretary may terminate this contract in whole or part for default at any time and may terminate this contract in whole or part when necessary for the protection of visitors or area resources. The operations authorized hereunder may be suspended in whole or in part at the discretion of the Secretary when necessary to protect the health and safety of visitors and employees or to protect area resources. Termination or suspension shall be by written notice to the Concessioner and, in the event of proposed termination for default, the Secretary shall give the Concessioner a reasonable period of time to correct stated deficiencies. Termination for default shall be utilized in circumstances where the Concessioner has breached any requirements of this contract, including failure to maintain and operate the required accommodation, facilities and services to the satisfaction of the Secretary in accordance with the Secretary's requirements hereunder.

(b) In the event of termination of this contract when necessary for the protection of visitors or area resources or for default, the compensation to the Concessioner for such termination shall be as described in Section 12, "Compensation,".

(c) In the event it is deemed necessary to suspend operations hereunder in whole or in part to protect the visitors or resources of the area the Secretary shall not be liable for any compensation to the Concessioner for losses occasioned thereby, including but not limited to, lost income, profit, wages, or other monies which may be claimed.

(d) To avoid interruption of service to the public upon the expiration or termination of this contract for any reason, the Concessioner, upon the request of the Secretary, will (1) continue to conduct the operations authorized hereunder for a reasonable time to allow the Secretary to select a successor, or (2) consent to the use by a temporary operator, designated by the Secretary, of the Concessioner's Improvements and personal property, if any, not including current or intangible assets, used in the operations authorized hereunder upon fair terms and condition, provided that the Concessioner shall be entitled to an annual fee for the use of such improvements and personal property, prorated for the period of use, in the amount of the annual depreciation on such improvement, plus _____ PERCENT (_____%) return on the book value of such improvement. In this instance the method of depreciation used shall be either straight line depreciation or depreciation shown on Federal Tax Returns.

SEC. *12. COMPENSATION.* (a) *Just Compensation:* The compensation described herein shall constitute full and just compensation to the Concessioner from the Secretary for all losses and claims occasioned by the circumstances described below.

(b) *Contract expiration or termination where operations are to be continued:* If for any reason, including contract expiration or termination as described herein, and subject to the limitation on compensation for possessory interest contained in subsection (d) hereof, the Concessioner shall cease to be required by the Secretary to conduct the operations authorized hereunder, or substantial part thereof, and, at the time of such event the Secretary intends for substantially the same or similar operations to be continued by a successor, whether a private person, corporation or an agency of the Government, (i) the Concessioner will sell and transfer to the successor designated by the Secretary its possessory interest in Concessioner and Government Improvements, if any, as defined under this contract, and all other property of the Concessioner used or held for use in connection with such operation and (ii) the Secretary will require such successor, as a condition to the granting of a contract to operate, to purchase from the Concessioner such possessory interest, if any, and such other property, and to pay the Concessioner the fair value thereof. The fair value of any possessory interest in Government Improvements shall be book value as described in Section 12(c) hereof. In the event that such possessory interest in Government Improvements is acquired by a successor, the successor will not be permitted to revalue

[8] *NOTE TO PREPARER:* This means, for example, if fishing licenses are sold $2.00 goes to State or Federal agency, $.25 goes to concessioner. Only $2.00 can be excluded grom gross receipts, i.e., fishing license cost to user $2.00 but concessioner sells them and charges $.25 for services.

[9] *ADD:* "or portion of a year" if execution date doesn't make up full year for concessioner.

[10] DELETE WHOLE PARAGRAPH (subsection 9(e) if contract is only for 5 years.

[11] If a bond is required it should not, under normal conditions, exceed the amount of franchise fees which may be due. (Leave blank where there has been no past operator because no dollar amount can be determined.)

such possessory interest. The fair value of possessory interest in Concessioner's Improvements shall be deemed to be the sound value of the improvement to which it relates at the time of transfer of such possessory interest, without regard to the term or other benefits of the contract. The sound value of any structure, fixture, or improvement shall be determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. The fair value of merchandise and supplies shall be replacement cost including transportation. The fair value of equipment shall be replacement cost less depreciation and obsolescence. If the Concessioner and the successor, excepting Government agencies, cannot agree upon the fair value of any item or items, either party may serve a request for arbitration upon the other party, and the fair value of the item or items in question shall be determined by the majority vote of a board of three arbitrators, selected as follows: Each party shall name one member of such board and the two members so named shall select the third member. If either party fails to appoint an arbitrator within 15 days after the other shall have appointed an arbitrator and served written notice, including the name and address of the arbitrator appointed, upon the other party, then the American Arbitration Association shall be requested by the Secretary to appoint an arbitrator to represent the party failing to make the appointment. The costs and expenses of the arbitrator appointed by the American Arbitration Association to represent the party failing to make the appointment shall be paid for by that party. The two arbitrators so named shall select the third member. If the third member is not selected within 15 days after the appointment of the latter of the other two arbitrators, the American Arbitration Association shall be requested by the Secretary to appoint the third arbitrator. In requesting that the American Arbitration Association appoint an arbitrator in the situations discussed above, the Secretary shall request that the person or persons appointed shall be impartial and specially qualified in commercial and real estate appraisal. The fair value determined by the Board of Arbitrators shall be binding on the parties. The compensation and expenses of the third member shall be paid by the Concessioner and one-half of the amount so paid shall be added to the purchase price. Before reaching its decision, the board shall give each of the parties a fair and full opportunity to be heard on the matters in dispute. If the successor is a Government agency and there is a dispute as to the fair value of any possessory interest, or other items, an advisory arbitration panel will be established at the request of the Concessioner (one member to be selected by the Secretary, one by the Concessioner, and the third by agreement of the original two) for the purpose of recommending to the Secretary an appropriate fair value. The Secretary and the Concessioner shall share equally the the expenses of such advisory arbitration The written decision of the Secretary as to such fair value will be final and binding upon all parties.

(c) *Contract expiration or termination where operations are to be discontinued:* If for any reason, including contract expiration or termination as described herein, the Concessioner shall cease to be required by the Secretary to conduct the operations authorized hereunder, or substantial part thereof, and the Secretary at the time chooses to discontinue such operations, or substantial part thereof within the area, and/or to abandon, remove, or demolish any of the Concessioner's Improvements, if any, then the Secretary will take such action as may be necessary to assure the Concessioner of compensation for (i) its possessory interest in Concessioner Improvements, and Government Improvements, if any, in the amount of their book value (unrecovered cost as shown in Federal Income Tax Returns); (ii) the cost to the Concessioner of restoring any assigned land to a natural condition, including removal and demolition, (less salvage) if required by the Secretary; and (iii) the cost of transporting to a reasonable market for sale such movable property of the Concessioner as may be made useless by such determination. Any such property that has not been removed by the Concessioner within a reasonable time following such determination shall become the property of the United States without compensation therefor.

(d) *Contract Termination for Default for Unsatisfactory Performance Where Operations are to be Continued.* Notwithstanding any provision of this contract to the contrary, in the event of termination of this Contract for default for failure to maintain and operate the required accommodations, facilities and sevices to the satisfaction of the Secretary in accordance with the Secretary's requirements hereunder, compensation for the Concessioner's possessory interest in Concessioner's Improvements, if any, shall be at book value as described in Subsection 12(c) herein.

(e) *Other Compensation.* In the event of termination of this contract or portions thereof, for the purpose of protecting visitors or area resources the Concessioner may be compensated (in addition to the applicable compensation described in subsections (b) or (c) above) for such other costs as the Secretary, in his discretion, considers necessary to compensate the Concessioner for actual losses occasioned by such termination, including, but not limited to, and as the needs appear, cost of relocating from one building to another building, reasonable severance pay to employees that may be affected, penalties for early loan repayments, and reasonable overhead expenses required by such termination, but, not for lost profit or other anticipated gain from the operations authorized hereunder or anticipated sale or assignment of the Concessioner's assets, including this contract or any of its benefits.

SEC. *13. ASSIGNMENT OR SALE OF INTERESTS.* (a)(1) The Concessioner and/or any person or entity which owns a controlling interest (as herein defined) in a Concessioner's ownership, (collectively defined as the "Concessioner" for the purposes of this section) shall not assign or otherwise sell or transfer responsibilities under this Contract or the concession operations authorized hereunder, nor sell or otherwise assign or transfer (including, without limitation mergers, consolidations, reorganizations or other business combinations) a controlling interest in such operations, this contract, or a controlling interest in the Concessioner's ownership, as defined herein, without the prior written approval of the Secretary. Failure to comply with this provision or the procedures described herein shall constitute a material breach of this Contract for which this Contract may be terminated immediately by the Secretary without regard to the procedures for termination for default described in Section 11 hereof, and, the Secretary shall not be obliged to recognize any right of any person or entity to an interest in this Contract or to own or operate the operations authorized hereunder acquired in violation hereof.

(2) The Concessioner shall advise the person(s) or entity proposing to enter into a transaction described in Subsection (a)(1) above that the Secretary shall be notified and that the proposed transaction is subject to review and approval by the Secretary. The Concessioner shall request in writing the Secretary's approval of the proposed transaction and shall promptly provide the Secretary all relevant documents related to the transaction, and the names and qualifications of the person(s) or entity involved in the proposed transaction.

(b)(1) The Secretary, in exercising the discretionary authority set forth herein, shall among other matters, take into consideration the management qualifications of individuals or entities which would thereby obtain an interest in the facilities or services authorized hereunder, the experience of such individuals or entities with similar operations, and the ability of such individuals or entities to operate the concession operations authorized hereunder in the public interest under the regulation of the Secretary.

(2) For purposes of this section, the term "controlling interest" in a Concessioner's ownership shall mean, in the instance of a corporate concessioner, an interest beneficial or otherwise, of sufficient outstanding voting securities or capital of the Concessioner so as to permit exercise of substantial managerial influence over the operations of the concessioner, and, in the instance of a partnership, limited partnership, joint venture or individual entrepreneurship, any beneficial ownership of the capital assets of the Concessioner sufficient to permit substantial managerial influence over the operations of the Concessioner. The Secretary will determine at the request of interested parties whether or not an interest in a Concessioner constitutes a controlling interest within the meaning hereof.

(c) The Concessioner may not enter into any agreement with any entity or person except employees of the Concessioner to exercise substantial management responsibilities for the operation authorized hereunder or any part thereof without written approval of the Secretary at least 30 days in advance of such transaction.

(d) No mortgage shall be executed, and no bonds, shares of stock, or other evidence of interest in, or indebtedness upon, the assets

of the concessioner, including this contract, in the area, shall be issued, except for the purposes of installing, enlarging or improving, plant equipment and facilities, provided that, such assets, including possessory interests, or evidences of interests therein, in addition, may be encumbered for the purposes of purchasing existing concession plant, equipment and facilities. In the event of default on such a mortgage, encumbrance, or such other indebtedness, or of other assignment transfer, or encumbrance, the creditor or any assignee thereof, shall succeed to the interest of the Concessioner in such assets but shall not thereby acquire operating rights or privileges which shall be subject to the disposition of the Secretary.

SEC. *14. APPROVAL OF SUBCONCESSION CONTRACTS.* All contracts and agreements (other than those subject to approval pursuant to Section 13 hereof) proposed to be entered into by the Concessioner with respect to the exercise by others of the privileges granted by this contract in whole or part shall be considered as subconcession contracts and shall be submitted to the Secretary for his approval and shall be effective only if approved. In the event any such subconcession contract or agreement is approved the Concessioner shall pay to the Secretary within———days after the———day of———each year [12] a sum equal to fifty percent (50%) of any and all fees, commissions, or compensation payable to the Concessioner thereunder, which shall be in addition to the franchise fee payable to the Secretary on the gross receipts of subconcessioners as provided for in Section 9 of this contract.

SEC. *15. INSURANCE AND INDEMNITY.*

(a). *General*

The Concessioner shall save, hold harmless, defend and indemnify the United States of America, its agents and employees for losses, damages or judgements and expenses on account of fire or other peril, bodily injury, death or property damage, or claims for bodily injury, death or property damage of any nature whatsoever, and by whomsoever made, arising out of the activities of the Concessioner, his employees, sub-contractors or agents under the contract. The types and amounts of insurance coverage purchased by the Concessioner shall be approved by the Secretary. The Concessioner shall, annually, or at the time insurance is purchased provide the Secretary with Certificates of Insurance, Broker's Analysis or similar documents sufficient to evidence compliance with this section and shall provide the Secretary thirty (30) days advance written notice of any material change in the concessioners insurance program hereunder.

(b). *Property Insurance*

The Concessioner at its cost shall secure and maintain, for both Concessioner improvements and assigned government improvements, fire, extended coverage and such other perils insurance in such types and limits as are determined by the Secretary to be necessary to repair or replace those buildings, structures, equipment, furnishings, betterments and improvements, and merchandise necessary to satisfactorily discharge the Concessioner's obligations under this Contract. For insurance purposes, values of such property shall be determined at the inception of this contract and updated annually thereafter. Those values currently in effect are set forth in Exhibit "E" to this contract. Such insurance shall provide for the Concessioner and the United States of America to be named insureds as their interest may appear. Insurance provisions respecting replacement at the "same site" shall be waived. In the event of loss the Concessioner shall use all proceeds of such insurance to repair, rebuild, restore or replace Concessioner and Government Improvements, equipment, furnishings and other personal property hereunder, as directed by the Secretary. The lien provision of Section 10 shall apply to such insurance proceeds.

The Concessioner shall purchase the following additional property coverages:

Flood [13]	Boiler & Machinery	Earthquake

[13] If contract is to accompany an SOR, leave blank so that amounts may be proposed by applicant. In final contract, list only applicable coverages with amounts.

(c) *Additional Property Damage Requirements—Government Improvements, Property and Equipment*

The following additional requirements shall apply to structures, all or any part of which are "government improvements" as defined in Section 4(b).

(1) The insurance policy shall contain a loss payable clause approved by the Secretary which provides that insurance proceeds shall be paid directly to the Concessioner without requiring endorsement by the United States.

(2) The use of insurance proceeds for repair or replacement of government structures will not alter their character as government structures and the concessioner shall gain no possessory interest therein.

(d) *Public Liability*

The Concessioner shall purchase and maintain during the term of this contract Comprehensive General Liability insurance against claims occasioned by actions or omissions of the Concessioner in carrying out the activities and operations authorized hereunder. Such insurance shall be in the amount commensurate with the degree of risk and the scope and size of such activities authorized herein, but in any event not less than ($———) [14] for bodily injury per person and ($———) [14] per accident and property damage of at least ($———) [14] per occurence. All liability policies are to specify that the insurance company shall have no right of subrogation against the United States of America except that caused by the sole negligence of the United States or its employees and have no recourse against the government for payment of any premiums or assessments.

Specific types of coverages the Concessioner shall purchase and maintain during the term of this contract include Comprehensive General Liability, with extensions which provide Product Liability and Contractual Liability and Liquor Liability if liquor is served.

The Concessioner shall also obtain the following additional coverages:

a. *Automobile Liability*

The Concessioner shall provide the following coverages respecting vehicles owned and/or operated by the Concessioner: Comprehensive Automobile Liability, Uninsured Motorist coverages, and Statutory "No-Fault" coverages, as required by the state of operation.

b. *Worker's Compensation*

Statutory Worker's Compensation as required in the state of operation, Employers' Liability coverage (Broad Form "All State" coverage, if the Concessioner operates in more than one state),[15] Voluntary Compensation endorsement, and (Employers' Liability in states with monopolistic Workers' Compensation funds).[15]

c. *Other*

The Concessioner shall also obtain the following coverages, in at least the limits set forth for Comprehensive General Liability.

*Protection and Indemnity (Watercraft Liability)

*Aircraft Liability

*Umbrella Liability Policy, (Limits ———)

SEC. *16. PROCUREMENT OF GOODS, EQUIPMENT, AND SERVICES.* In computing net profits for any purposes of this contract, the Concessioner agrees that its accounts will be kept in such a manner that there will be no diversion or concealment of profits in the operations authorized hereunder by means of arrangements for the procurement of equipment, merchandise, supplies, or services from sources controlled by or under common ownership with the Concessioner or by any other device.

SEC. *17. DISPUTES.* (a) Except as otherwise provided in this contract, any dispute, or claim, concerning this contract which is not disposed of by agreement shall be decided by the Director, National Park Service, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Concessioner. The decision of the Director shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Concessioner mails or otherwise furnished to the Director a written notification of appeal addressed to the Secretary. In accordance with the rules of the Board of Contract Appeals, the decision of the Secretary or his duly authorized representative for the determination of such appeals, shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or

[12] *ADD:* "or portion of a year" if execution date doesn't make up full year for concessioner.

[14] The absolute lowest acceptable minimums which can be accepted are $100,000 bodily injury per person, $100,000 per accident, and $25,000 property damage. In most cases these amounts should be substantially higher. SEE CONCESSION MANUAL FOR FURTHER DISCUSSION.

[15] List only coverages applicable to this concessioner.

capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the Concessioner shall be afforded an opportunity to be heard and to offer evidence in support of his appeal. Pending final decision of a dispute or claim hereunder, the Concessioner shall proceed diligently with the performance of the contract or as otherwise required in accordance with the Director's decision.

Claims shall be considered hereunder only if a notice is filed in writing with the Director within 30 days after the Concessioner knew or should have known of the facts or circumstances giving rise to the claim.

(b) This section does not preclude consideration of legal questions in connection with decisions provided for in paragraph (a) above; provided, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

(c) The provisions of this clause shall not apply to any claim of a precontractual nature nor of a non-contractual nature such as tort claims, nor with repect to discretionary acts or refusals to act by the United States, including but not limited to the establishment of utility rates and rates to the public hereunder and terminations or suspensions of the contract for protection of visitors or area resources nor to any other discretionary relief or action, nor in relation to action or inaction by the United States in its sovereign capacity. Decisions of the Director, National Park Service, concerning the matters mentioned in this subsection shall be final administrative determinations.

SEC. *18. GENERAL PROVISIONS.* (a) Reference in this contract to the "Secretary" shall mean the Secretary of the Interior, and the term shall include his duly authorized representatives.

(b) The Concessioner is not entitled to be awarded or to have sole negotiating rights to any Federal procurement or service contract by virtue of any provision of this contract.

(c) Notwithstanding any other provision hereof, the Secretary reserves the right to provide directly or through cooperative or other non-concession agreements with non-profit organizations any accommodations, facilities or services to area visitors which are part of and appropriate to the park interpretive program.

(d) That any and all taxes which may be lawfully imposed by any State or its political subdivisions upon the property or business of the Concessioner shall be paid promptly by the Concessioner.

(e) No member of, or delegate to, Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit that may arise herefrom but this restriction shall not be construed to extend to this contract if made with a corporation or company for its general benefit.

(f) This contract may not be extended, renewed or amended in any respect accept when agreed to in writing by the Secretary and the Concessioner.

IN WITNESS WHEREOF, the parties hereto have hereunder subscribed their names and affixed their seals.

Dated at _____, this _____ day of _____, 19____.

UNITED STATES OF AMERICA
BY _____
Regional Director _____

CORPORATIONS

ATTEST:

BY _____
TITLE _____
(Concessioner) _____
BY _____
TITLE _____
DATE _____

SOLE PROPRIETORSHIP

WITNESSES:
(Concessioner) _____
NAME _____
ADDRESS _____
NAME _____
ADDRESS _____
DATE _____

PARTNERSHIP

WITNESSES AS TO EACH:

NAME _____
ADDRESS _____
NAME _____
ADDRESS _____
(Concessioner) _____
NAME _____
(NAME) _____
DATE _____

EXHIBIT "A"

GOVERNMENT-OWNED STRUCTURES ASSIGNED TO

(Concessioner) _____
pursuant to
CONCESSION CONTRACT NO. _____

Building Number	Description	Annual Fee
ns●		

Total amount due pursuant to subsection _____.

Approved, effective _____, BY:
(Concessioner) _____
BY _____
TITLE _____

UNITED STATES OF AMERICA
Regional Director _____

EXHIBIT "B"

Concession Contract No.: _____

NONDISCRIMINATION

SECTION I

Requirements Relating to Employment and Service to the Public

A. EMPLOYMENT: During the performance of this contract, the Concessioner agrees as follows:

(1) The Concessioner will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Concessioner will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Concessioner agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Secretary setting forth the provisions of this nondiscrimination clause.

(2) The Concessioner will, in all solicitations or advertisements for employees placed by or on behalf of the Concessioner, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(3) The Concessioner will send to each labor union or representative of workers with which the Concessioner has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Secretary, advising the labor union or workers' representative of the Concessioner's commitments under Section 202 of Executive Order 11246 of September 24, 1965, as amended by Executve Order 11375 of October 13, 1967, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Concessioner will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Concessioner will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to the Concessioner's books, records, and accounts by the Secretary of the Interior and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Concessioner's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the Concessioner may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Concessioner will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, so that such provisions will be binding upon each subcontractor or vendor. The Concessioner will take such action with respect to any

subcontract or purchase order as the Secretary may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the Concessioner becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Secretary, the Concessioner may request the United States to enter into such litigation to protect the interests of the United States.

B. CONSTRUCTION, REPAIR, AND SIMILAR CONTRACTS: The preceding provisions A(1) through (7) governing performance of work under this contract, as set out in Section 202 of Executive Order No. 11246, dated September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, shall be applicable to this contract, and shall be included in all contracts executed by the Concessioner for the performance of construction, repair, and similar work contemplated by this contract, and for that purpose the term "contract" shall be deemed to refer to this instrument and to contracts awarded by the Concessioner and the term "Concessioner" shall be deemed to refer to the Concessioner and to contractors awarded contracts by the Concessioner.

C. FACILITIES: (1) Definitions: As used herein: (i) Concessioner shall mean the Concessioner and its employees, agents, lessees, sublessees, and contractors, and the successors in interest of the Concessioner; (ii) facility shall mean any and all services, facilities, privileges, and accomodations, or activities available to the general public and permitted by this agreement.

(2) The Concessioner is prohibited from: (i) publicizing facilities operated hereunder in any manner that would directly or inferentially reflect upon or question the acceptability of any person because of race, color, religion, sex, or national origin; (ii) discriminating by segregation or other means against any person because of race, color, religion, sex, or national origin in furnishing or refusing to furnish such person the use of any such facility.

(3) The Concessioner shall post a notice in accordance with Federal regulations to inform the public of the provisions of this subsection, at such locations as will ensure that the notice and its contents will be conspicuous to any person seeking accommodations, facilities, services, or privileges. Such notice will be furnished the Concessioner by the Secretary.

(4) The Concessioner shall require provisions identical to those stated in subsection C herein to be incorporated in all of the Concessioner's contracts or other forms of agreement for use of land made in pursuance of this agreement.

SECTION II: EMPLOYMENT OF THE HANDICAPPED

Within 120 days of the commencement of a contract every Government contractor or subcontractor holding a contract that generates gross receipts which exceed $50,000 or more and having 50 or more employees shall prepare and maintain an affirmative action program at each establishment which shall set forth the contractor's policies, practices and procedures in accordance with the affirmative action program requirement.

Part A

The contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to take affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: Employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Part B

The contractor agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.

Part C

In the event of the contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.

Part D

The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment, and the rights of applicants and employees.

Part E

The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.

Part F

The contractor will include the provisions of this clause in every subcontract that generates gross receipts which exceed $2,500 or more unless exempted by rules, regulations, or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

EXHIBIT "C"

NOTE TO PREPARER:

If the Concessioner has preferential rights to additional services, you would insert a *map* in place of this Exhibit page.

EXHIBIT "D"

Pursuant to Subsection 6 (a)(1)

NOTE TO PREPARER:

If the Concessioner has no possessory interest assets, put "NONE" on this page.

You will *ALWAYS* use this Exhibit, either with a schedule of possessory interest assets, or with the words "NONE", but *NEVER LEAVE THIS EXHIBIT OFF THE CONTRACT.*

EXHIBIT "E"

BUILDING REPLACEMENT COST FOR INSURANCE PURPOSES

CONCESSIONER: _____
CONCESSION CONTRACT NO: _____
FOR THE OPERATING YEAR: _____
STARTING _____
AND ENDING _____

The replacement costs set forth herein are established for the sole purpose of insuring adequate property insurance coverage and shall not be construed as having application for any other purpose.

I GOVERNMENT BUILDINGS

Building No.	Description	Insurance Replacement Value

II CONCESSIONER BUILDINGS

Building No.	Description	Insurance Replacement Value

(Concessioner) _____
BY _____
TITLE _____
DATE _____

UNITED STATES OF AMERICA

[FR Doc. 81-60 Filed 2-26-81; 8:45 am]
BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

Agricultural Cooperatives; Interstate Transportation for Certain Nonmembers

Dated: February 24, 1981.

The following Notices were filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. These rules provide that agricultural cooperatives intending to perform nonmember, nonexempt, interstate transportation must file the Notice, Form BOP 102, with the Commission within 30 days of its annual meetings each year. Any subsequent change concerning

officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change. The name and address of the agricultural cooperative, the location of the records, and the name and address of the person to whom inquiries and correspondence should be addressed, are published here for interested persons. Submission of information that could have bearing upon the propriety of a filing should be directed to the Commission's Bureau of Investigations and Enforcement, Washington, D.C. 20423. The Notices are in a central file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C.

1. The Arkansas Rice Growers Cooperative d.b.a. Riceland Foods; Complete Legal Name of Cooperative Association Or Federation Of Cooperative Associations: P.O. Box 927, Stuttgart, Arkansas 72160.

Principal Mailing Address (Street No., City, State, and Zip Code): 2120 South Park Ave., Stuttgart Arkansas 72160.

Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): Charles A. Gunnell, P.O. Box 927, Stuttgart, Arkansas 72160.

Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address):

2. Intercontinental Motor Lines, Inc.; Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: 11077 N. Vancouver Way, Portland, Oregon 97217.

Principal Mailing Address (Street No., City, State, and Zip Code): 11077 N. Vancouver Way, Portland, Oregon 97217.

Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): Thomas Affleck, 11077 N. Vancouver Way, Portland, Oregon 97217.

Person to Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address):

3. International Farmers United, Inc.; Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Apartado Postal #167, Gonzalez Ortega, Baja Calif. Mexico.

Principal Mailing Address (Street No., City, State, and Zip Code): Padre Kino No. 655 Col. Pro Hogar, Mexicali Baja, Calif. Mexico.

Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): Luis G. Villanueva, Padre Kino No. 655 Col. Pro Hogar, Mexicali Baja Cal. Mexico.

Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address):

4. Mid-America Farm Lines, Inc.; Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations, 420 N. Nettleton, Springfield, MO 65801.

Principal Mailing Address (Street No., City, State, and Zip Code): 420 N. Nettleton, Springfield, Missouri 65801.

Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): Gary Hanman, 800 W. Tampa, Springfield, MO 65805.

Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address):

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3787 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-6 (Sub-91F)]

Burlington Northern Inc.; Abandonment Near Newburg and Dunning, Bottineau County, ND; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a Certificate and Decision decided February 23, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, the present and future public convenience and necessity permit the abandonment by the Burlington Northern Inc. of a line of railroad known as the Newburg to Dunning, ND, line extending from railroad milepost 35.26 near Newburg, ND, to railroad milepost 40.87 near Dunning, ND, a distance of 5.61 miles, in Bottineau County, ND, subject to the conditions for the protection of employees discussed in *Oregon Short Line R. Co.-Abandonment Goshen*, 360 I.C.C. 91(1979). A certificate of public convenience and necessity permitting abandonment was issued to the Burlington Northern Inc. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (§ 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on BN, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b) (2) and (3) of the Regulations. If so such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3788 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte 387 (Sub-8)]

Chicago, Milwaukee, St. Paul and Pacific Railroad Co.; Exemption for Contract Tariff ICC-MILW-C-0007

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: Petitioner is granted a provisional exemption under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e). The previously filed contract tariff will become effective one day after service of this decision. This exemption may be revoked if protests are filed within 15 days of publication in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Richard B. Felder (202) 275-7656 or Richard Schiefelbein, (202) 275-0826.

SUPPLEMENTARY INFORMATION: The Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Richard B. Olgilvie, Trustee, (Milwaukee Road) requests authority to publish a new contract tariff ICC MILW C-0007, executed for account of Chrylser Corporation on the earliest possible effective date on one day's notice. This contract is for three-month duration commencing on the effective date of contract. During the term of the agreement, Chrysler agrees to ship a minimum of 500 carloads of assembled automobiles and trucks by railroad under applicable rates in effect on date of shipment. At the end of each 30-day period, the Milwaukee Road will refund shipper a sum equal to five percent of the total revenues derived by the railroad from the transportation of commodities under this agreement. If at the end of the contract period Chrysler has not met the minimum volume, Chrysler will return the refunds received from the carrier. Chrysler has requested as early an effective date as possible

because of the financial difficulties it is experiencing. The Milwaukee Road states that the five percent reduction will enable Chrysler to arrange continued financing.

Under 49 U.S.C. 10713(e), contracts must be filed to become effective on not less than 30 or more than 60 days' notice. There is no provision for waiving this requirement. Cf. former section 10762(d)(1). However, we may address the same relief under our section 10505 exemption authority and we do so here. This is identical to actions taken to reduce the notice period in Ex Parte 387 (Sub-1), *Southern Railway Exemption for Contract Tariff ICC–SOU–C–0001*, served December 30, 1980, [46 FR 1358, January 6, 1981], Ex Parte No. 387 (Sub-2), *Seaboard Coast Line Railroad Company and Atchison Topeka and Santa Fe Railway Company Exemptions for Contract Tariffs*, served January 9, 1981 [46 FR 3664, January 15, 1981], and Ex Parte 387 (Sub-5) *Consolidated Rail Corporation Exemption For Contract Tariff ICC–CR–C–0008*, served February 11, 1981 [46 FR 13046, February 19, 1981].

The carrier does not indicate whether protests are expected. However, we note that the Ex Parte 387 (Sub-1, 2 and 5) exemption orders also cover special arrangements with automobile manufacturers. This proposal should enhance carrier service by encouraging efficient movement and should not impair the carrier obligation to provide service to other shippers. An early effective date is necessary to assist Chrysler in its financing arrangements.

In this unusual situation, we believe an exemption should be granted subject to the Milwaukee Road filing, prior to or simultaneous with the filing of the contract, its written acceptance of an agreement to be bound by the following condition:

> If the Commission permits the contract to become effective on one day's notice, this fact neither shall be construed to mean that this is a Commission approved contract for purposes of 49 U.S.C. 10713(g) nor shall it serve to deprive the Commission of jurisdiction to institute a proceeding, on its own initiative or on complaint, to review this contract and to disapprove it during the periods specified in 49 U.S.C. 10713.

Thus, subject to compliance with these conditions, under 49 U.S.C. 10505(a) we find that the 30-day notice requirement in this instance is not necessary to carry out the transportation policy of 49 U.S.C. 10101a and is not needed to protect shippers from abuse of market power. Further, we will consider revoking this exemption under 49 U.S.C. 10505(c) if protests are filed within 15 days of publication in the **Federal Register.**

This action will not significantly affect the quality of the human environment or the conservation of energy resources.

Dated: February 17, 1981.

By the Commission, Division 2, Commissioners Gresham, Trantum, and Alexis.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3786 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket 28640 (Sub-6)]

Chicago, Milwaukee, St. Paul and Pacific Railroad Co.; Reorganization (Tender Offers)

AGENCY: Interstate Commerce Commission.

ACTION: Institution of Proceeding.

SUMMARY: The Commission is instituting a proceeding to consider the proposal of Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, to proceed with tender offers to holders of certain secured debt. The following schedule is being set for the submission of evidence:

DATES: (1) Verified statements supporting or opposing the application are due March 13, 1981.

(2) Verified replies are due March 27, 1981.

ADDRESS: An original and 10 copies of all statements should refer to Finance Docket 28640 (Sub-6) and be sent to: Section of Finance, Room 5414, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Ellen D. Hanson, (202) 275–7245.

SUPPLEMENTARY INFORMATION: On February 13, 1981, Richard B. Ogilvie, Trustee of the Property of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) filed an application for authority to proceed with tender offers to holders of certain debt secured by liens on its property. The tender offers seek to retire approximately $48.7 million principal amount of Series A First Mortgage Bonds, $25.2 million principal amount of Series A General Mortgage Bonds, $31.1 million principal amount of Series B General Mortgage Bonds and $17.2 million principal amount of so-called Terre Haute Bonds for an aggregate principal amount for all bonds of approximately $122.2 million. The total proposed tender price, assuming 100 percent participation before expenses, is approximately $80.8 million.

The Trustee proposes to finance the tender offers by borrowings from proceeds received by the Milwaukee Land Company from sales of timber properties. The borrowings would be evidenced by Trustee's Certificates issued to consummate the tender offers.

The MILW's Reorganization Court in Order 446 scheduled a hearing on the proposed tender offers on March 9, 1981 at 3:00 p.m. Evidence and proposed testimony submitted to the Court may be included in verified statements filed in this proceeding.

Requests for copies of the MILW's application should be addressed to its representative: Robert H. Wheeler, Isham, Lincoln and Beale, One First National Plaza, Suite 4300, Chicago, IL 60603.

A copy of any statement filed should be served on MILW's representative. Copies should also be served on parties to the Reoganization Court proceeding.

It is ordered:

1. The application is accepted for consideration.

2. The parties should comply with all provisions stated above.

3. This decision shall be effective on February 25, 1981.

By the Commission, Acting Chairman Alexis.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3790 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29542]

Consolidated Rail Corp., Abandonment of a 900-Foot Segment of the Newark Branch Located in Newark, NJ; Exemption

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Interstate Commerce Commission exempts the abandonment of a 900-foot segment of the Newark Branch of Consolidated Rail Corporation (Conrail) from the requirement of prior approval under 49 U.S.C. 10903.

DATES: This exemption will be effective 30 days after the date of this publication in the **Federal Register.** Petitions for reconsideration of this action must be filed within 20 days after this publication.

ADDRESSES: Send pleadings to:

(1) Section of Finance, Room 5414, Interstate Commerce Commission, Washington, DC 20423;

and (2) Petitioner's representative: Charles E. Mecham, 1138 Six Penn Center Plaza, Philadelphia, PA 19104.

Pleadings should refer to Finance Docket No. 29542.

FOR FURTHER INFORMATION CONTACT:
Ellen D. Hanson (202) 275–7245.

SUPPLEMENTARY INFORMATION:

The proposed transaction

Conrail has filed a petition to exempt the abandonment of a 900-foot segment of its Newark Branch located in Newark, NJ, from the requirements of 49 U.S.C. 10903.

Conrail currently conducts no rail operations over the track. There are no stations, public delivery track, or private rail sidings located on the segment. Present Conrail operations serving industries located on the branch to the east and west of the involved track will continue. No other freight rail carrier operates lines within several miles of the involved track.

Following abandonment, Conrail plans to sell the right-of-way and additional property on either side of the right-of-way to private industry.

Conrail claims that abandonment will not affect any shippers or receivers of freight and will have no measurable effect on its revenues and expenses. Moreover, Conrail predicts that there will be no impact upon rail employees or the environment and energy consumption. Other carriers and the public generally should not be affected.

The Statute

Rail abandonments require the prior approval of this Commission under 49 U.S.C. 10903. To obtain Commission approval an application must be filed in compliance with the *Abandonment of Railroad Lines and Discontinuance of Service*, 49 CFR Part 1121 (1978) (abandonment regulations). Conrail requests an exemption from 49 U.S.C. 10903 so that it will not have to file a formal application under the abandonment regulations.

Under 49 U.S.C. 10505, as modified by section 213 of the Staggers Rail Act of 1980 (Pub. L. 96–448, 94 Stat. 1895, October 14, 1980), the Commission is authorized to exempt a transaction when it finds that (1) continued regulation is not necessary to carry out the Rail Transportation Policy of 49 U.S.C. 10101a; and (2) either the transaction is of limited scope, or regulation is not necessary to protect shippers from the abuse of market power.

Discussion and Conclusions

Our detailed scrutiny of this abandonment is not necessary to carry out the goals of the rail transportation policy of section 10101a. In enacting section 10505, and the recent amendments of the Staggers Act, Congress intended for us to eliminate unnecessary regulation. See, for example, H. R. Rep. No. 96–1430, 96th Cong., 2nd Sess., 104–105 (1980) and 49 U.S.C. 10101a(2). The power to exempt from regulation enables the Commission and railroads to commit their limited resources in areas where they are most needed by enabling the Commission to effectively deregulate those areas which have no significant bearing on the overall regulatory scheme. The proposed abandonment is the type of transaction which Congress intended us to exempt from our regulatory power.

The proposed transaction is very limited in scope. It will affect only a relatively short track segment which is currently not used in any rail operations. Service to shippers will continue to be conducted in the same manner as in the past. Since no changes in operations are involved, shippers, employees and competitors should be unaffected by our authorization.

Since the proposed transaction is of limited scope, it is not necessary to consider whether our regulation is needed to protect shippers from the abuse of market power.

Public Use Condition and Offers of Financial Assistance. In abandonment procedures filed pursuant to 49 U.S.C. 10903, the Commission is specifically required to consider two matters that have not been considered in this exemption proceeding. First, 49 U.S.C. 10906 requires us to determine if the property to be abandoned is suitable for other public uses. If the property is suitable, we impose certain conditions to allow interested persons an opportunity to obtain the property. Similarly, 49 U.S.C. 10905, as modified by section 402 of the Staggers Rail Act of 1980 (Pub. L. 96–448, 94 Stat. 1895, October 14, 1980), allows interested persons to make financial assistance offers to assure the continuation of operations over the line. Under the procedure provided by this section, financial offers may lead to continued subsidized operation of the line or sale of the line for continued operations by others.

Since the provisions of 49 U.S.C. 10905 and 10906 apply only to proceedings conducted under section 10903, we are not required to allow offers of financial assistance or impose any public use conditions when an exemption is given because no application need be filed. We note, however, that these matters may be raised in petitions for reopening of this proceeding.

Labor Protection. In granting an exemption under section 10505, we may not relieve a carrier of its obligation to protect the interests of employees as required by 49 U.S.C. Subtitle IV. (See 49 U.S.C. § 10505(g)(2)). Therefore, as a condition to this exemption, we will afford the same level of labor protection as is usually required in abandonment transactions. We have determined that the employee protective conditions developed in *Oregon Short Line R. Co.-Abandonment-Goshen*, 360 I.C.C. 91 (1979), satisfy the statutory requirements for protection of employees involved in an abandonment transaction.

Energy and Environmental Considerations. Our initial review of the proposal indicates that the abandonment will not significantly affect energy consumption or the quality of the human environment. However, in line with our recent decision in Finance Docket No. 29352, *Central of Georgia Railroad Company—Petition for Exemption from the Filing of an Abandonment Petition, 49 U.S.C. 10903–109096*, (not printed), decided December 9, 1980, we shall require Conrail to notify the following New Jersey agencies of this proceeding and of their opportunity to file a petition to reopen this proceeding on environmental grounds: Mr. Paul McLain, Deputy Director, Division of Fish and Game and Shellfisheries, Post Office Box 1809, Trenton, NJ 08625; Mr. George H. Pierson, New Jersey Bureau of Forest Management, Department of Environmental Protection, CN–028, Trenton, NJ 08625; New Jersey Office of State Economic Planning, Office of Policy and Planning, 142 W. State Street, Trenton, NJ 08625; Parks and Recreation, Department of Environmental Protection, Division of Parks and Forestry, Box 1420, Trenton, NJ 08625; Division of Transportation, Systems Planning, New Jersey Department of Transportation, 1035 Parway Avenue, Trenton, NJ 08625; Division of Fish, Game and Wildlife, Box 1809, Trenton, NJ 08625; Betty Wilson, Deputy Commissioner, Department of Environmental Protection, P.O. Box 1390, Trenton, NJ 08625; and John Weingart, Bureau of Coastal Planning and Protection, P.O. Box 1889, Trenton, NJ. Conrail must notify these agencies within 5 days of the publication of this decision in the **Federal Register**. Copies of correspondence and/or memoranda of communications with these agencies should be submitted for the record and will serve as evidence of compliance with this condition.

The exemption granted here will become effective 30 days from the date this decision is published in the **Federal Register**. Any party may file a petition to reopen this proceeding for

reconsideration in accordance with 49 CFR 1100.98(d). This petition must be filed no later than 20 days following the date of publication. The filing of a petition will not automatically stay the effect of this action; we may, on our own motion or on petition, stay the effective date. A petition to stay must be filed no later than 10 days following the date of publication.

We find

(1) The application of the requirements of 49 U.S.C. 10903 to the abandonment by Consolidated Rail Corporation of the described 900-foot segment of its Newark Branch is not necessary to carry out the transportation policy of 49 U.S.C. § 10101a.

(2) This transaction is of limited scope.

(3) This decision will not operate to relieve any rail carrier from an obligation either (a) to provide contractual terms for liability and claims which are consistent with 49 U.S.C. 11707, or (b) to protect the interests of its employees as required by 49 U.S.C. Subtitle IV.

(4) In light of the condition imposed in the first ordering paragraph below, this decision will not significantly affect energy consumption or the quality of the human environment.

It is ordered

(1) Pursuant to 49 U.S.C. 10505, we exempt from the requirements of 49 U.S.C. 10903 the abandonment by Consolidated Rail Corporation of the 900-foot segment of the Newark Branch described in its petition, subject to the conditions for the protection of employees as embodied in *Oregon Short Line R. Co.-Abandonment-Goshen*, 360 I.C.C. 91 (1979), and subject to the further condition that, within 5 days of this publication in the **Federal Register**, it notifies the state agencies named in the body of this decision. Copies of correspondence and/or memoranda of communications with these agencies should be submitted for the record and will serve as evidence of compliance with this condition.

(2) If Consolidated Rail Corporation abandons this line, it must submit, within 60 days after the abandonment, three copies of a sworn statement showing all journal entries required to record the transaction.

(3) Notice of our action shall be given to the general public by delivery of the copy of this decision to the Director, **Federal Register**, for publication.

(4) This exemption will continue in effect for one year from the effective date of this decision. The abandonment of the line segment must occur during that time in order to use this exemption.

(5) This decision shall be effective 30 days following the date of its publication in the **Federal Register**.

(6) Petitions to stay the effective date of this decision must be filed no later than 10 days after the date of publication in the **Federal Register**.

(7) Petitions to reopen this proceeding for reconsideration of this decision must be filed no later than 20 days after the date of publication in the **Federal Register**.

Decided: February 19, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3785 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte 311]

Expedited Procedures for Recovery of Fuel Costs

Decided: February 18, 1981.

In our decision of February 10, 1981, an 18-percent surcharge was authorized on all owner-operator traffic, and on all truckload traffic whether or not owner-operators were employed. We ordered that all owner-operators were to receive compensation at this level.

The weekly figure set forth in the appendix for transportation performed by owner-operators and for truckload is 18.6-percent. Accordingly, we are authorizing that the surcharge for this traffic be increased to 18.5-percent. All owner-operators are to receive compensation at this level.

The authorized surcharge on less-than-truckload (LTL) traffic performed by carriers not utilizing owner-operators is increased to 3.2-percent, and that the bus carriers to 6.9-percent. However no increase is authorized in the 2.1-percent surcharge for United Parcel Service.

Notice shall be given to the general public by mailing a copy of this decision to the Governor of each State and to the Public Utilities Commission or Boards of each State having jurisdiction over transportation, by depositing a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D. C., for public inspection and by delivering a copy to the Director, Office of the Federal Register for publication therein.

It is ordered:

This decision shall become effective Friday 12:01 a.m. February 20, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam.

Agatha L. Mergenovich,

Secretary.

Appendix.—*Fuel Surcharge*

Base date and price per gallon (including tax)

January 1, 1979 ..... 63.5¢

Date of current price measurement and price per gallon (including tax)

February 17, 1981 ..... 133.5¢

	Transportation performed by—			
	Owner-operator [1]	Other [2]	Bus carriers	UPS
	(1)	(2)	(3)	(4)
Average percent: fuel expenses (including taxes) of total revenue	16.9	2.9	6.3	3.3
Percent surcharge developed	18.	3.2	6.9	2.9 [3]
Percent surcharge allowed	18.5	3.2	6.9	2.1% [4]

[1] Apply to all truckload rated traffic.
[2] Including less-than-truckload traffic.
[3] The percentage surcharge developed for UPS is calculated by applying 81 percent of the percentage increase in the current price per gallon over the base price per gallon to UPS average percent of fuel expense to revenue figure as of January 1, 1979 (3.3 percent).
[4] The developed surcharge is reduced 0.8 percent to reflect fuel-related increases already included in UPS rates.

[FR Doc. 81-3791 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation: Commercial Metals Company, 3000 Diamond Park Drive (75247), P.O. Box 1046 (75221), Dallas, Texas. State of incorporation: Delaware.

2. The following 100% wholly-owned subsidiaries will participate in the operation:

Cometals, Inc., One Penn Plaza, Room 3401, New York, New York 10001. State of incorporation: New York.

Commonwealth Metal Corporation, 560 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. State of incorporation: New Jersey.

Structural Metals, Inc., Mill Road, Seguin, Texas 78155. State of incorporation: Texas.

Capitol City Steel Company, 6717 Circle S Road, Austin, Texas 78745. State of incorporation: Texas.

Texpost, Inc., 1318 Buschong Road, Houston, Texas 77039. State of incorporation: Texas.

Safety Railway Service, Division of Safety Steel Warehouse, Inc., Aloe

Field, Victoria, Texas 77901. State of incorporation: Texas.

Southern States Steel Company, Division Houston Steel Service Company of Texas, Inc., 9675 Walden Road, Beaumont, Texas 77706. State of incorporation: Texas.

Sterling Steel Company, Division Houston Steel Service Company of Texas, Inc., 9501 Harwin, Houston, Texas 77036. State of incorporation: Texas.

Texas Cold Finished Steel, Inc., 1300 Baker, Houston, Texas 77002. State of incorporation: Texas.

Howell Metal Company, State Route 728, New Market, Virginia 22844. State of incorporation: Virginia.

Enterprise Metal Corporation, 175 Great Neck Road, Great Neck, New York 11021. State of incorporation: New York.

CMC Dismantling and Process Equipment Company, 213 W. Southmore, Suite 318, Pasadena, Texas 77501. State of incorporation: Texas.

1. Parent corporation and principal office address: Custom Alloy Corporation, Route 513, Califon, NJ 07830.

2. Wholly-owned subsidiaries which will participate in the operations:

(a) Penn Manufacturing Corporation (Delaware corporation), 380 West Chestnut Street, Washington, PA 15301.

(b) Custom Oilfield Products Corporation (Delaware corporation), 12822A Hempstead Highway, Houston, TX 77092.

1. Parent Corporation and address of principal office: Dart & Kraft Inc., Kraft Court, Glenview, IL 60025.

2. Wholly-owned subsidiaries which will participate in the operations, and State(s) of incorporation:

(A) Dart Industries Inc. (Delaware) and the following divisions:
(1) Absorbent Cotton Company
(2) Action Technology Company
(3) American Gasket & Rubber Co.
(4) Aztec Chemicals
(5) Capitol Controls Company
(6) Catalyst Division
(7) Colorite Plastics Company
(8) Coppercraft Guild
(9) Dart Resorts
(10) Electrochemicals
(11) Environmental & Research/Lancy
(12) Equipment Systems Division
(13) Fiberfil Company
(14) Gering Products
(15) Interpur International
(16) Liggett Drug Company
(17) Nappe/Babcock
(18) Plastech Alloys Division
(19) PureChem
(20) Ralph Wilson Plastics Co.
(21) Rexcel
(22) San Fernando Laboratories
(23) Seamco Sporting Goods
(24) Seamless Hospital Products
(25) Styro Products
(26) Synthetic Products Company
(27) Thatcher Glass Manufacturing Co.
(28) Thatcher Plastic Packaging
(29) Thermo-Serv Company
(30) The West Bend Company
(31) Thompson Industries Co.
(32) Tupco
(33) Tupcraft Company
(34) Tupperware Home Parties
(35) Tupperware Manufacturing International
(36) U.S. Operations Tupperware Company
(37) Vanda Beauty Counselor-U.S.
(38) Ware Chemical Company
(39) Wilson Products Co.

(B) Duracell International Inc. (Delaware) and the following divisions:
(1) Duracell Company, U.S.A.
(2) Laboratory for Physical Science
(3) Lithium Systems Division
(4) Battery Technology Company

(C) Kraft, Inc. (Delaware) and the following groups (divisions):
(1) Dairy Group
(2) Foodservice Group
(3) Industrial Group
(4) Operations Group
(5) Retail Group
(6) Humko-Sheffield Division

(D) Universal Packaging Corporation (Delaware)

(E) Universal Bow Transport, Inc. (New Hampshire)

1. Parent corporation and address of principal office: Halliburton Company, 2600 Southland Center, Dallas, Texas 75201.

2. Wholly-owned subsidiaries (or divisions) which will participate in the operations, and state(s) of incorporation:
(i) Alaska Constructors, Inc.—Alaska
(ii) Avon Services, Inc.—Delaware
(iii) Brown & Root, Inc.—Texas
(a) Allied Industries, Inc.—Texas
(b) Brown & Root Alaska, Inc.—Alaska
(c) Brown & Root Development, Inc.—Texas
(d) Brown & Root Engineering and Construction Corporation—Texas
(e) Brown & Root Marine Operators, Inc.—Texas
(f) Fargo Engineering Company—Michigan
(g) Flo-Tronics, Inc.—Texas
(h) Houston Execution Air Service, Inc.—Texas
(i) Mid-Valley, Inc.—Delaware
(iv) DHS Corporation—Texas
(v) FreightMaster Division of Halliburton Company
(vi) Halliburton Resource Management Division of Halliburton Company
(vii) Halliburton Services Division of Halliburton Company
(viii) Halliburton Telecommunications, Inc.—Delaware
(ix) Horn Construction Co., Inc.—New York
(a) GIM Mechianical Associates, Inc.—New York
(b) Hornco General Contractors, Inc.—Nevada
(x) Howard Smith Screen Company—Texas
(xi) Joe D. Hughes, Inc.—Texas
(a) Greens Bayou Terminal, Inc.—Texas
(xii) IMCO Services Division of Halliburton Company
(xiii) Jackson Marine Corporation—Texas
(xiv) Jet Research Center, Inc.—Texas
(xv) Nova Pressure Services, Inc.—Delaware
(xvi) Otis Engineering Corporation—Delaware
(a) Sun Contractors, Inc.—Louisiana
(b) Otis Overseas, Inc.—Delaware
(c) Otis Latin-America, Inc.—Delaware
(xvii) Wm. A. Smith Construction Co., Inc.—Texas
(a) Wm. A. Smith Contracting Co., Inc.—Missouri
(b) Wm. A. Smith International Contractors, Inc.—Delaware
(c) Service and Commodity Corporation—Nebraska
(d) Longwill-Scott, Inc.—Missouri
(e) Sharp & Fellows Construction Co., Inc.—California
(xviii) Southwestern Pipe, Inc.—Texas
(a) Alamo Explosives Company, Inc.—Texas
(xix) Taylor Diving & Salvage Co., Inc.—Louisiana
(xx) Vernon Graphics, Inc.—Delaware
(a) CYBEK—New Jersey
(xxi) Welex Division of Halliburton Company

1. Parent corporation and address of principal office: Hunter Douglas Inc., P.O. Box 61, Roxboro, NC.

2. Wholly-owned subsidiaries which will participate in the operations: Hunter Douglas Inc., Roxboro, NC; Hunter Douglas Inc., Totowa, NJ (Delaware).

1. Parent corporation and address of principal office: Pressure Vessel Service, Inc., 6473 Anstell Avenue, Detroit, MI 48213.

2. Wholly-owned subsidiaries which will participate in the operations, and states of incorporations:

(i) Bay Chemcial Company—Michigan;

(ii) Waste Acid Services, Inc.—Michigan;

(iii) Chemical Transport Services, Inc.—Michigan.

1. Parent corporation and address of principal office: Trimac Limited, 736 Eighth Avenue Southwest, P.O. Box 3500, Calgary, Alberta, Canada T2P 2P9.

2. Wholly-owned subsidiaries which will participate in the operations, and State(s) (Provinces) of incorporation:

(i) H. M. Trimble & Sons Ltd., incorporated in the Province of Alberta, Dominion of Canada.

(ii) Kenting Limited, incorporated in the Province of Alberta, Dominion of Canada.

(iii) Kenting Drilling Co. Ltd., incorporated in the Province of Alberta, Dominion of Canada.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6792 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers, Decision Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 5, Members Krock, Taylor, and Williams.

By decision of February 5, 1981, in MC-FC-78262, MC-FC-78297, and MC-FC-78299, Division 2 (Commissioners Gresham, Trantum, and Alexis) granted transferees Action Freight Line, Inc., Astro Motor Freight Systems and Delta Motor Freight, Inc. authority to purchase operating rights held by transferor Dodds Truck Line, Inc. as set forth below. Interested parties are given 30 days to comment on the decision, which granted authority somewhat broader than that held by Dodds Truck Line, Inc. on the basis of statement from supporting shippers and evidence of TA lease operations. Protestants may attempt to demonstrate harm to their operations from grant. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, 600, Kansas City, MO 64105. The authority transferred follows.

In MC-FC-78262, 78297, and 78299, transfer of the authority in Certificate No. MC-99798 and subnumbers thereunder is authorized as set forth below:

MC-FC-78262: Certificate MC-99798 (Sub-18) (portion): *Regular Routes: General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between Kansas City, KS, and Windsor, MO, serving all intermediate points and the off-route points of La Due, Blairstown, and Leeton, MO: From Kansas City over city streets to Kansas City, MO, then over U.S. Hwy 50 to junction By-Pass U.S. Hwy 71, then over By-Pass U.S. Hwy 71 to junction U.S. Hwy 71, then over U.S. Hwy 71 to junction MO Hwy 7, then over MO Hwy 7 to junction MO Hwy 52, and then over MO Hwy 52 to Windsor, and return over the same route.

MC-FC-78297: (From Dodds MC 99798 (Sub-1)—Paragraph [2][A]) *Regular Routes: General Commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment).

(A)

Between St. Louis, MO, Salem, Ava, and Hartville, MO, serving the intermediate and off-route points of Cabool, Cuba, Diggins, Fordland, Houston, Licking, Mansfield, Mountain Grove, Norwood, Raymondville, Rogersville, Rolla, Seymour, Steelville, and Willow Springs, MO.: From St. Louis over U.S. Hwy 66 to Rolla, MO, then over U.S. Hwy 63 via Raymondville, Cabool to Willow Springs, MO, and return over the same route. From St. Louis over U.S. Hwy 66 to Rolla, MO, then over U.S. Highway 63 to Cabool, MO, then over U.S. Hwy 60 to Springfield, and return over the same route. From St. Louis over U.S. Hwy 66 to Cuba, MO, then over Missouri Hwy 19 to Salem (also from St. Louis over U.S. Highway 66 to Rolla, MO, then over Missouri Hwy 72 to Salem; and also from St. Louis over U.S. Hwy 66 to Rolla, MO, then over U.S. Hwy 63 to Licking, MO, then over Missouri Hwy 32 to Salem), and return over the same routes. From St. Louis over U.S. Highway 66 to Rolla, MO, then over U.S. Hwy 63 to Cabool, MO, then over U.S. Hwy 60 to Mansfield, MO, then north over Missouri Hwy 5 to Hartville, then south over Missouri Hwy 5 to Ava, and return over the same route.

(From Dodds MC 99798 (Sub-1) Paragraph [2](B) Between St. Louis, MO, and Mountain View, MO, serving the intermediate point of Summerville, MO, unrestricted; and the intermediate point of Raymondville, MO, restricted to perishable meat products requiring refrigeration: From St. Louis over U.S. Hwy 66 to Rolla, MO, then over U.S. Hwy 63 to Raymondville, MO, then over Missouri Hwy 137 to junction Missouri Hwy 17 to Mountain View, and return over the same route.

(From Dodds MC 99798 (Sub-1)—Paragraph [2][C])

(C)

Between Birch Tree, MO, and St. Louis, MO, serving the intermediate and off-route points of Eminence and Winona, MO.: From Birch Tree over U.S. Hwy 60 to junction Missouri Hwy 21, then over Missouri Hwy 21 to junction Missouri Hwy 34, then over Missouri Hwy 34 to junction U.S. Hwy 67, then over U.S. Hwy 67 to St. Louis, and return over the same route. From Birch Tree over U.S. Hwy 60 to junction Missouri Hwy 19, then over Missouri Hwy 19 to junction U.S. Hwy 66, near Cuba, MO, then over U.S. Hwy 66 to junction Missouri Hwy 100, then over Missouri Hwy 100 to St. Louis, and return over the same route. *Restriction:* The service authorized above is subject to the following conditions: Carrier shall not join authorities listed above for the purposes of providing a through service. *Irregular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission,

commodities requiring special equipment). Between points in Phelps, Dent, Crawford, Shannon, Texas, and Reynolds Counties, MO.

(From Dodds MC 99798 (Sub-5)) *Irregular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those, requiring special equipment). Between the plant or mine site of Ozark Lead Co., approximately 10 miles west of Ellington, MO, on the one hand, and, on the other, Piedmont, Van Buren, West Plains, Springfield, and St. Louis, MO.

(From Dodds MC 99798 (Sub-6)) *Regular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment). Serving the plant and mine site of American Metal Climax Company located at or near Buick, MO, as an off-route point in connection with carrier's authorized regular-route operations.

(From Dodds MC 99798 (Sub-7)) *Regular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment). Serving the plant or mine site of Cominco American Incorporated, located approximately two miles south of Bixby, MO, as an off-route point in connection with carrier's authorized regular-route operations.

(From Dodds MC 99798 (Sub-10)) *Irregular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those, requiring special equipment). Between St. Louis, and Springfield, MO, on the one hand, and, on the other, points in Meramec, Courtois, Osage, and Union Townships, Crawford County, MO, points in Dent, Kaolin Townships, Iron County, MO, points in Concord, Bellevue, Belgrade, Harmony, Breton, and Walton Townships, Washington County, MO, points in Dent County, MO, on and east of Missouri Hwy 19 and points in Reynolds County, MO, on and north of Reynolds County Hwy "K".

(From Dodds MC 99798 (Sub-11)) *Regular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment). Between Rolla, MO, and East St. Louis, IL, serving the intermediate and off-route points of St. James, MO, and points in the St. Louis, MO-East St. Louis, IL, Commercial Zone as defined by the Commission: From Rolla over U.S. Hwy 66 to East St. Louis, and return over the same route. Between National Stock Yards, IL and Dixon and Stoutland, MO, serving the intermediate points of East St. Louis, IL, and St. Louis and Hazelgreen, MO, and the intermediate and off-route points within 20 miles of Dixon: From National Stock Yards over City streets to East St. Louis, IL, then across the Mississippi River to St. Louis, MO, then over U.S. Hwy 66 to junction U.S. Hwy 63, then over U.S. Hwy 63 to junction Missouri Hwy 28, then over Missouri Hwy 28 to Dixon, and return over the same route. From National Stock Yards to St. Louis, MO, as specified above, then over U.S. Hwy 66 to Hazelgreen, MO, then over unnumbered highway to Stoutland, and return over the same route. *General Commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment). Between Cuba, MO, and National Stock Yards, IL, serving the intermediate points of St. Louis, MO, and East St. Louis, IL, and intermediate and off-route points in Crawford County, MO, north and west of the Meramec River: From Cuba over U.S. Hwy 66 to junction U.S. Hwy 50, then over U.S. Hwy 50 to East St. Louis, IL, then over city streets to National Stock Yards, and return over the same route. *Such commodities* as are dealt in by meatpacking and food processing houses. From National Stock Yards, IL, to Newburg, MO, serving the intermediate points of East St. Louis, IL, and St. Louis, MO, restricted to pickup only; and all other intermediate points restricted to delivery only: From National Stock Yards over city streets to East St. Louis, IL, then across the Mississippi River to St. Louis, MO, then over U.S. Hwy 66 via Rolla, MO, to junction unnumbered highway, then over unnumbered highway to Newburg, and return over the same route. *Irregular Routes: General Commodities,* (except those of unusual value, household goods as defined by the Commission, and commodities requiring special equipment). Between Junction U.S. Hwy 66 and Missouri Hwy 17 and Fort Leonard A. Wood, MO, and points within 4 miles of Fort Leonard A. Wood. *Prepared roofing and roofing material,* From Madison, IL, to Richland, MO. *Petroleum products,* in containers, and *empty oil barrels, and drums.* Between Roxana, IL on the one hand, and, on the other, Richland and Cabool, MO.

(From Dodds MC 99798 (Sub-12)) *Regular Routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment). Serving the plant and mine site of the Missouri Lead Operating Company, operator of AMAX Lead Company of Missouri and Homestake Lead Company of Missouri, at or near Buick, MO south of Bixby, MO, in connection with carrier's regular-route operations authorized herein. Serving the smelter site of Missouri Lead Smelter Company, south of Bixby, MO, as an off-route point in connection with carrier's regular-route operations authorized herein. Between Salem, MO, and junction of Missouri Hwys 72 and 21, serving all intermediate points and the off-route points of Centerville, and Reynolds, MO.: From Salem over Missouri Hwy 72 to junction Missouri Hwy 21, and return over the same route. Between St. Louis, MO, and junction Missouri Hwys 21 and 72 south of Centerville, MO, serving no intermnediate points, as an alternate route in connection with carrier's regular-route operations authorized herein. From St. Louis over U.S. Hwy 67 to junction Missouri Hwy 32, then over Missouri Hwy 32 to junction County Hwy W, then over County Hwy W to junction Missouri Hwy 21, then over Missouri Hwy 21 to junction Missouri Hwy 72, and return over the same route. Between Salem, MO, and National Stockyards, IL serving the intermediate and off-route points of St. Louis, MO, and East St. Louis, IL, those in the St. Louis, MO—East St. Louis, IL, Commercial Zone, as defined by the Commission, and those in Dent County, MO.: From Salem over Missouri Hwy 19 to Cuba, MO, then over U.S. Hwy 66 to St. Louis, MO, then across the Mississippi River to East St. Louis, IL, then over city streets to National Stock Yards, and return over the same route. *Irregular routes: Livestock.* Between points in Dent, Texas, Shannon, and Reynolds counties, MO, on the one hand, and, on the other, National Stock Yards, IL. *Household goods* and *emigrant movables.* Between points in Dent, Texas, Shannon, and Reynolds counties, MO, on the one hand, and, on the other, points in Illinois.

MC-FC-78298 (From Dodds MC 99798 (Sub-1)—Paragraph [1]) *Regular routes: General Commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special

equipment) From St. Louis, MO, to Mammouth Spring, AK, serving the intermediate points of Briar, Alton, and Thayer, MO, and the off-route points of Bradley, Greer, Thomasville, Koshkonong, Couch, and Myrtle, MO, without restriction, and East St. Louis, IL, restricted to the pickup of stoves, feed, tankage fertilizer, and meat scraps: From St. Louis over U.S. Hwy 67 to junction U.S. Hwy 160 (formerly Missouri Hwy 14), then over U.S. Hwy 160 to Alton, MO, then over Missouri Hwy 19 to junction U.S. Hwy 63, then over U.S. Hwy 63 to Mammouth Spring.

(From Dodds MC 99798 (Sub-1)—paragraph [2][A]) *Regular routes: General Commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment).

(A)

Between St. Louis, MO, and Doniphan, MO, serving the intermediate and off-route points of Briar, Thimble Store, Wallace Store, West Plains, Bakersfield, and the junction of U.S. Hwys 60 and 63 at or near Cabool, MO, for purposes of joinder only: From St. Louis over U.S. Hwy 66 to Rolla, MO, then over U.S. Hwy 63 to West Plains, MO, then over U.S. Hwy 160 to Doniphan, and return over the same route. Between Springfield, MO, and the junction of U.S. Hwys 63 and 60 at or near Cabool, MO, serving the junction for purposes of joinder only: From Springfield over U.S. Hwy 60 to junction with U.S. Hwy 63 and return over the same route.

(From Dodds MC 99798 (Sub-1)—Paragraph [2][C]) Between Fremont, and St. Louis, MO, serving the intermedite and off-route points of Bartlett, Chicopee, Garwood, Ham's Store, Leeper, Mill Spring, and Van Buren, MO. From Feemont over U.S. Hwy 60 to junction Missouri Hwy 21, then over Missouri Hwy 21 to junction Missouri Hwy 34, then over Missouri Hwy 34 to junction U.S. Hwy 67, then over U.S. Hwy 67 to St. Louis and return over the same route. *Restriction:* The service authorized above is subject to the following conditions: Carrier shall not join authorities listed above for the purpose of providing a through service.

(From Dodds MC 99798 (Sub-10)) *Irregular Routes: General Commodities,* (except those of unusual value, classes A and B explosives, household good as defined by the Commission, commodities in bulk, and those requiring special equipment), Between St. Louis and Springfield, on the one hand, and, on the other, points in Iron and Arcadia Townships, Iron County, MO.

(From Dodds MC 99798 (Sub-12)) *Regular routes: General Commodities,* (except those of unusaul value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between junction of Missouri Hwys 72 and 21 and Grandin, MO, serving all intermediate points and the off-court points of Ellsinore, Hunter and Redford. From junction Missouri Hwys 72 and 21, then over Missouri Hwy 21 to Grandin, and return over the same route. Between St. Louis, Mo, and junction Missouri Hwys 21 and 72, south of Centerville, MO, serving no intermediate points, as an alternate route in connection with carrier's regular-route operations authorized herein: From St. Louis over U.S. Hwy 67 to junction Missouri Hwy 32, then over Missouri Hwy 32 to junction County Hwy N, then over County Hwy N to junction County Hwy W, then over County Hwy W to junction Missouri Hwy 21, then over Missouri Hwy 21 to junction Missouri Hwy 72, and return over the same route.

(From Dodds MC 99798 (Sub-15)) Regular Routes: *General Commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), Between patterson, MO, and East St. Louis, IL, serving the intermediate points of St. Louis and Ironton, MO, and those between Ironton and Patterson. From Patterson over Missouri Hwy 34 to Piedmont, MO, then over Missouri Hwy 49 to Glover, MO, then over Missouri Hwy 21 to junction unnumbered highway near Lesterville, MO, then over unnumbered highway via Iron Mountain to Bismarck, MO, then over Missouri Hwy 32 to junction U.S. Hwy 67, then over U.S. Hwy 67 to St. Louis, MO, and then across the mississippi River to East St. Louis, and return over the same route. From Patterson to Glove, MO, as specified above, then over Missouri Hwy 21 via Arcadia and Ironton, MO, to Caledonia, MO, then over Missouri Hwy 32 to Bismarck, MO, and then to East St. Louis as specified above, and return over the same route. *Livestock,* From Patterson, MO, to National Stock Yards, IL, serving the intermediate points of Ironton, MO, and those between Patterson and Ironton: From Patterson over the above-specified routes to St. Louis, MO, then across the Mississippi River to National Stock Yards. *Irregular Routes: Livestock, Fertilizer, and Feed* Between Piedmont, MO, and points within 20 miles of Piedmont, on the one hand, and, on the other, East St. Louis, IL.

(From Dodds MC 99798 (Sub-16)) *Regular Routes: General Commodities,* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, Commodities in bulk, and those requiring special equipment), Service is authorized to and from Lodi, Coldwater, Silva, Greenville, and Taskee, MO, and points in the St. Louis, MO—East St. Louis, IL, Commercial Zone as defined by the Commission, except St. Louis and East St. Louis, as intermediate or off-route points in connection with carrier's regular-route operations authorized herein. Between Missouri-Arkansas State line and National Stock Yards, IL, serving the intermediate points of State Line Filling Station, Neelyville, Poplar Bluff, and St. Louis, MO, East St. Louis, IL, From Missouri-Arkansas State line over U.S. Hwy 67 to St. Louis, MO, then one Alternate U.S. Hwy 67 to National Stock Yards, and return over the same route. Between Hoxie, AR, and National Stock Yards, IL, serving the intermediate points of State Line Filling Station, Neelyville, Poplar Bluff, and St. Louis, MO, East St. Louis, IL, and those in Arkansas: From Hoxie over U.S. Highway 67 to St. Louis, MO, then over Alternate U.S. Highway 67 to National Stock Yards, and return over the same route. Between Doniphan, MO, and Poplar Bluff, MO, serving the intermediate and off-route points in Ripley County, MO, and those in Randolph County, AR, within 10 miles of the Missouri-Arkansas State line: From Doniphan over Missouri Hwy 142 (formerly Missouri Hwy 14) to junction U.S. Hwy 67, then over U.S. Hwy 67 to Poplar Bluff, and return over the same route. Between Corning, AR, and Walnut Ridge, AR, serving all intermediate points and the off-route points of Brookins and Beech Corner, AK.: From Corning over U.S. Hwy 62 to junction AR Hwy 135 (formery AK Hwy 1W), then over AR Hwy 135 to junction AR Hwy 90, then over AR Hwy 90 to O'Kean, AR, then over AR Hwy 34 to Walnut Ridge, and return over the same route. *Petroleum lubricating oils and greases,* From Roxana, IL, to Doniphan, MO, serying no intermediate points: From Roxana over unnumbered highway to junction IL Hwy 159, then over Illinois Hwy 159 to junction Alternate U.S. Hwy 67, then over Alternate U.S. Hwy 67 to junction Missouri Hwy 142 (formerly Missouri Hwy 14), and then over Missouri Hwy 142 to Doniphan; and *Empty containers,* From Doniphan, MO, to Roxana, IL, serving no intermediate

points: From Doniphan over the next above-specified route to Roxana.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3782 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. 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, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Dated: February 12, 1981.

By the Commission, Review Board Number 5, Members Krock, Taylor and Williams.

MC-F-14492F, filed October 20, 1980. (supplemental) (Previously published in the **Federal Register** on November 24, 1980, at page 77523). WILSON TRUCKING CORPORATION (Wilson) (P.O. Box Drawer 2, Fishersville, VA 22939)—purchase (portion)—TARHEEL EXPRESS, INC. (Tarheel) (18th Street Place, Hickory, NC 28601).

Note.—The purpose of this republication is to show that Wilson is purchasing the entire certificate of Tarheels' in MC 99334 (Sub-2) and no authority from that certificate is to be retained by Tarheel. Therefore, the exclusion of new furniture and furniture parts from the general commodity description is unnecesary.

This application is directly related to a conversion application filed in MC 64600 (Sub-60F), a supplement published in this same **Federal Register** issue.

The following operating rights applications, filed on or after July 3, 1980, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The applications are governed by Special Rule 252 of the Commission's General Rules of Practice (49 CFR 1100.252).

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Persons submitting protests to applications filed in connection with pending finance applications are requested to indicate across the front page of all documents and letters submitted that the involved proceeding is directly related to a finance application and the finance docket number should be provided. 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. However, the Commission may have modified the application to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that 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 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 the absence of legally sufficient protests in the form of verified statements as to the finance application *or* to the following operating rights applications directly related thereto filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except where the application involves duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice by effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

To the extent that any of the authority granted may duplicatee an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Dated: February 12, 1981.

By the Commission, Review Board Number 5, Members Krock, Taylor, and Williams.

MC 64600 (Sub-60F), filed October 20, 1980. (Correction) (Previously published in the **Federal Register** on November 24, 1980, at page 77524).

WILSON TRUCKING CORPORATION—CONVERSION, P.O. Box Drawer 2, Fishersville, VA 22939.

Note.—The purpose of this republication is to include new furniture and furniture parts in the grant of general commodities.

This application is a matter directly related to a proceeding pursuant to 49 U.S.C. 11343 in MC–F–14492.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3783 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Decision Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 5, Members Krock, William and Taylor.

MC–FC–78878. By decision of February 5, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to CLINTON RAY TURNER AND STEPHEN RAY TURNER, d.b.a. TURNER TRUCKING of Certificate MC 135200 (Sub-6F), issued November 7, 1980, to W. H. SAPP AND HILTON SAPP, d.b.a. SAPP BROS. TRUCKING CO., authorizing the transportation of *dry soybean meal*, in bulk, from Marks, MS, to points in AL, AR, LA, MS, and TN. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202.

Notes.—(1) An application for temporary authority has been filed. (2) Turner Trucking presently holds no authority from the Interstate Commerce Commission.

MC–FC–78885. By decision of January 15, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to ST. ALBANS TRANSPORTATION CO. of a portion of Certificate MC 74169 issued October 10, 1967, to CHIEFTAN VAN LINES, INC., authorizing the transportation of general commodities, except those of unusual value classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Omaha, NE, and Council Bluffs, IA.

MC–FC–78896. By decision of January 16, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the transfer to JOSEPH CURRIE and JOHN CURRIE, JR., partners d.b.a. ACUR EXPRESS of Permit MC 116958 issued November 5, 1958 to JOSEPH SALVATORE and ANGELINA SALVATORE, A PARTNERSHIP, authorizing the transportation of Irregular Routes: *Such commodities* as are dealt in by wholesale grocery houses, From New York, NY to points in Fairfield, Hartford, Litchfield, Middlesex, New Haven, and Tolland Counties, CT, Bergen, Camden, Hudson, Mercer, Middlesex, Monmouth, Morris, Ocean, Somerset, Sussex, and Warren Counties, NJ, Albany, Columbia, Dutchess, Greene, Orange, Putname, Rensselaer, Rockland, Sullivan, Ulster, and Westchester Counties, NY, and Carbon, Lehigh, Montgomery, Northampton, and Philadelphia Counties, PA, with no transportation for compensation on return except as otherwise authorized. *Canned goods*, From Bridgeton and Swedesboro, NJ, to New York, NY, with no transportation for compensation on return except as otherwise authorized. *Cleaning powder*, From Manchester, CT, to New York, NY, with no transportation for compensation on return except as otherwise authorized. *Grape juice*, From Highland, NY, to New York, NY, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized above are limited to a transportation service to be performed under special and individual contracts or agreements with persons (as defined in Section 203 (a) of the Interstate Commerce Act) who operate wholesale grocery houses, the business of which is the sale of food, for the transportation of the commodities indicated and in the manner specified. *Such commodities* are dealt in by wholesale grocery houses (except commodities in bulk), From the site of the warehouse of Hunts Food Industries, Inc., at Bayonne, NJ, to points in Fairfield, Hartford, Litchfield, Middlesex, New Haven, and Tolland Counties, CT, Albany, Columbia, Dutchess, Greene, Orange, Putnam, Rensselaer, Rockland, Sullivan, Ulster, and Westchester Counties, NY, and Carbon, Lehigh, Montgomery, Northampton, and Philadelphia Counties, PA, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized under the commodity description immediately above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Hunts Foods Industries, Inc., of Bayonne, NJ.

MC–FC–78899. By decision of January 16, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 5 approved the transfer to KOOTENAI MOTOR FREIGHT, INC., of Kalispel, MT, of Certificate of Registration MC 120694 (Sub-1) issued January 2, 1975 to THOMAS O. MATTINGLY d.b.a. KOOTENAI MOTOR FREIGHT OF KALISPEL, MT, authorizing intrastate transportation, by motor common carrier over regular routes pursuant to class B Certificate of Public Convenience and Necessity issued by the State of Montana, of general commodities, except commodities in bulk and heavy machinery, between Kalispel and Libby, MT, serving, from Libby, the off-route points of Trego, MT; the north and south Great Northern Tunnel Portals near

Trego; The Uredenburg Development near Fortune, MT; and the Roosville, MT Port of Entry. Condition: Prior to consummation, applicants shall furnish the Commission with a copy of the order authorizing the transfer of the intrastate certificate supporting the Certificate of Registration. Representative is: James W. Johnson, P.O. Box 859, Kalispel, MT 59901 (406) 755-5535

MC-FC-78900. By decision of January 26, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to A. T. BYRUM & SON, INC., of Ahoskie, NC, a portion of Certificate MC 35442 issued February 2, 1962, to W. CLARENCE OWENS AND HALLETT W. OWENS, A PARTNERSHIP, d.b.a. W. W. OWENS AND SONS TRANSFER AND STORAGE, of Elizabeth City, NC, authorizing the transportation of *lime, fertilizer, and fertilizer materials,* from Norfolk and Suffolk, VA, to points in NC on and east of US Hwy 1. Applicants' representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, NC 27601.

Notes.—Application for TA has not been filed. Transferee is a motor common carrier pursuant to certificate issued in MC 145984F.

MC-FC-78912. By decision of January 14, 1981 issued under 49 U.S.C. 10931 or 10932 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to C.P.A. TRANSPORT, INC., of Certificate of Registration MC 120183 (Sub-1) issued January 21, 1964, to BROCKTON MOTOR EXPRESS, INC., evidencing a right to engage in transportation in interstate commerce corresponding in scope to Irregular Route Common Carrier Certificate No. 5348 dated January 9, 1959, issued by Massachusetts Department of Public Utilities subject to the following conditions: Transferee shall file with the Commission, (a) a certified copy of the State certificate as reissued to transferee, or, if the State Commission does not reissue the certificate, a certified copy of the State order approving the transfer of the underlying intrastate rights, and (b) a written notice confirming the date of consummation of that intrastate transaction. Representative is: Wesley S. Chused, 15 Court Square, Boston, MA 02108.

MC-FC-78913. By decision of January 13, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to PFI, INC., of Woodstock, IL of Certificate MC 113170, MC 113170 (Sub-5), and MC 113170 (Sub-7), issued July 26, 1962, November 9, 1970, and June 15, 1979, respectively to PEET FRATE LINES, INC., of Woodstock, IL authorizing the transporation of (a) general commodities (with the usual exceptions), over regular routes (1) between Woodstock and Chicago, IL, serving all intermediate points: from Woodstock over Illinois Hwy 47 to Huntley, IL, then over unnumbered Hwy to Dundee, IL, then over Illinois Hwy 31 to Alogonquin, IL, then over Illinois Hwy 62 to Chicago and return over the same route, (2) between Woodstock and Chicago, IL, serving no intermediate points: from Woodstock over U.S. Hwy 14 to junction Illinois Hwy 22, then over Illinois Hwy 22 to junction U.S. Hwy 12, then over U.S. Hwy 12 to Chicago and return over the same route, and (3) between Woodstock and Chicago, IL, serving all intermediate points: from Chicago over U.S. Hwy 12 to junction U.S. Hwy 4 to Woodstock and return over the same route, (b) general commodities (with the usual exceptions), over irregular routes, (1) between points in Illinois within 50 miles of Marengo, IL, including Marengo, (2) between points in Illinois within 50 miles of Marengo, IL, including Marengo, on the one hand, and, on the other, Chicago, IL (3) between Chicago, IL and points in Illinois within 50 miles of Marengo, IL, including Marengo, on the one hand, and, on the other, Palmyra WI, and points in those parts of Racine and Kenosha Counties, WI, on and west of U.S. Hwy 45, and (4) between points in Lake and McHenry Counties, IL, on the one hand, and, on the other, Milwaukee, Racine, and Kenosha, WI, and their commercial zones, and (c)(1) food cookers and food cooker parts and foodstuffs and (2) materials, supplies, and accessories used or useful in the manufacture and distribution of the commodities in (c)(1) above, between the facilities of Broaster Co., at Belist, WI, on the one hand, and, on the other, Chicago, IL, and points in Illinois within 50 miles of Marengo, IL, including Marengo.

Note.—Transferor also holds temporary authority in MC 113170 (Sub-4-1TA). Transferee should seek to be substituted for transfer to operate under this authority and to prosecute any underlying application for authority pending as of the date of this notice. Respresentative: Abraham A. Diamond, Suite 454 Barristers Bldg., 29 South La Salle St., Chicago, IL 60603.

MC-FC-78916. By decision of January 16, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R 1132, Review Board Number 5 approved the transfer to Paul Zukas and Suzanna Zukas, a partnership, doing business as Zukas Trucking of Certificate MC 120427 (Sub-30) issued September 4, 1980, to Williams Transfer, Inc., authorizing the transportation, over irregular routes, of coiled steel, from Lackawanna, NY, to Denver, CO. Subject to the following conditions: Restricted to traffic originating at the facilities of Bethehem Steel Corporation, at Lackawanna, NY, and destined to the facilities of Teilhabor Manufacturing Corporation located at or near Denver, CO. Representative is: Bruce R. Bancroft, First Bank Building, South Bend, IN 46601.

MC-FC-78920. By decision of January 20, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to MASS AIR FREIGHT, INC. of Boston, MA of Certificate MC 120944 (Sub-1) issued November 1, 1967 to ORLEANS EXPRESS CO., INC. of Boston, MA authorizing the transportation of general commodities over irregular routes within Massachusetts subject to the following conditions: Transferee shall file with the Commission a certified copy of the State Certificate as reissued to the transferee. Representative is: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Transferee holds no authority from the Commission. TA has not been filed.

MC-FC-78923. By decision of January 19, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to BREADNER TRANSPORTS LIMITED, Meaford, Ontario, Canada, authorizing the transportation of cut and broken stone, between ports of entry on the international boundary line between the United States and Canada, in Michigan and New York, on the one hand, and, on the other, points in Georgia, Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, Tennessee and Vermont. Representative is: William J. Hirsch, Esq., 1125 Convention Tower, 43 Court Street, Buffalo, NY 14202.

MC-FC-78929. By decision of January 19, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 5 approved the transfer to PARKWAY CARTAGE, INC., of Franklin Park, IL, of the following authority held by LOMA CARTAGE, INC., of Franklin Park, IL: a) Certificate MC 135235, issued December 7, 1971 authorizing the transportation of *floor coverings and materials and supplies* used in the installation of floor coverings, except commodities in bulk, from points in Cook County, IL to Racine, Kenosha, and Milwaukee, WI, and points in Lake County, IN; b) Certificate MC 135235 (Sub-1), issued April 30, 1974 authorizing the transportation of *floor coverings, and materials and suppies* used in the

installation of floor coverings, except commodities in bulk, from points in DuPage and Lake Counties, IL to Mequon, WI, and points in Racine, Kenosha, Milwaukee, and Waukesha Counties, WI, from Mequon, WI and points in Milwaukee County, WI to points in Cook, DuPage, and Lake Counties, IL; c) Certificate MC 135235 (Sub-5), issued October 7, 1977, authorizing the transportation of *floor covering (except tile) and materials and supplies* used in the installation of floor covering (except commodities in bulk), from points in Cook, Lake, and DuPage Counties, IL and Lake County, IN, to points in Brown, Dane, Dodge, Fond du Lac, Jefferson, Kewaunee, Manitowac, Outagamie, Ozaukee, Rock, Sheboygan, Walworth, Washington, and Winnebago Counties, WI; d) Certificate MC 135235 (Sub-6), issued December 17, 1979, authorizing the transportation of *floor covering and materials and supplies* used in the installation of floor covering (except commodities in bulk), from points in Cook, Lake, DuPage Counties, IL, to points in Green, Calumet, and Waukesha Counties, WI, and Porter, LaPorte, St. Joseph, Elkhart, Starke, Marshall and Kosciusko Counties, IN; and e) Certificate MC 135235 (Sub-7) issued December 26, 1980 authorizing the transportation of *floor coverings and materials and supplies* used in the installation of floor coverings, from points in Cook, Lake, and DuPage Counties, IL to points in Adams, Columbia, Green Lake, Juneau, Marathon, Marquette, Portage, Sauk, Waupaca, Waushara, and Wood Counties, WI. Representative is: Leonard R. Kofkin, 39 South LaSalle Street, Chicago, IL 60603. Transferee presently holds no authority from the Commission.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-3784 Filed 2-26-81; 8:45 am]
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Motor Carriers; Decision-Notice

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). These rules provide, among other things, that opposition to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the *Federal Register*. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. Opposition under these rules should comply with Rule 240(c) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, and specify with particularity the facts, matters and things relied upon, but shall not include issues or allegations phrased generally. Opposition not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of any protest shall be filed with the Commission, and a copy shall also be served upon applicant's representative or applicant if no representative is named. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 240(c)(4) of the special rules and shall include the certification required.

Section 240(e) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request its dismissal.

Further processing steps will be by Commission notice or order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown.*

Any authority granted may reflect administratively acceptable restrictive amendments to the transaction proposed. Some of the applications may have been modified to conform with Commission policy.

We find with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the national transportation policy subject to the right of the Commission, which is expressly reserved, to impose such conditions as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930.

In the absence of legally sufficient protests as to the finance application *or* any application directly related thereto filed within 30 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Decided February 13, 1981.

By the Commission, Review Board Number 5, Member Krock, Taylor, and Williams.

MC-F-14417F, filed June 12, 1980. WINTZ TRANSPORTATION CO. (Wintz) (1706 American National Bank Bldg., St. Paul, MN 55101)—PURCHASE—PHILIPP TRANSIT LINES, INC., GEORGE BERARDI, TRUSTEE IN BANKRUPTCY (Philipp) (P.O. Box 358, 1808 East 5th Street, Washington, MO 63090) (Wintz Motor Freight, Inc., Assignor). Representative: Brian K. Ridenour and Michael J. Ogborn, P.O. Box 82028, 1200 N Street, 500 The Atrium, Lincoln, NE 68501. Wintz seeks authority to purchase the interstate operating rights and property of Philipp Transit Lines, Inc., and various leasehold interests and certain other miscellaneous assets of Philipp Transfer Lines, Inc., and Philipp Transportation, Inc. George L. Wintz, Jr., seeks authority to acquire control of said rights through the transaction. Wintz is purchasing the interstate operating rights of Philipp which are contained in certificates issued in MC-2002 and sub-numbers thereunder which authorize the transportation of the following: (A) over regular routes, (1) *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), (a) between Washington and Kansas City, MO, serving the intermediate points of Marthasville and Warrenton, MO, and the off-route points of Dutzow, MO: from Washington over MO Hwy 47 to Warrenton, MO, then over U.S. Hwy 40 to Kansas City, and return over the same route; (b) between Washington and Kansas City, MO, serving the intermediate points of Hermann and New Haven, MO: from Washington over MO Hwy 100 to Hermann, MO, then over MO Hwy 19 to Drake, MO, and then over US Hwy 50 to Kansas City, and return over the same route; (c) between Warrenton and Hannibal, MO, serving no intermediate points and serving Hannibal for the purpose of interchange only: from Warrenton over MO Hwy 47 to Troy, MO, then over U.S. Hwy 61 to Hannibal, and return over the same route; (d) between Washington and St. Clair, MO, serving the intermediate point of Union, MO: from Washington over MO Hwy 47 to St. Clair, and return over the same route; (e) between New Haven, MO, and junction MO Hwy 19 and MO Supplemental Hwy E, as an alternate route for operating convenience only, serving no intermediate points and serving the termini for the purpose of joinder only: from New Haven over MO Supplemental Hwy E to junction MO Hwy 19, and return over the same route; (f) between Hermann, MO, and junction U.S. Hwy 40 and MO Hwy 19 (near New Florence, MO), as an alternate route for operating convenience only, serving no intermediate points and serving the termini for the purpose of joinder only: from Hermann over MO Hwy 19 to junction US Hwy 40, and return over the same route, restricted in routes (a) through (f) above, against tacking or joinder with any other authority held by carrier for the purpose of providing a through service between Hannibal, MO, on the one hand, and, on the other, St Louis, MO, and points in the commercial zone thereof; (g) between Washington, MO, and National Stock Yards, IL, serving the intermediate and off-route points of East St. Louis and New Haven, MO, and those in Franklin County, MO, on and north of U.S. Hwy 50 and on and east of County Hwy P, except the site of the Washington Distilleries, Inc., located on County Hwy M, approximately two miles northeast of Labadie, MO: from Washington over MO Hwy 100 to junction US Hwy 50, then over US Hwy 50 to the National Stock Yards, and return over the same route; (h) between St. Louis, and the junction of U.S. Hwy 66 and 50, west of Gray Summit, MO, serving no intermediate points, over an alternate route for operating convenience only: from St. Louis over US Hwy 66 to junction US Hwy 50, and return over the same route; (i) between Union, MO, and St Louis, MO, serving the intermediate and off-route points of The Diamonds, Gray Summit, Hollow, Pond, Grover, Ellisville, Ballwin, Manchester, and Villa Ridge, MO: from Union over US Hwy 50 to St. Louis, and return over the same route; and (j) between Sullivan, MO, and St. Louis, MO, and serving the intermediate points of Stanton and St. Clair, MO: from Sullivan over U.S. Hwy 66 to junction US Hwy 50, then over US Hwy 50 to St. Louis, and return over the same route; (2) *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site and industrial tract of Zero Manufacturing Company located north of MO Hwy 100, near Berger, MO, as an off-route point in connection with carrier's presently authorized regular-route operations. (B) over irregular routes: (1) *steel joists*, from the plant site of Midwestern Joist, Inc., at Washington, MO, to points in IL, (2) *iron and steel articles* used in the manufacture and processing of steel joists, from Alton, IL, to the plant site of Midwestern Joist, Inc., at Washington, MO; and (3) *frozen foodstuffs*, from Kansas City, KS, to points in that part of MO east of US Hwy 63 and south of Interstate Hwy 70. (C) over a deviation route as follows: between Warrenton, MO, and St. Louis, MO, over Interstate Hwy 70, for operating convenience only, and subject to a restriction against tacking for the purpose of providing through service between Kansas City, MO-KS, and points in the commercial zone thereof, and Hannibal, MO, on the one hand, and, on the other, St. Louis, MO, and points in the commercial zone thereof. Wintz is also purchasing the interstate operating rights acquired by Philipp in MC–F–13592 that are contained in certificates in MC–45657 and sub-numbers thereunder as follows: (A) over regular routes: *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (a) between Hannibal and Bowling Green, MO, serving no intermediate points: from Hannibal over US Hwy 61 to Bowling Green, and return over the same route; (b) between Vandalia and St. Louis, MO, serving all intermediate points and the off-route points in IL in the St. Louis, MO-East St. Louis, IL Commercial Zone as defined by the Commission: from Vandalia over US Hwy 54 to Bowling Green, MO (also from Vandalia over US Hwy 54 to Louisiana, MO, and return over U.S. Hwy 54 to Bowling Green), then over US Hwy 61 to Wentzville, MO, then over By-Pass US Hwy 40 via St. Charles, MO, to junction Alternate U.S. Hwy 40, then over Alternate US Hwy 40 to St. Louis, MO, and return over the same route; and (c) between Louisiana, MO, and East St. Louis, IL, serving all intermediate points; and the off-route points of St. Paul, Ethlyn, and Chain of Rocks, MO; from Louisiana over MO Hwy 79 to junction By-Pass US Hwy 40, then over By-Pass US Hwy 40 to junction Alternate U.S. Hwy 40, then over Alternate US Hwy 40 to St. Louis, MO, and then over U.S. Hwy 40 to East St. Louis, and return over the same route; and (B) over irregular routes: (1) *brick*, from Vandalia, MO, to points in IL, (2) *feed, hay, and molasses*, from East St. Louis, IL, to Old Monroe, MO, and points within 12 miles of Old Monroe, MO; and (3) *hides and live poultry*, from Old Monroe, MO, and points within 12 miles of Old Monroe, to East St. Louis, IL. Wintz presently holds no authority from this Commission. However, Wintz is affiliated with Wintz Motor Freight, Inc., which is authorized to operate as a motor contract carrier, over irregular routes, in the States of IA, MN, NE, ND, SD, and WI, pursuant to permits in MC–144681 and sub-numbers thereunder, and authority granted in MC–F–13999F, and as a motor common carrier, over regular and irregular routes, in the States of AZ, CA, CO, IA, IL, IN, KS, KY, MI, MN, MO, NE, ND, OH, SD, and WI, pursuant to authority granted in MC–144822, MC–F–13360, MC–F–13362, MC–F–13998F, and MC–F–13999F. Condition: Approval and authorization of this transaction is conditioned upon the prior receipt by the Commission of a copy of the Court order approving the transaction.

Note.—By decision served June 23, 1980, Wintz Motor Freight, Inc., was granted temporary authority to lease the operating rights and property of Philipp Transit Lines, Inc. By petition filed January 22, 1981, applicants requested leave to substitute Wintz Transportation Co., as applicant, in lieu of Wintz Motor Freight, Inc.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3706 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to

consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C.11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protect includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. 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, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Dated: February 8, 1981.

By the Commission, Review Board Number 5, Members Krock, Taylor and Williams.

MC-F-14564, filed February 2, 1981. KUJAK TRANSPORT, INC. (Kujak) (6366 West Sixth Street, Winona, MN 55987)—PURCHASE (PORTION)—AJAX TRANSFER COMPANY (Ajax) (550 East 5th Street South, South St. Paul, MN 55075). Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. Kujak seeks authority to purchase a portion of the interstate operating rights of Ajax. Herbert Kujak, the majority stockholder of Kujak, also seeks authority to acquire control of said rights through the transaction. Kujak seeks authority to purchase the interstate operating rights awarded to Ajax in MC-F-14045, which rights are evidenced by Certificate MC 135003 (Sub-1), which authorizes the transportation, as a motor common carrier, over irregular routes, of frozen foods and poultry commodities, from Faribault and St. Charles, MN, to points in CT, IL, IN, KY, ME, MD, MA, MI, MT, NH, NJ, NY, OH, PA, RI, VT, VA, WV, and DC.

Notes.—(1) Application for TA has been filed. (2) Kujak also seeks authority to purchase the authority granted to Ajax in MC 138896 (Sub-13). Because this authority has not yet been certificated, it is not subject to transfer. Applicants are advised to file a Petition for Substitution of Applicant in this pending application.

Impediment: Duplications exist between Ajax's rights contained in MC 135003 (Sub-1) and the pending authority in MC 138896 (Sub-13), which rights are to be transferred to Kujak, and the operating rights being retained by Ajax in its Certificates in MC 138896 (Sub-4 and 6), and also the rights being retained by Ajax's affiliated company, LTL Perishables, Inc., in MC 135874 (Sub-42, 87, 100, 106, and 117). Applicants have agreed to restrict Ajax's retained authority in MC 138896 (Sub-4 and 6) against the transportation of frozen foods to points in the Upper Peninsula of Michigan in order to avoid a split of authority. However, in order to eliminate a split of authority, applicants must also submit a plan for the cancellation of the retained duplicating authority held by LTL Perishables, Inc.

MC-F-14563F, filed February 2, 1981. INTERNATIONAL COURIERS CORPORATION (International) (P.O. Box 1975, St. Paul, MN 55111)—CONTINUE IN CONTROL—B.D.C., LTD (BDC) (2677 Drew Road, Mississauga, Ontario, Canada L4T 3W1). Representative: Jack Goodman, 39 South LaSalle Street, Chicago, IL 60603 and Sally G. Galway, P.O. Box 1975, St. Paul, MN 55111. International, a non-carrier, seeks authority to continue in control of BDC, upon the institution by BDC of operations in interstate or foreign commerce. Gelco Corporation, a non-carrier and sole stockholder of International, seeks authority to acquire control of said rights through the transaction. International presently controls Gelco Courier Services, Inc., a motor common and contract carrier authorized in certificate MC 114533 and sub-numbers thereunder and permit MC 128616 and sub-numbers thereunder, to transport specified commodities including cash letters, commercial papers, documents, written instruments, business records, and data processing media, between points in the United States. By Notice of Effectiveness served November 13, 1980, in MC 150371, BDC was granted authority in foreign commerce only, transporting (1) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), and such commercial papers, documents and written instruments as are used in the business of banks and banking institutions), between the ports of entry on the international boundary line between the U.S. and Canada at or near Detroit, MI, on the one hand, and, on the other, Detroit, MI, restricted against shipments from a consignor to a consignee exceeding 100 pounds in weight and any part of portion of a shipment exceeding 50 pounds in weight, (2) *general commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the ports of entry on the international boundary line between the U.S. and Canada at Niagara Falls and Buffalo, NY, one the

on hand, and, on the other, Buffalo, NY, restricted (a) against shipments from a consignor to a consignee exceeding 100 pounds in weight and any part or portion of a shipment exceeding 50 pounds in weight and (b) to traffic having a prior or subsequent movement by air (3) *such commercial papers, documents, written instruments and business records* (except currency and negotiable securities) as are used in the conduct and operations of banks and and banking institutions), between the ports of entry on the international boundary line between the U.S. and Canada at Niagara Falls and Buffalo, NY, on the one hand, and, on the other, Buffalo, NY, and (4) *such commercial papers, documents, and written* instruments (except coins, currency, and negotiable securities) as are used in the conduct and operations of banks and banking institutions, audit media and other business records, processed and unprocessed film, prints, slides, audio and video tapes, including motion picture film and materials and supplies used in connection with commercial and television motion pictures, between the ports of entry on the International boundary line between the U.S. and Canada at or near Blaine, WA, on the one hand, and, on the other, Blaine and Seattle, WA, restricted (a) to traffic having a prior or subsequent movement by air and (b) against shipments from a consignor to a consignee exceeding 100 pounds in weight and any part or portion of a shipment exceeding 50 punds in weight. By Notice of Effectiveness served September 12, 1980, in MC–150871 (Sub-No. 1F), B.D.C. was granted authority to transport *shipments weighing 100 pounds or less*, if transported in a vehicle in which no one package exceeds 100 pounds, between points in the United States. Gelco Corporation has an application pending before the Commission in MC–F–14452 to acquire control of Brooks Transportation, Inc. and Federal Freight System, Inc. Condition: Gelco Corporation, a non-carrier holding company, and International Couriers Corporation, a non-carrier holding company, shall be considered a carrier within the meaning of Subtitle IV of 49 U.S.C. 11348, and is subjected to the requirements of 49 U.S.C. 11302 for those issuances of securities and assumptions of obligations which may relate to or affect the activities of its carrier subsidiaries. Regarding the reporting requirements of 49 U.S.C. 11145, Gelco Corporation and International Couriers Corporation need only file such special reports as the Commission may from time to time require. Gelco Corporation and International Couriers Corporation is not made subject to the accounting requirements of 49 U.S.C. 11142. Impediment: Applicant acknowledges duplications existing between Gelco Courier Services, Inc. and B.D.C., Ltd., upon the institution of operations by B.D.C., Ltd. They have requested that the authority in MC 150871 (Sub-1F) be tendered for cancellation. We will therefore condition our grant upon cancellation of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-3794 Filed 2-26-81; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

Employment Transfer and Business Competition Determinations Under Rural Development Act; Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same areas.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: Administrator, Employment and Training Administration, 601 D Street, NW, Washington, D.C. 20213.

Signed at Washington, D.C. this 23rd day of February 1981.

Luis Sepulveda,

Acting Director, Office of Program Services.

Applications Received During the Week Ending February 28, 1981

Name of applicant and location of enterprise	Principal Product or activity
American Insulator Corp., New Freedom, Pa.	Manufacture of plastic molded products

[FR Doc. 81-6493 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-81-9-M]

ASARCO, Inc.; Petition for Modification of Application of Mandatory Safety Standard

ASARCO, Inc., Box 868, Troy, Montana 59935, has filed a petition to modify the application of 30 CFR 57.4–53 (use of liquid petroleum gas) to its Troy Mine located in Lincoln County.

Montana. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statement follows: 1. The petition concerns the requirement that the use of liquified petroleum gases be limited to maintenance work.

2. As an alternate method of compliance, petitioner proposes to use propane powered vehicles underground.

3. In support of this alternate method, petitioner states that propane: a. is safer than other fuels used for the same purpose;

b. has been found to have less emissions than other fuels used underground;

c. is 100% evaporable, and there is no possibility of a hazardous buildup of oil or grease in the mine.

4. Petitioner further states that the use of propane vehicles underground will add to the employees' safety by providing them with a means of transportation other than by foot.

5. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 20, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3830 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-152-C]

Bryan Coal Co., Inc.; Petition for Modification of Application, Mandatory Safety Standard

Bryan Coal Company, Inc., Box 428, McDowell, Kentucky 41647, has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its Mine No. 1 located in Floyd County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows: 1. The petition concerns the requirement that illumination equipment be installed on the mine's roof bolter, coal drill and battery scoops.

2. The coal seam varies from 30 to 34 inches in height with uneven top and bottom conditions.

3. Petitioner states that because of the low height in the coal seam, lights placed on the equipment could be ripped from their mountings, thereby destroying roof support and resulting in flying debris that may strike the equipment operator or nearby miners. Also, electrical wires could be dislodged and exposed, posing a potential hazard of explosion if methane is present in the mine.

4. Petitioner further states that the glare resulting from these lights can cause temporary blindness to the equipment operator, which could also result in an accident affecting other nearby miners.

5. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 19, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3831 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-20-C]

Double L Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Double L Coal Company, Star Route, Box 46, Big Rock, Virginia 24603 has filed a petition to modify the application of 30 CFR 75.305 (weekly examinations for hazardous conditions) to its Mine No. 1 located in Buchanan County, Virginia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows: 1. The petition concerns the requirement that weekly examinations be made of air courses in their entirety for hazardous conditions.

2. Numerous roof falls have made travel of the entire return airway hazardous.

3. As an alternate method, peitioner proposes to establish three air measuring stations, recording the results of air and methane readings on a date board at each location.

4. Petitioner states that clean-up of the airways to make them travellable would expose miners to unnecessary hazards.

5. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 19, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3832 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-7-C]

Olga Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Olga Coal Company, 3 Gateway Center 9 North, Pittsburgh, Pennsylvania 15222 has filed a petition to modify the application of 30 CFR 75.305 (weekly examinations for hazardous conditions) to its Olga Mine located in McDowell County, West Virginia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows: 1. The petition concerns the requirement that return entries be examined weekly for hazardous conditions.

2. The return entries were developed approximately 44 years ago; roof support has since deteriorated due to numerous roof falls, leaving portions of these returns impassable.

3. As an alternate method, petitioner proposes to: a. Establish and maintain specified air monitoring stations;

b. Have methane and air readings made by a certified person on a daily basis;

c. Record the results of examinations on a date board at each location;

d. Investigate any accumulation of methane and take necessary corrective action.

4. Petitioner states that the proposed alternate method will at all times provide the same degree of safety to the

miners affected as that afforded by the standard.

Request for Comments

Persons interested int his petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 19, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3833 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-15-C]

Peabody Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Peabody Coal Company, Camp No. 1, P.O. Box 350, Morganfield, Kentucky 42437, has filed a petition to modify the application of 30 CFR 75.1403-8 (criteria-track haulage roads) located in Union County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows: 1. The petition concerns the 24 inches of clearance requirement in the track entry at designated locations.

2. Petitioner states that additional timbering was required due to weakening of the roof after entries were advanced; removing the roof support in order to have 24 inch clearance would present a hazard.

3. Petitioner further states that the removal of the additional roof support that had been previously installed would expose a hazard to the miners removing it; in addition, all miners required to travel through these areas in the future would be exposed to this hazard.

4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 19, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3834 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-13-C]

Peacock Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Peacock Coal Company, Grove Drive, Hegins, Pennsylvania 17938, has filed a petition to modify the application of 30 CFR 75.1400 (hoisting equipment; general) to its Peacock Slope located in Schuylkill County, Pennsylvania. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows: 1. The petition concerns the requirement that cages, platforms or other devices which are used to transport persons in shafts and slopes be equipped with safety catches or other approved devices that act quickly and effectively in an emergency.

2. Petitioner states that no such safety catch or device is available for steeply pitching and undulating slopes with numerous curves and knuckles present in the main haulage slopes of this anthracite mine.

3. Petitioner further believes that if a "makeshift" safety device were installed, it would be activated on knuckles and curves, when no emergency existed, causing a tumbling effect on the conveyance which would increase rather than decrease the hazard to the miners.

4. As an alternate method, petitioner proposes to operate the man cage or steel gunboat with secondary safety connections securely fastened around the gunboat and to the hoising rope, which have a factor of safety in excess of the design factor as determined by the formula specified in the American National Standard for Wire Rope for Mines.

5. Petitioner states that the proposed alternate method will at all times provide the same degree of safety to the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 19, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3835 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-159-C]

Southern Appalachian Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Southern Appalachian Coal Company, Post Office Box 255, Julian, West Virginia 25529, has filed a petition to modify the application of 30 CFR 75.1701 (abandoned areas, adjacent mines; drilling of boreholes) to its Five Block No. 2 Mine, located in Boone County, West Virginia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows: 1. The petition concerns the requirement that boreholes be drilled to a distance of at least 20 feet whenever any working place approaches an abandoned area of the mine.

2. As an alternate method, petitioner proposes to complete an accurate, closed traverse survey after contour surface mining operations pass an area designated to be an underground mine. From the turning points on that traverse, petitioner locates the highwall and plots its location on a map. In addition, the depth of the auger holes drilled from the bottom of the coal seam are certified by an official of the company performing the mining. The mine map is then certified as correct by a registered professional engineer.

3. Petitioner states that the proposed alternate method will allow mining within fifty feet of the auger holes without drilling and will provide no less than the same measure of protection as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or

received in that office on or before March 30, 1981. Copies of the petition are available for inspection at that address.

Dated: February 20, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-3836 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-43-M

Occupational Safety and Health Administration

Oregon State Standards; Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State Plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the **Federal Register** (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision.

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. By letter dated August 3, 1979 from Darrel Douglas, Administrator of the Accident Prevention Division, Workers' Compensation Department, to James W. Lake, Regional Administrator, and incorporated as part of the plan, the State submitted revocations comparable to 29 CFR Part 1910, Revocation of Selected General and Special Industry and Health Standards, as published on October 24, 1978 (43 FR 49726) and corrections as published on November 7, 1978 (43 FR 51759, 51760). These revocations, which are contained in OAR Chapter 437 were promulgated by the State following a period of response during which two letters and several verbal comments were received, all of which supported the proposed action. No requests for a public hearing were received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards revoked or amended are Oregon's equivalent to the comparable Federal revoked standards and accordingly should be approved. Exceptions to the revocations were made where (1) the State did not originally adopt the rules; (2) the rules were covered by a separate agency such as the elevator section of the Department of Commerce; and (3) the State elected to be more stringent by retaining a number of selected rules. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standard supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6003, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; Workers' Compensation Department, Labor and Industries Building, Salem, Oregon 97310, and the Technical Data Center, Room N2349R, New Department of Labor Building, 3rd and Constitution Avenue, Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not published the supplement to the Oregon State plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason:

The standards were repealed in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective February 27, 1981.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington this 17th day of September 1980.

Ronald T. Tsunehara,

Acting Regional Administrator.

[FR Doc. 81-3837 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-26-M

Office of Pension and Welfare Benefit Programs

Proposed Class Exemption for Life Insurance Company Discretionary Asset Management: Extension of Comment Period

AGENCY: Department of Labor.

ACTION: Notice of Extension of Comment Period.

SUMMARY: The Department of Labor (the Department) is extending the comment period on a proposed class exemption which would, if granted, permit life insurance companies to perform certain asset allocation services for employee pension plans. The notice of the proposed class exemption was published in the **Federal Register** at 45 FR 85849 (December 30, 1980). This action is being taken in view of a request by certain members of the public that additional time to prepare comments be provided to them, and in view of the importance of the proposed class exemption.

DATE: The comment period is extended through May 1, 1981.

ADDRESSES: Written comments on the proposed class exemption (perferably three copies) should be addressed to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216, Attention: "Discretionary Asset Management Exemption."

FOR FURTHER INFORMATION CONTACT: William A. Schmidt Esq., Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor 200 Constitution Avenue, N.W., Room C-4508, Washington, D.C. 20210, (202) 523-8610. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On December 30, 1980 the Department issued a notice of pendency of a proposed class exemption from the prohibitions of section 406 of the Employee Retirement Income Security Act of 1974 and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954, and, in that notice, invited all interested persons to submit, on or before March 2, 1981, written data, views or arguments concerning the proposed class exemption and to request a public hearing with respect to the proposed exemption. The proposed class exemption, if granted, will permit life insurance companies to perform certain asset allocation services for employee pension plans, if the conditions of the proposed exemption are met. If granted, the proposed exemption will affect participants and beneficiaries of certain pension plans, fiduciaries of such plans, and life insurance compaines.

The Department has received a request from certain members of the public that the comment period in this matter be extended to May 1, 1981. The requesting parties state that they need additional time to prepare comments,

and the Department believes that it is appropriate to grant such additional time. Accordingly the Department is extending the comment period through May 1, 1981.*

Notice of Extension of Comment Period

Notice is hereby given that the period of time for the submission of public comments on the proposed class exemption relating to life insurance company discretionary asset management (45 FR 85849, December 30, 1980) is hereby extended through May 1, 1981.

All interested persons are invited to submit written date, views or arguments concerning the class exemption proposed in the notice at 45 FR 85849 (December 30, 1980) on or before May 1, 1981.

These comments should be submitted, preferably three copies, to: Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216, Attention: "Discretionary Asset Management Exemption."

Signed at Washington, D.C. this 24th day of February, 1981.

Ian D. Lanoff,

Adminstrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 81-3644 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-29-M

Office of the Secretary

[TA-W-11,131]

Bird and Son, Inc.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on September 27, 1980 in response to a petition received on September 26, 1980 which was filed on behalf of workers at the East Walpole, Massachusetts, FX-2 Plant of Bird and Son, Division of Shoe Cartons.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-11,117). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 18th day of February 1981.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3859 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-7968]

Barry Steel Corp.; Negative Determination on Reconsideration

On December 5, 1980, the Department made an Affirmative Determination Regarding Application for Reconsideration for workers and former workers producing cold rolled strip steel at Barry Steel Corporation's Lyndon Avenue Plant, Detroit, Michigan.

In the application for reconsideration, the petitioner claimed that the original denial of eligibility for worker adjustment assistance by the Department of Labor was based on the erroneous judgment that the firm did not produce an article but provided a service. The petitioner stated that the manufacturing process at Barry Steel begins with purchased raw material of not rolled steel strip which Barry Steel then processes by initial slitting, continuous pickling, cold reduction in a four high reversing mill, annealing, temper rolling in a two or four high reversing mill, final slitting, packaging, and shipment and sale of the finished product to the customer. This process is a recognized manufacturing process within the steel industry, according to the petitioner.

Following a review of the file and this additional information the Department recognized that Barry Steel Corporation does produce an article within the meaning of Section 222(3) of the Trade Act of 1974, and granted administrative reconsideration.

In its investigation, the Department conducted a survey of Barry Steel Corporation's major customers and found that customers which purchased cold rolled strip steel during the period under investigation either did not purchase imports of these products or decreased import purchases of the products in 1979 compared to 1978 and during the first nine months of 1980 compared to the same period in 1979.

The petitions, in the original petition, allege that increased imports of automobiles have contributed importantly to declines in sales, production, and employment at the Lyndon Avenue Plant of Barry Steel Corporation. Although imported automobiles may incorporate cold rolled strip steel, imports of the finished products are not "like or directly competitive with" their component parts as that term is used in the Trade Act of 1974. Imports of cold rolled strip steel by themselves and not incorporated in such final articles must be considered in determining import injury to workers who manufacture this product at Barry Steel. The courts have held that imported finished articles are not like or directly competitive with domestic component parts thereof, *United Shoe Workers of America, AFL-CIO* v. *Bedell, 507 F 2d. 174 (1974).* In that case, the court held that imported finished women's shoes were not like or directly competitive with shoe counters, a component of footwear.

Conclusion

After reconsideration, I reaffirm the original Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance to workers and former workers of Barry Steel Corporation's Lyndon Avenue Plant, Detroit, Michigan.

Signed at Washington, D.C. this 18th day of February 1981.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 81-3878 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8193]

Borg-Warner Corp.; Negative Determination on Reconsideration

On December 17, 1980, the Department made an Affirmative Determination Regarding Application for Reconsideration for workers and former workers at the Muncie, Indiana plant of the Warner Gear Division, Borg-Warner Corporation. This determination was published in the **Federal Register** on December 30, 1980 (45 FR 85858).

Counsel claims that the Department's conclusion in its denial notice is not consistent with the industry data reported in the Department's memorandum of recommendation and that the customer survey conducted by the Department was methodologically flawed since one of the transmission customers for passenger cars and light trucks was not surveyed. Counsel also asserts that the Department never addressed the fact of whether the other two criteria of the Act had been met.

The Department's review of the initial investigation revealed that the petition did not meet the increased import criterion for workers producing transmissions for industrial use or for off-the-highway vehicles nor did it meet the "contributed importantly" test of the Act for workers producing marine

* The request for an extension of the comment period also included a request for a public hearing on the proposed exemption. The Department intends to hold such a hearing and contemplates publishing a notice scheduling the hearing after the expiration of the extended comment period.

transmissions or transmissions for passenger cars and light trucks. Borg-Warner's major customer of marine transmissions does not import transmissions and most of the other surveyed customers only buy from Borg-Warner. With respect to transmissions for passenger cars and light trucks, the majority of customers surveyed which decreased purchases from Borg-Warner's Muncie plant in 1979 and in the first six months of 1980 compared to the corresponding periods in the previous year, did not increase purchases of imported transmissions. Customers which increased purchases of imported transmissions reported that these were insignificant compared to their total purchases of transmissions.

The Department's review also showed that the major share of Muncie's production consisted of transmissions for passenger cars and light trucks. Sales of all types of transmissions from the Muncie plant increased in 1979 compared to 1978. It was in the first five months of 1980, when compared to the corresponding period in 1979, that sales for each type of transmission decreased at Muncie. At Muncie sales were equal to production.

The Department does not agree with counsel's claim that the Department's survey was flawed. Virtually all of Muncie's 1980 production of transmissions for cars and light trucks was accounted for by four original equipment customers. The Department surveyed three of these customers. There was no need to survey the remaining o.e.m. customer since it increased its purchases of transmissions from the Muncie plant in 1979 compared to 1978 and in 1980 compared to 1979.

Further, the Department found no inconsistency between the industry data in its memorandum of recommendation and the conclusion in its denial notice. The memorandum shows that domestic production as well as U.S. imports of truck and bus transmissions were declining absolutely in 1979 compared to 1978 at the time when the Muncie plant was reporting increasing sales and production of all types of transmissions. Although there was a relative increase of imported transmissions in 1979, this was due to the decline in domestic production. Imports of transmissions as a percent of domestic production has never been higher than 4.5 percent in the last three-year period from 1977 through 1979.

Finally, the Department does not need to address whether the other two statutory criteria had been met since in order for a worker group to obtain certification for trade adjustment assistance, it must meet all three statutory criteria of the Act in the same time period. Therefore, in supporting a denial the Department needs only to demonstrate the petition's inability to meet one of the criteria.

Conclusion

After reconsideration, I reaffirm the original denial of eligibility to apply for adjustment assistance to workers and former workers at the Muncie, Indiana plant of the Warner Gear Division of the Borg-Warner Corporation.

Signed at Washington, D.C. this 20th day of February 1981.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 81-3879 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10,441 & 10,442]

Commercial Steel Treating Co.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on August 25, 1980 in response to a petition received on August 15, 1980 which was filed on behalf of workers at the Detroit, Michigan and Madison Heights, Michigan plants of Commercial Steel Treating Company.

A negative determination applicable to the petitioning group of workers was issued on August 8, 1980 (TA-W-8825). No new information is evident which would result in a reversal of the Department's previous determination. Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3880 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

DeLuxe Sportswear Co. et al.; Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 9, 1981.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 9, 1981.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 17th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of	Location	Date received	Date of petition	Petition No.	Articles produced
DeLuxe Sportwear Co. (ILGWU)	New York, N.Y	2/5/81	2/2/81	TA-W-12,256	Ladies' outerwear (jackets).
Fleetline Industries (company)	Garland, N.C	2/6/81	2/3/81	TA-W-12,257	Men's woven western shirts.
Lakeland Manufacturing Co. (ACTWU)	Sheboygan, Wis	2/6/81	1/20/81	TA-W-12,258	Men's outerwear.
Mari-Bar Industries (workers)	Deer Park, N.Y	2/6/81	1/23/81	TA-W-12,259	Women's sportswear.
Milwaukee Glove Co. (ACTWU)	Marinette, Wis	2/6/81	1/20/81	TA-W-12,260	Gloves.
Niemor Contractors (ACTWU)	Newark, N.J	2/6/81	2/2/81	TA-W-12,261	Contractors of men's and children's outerwear and sport coats.
Northwest Engineering Co. (USWA)	Green Bay, Wis	2/5/81	1/31/81	TA-W-12,262	Cranes, shovels, and draglines.
Powermatic Division of Houdaille Industries (USWA)	McMinnville, Tenn	2/6/81	2/4/81	TA-W-12,263	Wood and metal machine tools.
Red Cedar Products (workers)	Amanda Park, Wash	2/5/81	2/3/81	TA-W-12,264	Cedar shakes.
West Virginia Malleable Iron Co. (USWA)	Point Pleasant, W. Va	2/6/81	2/2/81	TA-W-12,265	Malleable iron castings.
France Division of Scott & Fetzer Co. (workers).	Westlake, Ohio	2/5/81	1/27/81	TA-W-12,266	Beer signs (transformer).
H & H Atlas, Inc. (ILGWU)	New York, N.Y	2/9/81	2/5/81	TA-W-12,267	Women's and junior's swimwear.
Marine Iron & Shipbuilding Co. (workers)	South Duluth, Minn	2/9/81	2/3/81	TA-W-12,268	Fabrication of steel structures.
Mitchell Industries, Inc. (company)	Philadelphia, Pa	2/9/81	1/30/81	TA-W-12,269	Vent windows and side view mirrors for Ford trucks and Jeeps.
Monsanto Textile Co., Sand Mountain Plant (workers).	Guntersville, Ala	2/9/81	1/28/81	TA-W-12,270	Polyester filament.
Morgan Shirt Co. (ACTWU)	Morgantown, W. Va	2/9/81	2/5/81	TA-W-12,271	Men's shirts and ladies' blouses.
Paula Lawrence, Ltd. (company)	New York, N.Y	2/9/81	2/5/81	TA-W-12,272	Down filled and polly filled coats.
Shirley of Atlanta, Inc., d.b.a. Barnwell Garment Manufacturing Co. (workers).	Barnwell, S.C	2/9/81	2/4/81	TA-W-12,273	ladies' sportswear.
Beaver Specialties, Inc. (workers)	Beaver Dam, Wis	2/9/81	2/2/81	TA-W-12,274	Cabinets for televisions and auto systems.
Bristol Locknut Co. (UAW)	Madison Heights, Mich	2/9/81	1/29/81	TA-W-12,275	Locknuts.
Empress Sport Togs, Inc	New York, N.Y	2/10/81	2/5/81	TA-W-12,276	Ladies' blouses.
Glendale Knitting Mills (workers)	Maspeth, N.Y	2/10/81	2/4/81	TA-W-12,277	Knitted sweaters and shirts.
Mark Levinson Audio Systems, Ltd. (company).	Hamden, Conn	2/9/81	2/5/81	TA-W-12,278	Power amplifiers, preamplifiers, crossover and reel to reel tape recorders.
Sensors Division of Dekalb Ad Research (workers).	Ann Arbor, Mich	2/9/81	2/4/81	TA-W-12,279	Diagnostic equipment for auto industry.
Teo-Aviv Fashions, Inc. (company)	Hoboken, N.J	2/10/81	2/6/81	TA-W-12,280	Ladies' coats.
Vera Industries, Inc. (ILGWU)	Secaucus, N.J	2/9/81	2/5/81	TA-W-12,281	Women's sportswear.
Washington Shake Mill (workers)	Kelso, Wash	2/9/81	2/4/81	TA-W-12,282	Cedar shakes.
D. L. Auld Co. (International Brotherhood of Boilermakers).	Columbus, Ohio	2/9/81	2/4/81	TA-W-12,283	Nameplates for autos.
Electro-voice, Inc. (IUE)	Sevierville, Tenn	2/9/81	2/4/81	TA-W-12,284	Microphone amplifiers and accessories.
Gates Blouse Co., Inc. (ILGWU)	Brooklyn, N.Y	2/9/81	2/3/81	TA-W-12,285	Women's jackets.
Imerman Industries, Inc. (workers)	Detroit, Mich	2/9/81	2/5/81	TA-W-12,286	Pistons for disc brakes, torsion bars.
L & M Coal Co. (workers)	Herdon, W. Va	2/9/81	2/4/81	TA-W-12,287	Mine coal.
P. F. Industries, Inc. (URWCLPWA)	Bristol, R.I	2/9/81	2/3/81	TA-W-12,288	Canvas sporting and waterproof footwear.
Shamokin Dress Co. (ILGWU)	Shamokin, Pa	2/9/81	2/4/81	TA-W-12,290	Dresses, blouses, skirts, and slacks.
Shroyer Dress Co. (ILGWU)	Selinsgrove, Pa	2/9/81	2/4/81	TA-W-12,290	Dresses, blouses, skirts, and slacks.
Tenva, Inc. (workers)	Nogales, Ariz	2/9/81	2/3/81	TA-W-12,291	Record player turntables.
Choice Corp. (company)	Warren, Mich	2/11/81	2/9/81	TA-W-12,292	Machine parts.
Damon Creations, Inc. (ACTWU)	North Bergen, N.J	2/11/81	2/3/81	TA-W-12,293	Warehouse and administrative staff.
Grafton Apparel Manufacturing Co. (ILGWU)	Grafton, W. Va	2/12/81	2/9/81	TA-W-12,294	Ladies' sportswear.
Ingalls Steel Corp. (workers)	Washington, D.C	2/12/81	2/8/81	TA-W-12,295	Steel fabrication of structural elements.

[FR Doc. 81-3857 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6996]

Ford Motor Co.; Amended Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on April 25, 1980, applicable to all workers of the General Services Division of the Ford Motor Company, Dearborn, Michigan. The Notice of Certification was published in the **Federal Register** on May 2, 1980, (45 FR 29433). The Department also issued an Amended Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance on July 16, 1980 which was published in the **Federal Register** on July 25, 1980 (45 FR 49703).

On the basis of additional information, the Office of Trade Adjustment Assistance, on its own motion, reviewed the certification and amended determinations. The additional information revealed substantial layoffs occurred several weeks prior to the impact date set in the amended determinations.

The intent of the certification and amended determinations is to cover all workers of the Ford Motor Company who were affected by the decline in the sales or production of passenger cars, pick-up trucks, light trucks, utility vehicles and component parts for passenger cars, trucks, vans and general utility vehicles at certain plants of the Ford Motor Company, Dearborn, Michigan related to increased import competition.

The Notice of Amended Determinations, therefore, is amended to include a new impact date of May 1, 1979 for workers in General Services of the Ford Motor Company, Dearborn, Michigan.

The certification applicable to TA-W-6996 is hereby amended a second time and issued as follows: "All workers of Ford Motor Company's General Services, Dearborn, Michigan who became totally or partially separated from employment on or after May 1, 1979 are eligibile to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974."

Signed at Washington, D.C., this 13th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-3858 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6991]

Ford Motor Co.; Amended Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on April 25, 1980, applicable to all workers of the Ford Motor Company at the Green Island plant, Troy, New York. The Notice of

Certification was published in the **Federal Register** on May 2, 1980. (45 FR 29433). The Department also issued Amended Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance on July 16, 1980 and September 18, 1980 which were published in the **Federal Register** on July 25, 1980, (45 FR 49703) and on September 26, 1980 (45 FR 63983).

On the basis of additional information, the Office of Trade Adjustment Assistance, on its own motion, reviewed the certification and amended determinations. The additional information revealed that substantial layoffs occurred several weeks prior to the impact date set in the latest amended determination.

The intent of the certification and amended determinations is to cover all workers of the Ford Motor Company who were affected by the decline in the sales or production of passenger cars, pick-up trucks, light trucks, utility vehicles and component parts for passenger cars, trucks, vans and general utility vehicles at certain plant of the Ford Motor Company, Dearborn, Michigan related to increased import competition. The notice of Amended Determinations, therefore, is amended to include a new impact date of January 30, 1979 for workers at the Green Island plant, Troy, New York of the Ford Motor Company.

The certification applicable to TA-W-6991 is hereby amended a third time and issued as follows:

"All workers of the Ford Motor Company's Green Island plant, Troy, New York who became totally or partially separated from employment on or after January 30, 1979 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974."

Signed at Washington, D.C., this 13th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-5870 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6,640]

Gaetano Handbag Corp.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on June 9, 1980 in response to a petition which was filed on behalf of workers at Gaetano Handbag Corporation, New York, New York. The workers produce ladies' leather handbags.

U.S. imports of handbags increased both absolutely and relative to domestic production in each year from 1976 through 1978 before decreasing in 1979. U.S. imports of handbags increased absolutely in the first half of 1980 compared with the first half of 1979.

A Department of Labor survey revealed that several customers of Gaetano Handbag Corporation reported increasing imports of ladies' handbags from 1978 to 1979 and in the first half of 1980 while decreasing purchases from Gaetano during the same periods.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with ladies' leather handbags produced at Gaetano Handbag Corporation contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

"All workers of Gaetano Handbag Corporation, New York, New York who became totally or partially separated from employment on or after May 15, 1979 are eligibile to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C., this 18th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-5871 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,706]

General Electric Co.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on November 17, 1980 in response to a petition received on November 13, 1980 which was filed by the International Union of Electrical, Radio, and Machine Workers on behalf of workers at the Miniature Lamp Dept. of General Electric Co., Nela Park, Cleveland, Ohio.

A negative determination applicable to the petitioning group of workers was issued on December 19, 1980 (TA-W-7351). No new information is evident which would result in a reversal of the Department's previous determination. Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3861 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,013]

Goodyear Tire and Rubber Co.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on September 22, 1980 in response to a petition received on September 15, 1980 which was filed by the United Rubber, Cork, Linoleum and Plastic Workers of America on behalf of workers at the Goodyear Tire and Rubber Company, Plant #2, Akron, Ohio.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-9205B). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 18th day of February 1981.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3862 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,552]

Gregory Novelty, Ltd.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on October 31, 1980 in response to a petition received on October 27, 1980 which was filed by the International Ladies' Garment Workers' Union on behalf of workers at the Gregory Novelty, Ltd., New York, New York.

Gregory Novelty, Ltd. had been in operation seven months at the time of the investigation. Due to the short term of operation of Gregory Novelty, Ltd., it is not possible to determine trends of

sales and production and to statistically measure the impact of imports. Consequently, further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3863 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-9097, 9098]

Hendrickson Manufacturing Co.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on June 30, 1980 in response to a petition which was filed by the National Federation of Independent Workers Union on behalf of workers at the Kendallville, Indiana plant (TA-W-9097) and Butler, Indiana plant (TA-W-9098) of Hendrickson Manufacturing Company. Workers at the Kendallville and Butler, Indiana plants produce primarily tandem suspension units for class 8 tractors.

The investigation revealed that criterion (3) has not been met.

Both the Kendallville, Indiana plant (TA-W-9097) and the Butler, Indiana plant (TA-W-9098) of Hendrickson Manufacturing Company produce primarily tandem suspension units for class 8 tractors.

Industry sources indicate that imports of tandem suspension units for class 8 tractors were negligible in 1978, 1979 and the first quarter of 1980.

Workers at the Kendallville, Indiana plant of Hendrickson Manufacturing Company are not separately identifiable by product line. Cores for hayrollers and power cylinders account for a relatively small percentage of total plant production at the Kendallville, Indiana plant. Any import influence in these product lines could not have contributed importantly to overall employment declines at the plant.

Hendrickson Manufacturing Company imports some components for tandem suspension units for class 8 tractors. Company imports of adapter and adapter tubes like those produced at the Kendallville plant accounted for a relatively small proportion of the Kendallville's total plant sales. Company imports of saddles whose production was transferred from the Butler plant to a foreign plant accounted for an insignificant proportion of Butler's total sales decline.

Conclusion

After careful review, I determine that all workers of the Kendallville, Indiana plant (TA-W-9097) and Butler, Indiana plant (TA-W-9098) of Hendrickson Manufacturing Company are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 13th day of February 1981.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 81-3874 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-12,034]

Herbert Kenzer, Inc.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on December 31, 1980 in response to a petition received on December 31, 1980 which was filed by the Amalgamated Ladies' Garment Cutters' Union on behalf of workers at the Herbert Kenzer, Inc., New York, New York.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-11,900). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 18th day of February 1981.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3864 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,902]

Huntington Alloy, Inc.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on December 15, 1980 in response to a petition received on December 5, 1980 which was filed by the United Steelworkers of America on behalf of workers at the Huntington Alloy, Inc., Catalattsburgh, Kentucky.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-10,267). Consequenlty further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 18th day of February 1981.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3865 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-12,035]

Hurst Performance; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on December 31, 1980 in response to a petition received on December 31, 1980 which was filed on behalf of workers at the Hurst Performance, Bright, Michigan.

All workers were separated from the subject firm more than one year prior to the date of the petition. Section 223 of the Act specifies that no certification may apply to any worker whose last total or partial separation occurred more than one year before the date of the petition. Consequently, further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C., this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3866 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

John P. Palen Corp., et al.; Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for worker adjustment assistance issued during the period February 17–20, 1980.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases it has been concluded that at least one of the above criteria has not been met.

TA–W–10,915; John P. Palen Corp., Sterling Heights, MI

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of air conditioning and heating ducts are negligible.

TA–W–9087; Dana Corporation, Richmond Sleeve Casting Plant, Richmond, IN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8761; Cars and Concepts, Inc., Brighton, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–9105; P. M. Tool and Manufacturing Co., Dearborn, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–11,112; Opdyke Tool, Inc., Pontiac, MI

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of tools and dies for automotive use are negligible.

TA–W–11,184; G III Leather Fashions, Inc., New York, NY

Investigation revealed that criterion (2) has not been met. Sales and production increased in 1980 compared with 1979.

TA–W–8600 & 9193; Gould, Inc., Elastomer Products Div., Napolean, OH, and Milan, OH

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–9150; Trylon Corporation, Traverse City, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–9054; Reichert Stamping Co., Toledo, OH

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8943; Division Printing, Inc., Pontiac, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8830; Borg-Warner Corp., Warner Gear Division, Auburn, IN

Investigation revealed that criterion (3) has not been met with respect to transfer cases; gear boxes and spin differentials. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm. With respect to power wheels the investigation revealed that criterion (2) has not been met.

TA–W–8810; Modern Tools Division, Libbey-Owens-Ford, Toledo, OH

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8769; Shawnee Plastics, Inc., Kuttawa, KY

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8757; Counterpoint Fasteners, Inc., Brown City, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8382; Turner Manufacturing Co., Traverse City, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8926; Burmac Corporation, Ottawa, IL

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of special design strapping machines are negligible.

TA–W–11,098; Rock River Woolen Mills, Inc., Brownwood, TX

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of finished fabric did not increase as required for certification.

TA–W–8605; Abex Corporation, Winchester, VA

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8912; The B.F. Goodrich Co., Tuscaloosa, AL

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8939; Fulton Industries, Inc., Wauseon, OH

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–8261; B. F. Goodrich Co., Miami, OK

Investigation revealed that criterion (3) has not been met. With respect to auto tires, truck tires, and earthmover tires, a survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm. With respect to tractor tires U.S. imports never exceeded 1.0 percent of domestic production during the years 1977 through 1979. Imports of tractor tires decreased absolutely and relative to domestic production in the January through September 1980 period compared to the same period in 1979.

TA–W–8213; Loehr Die and Mold Co., Warren, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–11,089; Penninsula Timber Co., Inc., Port Angeles, WA

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of softwood logs are negligible.

TA–W–11,528; B & B Plastics Division, Metal Cladding, Inc., Lockport, NY

Investigation revealed that the workers do not produce an article as required for certification under Section 223 of the Act.

TA–W–11,215; Crown Divisions, Allen Group, Inc., Loraine, OH

Investigation revealed that the workers do not produce an article as required for certification under Section 223 of the Act.

TA–W–8595; Detail Production Co., Ferndale, MI

Investigation revealed that the workers do not produce an article as required for certification under Section 223 of the Act.

TA–W–9625; Atlas Steel Corp., Warren, MI

Investigation revealed that the workers do not produce an article as required for certification under Section 223 of the Act.

TA–W–8185; Uniroyal, Inc., Uniroyal Engineered Products Co., Industrial Products Div., Red Oak, IA

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separation at the firm.

TA–W–8183–84; Uniroyal, Inc., Uniroyal Engineered Products Co., Industrial Products Div., Maryville, MO and Kennett, MO

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the subject firm.

Affirmative Determinations

TA–W–8640; Gaetano Handbag Corp., New York, NY

A certification was issued applicable to all workers at the subject firm separated on or after May 15, 1979.

I hereby certify that the aforementioned determinations were issued during the period February 17–20, 1981. Copies of these determinations are available for inspection in Room S–5314, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C. 20210 during normal working hours or will be mailed to persons who write to the above address.

Dated: February 23, 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81–3656 Filed 2–26–81; 8:45 am]

BILLING CODE 4510–28–M

[TA–W–11,491]

Joseph M. Herman Shoe Co.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on October 27, 1980 in response to a petition received on October 20, 1980 which was filed on behalf of workers at the Joseph M. Herman Shoe Company, Scarborough, Maine.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA–W–10,951). Consequently, further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81–3667 Filed 2–26–81; 8:45 am]

BILLING CODE 4510–28–M

[TA–W–9719]

RMP Parts Rebuilders; Negative Determination Regarding Application for Reconsideration

By letter of January 3, 1981, (copy attached), counsel for the workers requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance in the case of former workers of that company. The determination was published in the **Federal Register** on December 19, 1980, (45 FR 83695).

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) if it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) if it appears that the determination complained of was based on a mistake in the determination of facts previously considered; or

(3) if, in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justifies reconsideration of the decision.

Counsel in his application for reconsideration claims that imported automobiles have led to worker separations and a decline in production of reconditioned auto parts at RMP Parts Rebuilders in Fitchburg, Massachusetts. Counsel further claims that RMP Parts Rebuilders is not a firm providing a service but a manufacturer of auto parts.

The Department's review showed that RMP Parts dos not produce an article within the meaning of Section 222(3) of the Trade Act of 1974. The Department has consistently determined that the performance of services does not constitute production of an article and that this position has been upheld in the U.S. Court of Appeals. Since workers at RMP Parts do not produce an article, they may be certified only if the Ford Motor Company, which under a franchise agreement buys all the subject firm's reconditioned parts, is the "workers' firm" within the meaning of Section 222 of the Act. Ford Motor may be determined to be the "workers' firm" only if Ford and RMP Parts are substantially owned or proprietarily controlled, or if the workers are *de facto* employees of Ford. Ford Motor is not the "workers' firm" under either test. There is no substantial element of ownership or control between the firms. The workers also are not *de facto* employees of Ford. All payroll transactions, personnel actions and employee

benefits are under the control of RMP Parts Rebuilders.

The Department notes that there is a difference between manufacturing and remanufacturing, i.e., the initial creation of a new article and the breaking down of a previously manufactured article, cleaning and the replacement of worn parts. The courts have sustained this position in at least one instance, *Pemberton* v. *Marshall* (Court of Appeals for D.C. Cir., 1981).

Finally, the Department notes that automobiles, whatever their origin, domestic or foreign, incorporate components such as carburetors and distributors. However, imports of the final product (automobiles) are not likely or directly competitive with their component parts within the meaning of the Act. The courts have sustained this position in *United Shoe Workers of America, AFL–CIO* v. *Bedell*, 506 F. 2d 174 (D.C. Cir., 1974).

Conclusion

After review of the application and the investigative file, I conclude that there has been no error or misinterpretation of the law which would justify reconsideration of the Department of Labor's prior decision. The application is, therefore, denied.

Signed at Washington, D.C. this 16th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-3877 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-9093]

Rainfair, Inc.; Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of investigations regarding certifications of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

The investigation was initiated on June 30, 1980 in response to a worker petition received on June 13, 1980 which was filed by the International Ladies' Garment Workers' Union on behalf of workers and former workers producing men's woven water repellent topcoats and rubberized clothing at Rainfair, Incorporated, Racine, Wisconsin. The rubberized clothing produced at this plant is separated into two product lines—heavy industrial rubberized clothing designed to protect workers handling dangerous substances and rubberized clothing designed to be used as part of a uniform.

Workers Engaged in Employment Related to the Production of Rubberized Clothing Designed to Be Used as Part of a Uniform. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met with respect to workers engaged in employment related to the production of rubberized clothing designed to be used as part of a uniform.

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separation, or threat thereof, and to the absolute decline in sales or production.

A Departmental survey was conducted with customers which had purchased rubberized clothing designed to be used as part of a uniform. The survey revealed that most of the customers surveyed did not import any rubberized clothing designed to be used as part of a uniform in the 1978 through June 1980 period. Among those customers which did import rubberized clothing designed to be used as part of a uniform, customers which decreased purchases from Rainfair, Incorporated and increased purchases of imported rubberized clothing designed to be used as part of a uniform, in 1979 compared to 1978 and in the January through June period of 1980 compared to the same period of 1979, represented an insignificant proportion of the firm's sales.

Workers Engaged in Employment Related to the Production of Men's Woven Water Repellent Topcoats. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met with respect to workers engaged in employment related to the production of men's woven water repellent topcoats.

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separation, or threat thereof, and to the absolute decline in sales or production.

U.S. imports of men's and boys' woven and knit water repellent rainwear decreased absolutely and relative to domestic production in 1979 compared to 1978. U.S. imports of men's and boys' woven and knit water repellent rainwear decreased absolutely in the January through September period of 1980 compared to the same period of 1979.

The Department conducted a survey of customers which purchased men's woven water repellent topcoats from Rainfair, Incorporated. The survey revealed that customers which decreased purchases from Rainfair, Incorporated and increased purchases of imported men's woven water repellent topcoats, in 1979 compared to 1978, represented an insignificant proportion of the firm's decline in sales.

Workers Engaged in Employment Related to the Production of Industrial Rubberized Protective Clothing. With respect to workers engaged in employment related to the production of industrial rubberized protective clothing, including those who perform coating and compounding operations on rubber, all of the criteria have been met.

U.S. imports of rubber/plastic wearing apparel (including rubberized industrial protective clothing) increased relative to domestic production in each year from 1976 through 1978 compared to the previous year. U.S. imports increased absolutely in 1979 compared to 1978.

Rainfair, Incorporated imported industrial rubberized protective clothing. Sales of the industrial rubberized protective clothing imported by Rainfair, Incorporated increased in quantity and value absolutely and relative to total company sales of industrial rubberized protective clothing in the last two quarters of 1979 compared to the same quarters of 1978 and in the first half of 1980 compared to the same period of 1979.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with industrial rubberized protective clothing at Rainfair, Incorporated, Racine, Wisconsin contributed importantly to the decline in sales or production and to the total or partial separation of workers engaged in employment related to the production of industrial rubberized protective clothing. In accordance with the provisions of the Act, I make the following certifications:

All workers of Rainfair, Incorporated, Racine, Wisconsin engaged in employment related to the production of industrial rubberized protective clothing including those who coat and compound the rubber, who became totally or partially separated from employment on or after March 22, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

I further determine that all workers engaged in employment related to the production of men's woven water

repellent topcoats and all workers engaged in employment related to the production of rubberized clothing designed to be used as part of a uniform, at Rainfair, Incorporated, Racine, Wisconsin are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 13th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-3872 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,344]

Ralph Edwards Sportswear, Inc.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on October 20, 1980 in response to a petition received on October 14, 1980 which was filed on behalf of workers at the Ralph Edwards Sportswear, Inc., Puxico, Missouri.

An active certification applicable to the petitioning group of workers remains in effect (TA-W-4931A). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3868 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-9049]

Robertshaw Controls Co.; Negative Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) that a significant number of proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on June 30, 1980 in response to a petition which was filed by the United Steelworkers of America on behalf of workers at Robertshaw Controls Company, Fulton Sylphon Division, Knoxville, Tennessee. The workers produce automotive thermostats, PVS valves, gas and radiators caps, EGR systems, hose clamps, control equipment, engine controls, instruments, environmental controls and bellows.

Workers engaged in employment related to the production of automotive product lines. The investigation revealed that criterion (3) has not been met with respect to workers engaged in employment related to the production of automotive thermostats, gas and radiator caps, and PVS valves.

U.S. imports of controls for monitoring residential and commercial environments and appliance regulating controls (which include automotive thermostats and PVS valves) declined relative to domestic shipments in 1979 compared to 1978. The ratio of U.S. imports to U.S. shipments did not exceed 5.5 percent in the 1975 through 1979 period.

Preliminary estimates indicate that imports of gas and radiator caps were negligible in 1978, 1979 and in the January through September period of 1980.

The Department of Labor surveyed customers of Robertshaw Controls Company, Fulton Sylphon Division. The survey results revealed that none of the responding customers purchased imported PVS valves, or gas and radiator caps in 1978, 1979 or in the January through September period of 1980. The survey also revealed that most customers did not purchase imported automotive thermostats in the 1978 through September 1980 period; those customers that increased purchases imported automotive thermostats and decreased purchases from the subject firm did not constitute a significant proportion of the firm's sales decline.

Workers at Robertshaw Controls Company, Fulton Sylphon Division who are engaged in employment related to the production of automomotive products, are not separately identifiable by product lines. The following products each account for a relatively small percentage of sales: hose clamps, automotive bellows, and EGR systems. Any import influence in any of these product lines could not have contributed importantly to overall employment declines at the firm.

Petitioners allege that increased imports of automobiles have contributed importantly to declines in sales, production and employment at Robertshaw Controls Company, Fulton Sylphon Division, Knoxville, Tennessee. Although imported automobiles incorporate thermostats, gas and radiator caps, and PVS valves imports of the whole product are not like or directly competitive with their component parts. Imports of thermostats, gas and radiator caps, and PVS valves must be considered in determining import injury to workers producing thermostats, gas and radiator caps, and PVS valves at Robertshaw Controls Company, Fulton Sylphon Division, Knoxville, Tennessee.

Workers engaged in employment related to the production of non-automotive product lines. The investigation revealed that criterion (3) has not been met with respect to workers engaged in employment related to the production of bellows, control equipment and environmental controls.

Sales of bellows and control equipment by Robertshaw Controls Company, Fulton Sylphon Division were each adjusted for the price changes. When deflated the sales of bellows increased in 1979 compared to 1978 and then remained virtually stable in the January through August 1980 period compared to the same period in 1979. Sales of control equipment remained relatively stable during both periods of comparison.

Sales of environmental controls by Robertshaw Controls Company, Fulton Sylphon Division were adjusted for price changes. When deflated, sales of environmental controls declined in 1979 compared to 1978 then increased in the January through August 1980 period compared to the same period in 1979. However, the declines in 1979 compared to 1978 were offset by increases in other non-automotive product lines. The increases in other product lines were greater than the declines in environmental controls; this resulted in increased total non-automotive sales when adjusted for price changes in 1979 compared to 1978. Since workers producing environmental controls are not separately identifiable from workers producing most other product lines and since employment at the Fulton Sylphon Division remained stable in 1979 compared to 1978, it can be concluded that any import influence in

environmental controls in 1979 did not contribute to overall employment declines at the firm.

Workers producing non-automotive products other then bellows at Robertshaw Controls Company, Fulton Sylphon Division, are not separately identifiable by product lines. Both engine controls and instruments account for a relatively small percentage of total sales. Any import influence in these product lines could not have contributed importantly to overall employment declines at the firm.

Conclusion

After careful review, I determine that all workers of Robertshaw Controls Company, Fulton Sylphon Division, Knoxville, Tennessee are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 13th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-3873 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10,537]

Stalwart Rubber Co.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on September 2, 1980 in response to a petition received on August 11, 1980 which was filed by the United Rubber, Cork, Linoleum and Plastic Workers of America on behalf of workers at the Stalwart Rubber Co., Bedford, Ohio.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-9778). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C. this 20th day of February 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3869 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

Union Carbide Corp. et al.; Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for worker adjustment assistance issued during the period February 9-13, 1981.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases it has been concluded that at least one of the above criteria has not been met.

TA-W-10,856; Union Carbide Corp., Metals Division, Coal Group, Sanderson, WV

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of bituminous steam coal are negligible.

TA-W-10,695; Rax, Inc., Waterford, MI

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of material handling containers are negligible.

TA-W-10,647; Allied Chemical Corp., Fibers and Plastics Co., Tonawanda, NY

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of low density polyethylene resins are negligible.

TA-W-9626; Barlow Electric, Inc., Detroit, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9128; Unique Leather, Inc., New York, NY

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of leather coats and jackets did not increase as required for certification.

TA-W-9085; Plasta-Fiber Industries, Division of Smith Jones, Inc., Ithaca, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8932; Rockwell International Corp., Ornamentation Div., Grenada, MS

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8685; Albert Webster Engineering Co., Inc., Roseville, MI

Investigation revealed that criterion (3) has not been met. With respect to prototype parts, a survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm. With respect to stamping dies, U.S. imports of tools and dies for automotive use are negligible.

TA-W-8618; Dana Corporation, Richmond Camshaft Plant, Richmond, IN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8411; Chemetron Corporation, Tube Turns Division, Philadelphia, PA

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8378; Walway Company, Southfield, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8353; Plastomer Corporation, Livonia, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8262; B.F. Goodrich Company, Oaks, PA

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8129; Penn Dixie Industries, Inc., Cement Division, South Pittsburg, TN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8101 & 8102; St. Clair Rubber Company, Marysville, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8914; Clyde Iron, Duluth, MN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm. Furthermore, U.S. imports of cranes decreased both absolutely and relative to domestic shipments from 1978 to 1979 and in the first three months of 1980 compared with the same period in 1979.

TA-W-8654; St. Marys Carbon Co., Inc., St. Marys, PA

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8142 & 9206; Gulf and Western Industries, Inc., Gulf and Western Stamping Div., Mancelona and East Jordan, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8259 & 8599; A.P. Parts Co., Toledo, OH and Green Haven, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker serparations at the firm. Furthermore, company imports of mufflers, exhaust pipes and tail pipes declined in the first five months of 1980 compared to the first five months of 1979.

TA-W-8593; Collard, Inc., Brighton, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8726; Textron, Inc., St. Louis, MO

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9058; Winner Circle Fashions, Inc., New York, NY

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of women's leather coats and jackets did not increase as required for certification.

TA-W-9181; Clark Equipment Co., Battle Creek, MI

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of forklifts did not increase as required for certification.

TA-W-10,494 & 10,495; Aluminum Co. of America, Rockdale, TX

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of primary aluminum and aluminum sheet and plate did not increase as required for certification.

TA-W-9133; Bethlehem Steel Corp., Burns Harbor Plant, Chesterton, IN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8215; General Die Casting Company, Oak Park, MI

Investigation revealed that creiterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9635; Curtis Screw Co., Inc., Buffalo, NY

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9372 & 12,146; Dura Corp., Goshen, IN and Leiters Ford, IN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9629; General Cable Co., Lindsay, CA

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9671; Broderick and Bascom Rope Co., Bartonville, IL

Investigation revealed that the workers do not produce an article as required for certification under Section 223 of the Act.

TA-W-8867 & 9492; Eaton Corp., Massilion, Ohio Div., Fasterner Plant and Wire Plant

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9439; GTE Products Corp., Bangor, ME

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of precision welded lead wire did not increase as required for certification.

TA-W-10,617; Moore Iron Works, Owosso, MI

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of material handling containers are negligible.

TA-W-9330; Val-U-Tool and Gage Co., Westland, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9266; Dana Corporation, Auburn, IN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9083; Muskegon Piston Ring Co. Inc., Muskegon, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8416 & 8417; Ken Moore Die Cast Co. and Automotive Appliance Co., Livonia, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the plants.

TA-W-10,854; Ohio Brass Co., Rectifier Division, Oak Hill, WV

Investigation revealed that criterion (3) has not been met. Aggregate U.S. imports of mine rectifying systems are negligible.

TA-W-9735; Creative Products Incorporated, Warren, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-9412; Jay Bee Dress Co., Brooklyn, NY

Investigation revealed that criterion (3) has not been met. A survey of the manufacturers for whom the subject firm performed contract work revealed that those manufacturers increased contracts with other domestic sources from 1978 to 1979.

TA-W-9059; Broderick and Bascom Rope Co., Bartonville, IL

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8950; Republic Steel Corporation, Steel and Tubes Div., Detroit Plant, Ferndale, MI

Investigation revealed that criterion (3) has not been met. A survey of customers for steel tubing indicated that increased imports did not contribute importantly to worker separations at the firm. Furthermore, U.S. imports of steel conduct decreased absolutely and relative to domestic poroduction from 1978 to 1979 and decreased absolutely during the first three quarters of 1980 compared with the same period in 1979. The ratio of imports to domestic production did not exceed 0.26 percent from 1977 to 1979.

TA-W-8332; Development Engineering, Inc., Detroit, MI

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm. Furthermore, U.S. imports of motor vehicle body stampings are negligible. U.S. imports of automobile frames and frame parts decreased absolutely and relative to domestic production from model year 1979 to model year 1980, and U.S. imports of light truck frames and frame parts decreased absolutely from model year 1979 to model year 1980.

TA-W-8332A, 8332B, & 8332C; Creative Universal, Inc., Southfield, MI, Detroit, Industrial Engineering, Inc., Troy, MI, and Sirius Manufacturing, Inc., Ferndale, MI

Investigation revealed that the workers do not produce an article as required for certification under Section 223 of the Act.

TA-W-8866, 8968, 8968A; Anderson-Bolling Mfg. Co., Spring Lake, MI, and Goshen, IN

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8431, 10,524, & 10,588; Ramsey Corporation, St. Louis, MO, Sullivan, MO, and Manchester, MO

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-8404; Pandora Industries, Riverside Division, Wilton, NH

Investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

Affirmative Determinations

TA-W-8968B; Anderson-Bolling Mfg. Co., Goshen, IN

A certification was issued applicable to all workers at the subject firm separated on or after July 5, 1980.

TA-W-10,517; J'Mar Glove Co., Inc., Gloversville, NY

A certification was issued applicable to all workers at the subject firm separated on or after July 30, 1979.

TA-W-7933; Armstrong Rubber Co., Textile Div., Laurel Hill, NC

A certification was issued applicable to all workers at the subject firm separated on or after April 26, 1980.

TA-W-10,429; Miller Printing Equipment, Pittsburgh, PA

A certification was issued applicable to all workers at the subject firm separated on or after August 1, 1980.

TA-W-9093; Rainwear, Inc., Racine, WI

A certification was issued applicable to all workers engaged in employment related to the production of industrial rubberized protective clothing including those who coat and compound the rubber at the subject firm separated on or after March 22, 1980.

With respect to workers engaged in employment related to the production of men's woven water repellent top coats and rubberized clothing designed to be used as a uniform, criterion (3) has not been met. A survey of the firm's customers revealed that imports did not contribute importantly to employment declines at the firm.

TA-W-9984 & 9984A-B; Robertson Shake, Inc., Chehalis, WA, Robertson Distributing Co., Chehalis, WA, and Mr. Handiman Home Center, Inc., Centralia, WA

A certification was issued applicable to all workers at the subject firm separated on or after August 1, 1979.

I hereby certify that the aforementioned determinations were issued during the period February 9-13, 1981. Copies of these determinations are available for inspection in Room S-5314, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C. 20210 during normal working hours or will be mailed to persons who write to the above address.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-3855 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8351]

United Technologies Corp.; Negative Determination Regarding Application for Reconsideration

By an application dated January 6, 1981, the United Steelworkers Union requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance in the case of workers and former workers of United Technologies Corporation, Automotive Products Division, Atlanta, Michigan. The determination was published in the **Federal Register** on December 19, 1980 (45 FR 83696).

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) if it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) if it appears that the determination complained of was based on a mistake in the determination of facts previously considered; or

(3) if, in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justifies reconsideration of the decision.

The United Steelworkers of America claim that the windshield washer motors produced at the Atlanta, Michigan plant of United Technologies Corporation were not covered in the original investigation. Petitioners claim that the loss of windshield washer motor production was due to the direct competition with Japanese windshield washer motors prior to the plant closing.

A review of the investigative file revealed that the petitioners claimed that lack of sales of American-made cars caused a decrease in production of door lock motors, neutral switches, vacuum switches, wire harnesses, and turn signals at the Atlanta plant. These component products were shipped to U.S. automotive production plants and assembled into cars. The Department's findings in its investigation were that component parts are not "like or directly competitive with" imported cars, as the term is used in the Trade Act of 1974. A Department survey of major customers revealed that customers did not purchase imported door lock motors, neutral and vacuum switches. These items represented a major portion of the Atlanta plant's production.

With respect to the applicant's claim that windshield washer motors were not considered in the original determination, further review indicated that windshield washer motors were grouped together with door lock motors. Since these motors (fractional horsepower motors) are basically the same type of automobile accessory motors, they were not distinguished by nomenclature in the original findings.

In the original investigation, it was also found that two divisions of a major customer purchased fractional horsepower motors. Although one of these divisions indicated increased import purchases of fractional horsepower motors, that division was not a customer of the Atlanta plant. The division that was a customer of the Atlanta plant indicated that it did not import fractional horsepower motors which included the types used for door lock and windshield washer motor/pump systems.

U.S. imports of automobile accessory motors were stable from 1978 to 1979, declining slightly relative to domestic shipments, while imports declined absolutely in the first three months of 1980 compared to the same period in 1979.

Conclusion

After review of the application and the investigative file, I conclude that there has been no error or misinterpretation of fact or misinterpretation of the law which would justify reconsideration of the Department of Labor's prior decision. The application is, therefore, denied.

Signed at Washington, D.C. this 20th day of February 1981.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 81-3680 Filed 2-26-81; 8:45 am]

BILLING CODE 4510-28-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Physiology, Cellular, and Molecular Biology; Subcommittee on Metabolic Biology; Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Subcommittee on Metabolic Biology of the Advisory Committee for Physiology, Cellular & Molecular Biology.

Date and Time: March 19, 20, 21, 1981; 9:00-5:00 p.m.

Place: Room 338, National Science Foundation, 1800 G Street, NW., Washington, D.C. 20550.

Type of Meeting: Closed.

Contact Person: Dr. Elijah B. Romanoff, Program Director, Metabolic Biology Program, Room 325, National Science Foundation, Wash., D.C. 20550; Telephone (202) 357-7987.

Purpose of Subcommittee: To provide advice and recommendations concerning support for research in genetic biology.

Agenda: To review and evaluate research proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Authority to Close Meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF on July 6, 1979.

M. Rebecca Winkler,

Committee Management Coordinator.

February 24, 1981.

[FR Doc. 81-47 Filed 2-26-81; 8:45 am]

BILLING CODE 7555-01-M

Advisory Council Meeting; Task Group 14

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Task Group #14 of the NSF Advisory Council.

Place: Bldg. 7, Rm. 206, Massachusetts Institute of Technology, Cambridge, Massachusetts 02139.

Date: Wednesday, March 18, 1981.

Time: 9:00 a.m. till 5:00 p.m.

Type of Meeting: Open.

Contact Person: Ms. Jeanne Hudson, Executive Secretary of the NSF Advisory Council, National Science Foundation, Room 518, 1800 G Street, NW., Washington, D.C. 20550. Telephone: 202/357-9433.

Purpose of Task Group: The purpose of the Task Group, composed of members of the NSF Advisory Council, is to provide the full Advisory Coucil with a mechanism to consider numerous issues of interest to the Council that have been assigned by the National Science Foundation.

Summary Minutes: May be obtained from the contact person at above stated address.

Agenda: The Task Group is asked to study the question of continuing education of engineers and computer professionals in universities and/or industry. The Task Group will focus on university and/or industrial programs to foster continuing engineering education for industrial employees, the possible impact of such programs within the university structure, and will address the question of whether there will be a developing shortage of engineering faculty with degrees from U.S. universities.

M. Rebecca Winkler,

Committee Management Coordinator.

February 24, 1981.

[FR Doc. 81-48 Filed 2-26-81; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

Abnormal Occurrence Report; Section 208 Report Submitted to the Congress

Notice is hereby given that pursuant to the requirements of Section 208 of the Energy Reorganization Act of 1974, as amended, the Nuclear Regulatory Commission (NRC) has published and issued the periodic report to Congress on abnormal occurrences (NUREG-0090, Vol. 3, No. 3). The release date is February 23, 1981.

Under the Energy Reorganization Act of 1974, which created the NRC, an abnormal occurrence is defined as "an unscheduled incident or event which the Commission (NRC) determines is significant from the standpoint of public health or safety." The NRC has made a determination, based on criteria published in the **Federal Register** (42 FR

10950) on February 24, 1977, that events involving an actual loss or significant reduction in the degree of protection against radioactive properties of source, special nuclear, and byproduct materials are abnormal occurrences.

This report to Congress is for the third calendar quarter of 1980. The report identifies the occurrences or events that the Commission determined were significant and the remedial action that was undertaken. The report indicates that the following incidents or events were determined by the Commission to be significant and reportable:

(a) There was one abnormal occurrence at the nuclear power plants licensed to operate. The event involved failure of the salt water cooling system. The event was determined reportable during report preparation and therefore has not previously been noticed in the **Federal Register**. Using the abnormal occurrence criteria published in the **Federal Register** on February 24, 1977 (42 FR 10950), the incident satisfies one of the general criteria of Appendix A: Major degradation of essential safety-related equipment.

(b) There were no abnormal occurrences at the fuel cycle facilities (other than nuclear power plants).

(c) There was one abnormal occurrence at other licensee facilities. The event involved the improper use and inadequate control of licensed material (radiopharmaceuticals).

(d) There were three abnormal occurrences reported by the Agreement States. One involved inadequate security and the other two involved overexposure of radiographers.

The report to Congress also contains updating information on some abnormal occurrences reported in previous reports.

Interested persons may review the report at the NRC's Public Document Room, 1717 H Street, NW., Washington, D.C. or at any of the 130 local Public Document Rooms throughout the country. Single copies of the report, designated NUREG–0090, Vol. 3, No. 3, may be purchased from the National Technical Information Service, Springfield, Virginia 22161, on or about March 9, 1981.

A year's subscription to the NUREG–0090 series publication, which consists of four issues for $8.00, is available from the NRC/GPO Sales Program, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Washington, D.C. this 23rd day of February 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-3801 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-348]

Alabama Power Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 18 to Facility Operating License No. NPR–2 issued to Alabama Power Company (the licensee), which revised Technical Specifications for operation of the Joseph M. Farley Nuclear Plant, Unit No. 1 (the facility) located in Houston County, Alabama. The amendment is effective as of the date of issuance.

The amendment provides the following:

1. A new rod bow penalty curve and bases, and

2. New heatup and cooldown curves and bases. These are based on the Capsule Y analyses after 1.13 effective full power years of operation.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any signficant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated March 28, 1980 (supplemented January 5, 1981) and January 9, 1981 (supplemented January 23, 1981), (2) Amendment No. 18 to License No. NPF–2 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the George S. Houston Memorial Library 212 W. Berdeshaw Street, Dothan, Alabama 36303. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 13 day of February, 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-3802 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-318]

Baltimore Gas & Electric Co.; Issuance of Amendments to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 31 to Facility Operating License No. DPR–69, issued to Baltimore Gas and Electric Company, which revised Technical Specifications for operation of the Calvert Cliffs Nuclear Power Plant, Unit No. 2, located in Calvert County, Maryland. The amendment is effective as of its date of issuance.

The amendment authorizes Cycle 4 operation at the licensed power level of 2700 Mwt with:

- A slight increase in fuel enrichment to allow for a longer operating cycle;
- Modified (sleeved) guide tubes for the control element assemblies (CEAs), and
- Use of a new reactor protection system trip to protect the core from the steam generator transients.

The amendment revises the Appendix A Technical Specifications to incorporate changes resulting from the detailed analysis of the Cycle 4 reload core.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated December 4 and 12, 1980, and January 29, 1981, as supplemented January 21 and 30, 1981 and February 3 and 4, 1981. (2) Amendment No. 31 to License No. DPR-69, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Calvert County Library, Prince Frederick, Maryland. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 10th day of February, 1981.

For the Nuclear Regulatory Commission.

Robert A. Clark,

Chief, Operating Reactors Branch No. 3, Division of Licensing.

[FR Doc. 81-3803 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-471 CP]

Boston Edison Co. (Pilgrim Nuclear Generating Station, Unit 2); Reconstitution of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has reconstituted the Atomic Safety and Licensing Appeal Board for this construction permit proceeding to consist of the following members: Richard S. Salzman, Chairman, Dr. John H. Buck, Christine N. Kohl.

Dated: February 23, 1981.

C. Jean Bishop,

Secretary to the Appeal Board.

[FR Doc. 81-3804 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-255]

Consumers Power Co.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 63 to Provisional Operating License No. DPR-20, issued to Consumers Power Company (the licensee), which revised the Technical Specifications for operation of the Palisades Plant (the facility) located in Covert Township, Van Buren County, Michigan. The amendment is effective as of its date of issuance.

The amendment deletes the restrictions and monitoring requirements for non-radiological effluents from Appendix A of the Technical Specifications and adds a new Environmental Protection Plan to the license as Appendix B.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this action was not required since the amendment does not involve a significant hazard consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated July 3, 1980, (2) Amendment No. 63 to License No. DPR-20, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room 1717 H Street, NW., Washington, D.C. 20555, and at the Kalamazoo Public Library, 315 South Rose Street, Kalamazoo, Michigan 49006. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 22nd day of January, 1981.

For the Nuclear Regulatory Commission.

Dennis M. Crutchfield,

Chief, Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 81-3805 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-409]

Dairyland Power Cooperative; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 23 to Provisional Operating License No. DPR-45, issued to Dairyland Power Cooperative (the licensee), which revised the Technical Specification for operation of the La Crosse Boiling Water Reactor (LACBWR) located in Vernon County, Wisconsin. The amendment is effective as of its date of issuance.

The amendment modifies the Technical Specifications to reflect changes in the management structure and facility staff.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) and environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 6, 1980, and supplements thereto dated September 16 and November 18, 1980, (2) Amendment No. 23 to License No. DPR-45, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Wahington, D.C. 20555 and at the La Crosse Public Library, 800 Main Street, La Crosse, Wisonsin 54601. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 4th day of February, 1981.

For the Nuclear Regulatory Commission.

Dennis M. Crutchfield,

Chief, Operating Reactors Branch No. Division of Licensing.

[FR Doc. 81-3806 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-282 and 50-306]

Northern States Power Co.; Extension of Completion Dates

By letter dated February 9, 1981, Northern States Power Company (the licensee) requested that the U.S. Nuclear Regulatory Commission (the Commission) grant extensions until (a) November 17, 1981, for installation of

remaining fire wall penetration seals (b) prior to startup following the forthcoming Spring 1981 refueling outage for remaining turbine building structural steel protective coatings and (c) June 1, 1981 for completion of the motor driven fire pump protective enclosure and related diesel oil day tank curbing at the Prairie Island Nuclear Generating Plant located on Goodhue County, Minnesota.

The Commission's Director of Nuclear Reactor Regulation has concluded that good cause has been shown and that such postponement will not adversely affect the health and safety of the public. Accordingly, pursuant to 10 CFR 50.48(d), the request has been granted.

For further details with respect to this action, see (1) the licensee's request dated February 9, 1981, and (2) the Director's letter to the licensee dated February 13, 1981.

For the Nuclear Regulatory Commission.

Dated at Bethesda, Maryland, this 13th day of February, 1981.

Edson G. Case,

Deputy Director, Office of Nuclear Reactor Regulation.

[FR Doc. 81-3807 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-286]

Power Authority of the State of New York; Extension of Completion Dates

By letter dated February 12, 1981, the Power Authority of the State of New York (the licensee) requested that the U.S. Nuclear Regulatory Commission (the Commission) grant an extension until August 17, 1981, for completion of an automatic CO_2 suppression system for the fire protection system at the Indian Point Nuclear Generating Unit No. 3 located in Westchester County, New York.

The Commission's Director of Nuclear Reactor Regulation has concluded that good cause has been shown and that such postponement will not adversely affect the health and safety of the public. Accordingly, pursuant to 10 CFR 50.48(d), the request has been granted.

For further details with respect to this action, see (1) the licensee's request dated February 12, 1981, and (2) the Director's letter to the licensee dated February 13, 1981.

For the Nuclear Regulatory Commission.

Dated at Bethesda, Maryland, this 13th day of February, 1981.

Edson G. Case,

Deputy Director, Office of Nuclear Reactor Regulation.

[FR Doc. 81-3808 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-266 and 50-301]

Wisconsin Electric Power Co.; Extension of Completion Dates

By letter dated January 20, 1981, Wisconsin Electric Power Company (the licensee) requested that the U.S. Nuclear Regulatory Commission (the Commission) grant extensions until November 17, 1981, for installation of emergency diesel generator remote panels for the fire protection system at the Point Beach Nuclear Plant Units Nos. 1 and 2 located in the Town of Two Creeks, Manitowac County, Wisconsin.

The Commission's Director of Nuclear Reactor Regulation has concluded that good cause has been shown and that such extension will not adversely affect the health and safety of the public. Accordingly, pursuant to 10 CFR 50.48(d), the request has been granted.

For further details with respect to this action, see (1) the licensee's request dated January 20, 1981, and (2) the Director's letter to the licensee dated February 13, 1981.

Dated at Bethesda, Maryland, this 13th day of February, 1981.

For the Nuclear Regulatory Commission.

Edson G. Case,

Deputy Director, Office of Nuclear Reactor Regulation.

[FR Doc. 81-3809 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-29]

Yankee Atomic Electric Co.; Issuance of Amendment to Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 63 to Facility Operating License No. DPR-3, issued to Yankee Atomic Electric Company (the licensee), which amended the license for operation of the Yankee Nuclear Power Station (Yankee-Rowe) located in Franklin County, Massachusetts. The amendment is effective as of the date of issuance and is to be fully implemented within 30 days of Commission approval in accordance with the provisions of 10 CFR 73.40(b).

The amendment adds a license condition to include the Commission-approved Safeguards Contingency Plan as part of the license.

The licensee's filing complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of the amendment.

The licensee's submittals dated April 10, 1980 and June 16, 1980 are being withheld from public disclosure pursuant to 10 CFR 2.790(d). The withheld information is subject to disclosure in accordance with the provisions of 10 CFR 9.12.

For further details with respect to this action, see (1) Amendment No. 63 to License No. DPR-3, and (2) the Commission's related letter to the licensee dated January 23, 1981. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Greenfield Community College Library. A copy of items (1) and (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 23rd day of January, 1981.

For the Nuclear Regulatory Commission.

Dennis M. Crutchfield,

Chief, Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 81-3810 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Meeting

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards will hold a meeting on March 12-14, 1981, in Room 1046, 1717 H Street, NW., Washington, DC. Notice of this meeting was published in the **Federal Register** on February 20, 1981.

The agenda for the subject meeting will be as follows:

Thursday, March 12, 1981

8:30 A.M.-8:45 A.M.: Opening Session (Open)—The Committee will hear and discuss the report of the ACRS Chairman regarding miscellaneous matters relating to ACRS activities.

8:45 A.M.-12:00 Noon: State of Technology on Fission Product Source Term (Open)—The Committee will hear and discuss the report of its Subcommittee and consultants who may

be present regarding the proposed NRC Staff report on the state of technology on fission product iodine.

1:00 P.M.–5:00 P.M.: San Onofre Nuclear Generating Station Units 2 and 3 (Open)—The Committee will hear and discuss the report of its Subcommittee and consultants who may be present regarding proposed operation of the San Onofre Station Units 2 and 3. The Committee will also hear and discuss presentations by members of the NRC Staff and representatives of the applicant regarding this request for an Operating License.

Portions of this session will be closed as required to discuss Propietary Information related to this matter.

5:00 P.M.–7:30 P.M.: NRC Long-Range Safety Research Program Plan (Open)—The Committee will hear and discuss a report from the ACRS Safety Research Subcommittee, ACRS consultants who may be present, and representatives of the NRC Staff regarding the proposed NRC Long-Range Safety Research Program Plan. The Committee will also discuss its proposed report to NRC regarding this plan.

Friday, March 13, 1981

8:30 A.M.–12:00 Noon: Virgil C. Summer Nuclear Station Unit 1 (Open)—The Committee will hear and discuss a report from its Subcommittee and consultants who may be present regarding proposed operation of the Virgil C. Summer Nuclear Station. The Committee will also hear and discuss reports of the NRC Staff and the applicant regarding the request for an Operating License for this facility.

Portions of this session will be closed as necessary to discuss Proprietary Information related to this matter.

1:00 P.M.–2:00 P.M.: ACRS Discussion (Open)—The Committee will briefly discuss items scheduled for discussion with the NRC Chairman and other Commissioners who may have an interest.

Topics to be considered include the status of NRC action with respect to ACRS recommendations regarding NTCP's and the NRC safety research program, the balancing of the need for power with the interests of intervenors, the status of NRC action regarding Class-9 accidents, and tentative ACRS comments regarding the proposed NRC Long-Range Safety Research Program and the state of technology of fission product iodine.

2:00 P.M.–3:00 P.M.: Meeting with NRC Chairman and Commissioners (Open)—The Committee will meet with the NRC Chairman and other Commissioners who may have an interest to discuss items noted above.

3:00 P.M.–6:30 P.M.: Meeting with NRC Staff (Open)—The Committee will hear and discuss reports from members and contractors of the NRC Staff regarding:

3:00 P.M.–4:00 P.M.: Independent design reviews for nuclear power stations

4:00 P.M.–6:30 P.M.: A probabilistic safety analysis of D.C. power supply requirements at nuclear power plants

6:30 P.M.–7:00 P.M.: NRC Regulatory guides (Open)—The Committee will discuss a proposed letter to the NRC Executive Director for Operations regarding NRC Staff implementation of ACRS recommendations regarding Regulatory Guide 1.97, *Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant and Environs Conditions During and Following an Accident.*

Saturday, March 14, 1981

8:30 A.M.–12:00 Noon: Preparation of ACRS Reports (Open)—The Committee will discuss its proposed reports to the Nuclear Regulatory Commission regarding matters discussed during this meeting.

Portions of this session will be closed as necessary to discuss Proprietary Information applicable to the matters being reviewed.

1:00 P.M.–3:00 P.M.: ACRS Discussion (Open)—The Committee members will discuss items related to anticipated ACRS activities including the future schedule for full Committee and Subcommittee meetings. The Committee will also hear and discuss comments from the Chairmen of ACRS Subcommittees on definition of plant features important to safety, ACRS generic items applicable to LWR's, the development of criteria for geologic disposal of radioactive wastes, and decay heat removal systems in the North Anna Nuclear Station Unit 2.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 7, 1980 (45 FR 66535). In accordance with these procedures, oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Committee, its consultants, and Staff. Persons desiring to make oral statements should notify the ACRS Executive Director as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements. Use of still, motion picture and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by a telephone call to the ACRS Executive Director (R. F. Fraley) prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the ACRS Executive Director if such rescheduling would result in major inconvenience.

I have determined in accordance with Subsection 10(d) Pub. L. 92–463 that it is necessary to close portions of this meeting as noted above to discuss Proprietary Information (5 U.S.C. 552b(c)(4)).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the ACRS Executive Director, Mr. Raymond F. Fraley (telephone 202/634–3265), between 8:15 A.M. and 5:00 P.M. EST.

Dated: February 24, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81–5845 Filed 2–26–81; 8:45 am]

BILLING CODE 7590–01–M

Advisory Committee on Reactor Safeguards; Subcommittee on San Onofre Units 2 and 3; Change of Time

The ACRS Subcomittee on San Onofre Units 2 and 3 will hold a meeting on March 11, 1981 at 1717 H Street, N.W., Washington, DC in Room 1046. The starting time for Wednesday, March 11, 1981 has been changed to 1:30 p.m. until the conclusion of business instead of 2:00 a.m.

All other items regarding this meeting remain the same as announced in the **Federal Register** published Monday, February 23, 1981.

Further information may be obtained by a prepaid telephone call to the cognizant Designated Federal Employee for this meeting, Mr. Gary G. Quittschreiber (telephone 202/634–3267) between 8:15 a.m. and 5:00 p.m., EST.

Dated: February 24, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81–5846 Filed 2–26–81; 8:45 am]

BILLING CODE 7590–01–M

[Project No. M–4]

Finality of Commission Action With Regard to Final Generic Environmental Impact Statement on Handling and Storage of Spent Light Water Power Reactor Fuel (NUREG–0575)

The Nuclear Regulatory Commission hereby gives notice that the issuance of the Final Generic Environmental Statement on Handling and Storage of Spent Light Water Power Reactor Fuel (NUREG–0575), prepared by the Nuclear Regulatory Commission's Office on Nuclear Material Safety and Safeguards, represents final Commission action with respect to that document.

A notice of the availability of NUREG–0575 was published in the **Federal Register** on August 22, 1979, 44 FR 49317.

The Commission published notice of its intent to prepare the Generic

Environmental Statement of September 16, 1975. 44 FR 42801. In that notice, the Commission stated that it had "also given careful consideration to the question whether licensing actions intended to ameliorate a possible shortage of spent fuel storage capacity * * * should be deferred pending completion of the generic environmental impact statement." The Commission stated that it had "concluded that there should be no such general deferral, and that these related licensing actions may continue during the period required for preparation of the generic statement, subject to certain conditions." The Commission's notice went on to set forth a five-factor test against which proposed interim actions were to be evaluated.

Relying in part on the GEIS, the Commission finds that providing greater capacity for spent fuel storage is in the public interest. The safety of individual proposals must, of course, be determined case by case. The completion and publication of the Final Generic Environmental Statement means that the five-factor test set out in the 1975 **Federal Register** notice is no longer applicable to proposed licensing actions relating to spent fuel handling and storage. This action does not affect any other requirements which may exist to address specific environmental and safety issues for individual licensing action.

Copies of the Final Statement may be purchased from the National Technical Information Service, Springfield, Virginia 22161, as follows: Volume 1— $7.25 — Executive Summary and Text; Volume 2 — $11.75 — Appendices; Volume 3 — $12.00 — Comments on the Draft Statement and Staff Responses; microfiche — $3.00 per volume.

Dated at Washington, D.C., this 23rd day of February, 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-3847 Filed 2-26-81; 8:45 am]

BILLING CODE 7590-01-M

Regulatory Guide; Withdrawal

The Nuclear Regulatory Commission has withdrawn Regulatory Guide 3.24, "Guidance on the License Application, Siting, Design, and Plant Protection for an Independent Spent Fuel Storage Installation," which was issued in December 1974. The guidance it provided was based on 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material." On November 12, 1980, the Commission published 10 CFR Part 72 (45 FR 74693), "Licensing Requirements for the Storage of Spent Fuel in an Independent Spent Fuel Storage Installation," which specifically covers independent spent fuel storage installations. The guidance contained in Regulatory Guide 3.24 is no longer appropriate, and the guide is hereby withdrawn.

Revised and updated guidance covering the various subjects addressed in Regulatory Guide 3.24 is being developed. Regulatory Guide 3.44, "Standard Format and Content for the Safety Analysis Report for an Independent Spent Fuel Storage Installation (Water Basin Type)," was issued in November 1980. Draft regulatory guides containing guidance in other areas are being issued for public comment as they are completed.

Regulatory guides are developed to describe and make available to the public methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems. Guides may be withdrawn when they are superseded by the Commission's regulations, when equivalent recommendations have been incorporated in applicable approved codes and standards, or when changes in methods and techniques or in the need for specific guidance have made them obsolete.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 18th day of February 1981.

For the Nuclear Regulatory Commission.

Ray G. Smith,

Acting Director, Office of Standards Development.

[FR Doc. 81-3800 Filed 2-26-81; 8:45am]

BILLING CODE 7590-01-M

ENVIRONMENTAL PROTECTION AGENCY

NUCLEAR SAFETY OVERSIGHT COMMITTEE

Memorandum of Understanding Between the Nuclear Safety Oversight Committee and the Environmental Protection Agency With Respect to the Acquisition of Information and the Monitoring Activities

1. The Nuclear Safety Oversight Committee (NSOC) was established pursuant to Executive Order 12202 (March 18, 1980) to advise "on the progress of Federal and State authorities and the nuclear power industry in improving the safety of nuclear power and in implementing the approved recommendations of the President's Commission on the accident at Three Mile Island (Kemeny Commission)" set forth in the President's announcement and White House Fact Sheet of December 7, 1979 (copy attached to this memorandum). The NSOC is responsible for the preparation and periodic submission of the reports to the President, the Secretary of Energy, and the Secretary of Health and Human Services on the progress being made in each area. In addition, NSOC is specifically responsible to advise the President, the Secretary of Energy and the Secretary of Health and Human Services on the progress and activities of the various Federal agencies, including the Environmental Protection Agency, in a number of substantive and procedural areas identified in the Executive Order, Sec. 1-2. These include, but are not limited to, the following:

Evaluating the Federal program in power reactor and human factor safety research (Sec. 1-204);

Advising the President, the Secretary of Energy and the Secretary of Health and Human Services on progress in developing a coordinated program to improve worker and public health safety (Sec. 1-207); and

Evaluating progress being made in improving public information on nuclear safety (Sec. 1-207); and

Evaluating progress of Federal Emergency Management Agency in coordinating the Federal response to nuclear emergencies (Sec. 1-207).

The NSOC also has advisory and evaluative responsibilities in substantive and procedural areas related to specific statutory or regulatory duties of the Federal Emergency Management Agency (see Sec. 1-205, 1-206 and 1-207), the Nuclear Regulatory Commission (see Sec. 1-202, 1-203 and 1-211), the Department of Energy and the Department of Health and Human Services. These responsibilities are to be implemented by, among other things, monitoring the activities of these and other agencies. Moreover, the President has directed NSOC to "include in its reports the Committee's advice as to the adequacy of the information it has received from Federal agencies * * *; and, its assessment of the cooperation it has received from them"; (Sec. 1-210).

NSOC's obligation to meet these responsibilities may result in a need for information concerning research on health effects of radiation, information distribution, emissions and effluent standards relating to the nuclear fuel cycle and the health emergency response capability and authority of the

Environmental Protection Agency (EPA). The provision by EPA to NSOC of technical, scientific and programmatic information, as well as legal and policy related information as appropriate, is essential to the preparation and submission of NSOC's reports in a timely fashion. To this end, it is understood that NSOC communication with EPA personnel and access to EPA facilities is necessary to facilitate provision of this information. Such communication and access is to be encouraged.

2. The Environmental Protection Agency, pursuant to Reorganization Plan No. 3 of 1970, Executive Order 10831 (August 14, 1959) and 42 U.S.C. 2021(h), is responsible for a broad range of radiation protection programs related to the health and safety of the public. Moreover, its statutory responsibility and expertise in air, water and noise pollution may provide legal, administrative, scientific or technical information and experience of value to NSOC's responsibilities under Executive Order 12202.

In the President's announcement and White House Fact Sheet of December 7, 1979, referred to in paragraph 1, above, and attached to this memorandum, special concern was expressed for the potential hazards to workers and the general public from accidents at nuclear power plants. In order to deal with that concern, directives were issued by the President to Federal agencies to provide expert and open processes for meeting research needs and enhancing guidance for worker and public protection from potential radioactive exposures. These substantive areas are within EPA's recognized experience and expertise.

3. The Environmental Protection Agency in recognition of NSOC's responsibility and essential need for information as described in paragraph 1, above, agrees to cooperate fully to assure that NSOC has complete and full access to all information, facilities and personnel NSOC required to fulfill its responsibility in a effectively and timely manner. In order to effectuate this agreement in an orderly fashion, the NSOC and EPA also agree to the following principles and arrangements:

a. *Informal and Formal Arrangements*

The NSOC, its staff and its properly designated consultants may regularly contact EPA personnel at all levels to develop and implement informal or formal arrangements for complete and full access and/or acquisition to all information, facilities and personnel in the general and specific areas identified in paragraph 1, above. To the extent possible, the use of informal arrangements to implement this provision is preferred;

b. *Designated Information Coordinator*

EPA shall designate a person to serve as information coordinator who will be directly responsible for providing, or for causing others to provide, the information requested by NSOC personnel. This arrangement shall be supplementary to the informal and formal agreements referred to in paragraph 1;

c. *"Legal and Policy Related" Information*

EPA, through its Designated Information Coordinator, will inform NSOC in a timely manner of the submission of legal briefs or memoranda filed on EPA's behalf, and resulting decisions, which involve questions of nuclear safety, health and emergency planning or other subjects within the scope of NSOC responsibilities. EPA will make copies available on reasonable request. EPA will also apprise NSOC on a regular basis of the nature of other legal or policy related efforts where, in its best judgment, such efforts are within the scope of NSOC responsibilities and they have matured to the point that apprisal and consultation are appropriate;

d. *Operation Not Materially Affected*

The implementation of this memorandum shall not materially impede or disrupt the operation, routine or regular conduct of EPA procedures and programs;

e. *Authority Not Affected*

Nothing in this memorandum, or in its implementation, or in any subsequent formal or informal arrangement is intended to restrict, modify or limit the statutory authority of EPA or the responsibility of the NSOC under Executive Order 12202 and other applicable laws;

f. *Classified Documents, Devices or Facilities*

Nothing in this memorandum, or in its implementation, is intended to alter, modify or change applicable requirements concerning the personal security clearance of individuals or the informational or physical security of classified documents, devices or facilities;

g. *Responsible Agency Official and the Process of Amendment*

The General Counsel of the EPA and the General Counsel of the NSOC will periodically review the effectiveness of this memorandum of understanding, particularly as it relates to NSOC's fulfillment of its responsibilities under Executive Order 12202, and develop formal and informal arrangements to correct any impediments, deal with problem areas or resolve disputes. The responsibilities agreed to in this memorandum may be amended by the exchange of letters between the General Counsel of NSOC and the General Counsel of EPA.

4. This memorandum of understanding shall take effect upon its signing by authorized representatives of the respective agencies.

For the Nuclear Safety Oversight Committee.

Dated: February 24, 1981.

Bruce Babbitt,

Chairman, Nuclear Safety Oversight Committee.

For the Environmental Protection Agency.

Dated: January 27, 1981.

Walter C. Barber, Jr.,

Acting Administrator.

[FR Doc. 81-3815 Filed 2-26-81; 8:45 am]

BILLING CODE 6820-01-M

ROOSEVELT CAMPOBELLO INTERNATIONAL PARK COMMISSION

Identification of Integral Vistas Associated With the Class I Area, Guideline Availability and Preliminary List, Roosevelt Campobello International Park

AGENCY: Roosevelt Campobello International Park Commission.

ACTION: Proposed guidelines; notice of guideline availability and preliminary list of integral vistas for the Roosevelt Campobello International Park.

SUMMARY: On December 2, 1980 (45 FR 80084) the Environmental Protection Agency (EPA) promulgated final regulations (40 CFR Part 51—Subpart P) for visibility protection for Federal Class I areas. These regulations provided for the identification of integral vistas by the Federal Land Manager based on guidelines to be established by the Federal Land Manager. Guidelines were proposed and published in the **Federal Register** (46 FR 3646–3652) by the National Park Service. The Roosevelt Campobello International Park Commission proposes to adopt these guidelines in their entirety and to identify integral vistas associated with Roosevelt Campobello International Park. This proposal and a preliminary identification of integral vistas for the Park are provided herein for public review and comments.

SUPPLEMENTARY INFORMATION: In EPA's proposed rule making on May 22, 1980 (45 FR 34762) certain draft guidelines were provided by EPA for public review, including a draft guideline on identification of integral vistas. On

January 15, 1981 the National Park Service proposed guidelines (46 FR 3646) which are substantially the same as that published by EPA except for minor changes. That notice responded in detail to public comments on the draft guideline published in the **Federal Register** Notice of May 22, 1980 (45 FR 34762). The Roosevelt Campobello International Park Commission has concluded that the response of the National Park Service to the public comments is comprehensive and adequate (see 45 FR 3649–3650). We therefore propose to adopt the analysis of public comments and the proposed guideline of the National Park Service in their entirety.

The National Park Service has also provided a detailed explanation of the provisions of the Clean Air Act regarding visibility in mandatory Class I areas, EPA's implementing regulations and the manner in which the proposed guideline help accomplish the purposes of that Act (46 FR 3647–3649). Persons who seek more detailed information about the relevant provisions of the Clean Air Act and EPA's implementing regulations regarding the proposed guideline and integral vistas and the manner in which the identification of such vistas could effect the visibility protection component of the State Implementation Plan should review the entire National Park Service notice.

Under EPA's regulations, once the Federal Land Manager identifies integral vistas the state has the opportunity to review the vista identifications and documentation. The State is then required to incorporate into the State Implementation Plan each integral vista identified by the Federal Land Manger, unless the state demonstrates that one or more of the integral vistas identified by the Federal Land Manager should not be included. As part of the State Implementation Plan (SIP) process, the state can reject the Federal Land Manager's identification of integral vistas only if the Federal Land Manager either did not follow correct procedures or applied the criteria in an unreasonable or unsupportable manner. In making any such findings, EPA's regulations require that the state must carefully consider the expertise of the Federal Land Manager in making integral vista identification. An opportunity will be provided to the Governor to consult with the Federal Land Manager to resolve potential conflicts at the State Implementation Plan development stage.

The purposes of this notice are to announce the availability of the guideline and to provide for public review and comments on the guideline before it is finalized. We particularly seek comments as to whether, and if so why, the Commission should not adopt the guideline proposed by the National Park Service. In addition, this notice provides a preliminary list of integral vistas in the Park where visibility is an important value. We also seek comments regarding this preliminary list.

A 30-day comment period is provided. The comment period will not be extended since the guideline and preliminary list of integral vistas must be finalized as soon as possible to provide timely information needed for the preparation of State Implementation Plans on visibility. The Clean Air Act requires the states to submit a State Implementation Plan on visbility within 9 months from promulgation of EPA's visibility regulations. EPA's visbility regulations require that where the Federal Land Manager determines that the state should consider protection of integral vistas in its State Implementation Plans, the Federal Land Manager must provide the states with a list of the integral vistas at least 6 months prior to a state's plan submission. This gives the Federal Land Manager only 3 months from the promulgation on December 2, 1980 to finalize its guideline and identify integral vistas to the states. If such a list is not provided within this time frame, the state is not required to consider integral vistas until the State Implementation Plan is reviewed; this three year period could be detrimental to the protection of park vistas.

The identification criteria guideline identified in this notice will become effective upon final notice unless public comments are received which provide new and significant information which indicates that changes are needed.

The preliminary list of integral vistas published today will be finalized after further review and consideration of the public comments received.

DATES: Written comments or suggestions must be received by March 30, 1981.

ADDRESSES: All written comments are to be submitted to: Mr. Henry Stevens, Acting Executive Secretary/ Superintendent Roosevelt Campobello International Park, P.O. Box 97, Lubec, Maine 04652, Telephone: (506) 752–2922.

FOR FURTHER INFORMATION CONTACT: Mr. Henry Stevens, Acting Executive Secretary/Superintendent Roosevelt Campobello International Park, P.O. Box 97, Lubec, Maine 04652, Telephone: (506) 752–2922.

Dated: February 10, 1981.

Approved:

Honorable Franklin D. Roosevelt, Jr.,
Chairman, Roosevelt Campobello International Park Commission.

Appendix 1.—*Integral Vistas Associated With Mandatory Class I Areas*

Park and observation point	View angle	Key Features	Also viewed from
Roosevelt Campobello International Park:			
Roosevelt Cottage and Beach Area	244°–56°	Estes Head, Eastport, North Lubec, Cobscook Bay, Shackford Head, St. Andrews, Friar's Head, Treat's Island, Passamaquoddy Bay, Deer Island, Indian Island, Rouen Island, Cherry Island, Thrumcap Island, Owen House, and Welshpool.	Portions from Friar's Head.
Friar's Head	154°–94°	Roosevelt Cottage, Campobello Island, Weir, Friar's Bay, Welshpool, Wilson's Beach, North Road, Head Harbour Passage, Casco Island, Green Island, Pope Island, Thrumcap Island, Cherry Island, Rouen Island, Indian Island, Deer Island, Passamaquoddy Bay, Old Sow Whirlpool, St. Andrews, Eastport, Friar Roads, Estes Head, Perry, Shackford Head, Pembroke, Cobscook Bay, Treat's Island, Major's Island, North Lubec, Passamaquoddy Dam, portion of Roger's Island, Dudley Island, Johnson's Bay, Pope's Folly, Cutler Naval Radio Station, Lubec, Mulholland Point Lighthouse, FDR Memorial Bridge, South Lubec, and Grand Manan Island.	Portions Viewed from Roosevelt Cottage and beach area.
Con Robinson's Point	308°–150°	Herring Cove Beach, Provincial Park, Eastern Head, Herring Cove, Mainland New Brunswick, Point La Preau, Wolf Islands, Atlantic Ocean, and Grand Manan Island.	Portions Viewed from Liberty Point.
Liberty Point	34°–236°	Ragged Point, Mainland New Brunswick, Atlantic Ocean, Wolf Islands, Grand Manan Island, Sail Rock, West Quoddy Head Lighthouse, and South Lubec.	Portions Viewed from Con Robinson's Point.

[FR Doc. 81-3779 Filed 2-26-81; 8:45 am]
BILLING CODE 4310-70-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 11641; 812-4802]

Intercapital Tax-Free Daily Income Fund Inc.; Intercapital Dividend Growth Securities, Inc., and Intercapital Natural Resource Development Securities, Inc.; Application for Exemption

February 20, 1981.

Notice is hereby given that InterCapital Tax-Free Daily Income Fund Inc., InterCapital Dividend Growth Securities Inc., and InterCapital National Resource Development Securities Inc., Five World Trade Center, New York, N.Y. 10048, ("Applicants"), registered under the Investment Company Act of 1940 ("Act") as open-end, diversified management companies, filed an application on January 12, 1981, for an order of the Commission pursuant to section 6(c) of the Act declaring that Dr. Irwin Friend, a director of InterCapital Tax-Free Daily Income Fund and prospective director of the two other Applicants, shall not be deemed an interested person of any of the Applicants within the meaning of Section 2(a)(19) of the Act solely by reason of his position as director of PMI Securities Co. ("PMI"), which is registered as a broker-dealer under the Securities Exchange Act of 1934 ("Exchange Act"). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

PMI was originally organized in 1972 to be a holding company of two mortgage insurance companies ("insurance companies"). In 1973 PMI and the insurance companies were acquired by Allstate Insurance Company ("Allstate") and PMI commenced doing business as a "matchmaker," that is, bringing together buyers and sellers of whole mortgages and participations on residential properties without compensation. In 1978 PMI was sold by Allstate to the newly-formed PMI Mortgage Corporation, a company which is a wholly-owned subsidiary of Allstate Enterprises, Inc., which is in turn, a wholly-owned subsidiary of Sears, Roebuck & Co. Subsequently, PMI was transferred to Seroco Enterprises Inc. ("Seroco"), another wholly-owned subsidiary of Sears Roebuck & Co.

Applicants state that PMI is not now and since its registration as a broker-dealer under the Exchange Act has not been engaged in the business of buying or selling any securities either as broker or dealer. However, PMI contemplates acting as a broker-dealer in the distribution of mortgage pass-through securities issued by its parent, PMI Mortgage Corporation. These securities may be registered pursuant to the Securities Act of 1933. Applicants state that non-registered private placements of securities are also contemplated. Dr. Friend is Edward J. Hopkinson Professor of Finance and Economics at the Wharton School of the University of Pennsylvania, and is also Director of the Rodney L. White Center for Financial Research at the University of Pennsylvania. Applicants state that Dr. Friend has no past employment, consulting, contractural, financial, or other relationship with PMI or any affiliated person of PMI, other than as a director of PMI, the insurance companies and PMI Mortgage Corporation.

InterCapital Tax-Free Daily Income Fund Inc. represents that its investment policy requires it to invest all its assets primarily in tax-exempt securities or other short-term, fixed-income securities. InterCapital Dividend Growth Securities Inc. and InterCapital Natural Resource Development Securities Inc. represent that their respective investment policies require them to invest primiarily in common stocks, with a portion of their assets invested, at times, in corporate debt securities or money market instruments. Each represents that it is precluded from purchasing interests in real estate, except that it may, among other things, purchase securities that are secured by real estate or interests therein. Applicants state that they believe the mortgage pass-through securities proposed to be the subject of PMI's broker-dealer business are not securities which would generally be appropriate for investment by any Applicant. In any event, Applicants undertake that they will not, under any circumstances, do any business, directly or indirectly, with PMI in any capacity, whether as broker-dealer or otherwise, so long as Dr. Friend is a director of Applicant and a director of PMI.

Section 2(a)(19) of the Act, in pertinent part, defines an "interested person" of an investment company to include any broker or dealer registered under the Exchange Act or any affiliated person of such broker or dealer. The term "affiliated person" of another person is defined by Section 2(a)(3)(D) of the Act to include a director of such other person. Dr. Friend is a director of PMI and is, therefore, an affiliated person of PMI. Applicants do not concede Dr. Friend to be an interested person of any of the Applicants (as to InterCapital Dividend Growth Securities, Inc. and InterCapital Natural Resource Development Securities Inc., after election to the respective boards) but seek to have Dr. Friend determined by order to be a disinterested director, notwithstanding his status as a director of PMI.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants submit that it would be misleading to stockholders and unfair to Dr. Friend to identify him as an interested director of Applicants since such a label, they contend, implies the existence of an actual or a potential conflict of interest which, Applicants claim, does not in fact exist. Applicants assert that because of Dr. Friend's personal stature and the removal of any possibility that Applicants will do business with PMI, Dr. Friend will be in a position to act independently on behalf of Applicants and their respective shareholders without any possible impairment arising out of his affiliation with PMI.

Accordingly, Applicants believe that it would be in their best interests to have Dr. Friend's status as a disinterested director clearly acknowledged and that the requested exemption is therefore 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 17, 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 or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she 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. 81–51 Filed 2–26–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 11639; 812–2987]

Lutheran Brotherhood Money Market Trust; Filing of Application

February 20, 1981.

Notice is hereby given that Lutheran Brotherhood Money Market Trust, 421 Seventh Avenue, Pittsburgh, Pennsylvania 15219, ("Applicant"), which is registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified, management investment company, filed an application on December 15, 1980, requesting an order of the Commission, pursuant to Section 8(f) of the Act, declaring that Applicant has ceased to be an investment company as defined in the Act. 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 registered under the Act on January 8, 1980, as Brokers Cash Reserve Trust and that it simultaneously registered, pursuant to Section 8(b) of the Act, an indefinite number of its shares of common stock under the Securities Act of 1933. Applicant states that it amended its Registration Statement on March 21, 1980, changing its name to Lutheran Brotherhood Money Market Trust. According to the application, the registration of Applicant's shares became effective on March 31, 1980, at which time an initial public offering of those shares commenced. Applicant further states that it was dissolved pursuant to its Declaration of Trust and applicable state law on December 4, 1980. Applicant's Investment Adviser was Lutheran Brotherhood Research Corp. ("Adviser").

According to the application, on November 21, 1980, Applicant's Trustees recommended to its shareholders that Applicant's affairs be wound up and terminated and that unanimous consent of the shareholders approving such termination was obtained on November 21, 1980. As of December 3, 1980, Applicant states it had 129,215 shares outstanding. All shares of Applicant had a net asset value of $1.00 per share. Further, the Applicant states that all of its shares held by public shareholders were voluntarily redeemed at their $1.00 net asset value on August 18, 1980. Applicant further states that all of its portfolio securities either matured or were sold to the Parent Fund, Lutheran Brotherhood Money Market Fund, Inc., pursuant to Rule 6c–5(T) under the Act except for approximately $129,000 representing shares in Applicant then held by Adviser, which was distributed to the Adviser in redemption of its shares on December 4, 1980. According to the application, dissolution of Applicant resulted in transfer agent and administrative fees of $22,636, which were assumed by the Adviser.

Applicant states that as of the date of the filing of the application it had no assets or liabilities outstanding and was not a party to any litigation or administrative proceeding. Applicant further states that it is not engaged and does not propose to engage in any business activities other than those necessary for the winding up of its affairs and that there are no shareholders of Applicant to whom distribution in complete liquidation of their interests has not been made. According to the application, Applicant intends to file Articles of Dissolution with the Commonwealth of Massachusetts Secretary of State.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company as defined in the Act, it shall so declare by order and, upon taking effect of such order, the registration of such company under the Act shall cease to be in effect.

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 reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon the 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 in 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 on 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. 81–52 Filed 2–26–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–17565; File No. SR–PHLX 81–1]

Philadelphia Stock Exchange, Inc., Proposed Rule Change; Appointment and Oversight of Specialists

Comments requested on or before March 20, 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 January 13, 1981, the Philadelphia Stock Exchange, Inc. filed with the Securities and Exchange Commission the proposed rule change as described in Items, I, II and III below, which 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.

I. Self-Regulatory Organization's Statement of Terms of the Substance of the Proposed Rule Change

The proposed amendments to Rules 100, 201, 203 and 214 combined with proposed new Rules 500 and 501, enable the transfer from the Floor Procedure Committee and Options Committee, respectively, to the Allocation, Evaluation and Securities Committee the authority to appoint specialists and alternate specialists in equity securities and specialists and registered options traders in listed options.

In addition, proposed new Rules 502, 503, 504 and 505 deal with such matters as requirements of special floor registration, how initial discussions on unsatisfactory performance by specialists are handled, how continued unsatisfactory performance by specialists is handled and how a review of a decision by the Allocation, Evaluation and Securities Committee is conducted.

Self-Regulatory Organization's 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 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) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change: The purpose of the proposed amendment of Rules 100, 201, 203 and 214 and proposed new Rules 500, 501 502, 503, 504 and 505 is to authorize the Allocation, Evaluation and Securities Committee of this Exchange, pursuant to the authority of the Board of Governors, to appoint specialists and alternate specialists in equity securities and specialists and registered options traders in listed options and to establish procedures for the periodic review and evaluation of performance of specialists.

The statutory basis for the proposed rule changes is Section 11A(a)(1)(C)(ii) of the Securities Exchange Act of 1934, as amended, which provides that it is in the public interest to have fair competition among brokers and dealers, among exchange markets and between markets other than exchange markets. The evaluation of specialist performance will strengthen competition among such specialists, among exchange markets and between exchange markets and markets other than exchange markets.

(B) *Self-Regulatory Organization's Statement on Burden on Competition:* The Philadelphia Stock Exchange has determined that the proposed rule changes will impose no burden on competition. The proposed rule changes will strengthen competition among Philadelphia Stock Exchange specialists, among exchange markets and between exchange markets and markets other than exchange markets.

(C) *Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others:* Comments on the proposed rules changes were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

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, DC 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, DC. 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 20, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 20, 1981.

[FR Doc. 81-53 Filed 2-26-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-17566; File No. SR-Phlx-81-2]

Philadelphia Stock Exchange, Inc.; Proposed Rule Change; Limit Order Information System Pilot Program To Enhance Protection of Public Limit Orders Represented in the Intermarket Trading System

Comments requested on or before March 20, 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 January 21, 1981, the Philadelphia Stock Exchange, Inc. ("Phlx") filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which 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.

I. Self-Regulatory Organization's Statement of Terms of Substance of the Proposed Rule Change

The proposed amendment to Phlx Rule 2001 would enable the exchange to start-up an experimental pilot system which would operate as a component of the Intermarket Trading System ("ITS"), and which is intended to enhance the protection of public limit orders represented in any ITS participating market center against inferior-priced executions in any other ITS participating market center. The experimental facility would be known as the Limit Order Information System ("LOIS").

II. Self-Regulatory Organization's Statement of Purpose and Statutory Basis of 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. The text of these statements may be examined at the places specified in 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) *Self-Regulatory Organization's Statement of Purpose of, and Statutory Basis for, the Proposed Rule Change:* In its March, 1979 status report on the development of a national market system, the Securities and Exchange Commission (SEC) identified as a "priority" item the achievement of inter-market protection for public limit orders against inferior-priced executions.

The SEC agreed to allow the ITS participants to experiment with and enhance ITS as a means of providing such protection and called for the establishment of a pilot program for providing protection in a limited number of multiple-traded securities.

Since the SEC's report, the ITS participants have been working to develop a plan and a mechanism to achieve inter-market limit order protection through ITS.

The LOIS concept, and guidelines and procedures for use of this facility, have been agreed to in principle by all ITS participants. The statutory basis of the proposed rule change is Section 11A(a)(1) of the Act, in general, in that it would facilitate the implementation, on the Exchange, of a facility on an experimental basis which may become an integral part of a national market system and Section 11A(a)(1)(D), in particular, in that it would increase the information available to brokers, dealers and investors, facilitate the offsetting of investors' orders, and contribute to best executions of such orders.

(B) *Self-Regulatory Organization's Statement on Burden on Competition:* The Phlx does not believe that the proposed rule change will impose any burden on competition which is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will strengthen competition among exchange markets and markets other than exchange markets.

(C) *Self-Regulatory Organization's Statement on Comments Received from Members, Participants or Others on Proposed Rule Change:* Comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

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, DC 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, DC. 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 21, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

February 20, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-54 Filed 2-26-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17567]

Filing of Applications for Registration of Clearing Agencies

February 23, 1981.

In Securities Exchange Act Release No. 16900 (June 17, 1980), the Commission announced the publication of standards for the registration of clearing agencies in accordance with Section 17A(b) of the Securities Exchange Act of 1934 (the "Act"). That release also requested that each temporarily registered clearing agency submit a new registration application. In response to that request, the following temporarily registered clearing agencies have recently filed new registration applications consisting of Forms CA-1 (17 CFR 249b.200), along with proposals to comply with the standards, or in certain cases, alternatives thereto or exemptive requests from the statutory criteria of Section 17A(b)(3) of the Act:

The Depository Trust Company—File No. 600-1
Bradford Securities Processing Services, Inc.—File No. 600-2
Stock Clearing Corporation of Philadelphia—File No. 600-4
Boston Stock Exchange Clearing Corporation—File No. 600-5
Midwest Securities Trust Company—File No. 600-7
The Options Clearing Corporation—File No. 600-8
Midwest Clearing Corporation—File No. 600-9
Pacific Securities Depository Trust Company—File No. 600-10
Pacific Clearing Corporation—File No. 600-11
National Securities Cleaning Corporation—File No. 600-15
New England Securities Depository Trust Company—File No. 600-16
Philadelphia Depository Trust Company—File No. 600-19[1]

Interested persons are invited to submit written data, views and arguments concerning the foregoing applications on or before April 28, 1981. Such written data, views and arguments will be considered by the Commission in determining whether to grant or deny full registration in accordance with Sections 17A(b) and 19(a)(1) of the Act. Persons desiring to make written submissions shoud file six copies thereof with the Secretary of the Commission, 500 Securities and Exchange Commission, North Capitol Street, Washington, D.C. 20549. Reference should be made to the appropriate file number.

Copies of the applications and of all written comments will be available for inspection at the Securities and Exchange Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. 20006.

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[1] These twelve clearing agencies were previously granted temporary registration in accordance with paragraph (c)(1) of Rule 17Ab2-1 under Section 17A of the Act (17 CFR 240.17Ab2-1). Thereafter, as required by Rules 17Ab2-1, the Commission instituted proceedings to determine whether to grant or deny registration at the expiration of the temporary registrations. General background information concerning the temporary registrations, the extensions of the registrations and the institution of proceedings is contained in Securities Exchange Act Release Nos. 13584 (June 1, 1977), 42 FR 30065 (June 10, 1977); 13664 (June 23, 1977), 42 FR 33394 (June 30, 1977); 13911 (August 31, 1977); 14531 (March 6, 1978), 43 FR 10288 (March 10, 1978); 16294 (October 24, 1979); 16900 (June 17, 1980), 45 FR 41920 (June 23, 1980) and 16998 (July 23, 1980), 45 FR 51030 (July 31, 1980).

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-55 Filed 2-26-81; 4:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Section 503 Development Company Program

AGENCY: Small Business Administration.

ACTION: To solicit bids for the services of a Central Fiscal Agent for the 503 Development Company Program.

SUMMARY: The U.S. Small Business Administration (SBA) is readvertising its Notice of December 10, 1980, requesting bids to perform certain implementation of SBA's Development Company Program ("Section 503 Program") pursuant to Section 503 of Title V of the Small Business Investment Act of 1958, as amended July 2, 1980 (Sec. 113 of Pub. L. 96-302 94 Stat. 837), and the regulations thereunder. The Central Fiscal Agent (herein referred to as CFA) will provide the systems for both the disbursement of 503 debentures and the collection of payment due SBA so it may satisfy its obligations for debentures purchased by the Federal Financing Bank.

The SBA receive two bids from its December 10, 1980 Notice soliciting bids for the Central Fiscal Agent function in the 503 program. Due to the limited response from publication of the Notice during the holiday season, the SBA has decided to readvertise the Notice in order to allow other potential bidders to submit their proposals. It is the position of the SBA that readvertising the Notice will allow other potential bidders to submit their proposals and thus increase the scope of competitive offers in the best interests of the government program and the small business beneficiaries of the program.

DATE: Bids must be received on or before March 20, 1981.

ADDRESS: Written bids, in duplicate, are to be addressed to Director, Office of Lender Relations and Certification, Small Business Administraion, 1441 L Street NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Alan B. Abraham, Financial Analyst, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, (202) 653-6470.

SUPPLEMENTARY INFORMATION: The Central Fiscal Agent would act for the benefit of the registered holder of a debenture, initially the Federal Financing Bank, issued by the Certified Development Company for the benefit of an identifiable small business borrower pursuant to the Section 503 Program. Since no federal money will be used to fund the services provided by the Central Fiscal Agent, federal procurement procedures are not required. Time is of the essence under this program because no direct funds are available for 503 projects and the debenture funding mechanism cannot be efficiently implemented until the Central Fiscal Agent is identified. The selection criteria for the Central Fiscal Agent will be based on the following four items:

(1) Existing capability to perform services identified herein on a national basis (all 50 states).
(2) Cost of services provided.
(3) Implementation time from notification of selection.
(4) Willingness to provide the collections and reporting functions for debentures previously sold to the Federal Financing Bank under the 503 program.

The following functions must be provided through processing:

1. The CFA must be capable of receiving funds via the electronic transfer of funds for each debenture (or debentures).
2. The CFA must disburse these funds to the parties at interest (i.e. development company, interim lender, borrower) development companies and borrowers via the fed. wire service.
3. The CFA must escrow certain payments on behalf of the borrowers, and make certain that these funds are available to make up payment deficiencies on behalf of the borrowers. In addition, the CFA will be required to reimburse any initial excess escrow.
4. The CFA must provide the recordkeeping services and collect payments from the borrowers on a monthly basis (by check) and pay the SBA semi-annually (by wire).
5. The CFA must invest all balances on behalf of the development companies and the borrowers based on daily and/or standing instructions by the SBA. The investment income must be distributed to the borrower's account in much the same way that a "money market" fund accounts for interest income (time on deposit x size of deposit x blended rate applicable). No float should be available to the CFA.
6. The CFA must maintain each loan on its records on a daily accrual basis (date-to-date) and payments must be applied on that basis, always to cover interest payments first.
7. The CFA must provide clear and simple instructions to all borrowers and development companies so they may correspond and deal with the CFA directly.
8. The CFA must report monthly to the specific district offices of SBA and the relevant development companies as to borrower performance including all payments, loan balances and dishonored checks.
9. The CFA must report semi-annually to the SBA office on each debenture simultaneously with remittance. Please note that debentures will be issued each month; therefore, each month debenture payments will be due.

The Small Business Administration requires the following from the CFA:

—A narrative of how the CFA would operate the program in sufficient detail to warrant consideration as a bidder (list experiences).
—A statement that the CFA will provide the services on or before April 1, 1981, including the necessary supporting evidence of such ability.
—A list of charges and how the CFA would collect these charges from the borrowers and/or development companies to include (as may be required):
  —Start-up charges
  —Development charges
  —Loan accounting and collection charges
  —Disbursement to SBA
  —Reporting as required
  —Investment Services
  —Settlement charges
  —Escrow accounting charges
  —Any other charges which are appropriate.

For ease of accounting, bidder may use a percentage of the outstanding balance of all loans (e.g., ⅛ of 1%, ½ of 1%, 1%, etc.). Although SBA cannot guarantee that this program will reach any specific level, we anticipate that $100 million may be utilized in FY '81 for over 450 projects.

The fiscal Agency Agreement will be for a term of not more than five (5) years unless sooner terminated under stated conditions, with a requirement that the CFA must provide services for the life of each loan, regardless of the outstanding loan amount(s).

Dated: February 24, 1981.

Roger H. Jones,

Acting Administrator.

[FR Doc. 81-6522 Filed 2-26-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[Public Notice CM-8/372]

Fine Arts Committee; Meeting

The Fine Arts Committee of the Department of State will meet on Saturday, March 14, 1981 at 10:00 a.m. in the John Quincy Adams State Drawing Room. The meeting will last approximately until 11:30 a.m. and is open to the public.

The agenda for the committee meeting will include a summary of the work of the Fine Arts Office since its last meeting in June 1980, the announcement of all gifts and loans in calendar year 1980, as well as a report on the newly re-designed Ladies' Lounge. There will also be a discussion on the next stages of architectural improvements in the diplomatic Reception Rooms.

Public access to the Department of State is controlled. Members of the public wishing to take part in the meeting should telephone the Fine Arts Office by Monday, March 9, 1981, telephone (202) 632-0298 to make arrangements to enter the building. The public may take part in the discussion as long as time permits and at the discretion of the Chairman.

Dated: February 10, 1981.

Clement E. Conger,

Chairman,Fine Arts Committee.

[FR Doc. 81-6511 Filed 2-26-81; 8:45 am]

BILLING CODE 4710-01-M

[Public Notice CM-8/375]

Study Group CMTT of the U.S. Organization for the International Radio Consultative Committee (CCIR); Meeting

The Department of State announces that Study Group CMTT of the U.S. Organization for the International Radio Consultative Committee (CCIR) will meet on March 11, 1981, at the Office of the American Telephone and Telegraph Company, 1120 20th Street NW., Suite 1018, Washington, D.C. The meeting will begin at 10 a.m.

Study Group CMTT deals with the specifications to be satisfied by telecommunication systems for transmission of radio and television programs over long distances. The main purpose of the meeting will be to develop a program for work on documents for consideration by the international meeting of Study Group CMTT in September/October 1981.

Members of the general public may attend the meeting and join in the discussions subject to instructions of the Chairman.

Requests for further information should be directed to Mr. Gordon Huffcutt, State Department, Washington, D.C. 20520, telephone (202) 632-2592.

Gordon L. Huffcutt,

Office of International Communications Policy.

[FR Doc. 81-6512 Filed 2-26-81; 8:45 am]

BILLING CODE 4710-01-M

[Public Notice CM-8/374]

Study Group 7 of the U.S. Organization for the International Radio Consultative Committee (CCIR); Meeting

The Department of State announces that Study Group 7 of the U.S. Organization for the International Radio Consultative Committee (CCIR) will meet on March 12, 1981, at the NASA/Goddard Space Flight Center, Greenbelt Road, Building 12, Room N13, Greenbelt, Maryland. The meeting will begin at 8:30 a.m.

Study Group 7 deals with time-signal services by means of radiocommunications. The purpose of the meeting will be a review of the work on documents for the international meeting of Study Group 7 in September 1981.

Members of the general public may attend the meeting and join in the discussions subject to the instructions of the Chairman. Requests for further information should be directed to Mr. Gordon Huffcutt, State Department, Washington, D.C. 20520 (telephone (202) 632-2592).

Dated: November 17, 1981.

Gordon L. Huffcutt,

Chairman, U.S. CCIR National Committee.

[FR Doc. 81-6513 Filed 2-26-81; 8:45 am]

BILLING CODE 4710-01-M

[Public Notice CM-8/373]

Shipping Coordinating Committee; Subcommittee on Safety of Life at Sea; Meeting

The U.S. SOLAS Working Group on Fire Proctection will conduct on open meeting on March 12, 1981, at 9:30 A.M., Room 1303 of the Coast Guard Headquarters Building, 2100 2nd Street, S.W., Washington, D.C. 20593.

The purpose of this meeting will be to:

—Review documents submitted for FP XXVI (22-26 June 1981)

—Review results of FP XXV

For further information contact Mr. Donald J. Kerlin, United States Coast Guard, (G-MMT/12), Washington, D.C. 20593. Telephone (202) 426-2167.

Dated: February 17, 1981.

John Todd Stewart,

Chairman, Shipping Coordinating Committee.

[FR Doc. 81-6514 Filed 2-26-81; 8:45 am]

BILLING CODE 4710-07-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Delegation Order No. 165 (Rev. 3)]

Delegation of Authority to Director, Disclosure Litigation Division

AGENCY: Internal Revenue Service, Treasury.

ACTION: Delegation of authority.

SUMMARY: This revision grants the authority to the Director, Disclosure Litigation Division to acknowlege receipt of administrative appeals filed pursuant to the Freedom of Information Act (FOIA), and to assert mandatory extensions of FOIA appeal time limits, with authority to redelegate not lower than attorneys in the Division directly involved in such matters. The text of the delegation order appears below.

EFFECTIVE DATE: February 23, 1981.

FOR FURTHER INFORMATION CONTACT: Joseph J. Urban, CC:D, 1111 Constitution Ave., N.W., Room 3560, Washington, D.C. 20224, Telephone Number, 202-566-3074 (Not a Toll-Free telephone number).

SUPPLEMENTARY INFORMATION:

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the Treasury directive appearing in the **Federal Register** for Wednesday, November 8, 1978.

Peter V. Filpi,

Director, Disclosure Litigation Division.

Date of issue: February 23, 1981.

Effective Date: February 23, 1981.

Subject—Responses to Appeals Filed Pursuant to the Freedom of Information Act, 5 U.S.C. 552 (FOIA).

The authority vested in the Commissioner of Internal Revenue by 31 CFR 1.5(h) and Appendix B(4) to respond to administrative appeals filed pursuant to the Freedom of Information Act, 5 U.S.C. 552 (FOIA), is hereby delegated to the Assistant Commissioner (Technical). This authority may not be redelegated.

In addition, the authority vested in the Commissioner by 31 CFR 1.5(h)-(i) to acknowledge receipt of FOIA appeals and assert mandatory extensions of FOIA appeal time limits is hereby delegated to the Director, Disclosure Litigation Division. This authority may be redelegated not lower than attorneys

in the Disclosure Litigation Division directly involved in such matters.

Delegation Order 165 (Rev. 2), issued November 5, 1980 is superseded.

William E. Williams,

Acting Commissioner.

[FR Doc. 80-3780 Filed 2-26-81; 8:45 am]

BILLING CODE 4830-01-M

VETERANS ADMINISTRATION

Voluntary Service National Advisory Committee; Renewal

This is to give notice in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) of October 6, 1972, that the Veterans Administration Voluntary Service National Advisory Committee has been renewed by the Administrator of Veterans Affairs for a two year period beginning February 5, 1981 through February 5, 1983.

Dated: February 18, 1981.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

[FR Doc. 81-3765 Filed 2-26-81; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 39
Friday, February 27, 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).

CONTENTS

	Items
Civil Aeronautics Board	1
Equal Employment Opportunity Commission	2
Federal Communications Commission	3, 4
Federal Deposit Insurance Corporation	5, 6
Federal Maritime Commission	7
Federal Reserve System (Board of Governors)	8
Securities and Exchange Commission	9

1

[M-308]

CIVIL AERONAUTICS BOARD.

February 23, 1981.

TIME AND DATE: 10 a.m., March 2, 1981.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT:

1. Ratification of items adopted by notation.
2. Docket 38733. *Continental-Western Merger Case.* Instruction to the staff. (OGC)
3. Docket 39265, *Acquisition of Control of Continental Air Lines, Inc. by Texas International Airlines.* Instructions to the staff. (OGC)
4. Docket 34136, *Chicago/Texas/Southwest-Western Mexico Route Proceeding.* Instructions to the staff. (OGC)
5. H.R. 129—A bill to prohibit certain government acquisition officers from accepting compensation from contractors after leaving government employment. (Memo No. 308, OGC)
6. H.R. 119—A bill to ban free alcohol and tobacco on aircraft operated by air carriers. (Memo No. 306, OGC)
7. H.R. 355—A bill to permit carriers to offer reduced-rate transporation to young orphans traveling from abroad to the U.S. to be adopted. (Memo No. 313, OGC)
8. Docket 36767, *Miami/New Orleans-San Jose, Costa Rica Case;* Petition for Reconsideration of Order 80-12-16. (Memo No. 116-B, OGC)
9. Docket 231, Appeal of essential air service determination for Middleton Island, Alaska. (Memo No. 315, BDA, OGC, OCCR)
10. Docket EAS-367, Appeal of essential air service determination for Gunnison, Colorado. (BDA, OGC, OCCR)
11. Docket EAS-616, Civic request for EAS amendment designating Greensboro, North Carolina in lieu of Roanoke, Virginia as providing access for the eligible point Princeton/Bluefield, West Virginia. (BDA, OCCR, OGC)
12. Commuter carrier fitness determinations of Command Airways, Inc., Provincetown-Boston Airline, Inc. (EAS Carriers) and Tennessee Airways, Inc. (non-EAS carrier). (BDA)
13. Dockets 35908 and 36204, Notices of USAir and Pennsylvania Airlines to terminate service at Clearfield/Philipsburg, PA. (BDA, OCCR)
14. Docket 38046, Revision to PCA's interim rate of compensation for providing essential air service at Clearfield/Philipsburg. (Memo No. 314, BDA)
15. Docket 38939, motion of American Airlines requesting the Board to reopen the record and to reconsider its decision awarding Dallas/Ft. Worth-Yucatan authority to Texas International in the Dallas/Ft. Worth-Yucatan Service Proceeding. (BIA, OGC)
16. Docket 38419, Texas-Alberta-Alaska Case; Docket 38757, Application of Western Air Lines for an exemption to postpone inauguration of service. (BIA, OGC, BALJ)
17. Docket 39046, Application of World Airways, Inc. for an emergency exemption for foreign carriers to provide transportation between Los Angeles and Honolulu. (BIA, OGC, BCCP)
18. Docket 39074, Application of Global International Airways Corp. for a certificate to engage in transatlantic charter air transportation of cargo. (Memo No. 312, BIA, OGC, BALJ)
19. Petition for review of foreign freight forwarder registration issued to New Japan Air Service (America), Inc. (Memo No. 307, BIA, OGC)
20. Docket 39127, Application of American Eagle Airlines, Inc. for a certificate of public convenience and necessity pursuant to section 401 of the Act to engage in foreign air transportation of persons, property and mail between points in the U.S. and a point or points in The Netherlands, Belgium, Luxembourg and The Federal Republic of Germany. (BIA, OGC, BALJ)

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

[S-320-81 Filed 2-24-81; 4:55 am]

BILLING CODE 6320-01-M

2

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 9:30 a.m. (eastern time), Tuesday, March 3, 1981.

PLACE: Commission conference room 5240, fifth floor, Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Part will be open to the public and part will be closed to the public.

MATTERS TO BE DISCUSSED:

1. Freedom of Information Act Appeal No. 80-12-FOIA-008-IN, concerning a request for copies of charges of systemic discrimination and conciliation agreements.
2. A report on Commission Operations by the Executive Director.

Closed to the Public:

1. Litigation Authorization: General Counsel Recommendations.

Note.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION: Treva I. McCall, Executive Officer, Executive Secretariat, at (202) 634-6748.

This Notice issued February 24, 1981.

[S-324-81 Filed 2-25-81; 11:53 am]

BILLING CODE 6570-06-M

3

FEDERAL COMMUNICATIONS COMMISSION.

Deletion of agenda items

The following Common Carrier items have been deleted at the request of the Office of the Acting Chairman and the General Counsel, and the following Cable item has been deleted at the request of the Cable Television Bureau from the list of agenda items scheduled for consideration at the February 25, 1981 Open Meeting, and previously listed in the Commission's Public Notice of February 18, 1981 (#07149).

Agenda, Item No., and Subject

Common Carrier—2—*Title:* CC Docket No. 79-105 Accounting for Station Connection Costs, Sales of Terminal Equipment and Other Related Items. *Summary:* The Commission will consider the Staff's proposal to phase-in the change in accounting for station connections. This matter was last before the Commission on January 29, 1981. The accounting for sales of terminal equipment and other related items were discussed and adopted by the Commission on November 6, 1980.

Common Carrier—3—*Title:* In the Matter of Deregulation of Customer Premises Inside Wiring, CC Docket No. 79-105. *Summary:* The Commission will consider whether to issue a Further Notice of Proposed Rulemaking in this docket designed to further its objective of assuring that the cost of inside wiring is charged to the cost causative customer through the detariffing of inside wiring. The Further Notice would also seek comments on methods to ensure

that the provision of inside wiring is not cross-subsidized by regulated carriers.

Common Carrier—7—*Title:* MCI Services Corp. v. American Telephone and Telegraph Co. *et al.* (File No. TS 16–76). *Summary:* The Commission will consider a formal complaint filed by MCI Services and a Petition for Declaratory Ruling filed by AT&T. Both deal with the interconnection between a "stand-alone" switching system and the public switched telephone network.

Common Carrier—8—*Title:* Complaint by Western Union Telegraph Company against Wiltek, Inc. (File No. TS–4–75). *Summary:* The Commission will consider whether the provision of switching without transmission facilities (i.e., "stand-alone" switching), is subject to common carrier regulation under Title II.

Cable Television—1—"Petition for Reconsideration" (CSR–1338) filed December 1, 1980, by Thomas Television, Inc. Thomas Television, Inc., licensee of Station WATR–TV (NBC, Channel 20) Waterbury, Connecticut, requests reconsideration of the Commission's decision in *Waterbury Community Antenna, Inc.* (Waterbury, Connecticut), FCC 80–628, —— FCC 2d —— (1980). The petition is opposed by Teleprompter Connecticut CATV Corp. and by New Milford Cablevision Company, operators of cable television systems serving Danbury and New Milford, Connecticut, respectively.

Additional information concerning this meeting may be obtained from Edward Dooley, FCC Public Affaris Office, Telephone number (202) 252–7674.

Issued: February 23, 1981.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[S–325–81 Filed 2–25–81; 11:59 am]

BILLING CODE 6712–01–M

4

FEDERAL COMMUNICATIONS COMMISSION.

Deletion of agenda item.

The following item has been deleted at the request of the Common Carrier Bureau from the list of agenda items scheduled for consideration at the February 25, 1981 Open Meeting, and previously listed in the Commission's Public Notice of February 18, 1981 (#07149).

Agenda, Item No., and Subject

Common Carrier—4—Title: A, F & L Telephone. *Summary:* FCC considers petitions for reconsideration regarding application to renew license for DPLMRS Station KCC480 in Leominster, Massachusetts, operating on frequencies 152.21 and 454.025 MHz. It also considers petition for reconsideration regarding acceptance for filing of a DPLMRS application from Rivers Associates, Inc. requesting frequency 454.025 MHz in Fitchburg, Massachusetts.

Additional information concerning this meeting may be obtained from Edward Dooley, FCC Public Office, telephone number (202) 254–7674.

Issued: February 23, 1981.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[S–325–81 Filed 2–25–81; 11:58 am]

BILLING CODE 6712–01–M

5

FEDERAL DEPOSIT INSURANCE CORPORATION.

Change in Time 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 the closed meeting of the Corporation's Board of Directors scheduled for 2:30 p.m. on Monday, March 2, 1981, will be held instead at 11:30 a.m. on Monday, March 2, 1981, in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, N.W., Washington, D.C. No earlier notice of the change in the time of the meeting was practicable.

Dated: February 25, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–328–81 Filed 2–25–81; 3:37 pm]

BILLING CODE 6714–01–M

6

FEDERAL DEPOSIT INSURANCE CORPORATION.

Change in Time 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 the open meeting of the Corporation's Board of Directors scheduled for 2:00 p.m. on Monday, March 2, 1981, will be held instead at 11:00 a.m. on Monday, March 2, 1981, in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street NW., Washington, D.C. No earlier notice of the change in the time of the meeting was practicable.

Dated: February 25, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–327–81 Filed 2–25–81; 3:37pm]

BILLING CODE 6714–01–M

7

FEDERAL MARITIME COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 13442, February 20, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9 a.m., February 26, 1981.

CHANGES IN THE MEETING: Addition of the following items to the closed session:

1. Docket No. 79–74: Japan/Korea Atlantic and Gulf Conference Intermodal Amendment—Further consideration of the record.
2. Agreement No. 7680–39: Modification to American West African Freight Conference to provide for intermodal authority.

[S–322–81 Filed 2–25–81; 11:40 am]

BILLING CODE 6730–01–M

8

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 10 a.m., Wednesday, March 4, 1981.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: February 24, 1981.

James McAfee,

Assistant Secretary of the Board.

[S–321–81 Filed 2–25–81; 10:00 am]

BILLING CODE 6210–01–M

9

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: To be published.

STATUS: Open/closed meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Tuesday, February 19, 1981.

CHANGES IN THE MEETING: Additional item/rescheduling/deletion. The following item was considered at a closed meeting scheduled for Friday, February 20, 1981, at 11:30 a.m.:

Opinion.

The following additional item will be

considered at an open meeting scheduled for Tuesday, February 24, 1981, at 10:00 a.m.:

Consideration of whether to release a staff monitoring report on the operation of the Intermarket Trading System. For further information, please contact Terry M. Chuppe at (202) 523-5624.

A closed meeting scheduled for Tuesday, February 24, 1981, immediately following the 10:00 a.m. open meeting has been rescheduled for 2:30 p.m. to include the following additional items:

Reports of investigation.
Institution of injunctive action.

The following item will not be considered at a closed meeting scheduled for Tuesday, February 24, 1981, at 2:30 p.m.:

Regulatory matter bearing enforcement implications.

Chairman Williams and Commissioners Loomis, Evans, Friedman, and Thomas determined that Commission business required the above changes and that no earlier notice thereof was possible.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postoned, please contact: Paul Lowsenstein at (202) 272-2092.

February 23, 1981.

[S-323-81 Filed 2-25-81; 11:40 am]

BILLING CODE 8010-01-M

federal register

Friday
February 27, 1981

Part II

Department of Health and Human Services

Public Health Service

National Toxicology Program; Fiscal Year 1981 Annual Plan

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

National Toxicoloxy Program; Fiscal Year 1981 Annual Plan

The Director of the National Toxicology Program (NTP) announces the availability of the NTP Annual Plan for Fiscal Year 1981 and the bimonthly NTP Technical Bulletins; solicits comments on the Annual Plan and urges all interested persons to propose chemical(s) for testing by NTP.

Background

The National Toxicology Program developed scientific information about potentially toxic and hazardous chemicals which can be used for protecting the health of the American people and for the primary prevention of chemically-induced disease. The NTP centralizes and strengthens the DHHS' activities in toxicology research, testing, and test development/validation efforts and provides the necessary toxicological information needed by research and regulatory agencies. Four specific goals have been identified:

- To expand the toxicological profiles of the chemicals nominated, selected, and being tested;
- To increase the number and rate of chemicals under test;
- To develop, coordinate, and validate a series of tests/ protocols more appropriate for regulatory needs;
- To establish and use a coordinated communications network to collect, evaluate, and disseminate toxicologic information.

To accomplish these four major aims the NTP was formed by bringing together the relevant toxicological programs, people, and resources from the Public Health Service.

Presently, the four DHHS agencies whose relevant toxicology programs comprise the NTP are the National Cancer Institute, National Institutes of Health (NIH); National Institute of Environmental Health Sciences, NIH; National Center for Toxicological Research, Food and Drug Administration; and National Institute for Occupational Safety and Health, Centers for Disease Control.

The NTP Executive Committee provides linkage between DHHS research and regulatory agencies to ensure that the toxicology research, testing and test development carried out under the aegis of the NTP are responsive to the needs of those agencies and to the wants of the public. This unique and important aspect of the NTP brings together the research agencies doing fundamental biomedical research and the regulatory agencies. The governmental agencies that comprise the NTP Executive Committee are listed in the 1981 Annual Plan.

The NTP Board of Scientific Counselors provides scientific oversight of the NTP. The NTP Board advises the NTP Director and the NTP Executive Committee on scientific content, philosophy, and policy and evaluates the merit and overall quality of the science conducted in the NTP components. Eight scientists (enumerated in the 1981 Annual Plan) were appointed by the Secretary of the Department of Health and Human Services.

The program segments of the NTP are grouped into two categories—toxicological research and testing, and coordinative management activities. Individual NTP scientists have been appointed as leaders of the major program segments. Each scientist is responsible for developing (in collaboration with other NTP colleagues) the subprogram activities, the implementation plan, as well as the coordination and supervision of the program work. Program and Project Leaders are listed in the 1981 Annual Plan.

The development and approval of the NTP Annual Plan remain central to the effective planning, coordination, and operation of the National Toxicology Program. As NTP Director, Dr. David P. Rall (also the Director of the National Institute of Environmental Health Sciences) reports to the Assistant Secretary for Health.

The National Toxicology Program's third annual plan consists of two parts published separately: Part I, "NTP Annual Plan for Fiscal Year 1981" (NTP-80-62), describes current year research, testing and validation efforts, resources and past year program accomplishments. (Part I is printed in full following this announcement.) Part II, "Review of Current DHHS, DOE, and EPA Research Related to Toxicology" (NTP-81-19), lists chemicals being tested by DHHS agencies, the Department of Energy, and the Environmental Protection Agency, and describes toxicology methods currently being developed by the DHHS agencies.

Written comments on the FY 1981 Annual Plan are requested and welcome. These should be addressed to Dr. Larry Hart, Assistant to the Director, National Toxicology Program, P.O. Box 12233, Research Triangle Park, NC 27709 (telephone: (919) 541-3989 or FTS 629-3989).

Regarding chemical nomination, NTP urges all those interested in proposing chemical(s) for testing to do so, and at a minimum to give the rationale for the nomination and to recommend the type test(s) to be considered. In addition, it would be desirable (but not essential) to supplement each nomination with the following information, if known.

I. Chemical identification.
II. Production, use, occurrence, and analysis.
III. Toxicology.
IV. Disposition and structure-activity-relations.
V. Ongoing toxicological and environmental studies in the government, industry, and academia.

To bridge the yearly gap between Annual Plans, NTP started a bimonthly NTP Technical Bulletin in FY 1980 to keep those persons or groups interested in the NTP informed about the NTP's most current and proposed activities. The NTP Technical Bulletins augment the Annual Plans by more timely and frequent announcements of the NTP research activities and specific actions.

To receive the NTP Annual Plan for Fiscal Year 1981; the Review of Current DHHS, DOE, and EPA Research Related to Toxicology; or the NTP Technical Bulletin, please indicate which publications you wish to receive and submit this information to: Technical Information Section, Room A-306, Landow Building, Bethesda, MD 20205 (telephone: (301) 496-1152 or FTS 496-1152).

Dated: February 11, 1981.

David P. Rall, M.D.,

Director, National Toxicology Program.

National Toxicology Program—Annual Plan for Fiscal Year 1981

National Cancer Institute/National Institutes of Health, National Institute of Environmental Health Sciences/ National Institutes of Health, National Center for Toxicological Research/Food and Drug Administration, and National Institute for Occupational Safety and Health/Centers for Disease Control.

NTP-80-62

Table of Contents

December 1980

Executive Summary
Introduction
Participating Agencies
Resources and Planning Assumptions
Oversight and Review
  Executive Committee
  Board of Scientific Counselors
  Operations Management System
Coordination and Communication
Organization
Toxicology Research and Testing Overview

Cellular and Gentic Toxicology
Carcinogenesis Testing
General Toxicology
Chemical Disposition
Immunological Toxicology
Neurobehavioral Toxicology
Pulmonary Toxicology
Reproductive and Development Toxicology
Coordinative Management Activities
Chemical Nomination and Chemical Selection
Chemical Management
Chemical and Pathology Repositories
Data Management and Analysis
Laboratory Animal and Quality Control
Laboratory Health and Safety
Information Generation and Disemination
Annual Report on Carcinogens
Index

List of Tables

Table 1—Major National Toxicology Program Areas and Leaders
Table 2—National Toxicology Program's Interacting Testing Phases
Table 3—Chemicals Tested in *Salmonella* Mutagencity Asseys During FY 1980
Table 4—Chemicals Scheduled for Testing in FY 1981 in *Drosophila* Mutagencity Assays
Table 5—Chemicals Scheduled for Testing in FY 1981 in *Salmonella* Mutagenesis Assays
Table 6—Phases of the Two-Year Carcinogenesis Bioassay
Table 7—Chemicals Starting in Carcinogenesis Bioassays During FY 1980
Table 8—Chemicals for Which Carcinogenesis Bioassays Were Completed in 1980
Table 9—Chemicals for Which Carcinogensis Bioassays Will Be Completed in FY 1981
Table 10—Chemicals in Testing Phases of the Carcinogensis Bioassay During FY 1980
Table 11—Laboratories Qualified for Carcinogenesis Bioassays and Various Special Studies
Table 12—Chemicals Scheduled to Start Carcinogenesis Bioassays in FY 1981
Table 13—Summary of FY 1980 Studies of Various Chemicals on Immune and Host Susceptibility Parameters
Table 14—Mechanisms of Immunological Effects of Chemicals Studied in FY 1980
Table 15—Chemicals For Which Teratology Assays Were Completed in FY 1980
Table 16—Chemicals Selected for Teratology and Reproductive Toxicology—FY 1981–1983
Table 17—Reproduction and Fertility Assays Reported or In Progress—FY 1980–1981
Table 18—NTP Chemical Selection Principals
Table 19—NTP Chemical Nomination Elements
Table 20—Genetic Toxicology Chemical Repository Holdings and Activities in FSY 1980
Table 21—Carcinogenesis Bioassay Chemical Repository Holdings and Activities in FY 1980

List of Figures

Figure 1—Agency Origin and Amounts of Funding
Figure 2—FY 1980 Funding Levels by NTP Program Activity
Figure 3—NTP Chemical Nomination and Chemical Selection Process

NATIONAL TOXICOLOGY PROGRAM—ANNUAL PLAN FOR FISCAL YEAR 1981

Executive Summary

The National Toxicology Program (NTP) was established in November, 1978, as a Department of Health and Human Services (DHHS) cooperative effort to coordinate and manage the Department's program to develop the scientific information necessary to protect the health of the American public from exposure to hazardous chemicals.

Many human diseases can be linked with exposure to chemicals—lung cancer to asbestos, arsenic, and bis(chloromethyl)ether; liver cancer to vinyl chloride and aflatoxins; mesothelioma to asbestos; bladder cancer to benzidine; male sterility to chlordecone (Kepone), dibromochloropropane and diethylstilbestrol (DES); neurologic disease to lead, Kepone, methyl mercury and methyl butyl ketone. There are many other chemicals known or suspected to be involved in the causation of human disease. Preventing or limiting exposure to such chemicals will prevent human disease, and disease prevention is a major goal of DHHS.

NTP not only tests chemicals to determine if they are likely to cause human disease but also develops new test methods that will be more efficient and less expensive. Test method development is critical because much current test methodology is time consuming and costly, and the American public is exposed to many more chemicals than can be tested in the forseeable future by conventional methods.

Accomplishments of NTP programs during Fiscal Year (FY) 1980, and program plans for FY 1981 are described in the ensuing sections of this FY 1981 Annual Plan. Following are brief highlights of important features and accomplishments of the NTP in FY 1980:

- Increased numbers of chemicals being tested in genetic toxicology screen. There were 261 tests completed in FY 1980.
- Continued development and implementation of sequential test phases, e.g., mutagenesis testing.
- Broadened protocols in prechronic phases of the carcinogenesis bioassay to measure other toxic effects; about 70% of 40 chemical starts in FY 1980 included special studies.
- Expanded activities in the area of reproductive toxicity assessment.
- Continued validation of a comprehensive neurobehavioral test battery.
- Began interlaboratory testing of an immunotoxicology test battery.
- Began an interagency coordinated effort on benzidine-based dye mutagenesis, chemical disposition and carcinogenesis studies.
- Completed an international collaborative study of short-term testing methods for carcinogenesis.
- Changed carcinogenesis bioassay management from prime contractor to chemical manager concept.
- Initiated research to investigate modifying experimental design of the carcinogenesis bioassay to allow resultant data to be more useful for low-dose toxicology evaluation and risk assessment.
- Formed the NTP Board of Scientific Counselors and several working subcommittees of the Board.
- Formed a peer review group for reviewing and evaluating the carcinogenesis bioassay reports.
- Initiated a testing needs study.
- Published the First Annual Report on Carcinogens. The next edition planned for FY 1981 will contain information on up to 100 additional chemicals.
- Initiated a technical bulletin series as well as a literature and management tracking system.
- Completed a systems analysis examination of the research data capture needs of the NTP.
- Computerized and cross-indexed all chemicals listed as under test in the Review of DHHS Research Related to Toxicology.
- Formed an NTP Steering Committee to enhance cooperation and information exchange among participating agencies at management and laboratory levels.
- Continued activities in response to current health problems, *specifically:*

—Played an active advisory role in the Love Canal problem. Continued testing of 70 of the over 200 chemicals found in this dump site.

—Took an active role in an interagency group evaluating health effects of Agent Orange. Reproductive assessment studies in male mice have been completed.

—Continued studies on the chronic toxicology of orally administered asbestos.

The Program's accomplishments in FY 1980 and the Program's objectives in FY 1981 all relate to the NTP's aim of providing the necessary scientific information for prevention of human disease related to chemical exposure. Under this broad objective the NTP has four principal goals:

(1) to broaden the toxicological characterization of chemicals that are tested; (2) to increase the rate of

chemical testing; (3) to develop protocols appropriate for regulatory needs; and (4) to communicate Program plans and results to governmental agencies, the medical and scientific communities and the public.

Toxicological testing is divided into three major programs: cellular and genetic toxicology, carcinogenesis, and general toxicology (which includes organ-specific toxicities). The NTP's testing strategy is to identify the toxic potential of chemicals in primary screens (Phase I); confirm and further characterize toxicity (Phase II); and provide more in-depth information on chemical toxicity which can be used in scientific and public health assessments needed to determine human risk (Phase III).

The strategy for test development or validation is to evaluate existing and emerging newer methodologies to determine which may be adequately sensitive and reproducible. Those most likely to offer improvements over older methods are selected and validated. Examples of existing methodology being examined for modification are techniques used to detect heritable genetic effects, impaired kidney and pulmonary function, and neurobehavioral toxicity; new areas of methods development and validation include behavioral teratology, immunotoxicology, and short-term tests for presumptive carcinogenic potential.

The NTP's ongoing and planned efforts in toxicological testing, test development and validation as well as other key program activities such as chemical nomination and selection, information generation and dissemination, and development of an Annual Report on Carcinogens, are described in capsule form in the following pages and in more detail in the main body of the Annual plan.

Cellular and Genetic Toxicology

A continuing area of major testing emphasis is genetic toxicology. During FY 1980, 222 tests were completed in the primary screen for chemical mutagens, the *in vitro* microbial assay in *Salmonella typhimurium*. All chemicals selected for long-term bioassays are first tested using this short-term method. In FY 1981, there will be 300 chemical test starts in *Salmonella*. In addition, the *Salmonella* assay is being evaluated in an interlaboratory study aimed at determining correlation between the mutagenic response and carcinogenicity as measured by the two-year bioassay.

Two new test systems were initiated in FY 1980, a Phase I *in vitro* system using cultured mammalian cells, and a Phase II *in vivo* system using the fruit fly, *Drosophila melanogaster*. In FY 1981, there will be 50 chemical test starts in cultured mammalian cells and 60 test starts in *Drosophila*. Evaluation of potential Phase III whole animal systems, the mouse heritable translocation assay, and the mouse specific locus test, will begin.

Genetic test systems have predictive value for identification of carcinogens; however, such inferences are made on the basis of correlations. In cellular toxicology, four *in vitro* test systems which may better measure carcinogenesis (tumor formation) are being evaluated: the BALB/c 3T3 cell line, Syrian hamster embryo cell cultures, rat hepatocyte cell strains, and retrovirus-infected rat embryo cells.

Carcinogenesis Testing

The two-year carcinogenesis bioassay continues as the standard and most definitive means for detecting chemical carcinogens in animals. At the end of FY 1980, the NTP had 234 compounds in various phases of the bioassay process. Of these, 40 were new starts in prechronic testing. Twenty-four bioassays were completed and the reports were approved by an *ad hoc* review panel. The expansion of experimental protocols for about two-thirds of the bioassays started in FY 1980 was accomplished to allow better understanding of the overall toxicology of individual chemicals. In FY 1981, the NTP plans to start 45 new bioassays, all with expanded protocols, and expects to complete 34 bioassays.

General Toxicology

Acute, subchronic and chronic studies designed to characterize the toxicologic potential of several chemicals of interest to the NTP were continued or began in FY 1980. Included were studies with polybrominated biphenyls (PBBs) and chlordecone (Kepone). In test method development, the sensitivity of a number of renal function tests was evaluated; most promising were those that measured total functional capacity of the kidneys. During FY 1981, emphasis will be given to supplementing the systemic pathologic examination in 90–120-day studies.

Chemical Disposition

Information about the disposition pattern (absorption, distribution, metabolism and excretion) of chemicals is important not only for establishing correct doses of compounds for long-term bioassays, but also for understanding mechanisms of toxicity and predicting the disposition of related chemicals and chemical classes.

Current NTP capacity is 10–15 chemical disposition starts yearly. Preference is given to chemical classes, with studies on four major classes being initiated or continuing in FY 1980: aromatic and aliphatic amines, benzidine-based dyes, haloalkyl phosphates and halogenated polyaromatics. Plans for FY 1981 call for the continuation of these ongoing studies in chemical disposition, and initiation of additional studies on 12 compounds or classes of compounds.

Immunological Toxicology

During FY 1980, several chemicals were examined for immunotoxic effects using a comprehensive battery of immunology and host resistance assays. The chemicals, diethylstilbestrol, cyclophosphamide, benzo(a)pyrene, indomethacin, and 2,3,7,8-tetrachlorodibenzo-p-dioxin, were immunosuppressive, affecting cell-mediated immunity and T-cell function, antibody PFC formation and host resistance parameters. Major areas of continuing test development include bone marrow progenitor and host resistance assays.

Neurobehavioral Toxicology

The standardization and validation of a comprehensive test battery for assessment of potential neurotoxins were continued. The tests measure sensory and motor function and indicators of learning ability. An in-depth study was conducted on neurobehavioral toxicity of chlordecone (Kepone) in adult and neonatal animals.

In FY 1981, efforts will continue to develop and standardize automated procedures to assess toxicity using basic behaviors such as eating, drinking and motor activity. Another continuing program focuses on human and animal laboratory testing and work site studies of selected chemical agents.

Pulmonary Toxicology

Major emphais was given to initiating a series of studies focused on a comprehensive evaluation of the benefits of utilizing respiratory function techniques as opposed to standard pathologic evaluation in toxicity assessment of compounds. Respiratory function was evaluated in rats after inhalation exposure to two chemicals, ozone and acrolein.

Reproductive and Developmental Toxicology

During FY 1980, tests for teratogenic potential were completed and reports received on 21 chemicals including six by the inhalation route. In FY 1981, NTP will initiate new test starts on 10–15

chemicals using conventional techniques. Some tests will use expanded protocols including single or multi-generational studies and functional testing. Male fertility was studied after treatment of mice with components of herbicide "Agent Orange." No significant decrement in fertility or reproductive capacity was noted, and there was no evidence of germ cell toxicity. Survival of offspring and neonatal development were apparently unaffected by paternal exposure to these chemicals. The pilot segment of an interlaboratory study on behavioral teratology will begin in FY 1981.

Program Resources and Planning Assumptions

The President's budget for FY 1981 ($70.1 million) permits continuation of the NTP at a slightly higher level of of funds than was obligated in FY 1980. There will be 45 new chemical starts in two-year carcinogenesis bioassays, a 17 percent increase in mutagenesis test starts, and a level effort in teratology testing. Continuing and, in some cases, expanded priorities will be given to fertility and reproductive studies, neurobehavioral toxicology, chemical disposition studies, development of short-term tests for carcinogenicity, and improvement of automated data base systems.

Program Oversight

During FY 1980, a Board of Scientific Counselors was established to provide scientific oversight of the NTP. Three Board subcommittees were formed to advise and work with Program staff in the areas of chemical nomination and selection, peer review of carcinogenesis bioassay reports, and automated data processing requirements for the bioassay programs.

Chemical Nomination and Chemical Selection

The chemical nomination and chemical selection processes set priorities for testing by NTP with regard to which chemicals to test and for which toxicologic effects to test. During FY 1980, considerable effort was made to broaden the base of people and organizations from which chemical nominations are received. Executive summaries for 127 nominated chemicals were prepared and submitted to the Executive Committee for action. In FY 1981, there will be increased efforts in preparing more detailed nominations for mutagenicity testing.

Information Generation and Dissemination

The Annual Plan and the NTP Technical Bulletin are the main communications media to keep interested persons and groups informed about the NTP's most current and proposed activities. Nearly 5,000 copies of the FY 1980 Annual Plan were distributed. The Technical Bulletin was established in FY 1980 to disseminate information about NTP test results and program activities on a more frequent basis. Two issues of the NTP Technical Bulletin were published and mailed to 3,000 individuals and organizations.

Annual Report on Carcinogens

The First Annual Report on Carcinogens, published FY 1980, focuses on 26 chemicals and industrial processes which the International Agency for Research on Cancer (IARC) has examined with respect to their potential for cancer induction in humans. The Report summarizes available human exposure data, evidence for carcinogenicity from human and animal studies, production and use data, and applicable Federal regulations. The Second Annual Report, scheduled for publication in FY 1981, will include similar information on up to 100 carcinogens.

Introduction

In November 1978, the Secretary of the Department of Health, Education, and Welfare (now the Department of Health and Human Services) (DHHS) announced the establishment of the National Toxicology Program (NTP) as a Department-wide effort to provide needed information about potentially toxic and hazardous chemicals to regulatory and research agencies, and to strengthen the science base in toxicology.

Because many human diseases are known or suspected to be caused by exposure to chemicals, preventing or decreasing human exposure to such chemicals will prevent human disease. NTP aims to develop the scientific information needed to protect the health of the American public from damage by exposure to environmental chemicals.

The Public Health Service of DHHS is responsible for safeguarding the public's health, and the prevention of human exposure to toxic chemicals remains a keystone in the Department's efforts to prevent disease and promote health.

The National Toxicology Program begins its third year in Fiscal Year (FY) 1981. The Annual Plan for FY 1981 consists of two parts (separately published):

- Research, resources, and program plans for FY 1981, and a report of program progress and accomplishments for FY 1980; and
- Review of current DHHS research related to toxicology.

For the first time the Annual Plan separates annual report information (FY 1980) from planned activities (FY 1981). Summary information for work completed during FY 1980 is given for each toxicologic research and testing activity, and coordinative management function. Also for the first time, the second part of the Annual Plan includes a review of research related to toxicology by the Environmental Protection Agency (EPA) and the Department of Energy (DOE).

Nature of the Problem

Chemical contamination of the human environment has been steadily increasing for the last 150 years or more; and since World War II, man-made pollution has multiplied. These phases coincide with the Industrial Revolution, and with the creation of a complex chemical industry which continues to introduce an estimated 700 to 1000 *new* chemicals into commerce each year.

Tragic incidents such as the exposure of workers at Hopewell, Virginia, to Kepone (chlordecone) and the exposure of humans and livestock in Michigan to polybrominated biphenyls (PBBs) dramatically emphasize the potential for harm posed by chemical pollutants. International episodes include the reaction vessel explosion (dioxins) in Seveso, Italy, and the Yusho contamination (PCBs) in Japan. In a broader perspective, the first report of the Federal Task Force on Environmental Cancer and Heart and Lung Disease, presented to Congress on the first anniversary of the Clean Air Act, stated that cancer, heart and lung disease account for about 60% of all deaths each year. Growing evidence links much of the occurrence of these diseases to sources in the environment.

More recently, the issue of large numbers of chemical waste dumps existing around the country has added urgency to the need for scientific information which identifies and characterizes chemicals in the environment which are potentially toxic to humans. Chemicals so far identified in such dumps are known to cause both acute and chronic illnesses. Although the scope of the health problems that may derive from chemical waste dumps cannot be precisely defined at present, the EPA estimates that as many as 30,000 waste dump sites may pose significant health problems. To the backlog of existing potential chemical

hazards must be added new ones, such as those that may result from new ways of producing energy. Some of the byproducts from coal liquefaction-coal gasification, for instance, have been shown to cause toxicity in general and carcinogenesis in particular.

Nearly 60,000 chemicals are used in commerce in the United States, and humans are exposed in varying degrees to most of them. Fortunately, not all of these chemicals are hazardous to humans. Thus, to protect the public health and to prevent disease, the fraction posing health threats to humans must be accurately identified and controlled.

This then is the major task of the National Toxicology Program—to identify those chemicals considered toxic to humans and that must be controlled to prevent disease.

Testing Needs Study

The limited trained manpower, laboratory facilities and financial resources available allow only a small number of chemicals to be characterized as to their toxicology potential relative to the national need to test chemicals of potential public health concern. To provide the NTP with decision-making guidelines by which to orient its testing activities, the National Academy of Sciences (NAS) starting in early FY 1981 has undertaken an extensive Testing Needs Study. This study will define the universe of chemicals in existence and make judgments as to what proportion of the universe has potential public health implications. Some of the criteria to be used include the potential for human exposure, known toxicity of a given chemical and adequacy or inadequacy of the data base. Those chemicals specifically identified will be sent to the NTP and its Executive Committee for their consideration, along with agency inputs, public inputs, etc. The NAS will develop a system, for NTP consideration, to assist NTP in their undertaking a setting of priorities among all chemicals submitted for NTP consideration for testing.

Objectives of the National Toxicology Program

Within the framework of its charge to identify those chemicals potentially toxic to humans, the broad goal of the NTP is to coordinate and strengthen the activities of the Department of Health and Human Services in testing chemicals of public health concern, as well as to develop and validate new and better integrated test methods. Four specific goals have been identified:

—To expand the toxicologic profiles of the chemicals nominated, selected, and being tested. In the carcinogenesis bioassay process, a variety of special studies were integrated into prechronic and chronic experiments during FY 1980.

—To increase the rate of chemical testing. The rate of chemical testing for carcinogenesis increased markedly during the first year of the Program and the rate of testing for mutagenic effects has increased each year.

—To develop, coordinate, and continue to validate a series of tests and protocols more appropriate for regulatory needs. The protocol for the two-year carcinogenesis bioassay has been broadened to include special studies aimed at detecting other types of toxicity during the acute and 90-day testing phases. Test batteries for the assessment of genetic, neurobehavioral, and immunological toxicology have been or are being developed and validated.

—To establish a coordinated communications network to collect, evaluate, and disseminate toxicologic information concerning data compilation, test results, method development and validation, and other Program activities. As a complement to the Annual Plan, a NTP Technical Bulletin began publication in FY 1980.

Significant progress toward these objectives has been achieved during the first two years of the NTP.

Future Aims and Needs

During the first two years of its existence, the NTP has made significant progress towards its objectives. Yet, much remains to be accomplished. Some of the Program's aims and needs can be highlighted:

- To involve agencies, other than the participating agencies, more actively in NTP planning and activities concerned with toxicology research, chemical testing, and method development and validation.
- To extend the annual Review of Federal Agency Support for Toxicology Related Research to other Federal agencies involved in toxicology activities. Information from the Environmental Protection Agency (EPA) and the Department of Energy is included in the FY 1981 Review.
- To obtain more input from the scientific community into NTP research and testing activities. The FY 1981 NTP Open Meeting will be held concurrently with a major toxicology society annual meeting.
- To better define gap areas in environmental toxicology and develop research and testing activities in such areas.
- To increase and speed up public dissemination of research, testing, and method development and validation results, e.g., it is planned to publish separate technical reports on results of studies from the prechronic phases of the carcinogenesis bioassay process.
- To continue joint briefings on chemicals and chemical classes of public health concern, bringing scientists doing the research together with scientists and program officials from regulatory agencies which are in need of specific data to support regulations, e.g., on benzidine-based dyes, phthalates (proposed).
- To improve NTP management tracking systems.
- To develop and evaluate methodology for testing mixtures and combinations of chemicals. This will require extensive input and cooperation from scientists and scientific groups in various agencies and non-governmental organizations.

Participating Agencies

Resources for the National Toxicology Program in FY 1980 came from the budgets of these participating DHHS agencies:

National Cancer Institute/National Institutes fo Health (NCI/NIH),
National Institute of Environmental Health Sciences/National Institutes of Health (NIEHS/NIH),
National Center for Toxicological Research/Food and Drug Administration (NCTR/FDA), and the
National Institute for Occupational Safety and Health/Centers for Disease Control (NIOSH/CDC).

The Director of the NTP is Dr. David P. Rall, also the Director of the National Institute of Environmental Health Sciences. For the purpose of this program, he reports to the Assistant Secretary for Health, DHHS.

Each year, when resources of the participating agencies are identified, memoranda of understanding are prepared and signed by the head of each agency and the NTP Director. These memoranda:

1. Specify those resources to be devoted to the Program.
2. Identify Program components by organizational title.
3. Identify supporting elements of the agencies, and their responsibilities.

The capabilities of the NTP are also augmented through an interagency agreement with the National Library of Medicine that provides the NTP with toxicology-related portions of its technical information services.

Three other agencies (the Occupational Safety and Health Administration, the Consumer Product Safety Commission, and the

Environmental Protection Agency) are represented on the NTP Executive Committee, thus assuring their input into the Program. Other Governmental agencies with a health-oriented mission are invited to become participating members of the NTP and contribute toxicology-related resources to the Program.

Resources and Planning Assumptions

The NTP's FY 1980 obligations were $66.7 million. This funding, as well as staffing, represents an allocation of resources from the four contributing agencies. The President's budget for FY 1981 permits the continuation of NTP at a slightly higher level, $70.1 million, than the FY 1980 level. Because Congressional action on the FY 1981 budget was not yet complete at the time of this report, the NTP Annual Plan for FY 1981 is based on a level of $70.1 million. The President's budget for FY 1981, compared with the actual obligations for FY 1979 and FY 1980, is shown in Figure 1.

Assuming the final appropriated budget is similar to the President's budget, the following planning assumptions can be made:

(1) There will be 45 new chemical starts for two-year carcinogenesis bioassays.

(2) Mutagenesis testing starts will increase by about 17% due primarily to increased efficiency in new Phase I and Phase II assays.

(3) The teratology testing effort will remain level.

In addition, priority will be given to modest increases of effort in the areas of fertility and reproduction, neurobehavioral toxicology, chemical disposition, and development of short-term tests for carcinogenicity.

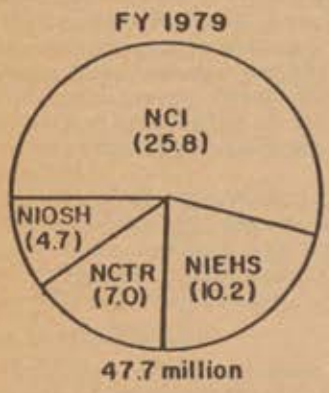
In sum, the NTP activities for FY 1981 represent a reasonably balanced approach to fulfilling the specific goals established for the NTP and endorsed by the Executive Committee.

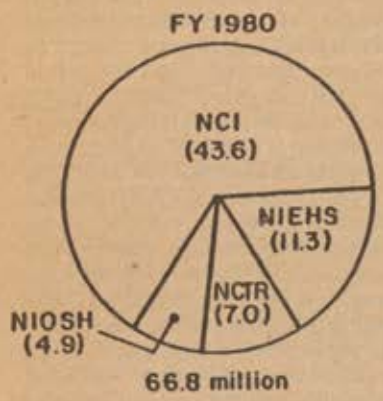
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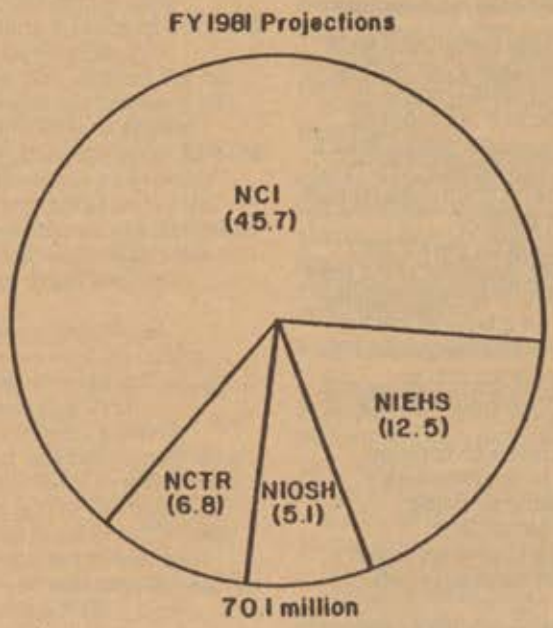
FIGURE 1

AGENCY ORIGIN AND AMOUNTS OF FUNDING
(millions)

Historical Data(actual)







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Oversight and Review

NTP Executive Committee

Primary oversight for the National Toxicology Program is provided by the NTP Executive Committee. Members of the committee are:

Dr. Eula Bringham, Assistant Secretary of Labor for Occupational Safety and Health Administration, Department of Labor (Chairperson)
Mr. Douglas Costle, Administrator, Environmental Protection Agency
Dr. Vincent T. DeVita, Director, National Cancer Institute
Dr. Donald S. Fredrickson, Director, National Institutes of Health
Dr. Jere Goyan, Commissioner, Food and Drug Administration
Ms. Susan B. King, Chairman, Consumer Product Safety Commission
Dr. David P. Rall, Director, National Institute of Environmental Health Sciences
Dr. Anthony Robbins, Director, National Institute for Occupational Safety and Health

The Chairperson is elected by the Committee and serves a one-year term. Active participation of Committee members at regular meetings assures continuing involvement of the research and regualtory agencies in the critical phases of operation: development and approval of chemical selection principles; a chemical nomination and selection process; protocol design and approval policy; selection and priority setting for chemicals to be placed on test; and input into program planning and balance. Committee members will continue their oversight in FY 1981 by actively monitoring and evaluating the progress of the Program and advising on future research and testing needs. This unique and important aspect of NTP continues to bring together agencies performing fundamental biomedical research and the regulatory agencies who need these results.

NTP Board of Scientific Counselors

The National Toxicology Program Board of Scientific Counselors provides scientific oversight of the NTP. The Board advises the Director and the Executive Committee on scientific content, philosophy, and policy matters and evaluates the merit and overall quality of the science conducted in the Program's components.

The Charter of the Board of Scientific Counselors was adopted by the Executive Committee and the following eight scientists were appointed in FY 1980 by the Secretary, DHHS:

- Norton Nelson, Ph.D. (Chairperson), Professor of Environmental Medicine, New York University School of Medicine
- Joseph C. Dunbar, Ph. D., Associate Professor of Physiology, Wayne State University School of Medicine
- Curtis Harper, Ph. D., Associate Professor of Pharmacology, University of North Carolina School of Medicine
- Margaret Hitchcock, Ph. D., Assistant Professor of Pharmacology, Yale University Medical School
- Marjorie G. Horning, Ph. D., Professor of Chemistry, Baylor College of Medicine
- Mortimer L. Mendelsohn, M.D., Ph. D., Director, Biomedical Sciencies Division, Lawrence Livermore Laboratory, University of California
- Thomas H. Shepard, M.D., Professor of Pediatrics and Head of Central Laboratory for Human Embryology, University of Washington School of Medicine
- Alice S. Whittemore, Ph. D., Adjunct Professor of Family, Community, and Preventive Medicine, Stanford University.

The Board of Scientific Counselors held three open meetings during FY 1980. These meetings are summarized as follows:

January 14–15, 1980 Meeting

At the first meeting of the NTP Board of Scientific Counselors, the Program Director and participating agency representatives presented a synopsis of the NTP programs, goals and plans; described the relevant programs of the four NTP components (NCI, NIEHS, NCTR, NIOSH); and defined the role of the Board. Three areas were defined on which the Board should concentrate: (1) quality of the science and scientists in the NTP; (2) quality of the program design; and (3) chemical nomination and selection process. Topics covered in this meeting were: (1) science review; (2) chemical nomination and selection process; (3) protocol and experimental design; (4) preparation, review and dissemination of information and reports; and (5) automated data processing. Three working subcommittees were appointed from the Board membership: (1) Chemical Nomination and Selection; (2) Reports Review; and (3) Automated Data Processing. There was also a review of the first three phases of the chronic carcinogenesis bioassay process; specifically, the pretesting phase, prechronic testing, and the two-year bioassay.

April 7–8, 1980, Meeting

During this meeting, a report of the first meeting of the Chemical Nomination and Selection Subcommittee was presented during which improvements in the nomination and selection process were considered, including the need to reach a wider audience for solicitation of nominations. The final four phases of the chronic carcinogenesis bioassay process were discussed and reviewed. These are: (1) histopathologic analysis and report; (2) internal program review and analysis of data; (3) external peer review; and (4) report issuance phase. Members of the carcinogenesis testing program staff discussed the bioassay analysis and reporting activities. A Technical Reports Review Subcommittee was formed specifically to conduct peer review on technical reports from the carcinogenesis bioassay process now that the NCI Clearinghouse on Environmental Carcinogens has disbanded.

June 27–28, 1980, Meeting

The Technical Reports Review Subcommittee augmented by an *ad hoc* Panel of Experts completed peer review on nine carcinogenesis bioassay reports. The Subcommittee recommended that NTP staff focus on: (1) evaluation of methodology for statistical analysis of bioassays; (2) review of pathology quality assurance in bioassays; (3) development of guidelines concerning types of human risk statements to be used. Establishment of a mechanism for external peer review of NTP technical reports was discussed. A decision was made to continue technical report peer review using the Technical Reports Review Subcommittee and Panel of Experts. The Automated Data Processing and Chemical Nomination and Selection Subcommittees presented status reports.

Operations Management System

The Secretary, DHHS, established a management tracking system in FY 1980 for the purpose of holding DHHS agency and program heads, and senior managers, accountable for specific, major operational achievements. Called the Operations Management System (OMS), it monitors progress and effectiveness of selected program initiatives by measuring actual monthly and quarterly achievements against projected goals. The National Toxicology Program was chosen for inclusion in the OMS. The carcinogenesis bioassay and mutagenesis testing programs of the NTP, as well as the development of the

Annual Report on Carcinogens, are being monitored in FY 1980 and FY 1981.

Coordination and Communication

Central to the effective planning, coordination, and operation of the NTP is the development and approval of the Annual Plan to which all participants (NIEHS, NCI, NCTR and NIOSH) contribute. The Annual Plan consists of two parts. Part I describes the research, resources, and program activities for the past fiscal year and program plans by NTP for the current fiscal year. To measure progress toward the objectives presented in prior Annual Plans, separate annual report sections are being published concurrently for the first time in FY 1981. Part II presents a review of current research related to toxicology being conducted by various Federal agencies both inside and outside of NTP. In FY 1980 this review covered only DHHS agencies, while EPA and the Department of Energy have contributed data for the FY 1981 review.

To ensure that the efforts of the NTP remain relevant to society, NTP actively solicits and encourages comments from everyone—scientists, public and private organizations, and individuals. Partly, this is accomplished by wide distribution of the Annual Plan (published in the **Federal Register**). Open meetings are held expressly to receive comments on current and future Annual Plans and to encourage nominations of chemicals for testing. A NTP Technical Bulletin was initiated in FY 1980 to serve as the Program's major vehicle for communication to those interested in NTP's current and future activities. It is published several times a year. Recently, a NTP Public Information Office was established and will be responsible for improving communication with the national media and the public.

Federal agencies that do not participate in the NTP also have responsibilities for toxicologic research, testing, and communication of their findings. To increase interactions and exchange of information with such agencies, a briefing was held June 3, 1980, for representatives from these other Federal agencies.

The NTP is also developing liaison with foreign agency counterparts. Contacts have been established with the World Health Organization's International Program on Chemical Safety, with the International Agency for Research on Cancer, with the International Registry of Potentially Toxic Chemicals, and others.

NTP staff participate in a number of interagency liaison groups, including the DHHS Committee to Coordinate Environmental and Related Programs, the Task Force on Environmental Cancer and Heart and Lung Disease, and the Interagency Collaborative Group on Carcinogenesis.

To increase coordination and information exchange and promote interagency working relationships within the Program, the NTP has established a Steering Committee composed of the operating heads and other key staff from the participating agencies. This group meets monthly or bimonthly.

Organization

The scientific capabilities and resources of the participating agencies cover a spectrum of toxicologic techniques, methods, and disciplines. All four agencies, for instance, conduct long-term toxicity-carcinogenicity studies and some mutagenicity testing or test development. Three agencies are involved in neurobehavioral testing; two agencies study pulmonary toxicity. Individual NTP scientists have been identified as leaders of major program segments. Each individual serves as the focus or contact person for a particular program activity and is responsible for developing, in collaboration with appropriate NTP colleagues, the sub-program objectives, the plan for implementing the sub-program, as well as the coordination and supervision of the sub-program's work.

The program segments of the National Toxicology Program are grouped into two categories—toxicologic research and testing, and coordinative management activities. The toxicologic research and testing activities include all aspects of research, test method development, and testing of chemicals, ranging from the design of experiments to evaluation of the data and writing the reports or manuscripts. The coordinative management activities are overarching and serve primarily to facilitate and/or support research and testing activities, as well as to provide information on program plans and progress. The development and supervision of contracts would be management activities. The program segments and program leaders are listed in Table 1. To allow estimates of the levels of activity within particular NTP disciplinary components, the funding levels in FY 1980 allocated to each of the program areas within both toxicologic research and testing, and coordinative management activities are diagrammed in Figure 2.

During FY 1980, administrative responsibilities for the activities of the NCI carcinogenesis bioassay program were transferred to NIEHS. This action enhances the overall coordination and the management aspects of the NIH component of the NTP.

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TABLE 1

Major National Toxicology Program Areas and Leaders

Area	Leader	Contributing Agency*	Telephone Number
Director	Dr. D.P. Rall	NTP	(919) 541-3201
Deputy Director	Dr. J.A. Moore	NTP	(919) 541-3267
Toxicologic Research and Testing			
Cellular and Genetic Toxicology	Dr. R. Tennant	NIEHS	(919) 541-4130
Carcinogenesis	Dr. W. Caspary	NCI	(301) 496-1071
Cellular Transformation	Dr. R. Tennant	NIEHS	(919) 541-4141
Mutagenesis	Dr. E. Zeiger	NIEHS	(919) 541-4482
Pathology	Dr. E. McConnell	NIEHS	(919) 541-3231
Experimental Pathology	Vacant		
Toxicological Pathology	Dr. E. McConnell	NIEHS	(919) 541-3231
Tumor Pathology	Dr. J. Ward	NCI	(301) 496-6868
Pulmonary Toxicology	Dr. T. Lewis	NIOSH	(513) 684-8392
Reproductive Assessment and Developmental Toxicology	Dr. C. Kimmel**	NCTR	(501) 542-4516
Systemic Toxicology	Dr. J. Moore	NTP	(919) 541-3267
Chemical Disposition	Dr. H. Matthews	NIEHS	(919) 541-3369
Immunological Toxicology	Dr. J. Dean	NIEHS	(919) 541-4659
Neurobehavioral Toxicology	Dr. C. Mitchell	NIEHS	(919) 541-3220
Toxicological and Carcinogenesis Evaluation	Dr. J. Moore**	NIEHS	(919) 541-3267
Senior Chemical Managers	Dr. M. Dieter	NCI	(919) 541-3368
	Dr. R. Chhabra	NIEHS	(919) 541-3386

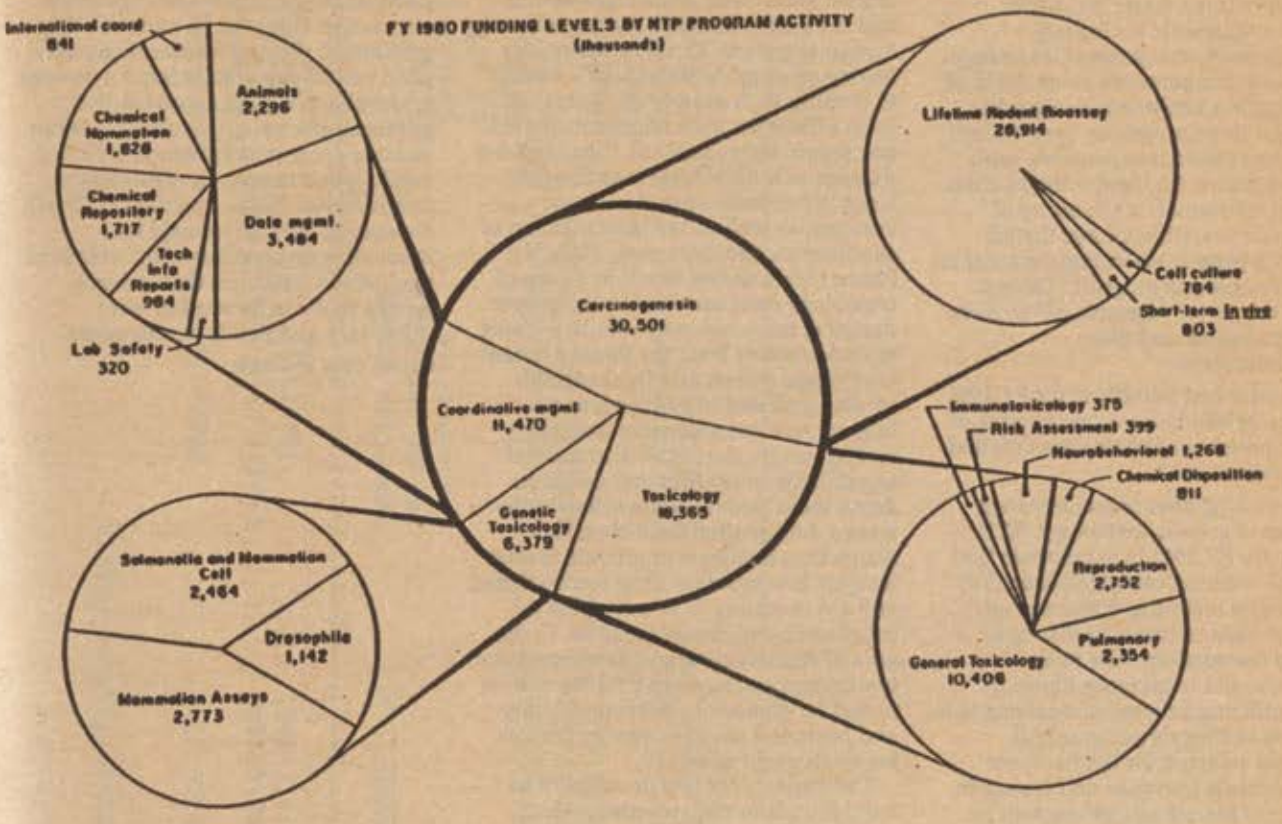
TABLE 1 (Cont'd)

Area	Leader	Contributing Agency*	Telephone Number
Coordinative Management Activities			
Chemical Nomination	Dr. L. Fishbein	NCTR	(501) 542-4390
Data Management and Analysis	Dr. D. Hoel	NIEHS	(919) 541-3441
Biostatistics	Dr. J. Haseman	NIEHS	(919) 541-3437
Data Systems	Mr. J. Washington	NIEHS	(919) 541-4497
Development	Mr. A. Konvicka	NCTR	(501) 542-4534
Information Systems	Dr. H. Kissman	NLM	(301) 496-3147
Program Operations (Bioassay)	Dr. J. Douglas	NCI	(301) 496-5591
Test Management	Dr. W. Hartwell	NCI	(301) 496-4874
Collaborative Services	Dr. C. Whitmire	NCI	(301) 496-4874
Program Resources	Dr. C. Grieshaber	NCI	(301) 496-5591
Animal Resources	Dr. G. Boorman**	NIEHS	(919) 541-3231
Chemistry (Repository)	Dr. C. Jameson	NCI	(919) 541-3355
	Dr. D. Walters	NIEHS	(919) 541-3355
Health and Safety	Dr. D. Walters**	NIEHS	(919) 541-3355
Technical Information	Ms. J. Chase	NCI	(301) 496-1152
Public Information	Mr. S. d'Arazien	NTP	(919) 541-3991

*Addresses: National Cancer Institute, Bethesda, M.D. 20205; National Institute of Environmental Health Sciences Research Triangle Park, N.C. 27709; National Library of Medicine, Bethesda, Maryland 20014; National Toxicology Program, Research Triangle Park, N.C. 27709; National Institute for Occupational Safety and Health, Cincinnati, Ohio 45226; National Center for Toxicological Research, Jefferson, Arkansas 72079.

**Acting Program Leader

FIGURE 2



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Toxicology Research and Testing Overview

Toxicology testing within NTP can be placed into three major programs: cellular and genetic toxicology, carcinogenesis, and general toxicology. For descriptive purposes some areas of toxicology are arbitrarily assigned to one of the three programs, even though these areas interact extensively with other programs. An illustration of cross program interaction is the utility of *Salmonella* mutation assays (listed within the genetic toxicology section) to the carcinogenesis program. Table 2 depicts the major segments of the three testing programs and these interrelationships.

The major test initiatives for FY 1981 are summarized below (descriptions of specific program activities are detailed in the next section).

A continuing area of major testing emphasis is genetic toxicology. NTP strategy for FY 1981 is to maintain the rate of *in vitro* microbial (*Salmonella*) mutagenesis testing at 300 chemical starts, to increase parallel testing in cultured mammalian cells to 50 chemicals, and to increase Phase II testing utilizing *Drosophila* systems to a rate of 60 chemicals per year. All chemicals selected for the two-year carcinogenesis bioassay and testing in the general toxicologic screen will be first tested in one or both of the *in vitro* genetic toxicity tests.

In carcinogenesis testing the NTP proposes to start 45 new chemicals on the two-year carcinogenicity bioassays in FY 1981. This is about the same as the level achieved in FY 1980. The Program's strategy is to assure that the most important chemicals from a public health point of view are tested and that end results are relevant to the research and regulatory agencies interested in each chemical. Emphasis is being placed on determining whether the experimental design for bioassays can be modified to provide better low dose extrapolation potential for purposes of risk assessment.

A major innovation in the bioassay program was the expansion of the experimental protocol during the prechronic and chronic testing phases to enhance the detection of toxicologic effects other than cancer, e.g., damage to organs such as liver, kidney and lung, neurobehavioral effects and immunoxicity. About two-thirds of chemical bioassays designed in FY 1980 incorporate a broader protocol design. Concurrently, management and supervision of each new bioassay laboratory is assigned to a NTP scientist.

Most chemicals selected for testing by NTP are selected because too little is known about their toxicologic effects and the potential exists for considerable human exposure. The NTP toxicology testing strategy, initiated in FY 1980, is to identify with assurance the major toxic effects for each chemical studied on chronic tests (Table 2). This includes damage to critical targets such as the lungs, liver, immune and nervous systems, as well as the identification of carcinogens and mutagens. Thus, the Phase I tests should result in a core of toxicology data essential to the proper design of more extensive studies. Using the information from the Phase I rodent toxicologic screen and from special studies included in carcinogenesis bioassays, more extensive toxicology testing can be started with increased capabilities to confirm and define in depth those toxicities identified in the screen. Information from chemical disposition studies will provide further insights into possible toxic mechanisms, and aid in setting dose schedules for subchronic and chronic studies. In the area of reproductive and developmental toxicology, emphasis in FY 1981 will be to test for chemical effects on fertility, and postnatal development as well as for teratogenic effects.

The strategy for test developent or validation is to review existing and emerging newer methodologies to determine which may be adequately sensitive and reproducible. Those most likely to offer improvements over older methods are selected and validated. When basic research findings suggest new areas of toxicology testing, NTP undertakes the appropriate methods develpment and validation. Examples of existing methodology that are being examined for modification are techniques used to detect heritable genetic effects, impaired kidney and pulmonary function, and neurobehavioral toxicity; new areas of methods development and validation include behavioral teratology, immunotoxicology, and short-term tests for presumptive carcinogenic potential.

Validation of test methods is a two-stage process. First, does the procedure yield test results that are reproducible within and between laboratories? Second, does the test predict for toxic potential in humans? The latter requires that NTP pay close attention to the results of human epidemiological studies that may correlate with test results.

The NTP approach to testing will be directed to developing new or better test methods. This is not an indication of flaws in traditional toxicology or regulatory test requirements but reflects an area of science with rapidly expanding boundaries of knowledge. Thus, it necessary that NTP have a planned strategy to validate possible alternative that may be more reliably performed, yield new toxicologic data, yield results relevant to human disease, or develop a testing approach that produces equivalent results in a faster or more economical manner. NTP test results often impact on regulatory or public health issues and thus, NTP will constantly attempt to meld its innovative approaches with "standard" methods in a manner that ensures results that can be used to meet regulatory and public health needs.

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TABLE 2

NTP's Interactive Testing Phases

Program Area	Phase I Identify Toxic Potential	Phase II Corroborate Toxic Effect	Phase III Confirm and Define Toxicity	Phase IV Scientific and Public Health Assessment
Genetic Toxicology	Salmonella assay; mammalian cell culture	Drosophila SPP	Mammalian assays (mouse heritable translocation)[b]	Total Evaluation of all Data
General Toxicology	Rodent toxicology	Confirmation of organ system toxicities[a]	In-depth characterization; specific toxic effects[a]	(Publication and Dissemination of Information)
Carcinogenesis	Cell culture transformation[b]	Short-term in vivo (mouse lung adenoma)[b]	Two-year rodent bioassays	

[a] Validation Phase

[b] Some in Test Validation

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CELLULAR AND GENETIC TOXICOLOGY

The objectives of NTP programs in cellular and genetic toxicology are to develop, evaluate, and implement short-term *in vivo* and *in vitro* systems to detect carcinogenic, mutagenic and toxic effects of chemicals and to perform studies designed to understand the causes of these responses. Most animal test systems are time consuming and expensive, therefore, the development and scientific understanding of short-term assays play a key role in fulfilling the mission of the NTP. These programs will utilize a number of complementary tests of toxic, mutagenic, and carcinogenic potential to provide useful predictive information for assessing potential hazard to humans.

Although there is some overlap in methodology and toxic endpoints, the genetic toxicology and cellular toxicology programs are differentiated in this report by the rational that testing, method development and validation activities in genetic toxicology have the primary aim of detecting and characterizing the mutagenic effects of chemicals. The findings, particularly in *Salmonella* tests, may be correlative for the prediction of potential carcinogenicity in higher organisms. Conversely, test systems being developed and utilized in cellular toxicology may include microbial mutagenesis assays but the primary objectives are to predict and detect the carcinogenicity of chemicals.

Genetic Toxicology

Mutagenicity assays identify structural or functional chromosomal or gene DNA perturbations in germinal or somatic cells. Effects in germ cells are important for predicting potential undesriable effects on fertility, the developing fetus, or in generations subsequent to those which received chemical exposure. Somatic mutation may be predictive for physiologic alternations in the exposed person and for the potential induction of cancer.

The strategy for testing is to develop a screening program consisting of three phases or a composite of tests that vary in complexity from simple systems composed of microbial or mammalian cells in culture to *Drosophila* systems, and finally, to specific whole animal mammalian systems. In this strategy, multiple test systems will be used to complement specific deficiencies in individual tests, and to provide a range of biological responses so that the best prediction can be made of detrimental biological effects in humans. The genetic toxicology test program and its interactions with other NTP programs are charted in Table 2.

FY 1980 Accomplishments

The Phase I *Salmonella* mutagenicity assay was established in FY 1979. During FY 1979, three contracts were awarded for testing, and testing of coded chemicals begun. Chemicals on which *Salmonella* testing has been completed through FY 1980 are listed in Table 3. Since a number of these chemicals were tested in more than one laboratory, there were 222 tests completed for the chemicals in Table 3. Of these, 156 (70%) were considered negative, 60 (27%) positive, and 6 (3%) equivocal as to mutagenicity. This assay uses *Salmonella typhimurium* tester strains TA 98, TA 100, TA 1535, and TA 1537, with and without metabolic activation by liver S–9 fractions from polychlorinated biphenyl (Arochlor 1254)–induced rats and hamsters.

The *Salmonella* mutagenicity assay also is being used by four laboratories to independently validate microbial mutagenicity as a screen for chemical carcinogens, using chemicals not identified to the experimenter (coded assays). An additional objective was to determine the correspondence between mutagenicity and *in vivo* bioassay results, and to determine the reproducibility of the assay procedure. (The contract laboratories are conducting assays under a common protocol.) Of 120 coded compunds for which tests have been completed, 70 have been decoded and the results have demonstrated a good correlation between the four participating laboratories as to which compunds are mutagenic. The combined programs are undertaking the testing of all compounds which have been subject to animal carcinogenesis bioassy, using the same batch of chemicals in most cases.

Tests with cultured mammalian cells are another component of Phase I. Unlike bacterial tests which detect only specific gene DNA effects, the mammalian cell assay can also be used to detect chromosome damage. Testing capability was established in FY 1980 in two laboratories for Chinese Hamster Ovary (CHO) cells in culture with and without Arochlor 1254–induced rat liver S–9 fraction. The final protocol to be used by these laboratories is being validated. The endpoints to be measured include chemical induction or mitotic chromosome aberrations and sister chromatid exchanges.

Chemicals that are mutagenic in Phase I assays, together with a selected number of negative chemicals, will be committed to further testing, taking into account such factors as known biological activity or structural relationships of related compounds, the level of human exposure, and gaps in our knowledge of the genetic effects of specific chemical classes.

The Phase II initiative involves the use of the fruit fly, *Drospophila melanogaster*. There is an extraordinary wealth of genetic and biochemical background information on this easily manipulated organism. In addition, it possesses inherent chemical metabolic activation capability, provides more precise information on the types of mutations induced and the time course of induction, and demonstrates heritability of the induced mutations after sexual matings. Both sex-linked recessive lethal mutations and heritable translocations will be measured. Testing capability was established in FY 1980 in three laboratories and testing began in FY 1980 at the rate of 30 chemicals per year. Chemicals initially selected for testing in *Drosophila* are listed in Table 4.

The chemicals that are positive in the Phase II systems will be subjected to testing in whole animal systems. The objectives of these Phase III tests are to obtain information on the types of mutations produced *in vivo*, the heritability and germ cell sensitivity of the effect, the organs involved and dose-response information. Chemicals producing germ cell damage or mutations will be further tested in animal systems to gather information for use in risk assessment. The mouse heritable translocation assay was chosen for study as a Phase III system. Initial efforts begun during FY 1980 have been to select an appropriate mouse strain for use in heritable translocation studies, and to determine the false positive and false negative errors associated with the classification of individual F_1 animals as suspect or non-suspect translocation carriers based upon analysis of fertility test data. The first positive control study with triethylinemelamine began in late FY 1980.

FY 1981 Program Plans

Mutagenesis testing in Phase I and Phase II assays will continue in FY 1981. There will be 300 chemical test starts in the *Salmonella* assay (Table 5). There will be 50 chemical test starts in cultured mammalian cells, and 60 chemical test starts in *Drosophila* in FY 1981. Many of those tested in the latter two assays will be chemicals found to be mutagenic in the microbial assay.

The potential Phase III tests require validation, and the FY 1981 plan is to initiate such efforts in several

laboratories with the mouse heritable translocation assay. Previously, stock selection of an appropriate mouse strain for use in the studies will have been completed, and additional positive control studies with selected chemicals will be initiated. The mouse specific locus assay will be evaluated as an indicator of the effects of chemicals on mammalian germ cells. An in-depth study of the potent mammalian mutagen, ethylnitrosourea, will be initiated along with the testing of another selected chemical(s) for activity in the specific locus assay.

Contracts are being initiated for development of rapid screening tests for the induction of aneuploidy (the development of abnormal numbers of chromosomes) using *Drosophila melanogaster* and the yeast *Saccharomyces cerevisiae*. Aneuploidy contributed significantly to the genetically-based disease burden in human populations, yet the routine mutagenesis tests (*Salmonella*, *Drosophila* sex-linked recessive lethal, *in vitro* cytogenetics) are not capable of detecting chemicals that will *only* produce aneuploidy. *Drosophila* and yeast were chosen because they are easily manipulated genetically, can provide evidence of aneuploidy, are relatively quick and easy to use, and can be used to measure other genetic endpoints as well. It is anticipated that the development and validation of one *Drosophila* and one yeast aneuploidy system will be put under contract to be awarded in early FY 1981.

Cellular Toxicology

While the previously described genetic systems have demonstrated predictive value in identification of carcinogens, such inferences are made on the basis of correlations. Therefore, other systems based upon biological responses consistent with the neoplastic (tumor) phenotype must be developed and validated. Four systems are in various developmental stages, including the BALB/c 3T3 cell line, Syrian hamster embryo cell cultures, rat hepatocyte cell strains, and retrovirus-infected rat embryo cells. All systems require continued protocol development and assessment of factors affecting quantitative as well as qualitative results. In addition, criteria for qualitative responses to be observed and acceptability of overall test results need to be defined.

FY 1980 Accomplishments

Work related to program objectives, including studies involving BALB/c 3T3 (clone 1–13 of Kakunaga), have required extensive analysis of factors influencing the induction and quantitation of transformed cells. Effort was directed at estimates of toxicity, target cell density and calculation of transformation frequency as foci/viable cell. Attempts were made to correlate *in vitro* anchorage-independent growth (cells that lose the need to adhere to a substrate) and *in vivo* tumorigenicity with the progression of Type III foci in cell passage, but a quantitative relationship was not seen. The results of metabolic activation studies for conversion of a putative procarcinogen to a carcinogen suggest that different systems will be needed for different chemical classes of procarcinogens. While the results of testing 60 coded samples revealed a good correlation of morphologic transformation with known tumorigenicity, the problems of metabolic activation require further study.

Syrian hamster cell studies required the identification of suitable primary cell cultures, and assays of metabolic activation, including the use of hepatocytes in cocultivation experiments. Assays of a series of coded chemicals have been initiated. Rat hepatocytes have been evaluated as an assay system for induction of DNA repair, and phenotypic transformation. Growth of chemically-treated cells in agar has shown a high correlation with tumorigenicity and this therefore appears to be a suitable endpoint. Fischer rat embryo cells infected with Rauscher leukemia virus have shown transformation with a variety of procarcinogens without addition of an exogenous metabilic activation system. Transformation could be observed within 4–6 weeks after treatment; other protocols which significantly decrease this time are being developed. Assays of 59 coded compounds have been completed and the results are in the final phase of analysis.

Additionally, a genetic assay system is being evaluated and validated for its usefulness as a prescreen for potential chemical carcinogens. The L5178Y mouse lymphoma cell ($Tk^+/-$locus) system is being evaluated as to its usefulness and reliability as a prescreen for potential chemical carcinogens, and to determine the reproducibility of the assay procedure between two laboratories. Decoding and evaluation of approximately 30 compounds, tested by both laboratories, are in progress.

The first phase of an international collaborative study for the evaluation of short-term assay systems for predicting chemical carcinogenicity was completed in late FY 1979. The toxicological profiles of 42 coded carcinogens and non-carcinogens were determined in up to 35 short-term bioassays (FY 1980 Annual Plan). Decoding was carried out and a workshop held in early FY 1980 to compare and evaluate results and draw conclusions on the performance of the various assays. Preliminary results and conclusions were presented subsequently at open meetings. Preliminary conclusions are:

1. This study confirms that there are short-term tests that can be used to predict carcinogenic activity but no single assay or battery of assays were readily apparent as the best-suited for this purpose.

2. Reliable data from any assay system is dependent upon the investigator's thorough understanding of the system used, awareness of its pitfalls, and careful conduct of experiments.

3. Nearly all assays produced both false negatives and false positives. Therefore, to include any assay in a battery of tests will require a trade off between these two classes of errors.

4. Strong evidence for the use of a test battery was obtained (e.g., with hexamethylphosphoramide, a rodent carcinogen, bacterial results were largely negative in both repair and mutation assays, and yet results in eukaryotic systems from yeast to whole animals were positive).

5. Recommendations on test batteries will have to await a clear definition of their application and the relative importance of false positive and negative results.

FY 1981 Program Plans

Based upon the results described for the four developmental cell culture systems—the BALB/c 3T3 cell line, Syrian hamster embryo cell cultures, rat hepatocyte cells, and retrovirus-infected rat embryo cells, as well as the genetic system (L5178Y mouse lymphoma cell)—the FY 1981 program plans in the area of cellular toxicology will combine three primary elements. First, there will be an initiation of protocol development and a systematic dual laboratory comparison of the primary *candidate* mammalian cell transformation assay system. Second, studies of *in vivo* carcinogenesis systems will be directed toward development of Phase III short-term, whole animal tests.

Third, NTP will support the development of assay systems which promise additional advantages in accuracy, precision or fidelity but which are not sufficiently defined to be validated as toxicologic or carcinogenic tests. It is important that test methods which reflect the evolution in understanding the mechanisms of toxic

and carcinogenic effects continue to be sought, particularly those which utilize human cells. The problems associated with the extrapolation of the results of *in vitro* and short-term assays to human populations will also be addressed.

Finally, in the international collaborative study for the evaluation of short-term assay systems for predicting chemical carcinogenesis, an in-depth analysis of the data base will be completed, and the discussions of the results and conclusions of the study will be published in book form and in the scientific literature. Resources permitting, additional test data will be obtained in support of further evaluating certain assays. A complete evaluation of these systems is important for at least two reasons. First, several systems involve mammalian cells which are closely related to the cells in which we are ultimately interested (human cells). Second, several systems detect endpoints other than gene mutations and may yield meaningful results on carcinogens which act via other genetic or epigenetic mechanisms.

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TABLE 3

CHEMICALS TESTED IN SALMONELLA MUTAGENICITY ASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	RESULT*	CAS NO.	NTP NO.
1	Acetamide	(-)	60-35-5	10375-A
2	Aniline	(-)	62-53-3	10379-R
3	Azobenzene	(+,+)	103-33-3	10499-L
4	Azodicarbonamide	(+)	123-77-3	10086-W
5	AF-2	(+,+)	3688-53-7	10831-E
6	Benzaldehyde	(-)	100-52-7	10087-A
7	Benzo(a)pyrene	(+,+)	50-32-8	10353-C
8	Benzofuran	(-)	271-89-6	10058-F
9	Benzyl salicylate	(-,-)	118-58-1	10545-L
10	Beta-Methylumbelliferone	(-)	90-33-5	10437-G
11	Beta-Picoline	(-)	108-99-6	10530-J
12	Biphenyl	(-,-)	92-52-4	10444-D
13	Bisphenol A	(-,-,-)	80-05-7	10034-Y
14	Boric acid	(-)	10043-35-3	10035-D
15	Bromobenzene	(-)	108-86-1	10060-G
16	Bromoform	(?)	75-25-2	10396-V
17	Cacodylic acid	(-)	75-60-5	10401-J
18	Calcium chromate	(+,+)	13765-19-0	10827-V
19	Carbon disulfide	(-,-)	75-15-0	10014-H
20	Catechol	(-,-)	120-80-9	10094-W
21	Chloral hydrate	(+)	302-17-0	10609-C
22	Chlorobenzene	(-,-)	108-90-7	10528-H
23	Choline chloride	(-)	67-48-1	10846-G
24	Cis-Stilbene	(-)	645-49-8	10657-H
25	Crotonaldehyde	(+)	4170-30-3	10252-S
26	Cyanuric acid	(-)	108-80-5	10526-A
27	Cyclohexanol	(-)	108-93-0	10529-L
28	Cyclohexanone	(-,-)	108-94-1	10064-X
29	Cyclophosphamide	(+,+)	50-18-0	10351-T
30	D-Limonene dimercaptan	(-,-,-)	4802-20-4	10841-L

* (-) = negative, (+) = positive, (?) = equivocal, (+W) = weakly positive. There may be from one to three tests reported for each compound.

TABLE 3

CHEMICALS TESTED IN SALMONELLA MUTAGENICITY ASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	RESULT*	CAS NO.	NTP NO.
31	Di(2-ethylhexyl) phthalate	(-,-)	117-81-7	10188-J
32	Di(2-ethylhexyl)adipate	(-,-)	103-23-1	10497-E
33	Di-n-butylamine	(-)	111-92-2	10535-E
34	Diacetone acrylamide	(-)	2873-97-4	10719-P
35	Diethanolamine	(-)	111-42-2	10534-A
36	Diethyl carbonate	(-)	105-58-8	10253-W
37	Diethylene glycol dimethyl ether	(-)	111-96-6	10536-H
38	Dimethylamine	(-,-)	124-40-3	10569-T
39	Dimethylcarbamoyl chloride	(+,+)	79-44-7	10416-L
40	Dimethylcyanamide	(-,-)	1467-79-4	10684-V
41	Dimethylformamide	(-)	68-12-2	10256-H
42	Diphenyl oxide	(-)	101-84-8	10491-F
43	Diphenylhydantoin	(-,-)	57-41-0	10156-D
44	Ethylene glycol	(-)	107-21-1	10118-E
45	Ethylene thiourea	(-)	96-45-7	10466-C
46	Ethylenediamine	(+W)	107-15-3	10190-K
47	Eugenol	(-)	97-53-0	10468-J
48	Ferrocene	(?)	102-54-5	10495-W
49	Formaldehyde	(+,+)	50-00-0	10002-S
50	Furfural	(-,?)	98-01-1	10120-F
51	Gallic acid	(-,-)	149-91-7	10599-S
52	Glycerol	(-,-,-)	56-81-5	10878-N
53	Glycine	(-,-)	55-48-6	10877-J
54	Hematoxylin	(-)	517-28-2	10044-G
55	Hexabromobiphenyl	(-)	36355-01-8	10021-E
56	Hexachlorobenzene	(-)	118-74-1	10546-R
57	Hexachlorobutadiene	(-)	87-68-3	10124-W
58	Hexachlorocyclopentadiene	(-)	77-47-4	10125-A
59	Hexachloroethane	(-,-)	67-72-1	10126-E
60	Hexachlorophene	(-)	70-30-4	10387-R
61	Hydrazobenzene	(+)	122-66-7	10872-P

* (-) = negative, (+) = positive, (?) = equivocal, (+W) = weakly positive. There may be from one to three tests reported for each compound.

TABLE 3

CHEMICALS TESTED IN SALMONELLA MUTAGENICITY ASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	RESULT*	CAS NO.	NTP NO.
62	Hydroquinone	(-)	123-31-9	10022-H
63	Hydroquinone dimethyl ether	(-)	150-78-7	10603-D
64	Hydroquinone monomethyl ether	(-)	150-76-5	10602-Y
65	Lithium chloride	(-)	7447-41-8	10743-P
66	M-Chlorophenol	(-)	108-43-0	10522-J
67	M-Cresol	(-)	108-39-4	10521-F
68	M-Xylene	(-)	108-38-3	10520-C
69	Mannitol	(-)	69-65-8	10386-L
70	Methacrylic acid	(-)	79-41-4	10415-H
71	Methylhydrazine	(-)	60-34-4	10374-W
72	Morpholine	(-)	110-91-8	10533-W
73	N-Butyl-p-aminobenzoate	(-)	94-25-7	10448-T
74	N-Nitrosodimethylamine	(+,+)	62-75-9	10857-T
75	N-Nitrosopiperidine	(+)	100-75-4	10856-P
76	N,N-Dimethylurea	(-)	96-31-1	10643-J
77	Nickelocene	(-)	1271-28-9	10675-R
78	Nitrofurantoin	(+)	67-20-9	10382-W
79	O-Aminophenol	(+,+W,+)	95-55-6	10458-C
80	O-Chlorophenol	(-)	95-57-8	10459-F
81	O-Cresol	(-)	95-48-7	10455-P
82	O-Methoxyphenol	(-,-)	90-05-1	10436-D
83	O-Xylene	(-)	95-47-6	10454-K
84	Oxalic acid	(-)	144-62-7	10049-C
85	P-Anisidine	(-)	104-94-9	10501-P
86	P-Chlorophenol	(-)	106-48-9	10510-T
87	P-Cresol	(-)	106-44-5	10509-W
88	P-Nitrophenol	(-)	100-02-7	10142-E
89	P-Quinone	(-)	106-51-4	10162-V
90	P-Xylene	(-)	106-42-3	10508-S
91	Pentachlorobenzene	(-)	608-93-5	10646-W
92	Pentachloronitrobenzene	(-)	82-68-8	10033-V

* (-) = negative, (+) = positive, (?) = equivocal, (+W) = weakly positive. There may be from one to three tests reported for each compound.

TABLE 3

CHEMICALS TESTED IN SALMONELLA MUTAGENICITY ASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	RESULT*	CAS NO.	NTP NO.
93	Pentachlorophenol	(-)	87-86-5	10429-G
94	Phenyl salicylate	(-,-)	118-55-8	10544-H
95	Picric acid	(+)	88-89-1	10432-L
96	Piperazine	(-)	110-85-0	10531-N
97	Piperonal	(-)	120-57-0	10552-H
98	Propiolactone	(+,+)	57-57-8	10370-F
99	Pyridine	(-)	110-86-1	10532-S
100	Quinoline	(+)	91-22-5	10441-R
101	Resorcinol	(-)	108-46-3	10163-Y
102	Rhodanine	(-)	141-84-4	10595-C
103	Semicarbazide hydrochloride	(-)	563-41-7	10631-T
104	Sodium azide	(+)	26628-22-8	10164-D
105	Sodium fluoride	(-)	7681-49-4	10746-C
106	Sodium ligninsulfonate	(-)	8061-51-6	10750-K
107	Sodium phosphate, dibasic	(-,-)	7558-79-4	10933-S
108	Sodium ricinoleate	(-,-)	5323-95-5	10731-Y
109	Sodium thioglycolate	(-)	367-51-1	10613-K
110	Streptomycin sulfate	(+,-)	3810-74-0	10932-N
111	Terephthalic acid	(-)	100-21-0	10479-W
112	Tetrachloroethylene	(-)	127-18-4	10176-T
113	Tetrachlorophthalic anhydride	(-)	117-08-8	10540-S
114	Tetraethyllead	(-)	78-00-2	10031-L
115	Thiocarbanilide	(-,-)	102-08-9	10493-N
116	Toluene	(-)	108-88-3	10009-V
117	Trans-Stilbene	(-)	103-30-0	10498-H
118	Tributoxyethyl phosphate	(-)	78-51-3	10414-E
119	Tributyl borate	(-,-)	688-74-4	10659-R
120	Tricresyl phosphate	(-,-)	1330-78-5	10277-D
121	Triethanolamine	(-)	102-71-6	10496-A
122	Triphenylphosphine	(-)	603-35-0	10645-S
123	1-Aziridineethanol	(+)	1072-52-2	10671-A

* (-) = negative, (+) = positive, (?) = equivocal, (+W) = weakly positive. There may be from one to three tests reported for each compound.

TABLE 3

CHEMICALS TESTED IN SALMONELLA MUTAGENICITY ASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	RESULT*	CAS NO.	NTP NO.
124	1-Fluoro-2,4-dinitrobenzene	(+)	70-34-8	10388-V
125	1,1-Dichloroethylene	(-)	75-35-4	10109-A
126	1,2-Dichlorobenzene	(-)	95-50-1	10456-T
127	1,2-Dichloropropane	(?)	78-87-5	10111-C
128	1,2-Propylene glycol	(-,-)	57-55-6	10369-H
129	1,2,3-Trichlorobenzene	(-)	87-61-6	10083-J
130	1,2,3,4-Tetrachlorobenzene	(-)	634-66-2	10652-N
131	1,2,3,5-Tetrachlorobenzene	(-)	634-90-2	10653-S
132	1,2,4-Trichlorobenzene	(-)	120-82-1	10187-F
133	1,3-Dichlorobenzene	(-)	541-73-1	10626-F
134	1,3-Dioxane	(+W)	505-22-6	10622-P
135	1,3,5-Trichlorobenzene	(-)	108-70-3	10524-S
136	1,4-Dichlorobenzene	(-)	106-46-7	10038-P
137	1,4-Dioxane	(-)	123-91-1	10568-P
138	2-Aminoanthracene	(+,+,+)	613-13-8	10912-X
139	2-Biphenylamine	(+)	90-41-5	10438-K
140	2-Chloronitrobenzene	(+W)	88-73-3	10431-H
141	2-Fluorobenzoyl chloride	(+)	393-52-2	10615-T
142	2-Nitro-a,a,a-trifluorotoluene	(-)	384-22-5	10614-P
143	2-Nitropropane	(+,+)	79-46-9	10417-R
144	2,3-Dibromo-1-propanol	(+)	96-13-9	10016-R
145	2,3-Dichloronitrobenzene	(?)	3209-22-1	10721-R
146	2,3-Dichlorophenol	(-)	576-24-9	10636-N
147	2,3,5,6-Tetrachloronitrobenzene	(?)	117-18-0	10541-W
148	2,4-D isooctyl ester	(-)	25168-26-7	10908-N
149	2,4-Diaminophenol dihydrochloride	(+)	137-09-7	10106-N
150	2,4-Dichloronitrobenzene	(+)	611-06-3	10648-E
151	2,4-Dichlorophenol	(-)	120-83-2	10557-D
152	2,4-Dinitrotoluene	(+)	121-14-2	10558-G
153	2,4,5-T isooctyl ester	(-)	25168-15-4	10906-F
154	2,4,6-Trichlorophenol	(-)	88-06-2	10430-E

* (-) = negative, (+) = positive, (?) = equivocal, (+W) = weakly positive. There may be from one to three tests reported for each compound.

TABLE 3

CHEMICALS TESTED IN SALMONELLA MUTAGENICITY ASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	RESULT*	CAS NO.	NTP NO.
155	2,5-Dichlorophenol	(-)	583-78-8	10637-S
156	2,6-Dichlorophenol	(-)	87-65-0	10427-Y
157	2,6-Dimethyl morpholine	(+)	141-91-3	10903-T
158	2'-Methyl-4-dimethylaminoazobenzene	(+W,-)	3731-39-3	10902-P
159	3-Amino-a,a,a-trifluorotoluene	(-)	98-16-8	10470-K
160	3-Methylcholanthrene	(+,+)	56-49-5	10899-H
161	3-Nitro-a,a,a-trifluorotoluene	(-)	98-46-4	10471-P
162	3,3'-Dimethoxybenzidine	(+,+,+)	119-90-4	10895-S
163	3,4-Dichloronitrobenzene	(+)	99-54-7	10474-C
164	3,4-Dichlorophenol	(-)	95-77-2	10461-G
165	3,5-Dichlorophenol	(-)	591-35-5	10639-A
166	4-Biphenylamine	(+,+)	92-67-1	10445-G
167	4-Chloro-a,a,a-trifluorotoluene	(-)	98-56-6	10472-T
168	4-Chloro-3-nitro-a,a,a-trifluorotoluene	(-)	121-17-5	10559-K
169	4-Chloro-3,5-dinitro-a,a,a-trifluorotoluene	(-)	393-75-9	10616-X
170	4-Chloronitrobenzene	(+,+)	100-00-5	10478-S
171	4-Hydroxyacetanilide	(-)	103-90-2	10127-H
172	4,4'-Methylenebis(2-chloroaniline)	(+)	101-14-4	10484-J

* (-) = negative, (+) = positive, (?) = equivocal, (+W) = weakly positive. There may be from one to three tests reported for each compound.

TABLE 4

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN DROSOPHILA MUTAGENICITY ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
1	Calcium chromate	13765-19-0	10827-V
2	Di(2-ethylhexyl) phthalate	117-81-7	10188-J
3	Dimethylcarbamoyl chloride	79-44-7	10416-L
4	Ethylenediamine	107-15-3	10190-K
5	Ferrocene	102-54-5	10495-W
6	Hexachlorocyclopentadiene	77-47-4	10125-A
7	Hydrazobenzene	122-66-7	10872-P
8	N-Nitrosodimethylamine	62-75-9	10857-T
9	Nitrofurantoin	67-20-9	10382-W
10	P-Nitrophenol	100-02-7	10142-E
11	Picric acid	88-89-1	10432-L
12	Propiolactone	57-57-8	10370-F
13	Quinoline	91-22-5	10441-R
14	Streptomycin sulfate	3810-74-0	10932-N
15	Thiocarbanilide	102-08-9	10493-N
16	1,3-Dioxane	505-22-6	10622-P
17	1,3,5-Trichlorobenzene	108-70-3	10524-S
18	2-Chloronitrobenzene	88-73-3	10431-H
19	2-Nitropropane	79-46-9	10417-R
20	2,3-Dichloronitrobenzene	3209-22-1	10721-R
21	2,3,7,8-Tetrachlorodibenzo-p-dioxin	1746-01-6	10157-G
22	2,4-Diaminophenol dihydrochloride	137-09-7	10106-N
23	2,4-Dichloronitrobenzene	611-06-3	10648-E
24	2,4-Dichlorophenoxyacetic acid	94-75-7	10451-Y
25	2,4-Dinitrotoluene	121-14-2	10558-G
26	2,4,5-Trichlorophenoxyacetic acid	93-76-5	10447-P
27	2,6-Dimethyl morpholine	141-91-3	10903-T
28	3,4-Dichloronitrobenzene	99-54-7	10474-C
29	4-Biphenylamine	92-67-1	10445-G
30	4-Chloronitrobenzene	100-00-5	10478-S

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
1	Adipamide	628-94-4	10825-L
2	Agaritine	2757-90-6	10713-R
3	Allyl glycidyl ether	106-92-3	10824-H
4	Allyl isothiocyanate	57-06-7	10367-A
5	Allyl isovalerate	2835-39-4	10717-G
6	Amiben	133-90-4	10823-E
7	Ampicillin trihydrate	7177-48-2	10832-H
8	Azinphosmethyl	86-50-0	10424-L
9	Benzidine	92-87-5	10446-W
10	Benzoin	119-53-9	10550-A
11	Benzyl acetate	140-11-4	10591-K
12	Benzyl alcohol	100-51-6	10059-J
13	Beta-Cadinene	523-47-7	10091-J
14	Bis(2 chloro-1-methylethyl) ether	108-60-1	10523-N
15	Bromodichloromethane	75-27-4	10397-Y
16	Butyl benzyl phthalate	85-68-7	10422-E
17	Butyl(2,4-dichlorophenoxy) acetate	94-80-4	10830-A
18	Butyl(2,4,5-trichlorophenoxy) acetate	93-79-8	10829-D
19	Butylated hydroxytoluene	128-37-0	10575-K
20	C I Acid Red 114	6459-94-5	10286-G
21	C I Pigment Red 23	6471-49-4	10210-D
22	C I Pigment Red 3	2425-85-6	10209-F
23	C I Vat Yellow 4	128-66-5	10576-P
24	Cadmium chloride	10108-64-2	10828-Y
25	Cadmium oxide	1306-19-0	10212-K
26	Caffeine	58-08-2	10036-G
27	Calcium cyanamide	156-62-7	10606-P
28	Carbendazim	10605-21-7	10826-R
29	Carbromal	77-65-6	10408-L
30	Carvone	99-49-0	10093-S

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
31	Chloral	75-87-6	10404-W
32	Chlorambucil	305-03-3	10850-R
33	Chlordane	12789-03-6	10849-T
34	Chlordecone	143-50-0	10097-H
35	Chlorobenzilate	510-15-6	10088-E
36	Chlorodibromomethane	124-48-1	10570-R
37	Chloropicrin	76-06-2	10848-P
38	Chlorothalonil	1897-45-6	10692-V
39	Chlorothen	148-65-2	10192-T
40	Chlorowax 40	63449-39-8	10062-P
41	Chlorowax 500C	63449-39-8	10063-T
42	Chlorpheniramine maleate	113-92-8	10537-L
43	Chlorpromazine hydrochloride	69-09-0	10101-T
44	Chlorpropamide	94-20-2	10847-K
45	Cineol	470-82-6	10015-L
46	Cis-Methyl oleic acid ester	112-62-9	10146-V
47	Clonitralid	1420-04-8	10682-L
48	Copper acetoarsenite	12002-03-8	10229-W
49	Coumarin	91-64-5	10104-F
50	Croton oil	8001-28-3	10845-D
51	Curcumin	458-37-7	10105-J
52	Cytarabine	147-94-4	10843-V
53	Cytembena	21739-91-3	10778-H
54	Cytoxal alcohol	4465-94-5	10842-R
55	D-Limonene	5989-27-5	10071-T
56	D-Phenylalanine	673-06-3	10153-R
57	Dacarbazine	4342-03-4	10840-H
58	Decabromodiphenyl oxide	1163-19-5	10672-E
59	Di(p-ethylphenyl)dichloroethane	72-56-0	10394-L
60	Di(2-ethylhexyl)adipate	103-23-1	10497-E
61	Diallyl phthalate	131-17-9	10578-X

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
62	Diarylanilide yellow	6358-85-6	10839-K
63	Dibenzo-p-dioxin	262-12-4	10607-T
64	Dibromodulcitol	10318-26-0	10838-G
65	Dibromomannitol	488-41-5	10837-D
66	Dibutyltin diacetate	1067-33-0	10670-W
67	Dichlorodiphenylethylene	72-55-9	10393-H
68	Dichloromethotrexate	528-74-5	10836-Y
69	Dicofol	115-32-2	10835-V
70	Dieldrin	60-57-1	10834-R
71	Diesel fuel marine	DIESEL FUEL	10805-W
72	Diethyl phthalate	84-66-2	10112-F
73	Diglycidyl resorcinol ether	101-90-6	10492-J
74	Dimenhydrinate	523-87-5	10194-C
75	Dimethoate	60-51-5	10888-W
76	Dimethoxane	828-00-2	10114-N
77	Dimethyl hydrogenphosphite	868-85-9	10663-A
78	Dimethyl methylphosphonate	756-79-6	10660-N
79	Dimethyl morpholinophosphonate	597-25-1	10641-C
80	Dimethyl sulfoxide	67-68-5	10116-W
81	Dimethyl terephthalate	120-61-6	10553-L
82	Dimethyloldihydroxyethyleneurea	1854-26-8	10205-P
83	Dimethylvinyl chloride	513-37-1	10623-T
84	Dioxathion	78-34-2	10411-S
85	Diphenhydramine hydrochloride	147-24-0	10040-R
86	Direct Black 114	61703-05-7	10887-S
87	Direct Blue 1	2610-05-1	10287-K
88	Direct Blue 15	2429-74-5	10701-A
89	Direct Blue 218	28407-37-6	10249-L
90	Direct Blue 25	2150-54-1	10885-J
91	Direct Blue 53	314-13-6	10884-F
92	Direct Blue 6	2602-46-2	10883-C

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
93	Direct Brown 95	16071-86-6	10882-X
94	Direct Red 2	992-59-6	10668-V
95	Doxylamine	469-21-6	10195-F
96	Dulcin	150-69-6	10881-T
97	DMA-4 herbicide	2008-39-1	10880-P
98	Endosulfan	115-29-7	10879-S
99	Endrin	72-20-8	10391-A
100	Erythromycin stearate	643-22-1	10656-E
101	Ethyl acrylate	140-88-5	10594-X
102	Ethyl tellurac	20941-65-5	10777-E
103	Ethyl-3-methyl-3-phenylglycidate	77-83-8	10409-R
104	Ethylene chlorohydrin	107-07-3	10517-W
105	Fenthion	55-38-9	10362-F
106	Fluorescein, sodium	518-47-8	10624-X
107	Formulated fenaminosulf	140-56-7	10593-T
108	Furan	110-00-9	10119-H
109	Furfuryl alcohol	98-00-0	10121-J
110	Furosemide	54-31-9	10068-N
111	Geranyl acetate	105-87-3	10507-N
112	Gibberellic acid	77-06-5	10407-N
113	Glycol (Polysorbate 80)	9005-65-6	10122-N
114	Guanazole	1455-77-2	10876-F
115	Heptachlor	76-44-8	10875-C
116	Hexachlorobutadiene	87-68-3	10124-W
117	Hexamethyl-p-rosaniline	548-62-9	10008-R
118	Hexamethylmelamine	645-05-6	10874-X
119	Hexanamide	628-02-4	10873-T
120	Hexylresorcinol	136-77-6	10588-F
121	Hydrochlorothiazide	58-93-5	10029-K
122	Hydroxyurea	127-07-1	10871-K
123	HC Yellow 4	52551-67-4	10123-S

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
124	Indomethacin	53-86-1	10129-R
125	Iodoform	75-47-8	10398-D
126	Isoamyl nitrite	110-46-3	10870-G
127	Isobutyl nitrite	542-56-3	10869-J
128	Isophorone	78-59-1	10070-P
129	Isoproterenol hydrochloride	51-30-9	10130-N
130	Lasiocarpine	303-34-4	10868-F
131	Lead dimethyldithiocarbamate	19010-66-3	10772-J
132	Lead dioxide	1309-60-0	10131-S
133	Lindane	58-89-9	10865-T
134	M-Nitrotoluene	99-08-1	10864-P
135	Malaoxon	1634-78-2	10686-D
136	Malathion	121-75-5	10563-V
137	Maleic hydrazide diethanolamine	5716-15-4	10734-K
138	Malonaldehyde	542-78-9	10627-J
139	Mercaptobenzothiazole	149-30-4	10073-C
140	Mercuric chloride	7487-94-7	10133-A
141	Methapyrilene	91-80-5	10135-H
142	Methdilazine	1982-37-2	10203-G
143	Methoxychlor	72-43-5	10863-K
144	Methyl coumarin	92-48-8	10136-L
145	Methyl methacrylate	80-62-6	10418-V
146	Methyl parathion	298-00-0	10608-X
147	Mexacarbate	315-18-4	10610-Y
148	Mirex	2385-85-5	10699-X
149	Monochloroacetic acid	79-11-8	10138-V
150	Monosodium methane arsenate	1639-59-4	10139-Y
151	Monuron	150-68-5	10600-R
152	Myleran	55-98-1	10861-D
153	N-(1-Naphthyl)ethylenediamine dihydrochloride	1465-25-4	10683-R
154	N-Butyl chloride	109-69-3	10089-H

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
155	N-Hexane	110-54-3	10189-N
156	N-Methyl-p-aminophenol sulfate	55-55-0	10858-X
157	N-Nitrosodiethanolamine	1116-54-7	10143-H
158	N-Nitrosodimethylamine	62-75-9	10857-T
159	N-Phenyl-p-phenylenediamine	101-54-2	10855-K
160	N-Phenylhydroxylamine	100-65-2	10154-V
161	N,N-Dimethyl-p-nitrosoaniline	138-89-6	10854-G
162	N,N'-Diethylthiourea	105-55-5	10503-X
163	Naphthalene	91-20-3	10046-P
164	Navy fuels JP-5	NAVY FUELS	10140-W
165	Neohesperidin dihydrochalcone	20702-77-6	10215-X
166	Nithiazide	139-94-6	10853-D
167	Nitrobenzene	98-95-3	10141-A
168	Nitroethane	79-24-3	10852-Y
169	Nitrofurazone	59-87-0	10047-T
170	Nitromethane	75-52-5	10851-V
171	O-Methylhydroxylamine	67-62-9	10137-R
172	O-Nitroanisole	91-23-6	10211-G
173	O-Nitrotoluene	88-72-2	10946-L
174	O-Phenylphenol	90-43-7	10439-P
175	O-Toluidine hydrochloride	636-21-5	10654-W
176	O,P'-DDD	53-19-0	10945-H
177	Octachlorodibenzodioxin	3268-87-9	10145-R
178	Oxytetracycline hydrochloride	2058-46-0	10080-X
179	P-Chloroaniline	106-47-8	10100-P
180	P-Nitroaniline	100-01-6	10217-F
181	P-Nitrosodiphenylamine	156-10-5	10605-K
182	P-Nitrotoluene	99-99-0	10944-E
183	P-Tolylurea	622-51-5	10943-A
184	Palladium chloride (2+)	7647-10-1	10148-D
185	Parathion	56-38-2	10942-W

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
186	Penicillin VK	132-98-9	10581-D
187	Pentachloroanisole	1825-21-4	10024-R
188	Pentachloroethane	76-01-7	10149-G
189	Pentaerythritol tetranitrate	78-11-5	10150-E
190	Phenacetin	62-44-2	10378-L
191	Phenazopyridine hydrochloride	136-40-3	10587-C
192	Phenbenzamine	961-71-7	10201-Y
193	Phenesterin	3546-10-9	10940-N
194	Phenformin	114-86-3	10939-R
195	Pheniramine	86-21-5	10197-N
196	Phenol	108-95-2	10076-N
197	Phenolphthalein	77-09-8	10050-Y
198	Phenoxybenzamine hydrochloride	63-92-3	10938-L
199	Phenylbutazone	50-33-9	10354-F
200	Phenylmercuric acetate	62-38-4	10134-E
201	Phosphamidon	13171-21-6	10763-F
202	Photodieldrin	13366-73-9	10937-H
203	Phthalamide	88-96-0	10433-R
204	Phthalic anhydride	85-44-9	10421-A
205	Pichloram	1918-02-1	10155-Y
206	Piperonyl butoxide	51-03-6	10358-W
207	Piperonyl sulfoxide	120-62-7	10554-R
208	Polyvinylchloride latex	9002-86-2	10218-J
209	Prednisone	53-03-2	10936-E
210	Probenecid	57-66-9	10160-L
211	Promethazine	60-87-7	10202-D
212	Propyl gallate	121-79-9	10564-Y
213	Pyrazinamide	98-96-4	10916-N
214	Pyrilamine	91-84-9	10198-S
215	Pyrimethamine	58-14-0	10904-X
216	Resorcine Blue	1787-53-7	10935-A

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
217	Rotenone	83-79-4	10420-W
218	Sodium (2-ethylhexyl)alcohol sulfate	126-92-1	10572-Y
219	Sodium cyanurate	2624-17-1	10710-E
220	Sodium dichloroisocyanurate	2893-78-9	10165-G
221	Sodium diethyldithiocarbamate	148-18-5	10597-J
222	Sodium dodecyl sulfate	151-21-3	10604-G
223	Sodium iodomethanesulfonate	126-31-8	10934-W
224	Sodium xylenesulfonate	1300-72-7	10184-T
225	Stearatochromic chloride complex	15242-96-3	10219-N
226	Succinic acid 2,2-dimethylhydrazide	1596-84-5	10685-Y
227	Sulfacetamide	144-80-9	10931-J
228	Sulfallate	95-06-7	10452-D
229	Sulfamethazine	57-68-1	10056-X
230	Sulfanilamide	63-74-1	10930-F
231	Tert-Butyl alcohol	75-65-0	10402-N
232	Tetrachlordiphenylethane	72-54-8	10392-E
233	Tetrachlorvinphos	961-11-5	10929-H
234	Tetracycline hydrochloride	64-75-5	10381-S
235	Tetraethylthiuram disulfide	97-77-8	10291-V
236	Tetrahydrofuran	109-99-9	10170-V
237	Tetramethyllead	75-74-1	10403-S
238	Thenyldiamine	91-79-2	10196-J
239	Thonzylamine	91-85-0	10199-W
240	Titanium ferrocene	1271-19-8	10174-K
241	Tolazamide	1156-19-0	10928-E
242	Tolbutamide	64-77-7	10927-A
243	Toluene diisocyanate	584-84-9	10638-W
244	Toxaphene	8001-35-2	10926-W
245	Trichlorfon	52-68-6	10360-X
246	Trichlorofluoromethane	75-69-4	10925-S
247	Trifluralin	1582-09-8	10924-N

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
248	Trimellitic anhydride	552-30-7	10026-Y
249	Trimethylthiourea	2489-77-2	10708-D
250	Tripelennamine	91-81-6	10200-V
251	Tris(2-chloroethyl) phosphate	115-96-8	10178-C
252	Tris(2-ethylhexyl) phosphate	78-42-2	10413-A
253	Urea	57-13-6	10922-F
254	Vinyl cyclohexene dioxide	106-87-6	10179-F
255	Vinylidene fluoride	75-38-7	10180-D
256	Vitamin D	1406-16-2	10181-G
257	Vitamin D3	67-97-0	10182-K
258	Witch hazel	68916-39-2	10183-P
259	Wollastonite calcium silicates	13983-17-0	10027-D
260	Zearalenone	17924-92-4	10770-C
261	Ziram	137-30-4	10590-G
262	Zirconium oxychloride	7699-43-6	10220-K
263	1(2H)-Phthalazinone	119-39-1	10549-D
264	1-(4-Nitrophenylazo)-2-naphthalenamine	3025-77-2	10216-C
265	1-Acetyl-2-picolinoyl hydrazine	17433-31-7	10921-C
266	1-Amino-2,4-dibromoanthraquinone	81-49-2	10084-N
267	1-Nitrobutane	627-05-4	10920-X
268	1-Nitrohexane	646-14-0	10919-A
269	1-Nitropropane	108-03-2	10918-W
270	1-Phenyl-2-thiourea	103-85-5	10500-K
271	1-Phenyl-3-methyl-5-pyrazolone	89-25-8	10434-V
272	1,1,1,2-Tetrachloroethane	630-20-6	10651-J
273	1,1,2,2-Tetrachloroethane	79-34-5	10915-J
274	1,2-Epoxybutane	106-88-7	10066-F
275	1,2-Epoxyhexadecane	7320-37-8	10740-D
276	1,2,3-Trichloropropane	96-18-4	10914-F
277	1,2,3,6,7,8(7,8,9)-Hexachlorodibenzo-p-dioxin (Mix)	HCDD MIX	10790-S
278	1,3-Dichloro-5,5-dimethylhydantoin	118-52-5	10543-E

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
279	1,3-Dichloropropene	542-75-6	10560-H
280	1,4-Diamino-2,6-dichlorobenzene	609-20-1	10647-A
281	1,4-Naphthalenediamine	2243-61-0	10913-C
282	1,8-Dihydroxy-4,5-dinitroanthraquinone	81-55-0	10213-P
283	11-Aminoundecanoic acid	2432-99-7	10783-W
284	2-Amino-4-nitrophenol	99-57-0	10005-E
285	2-Amino-5-nitrophenol	121-88-0	10565-D
286	2-Bromobiphenyl	2052-07-5	10911-T
287	2-Butanone peroxide	1338-23-4	10001-N
288	2-Chloro-p-phenylenediamine sulfate	61702-44-1	10801-F
289	2-Chloro-1,3-butadiene	126-99-8	10573-D
290	2-Chloroethyltrimethylammonium chloride	999-81-5	10669-Y
291	2-Chloromethylpyridine hydrochloride	6959-47-3	10738-C
292	2-Ethoxyethanol	110-80-5	10117-A
293	2-Methyl-1-nitroanthraquinone	129-15-7	10910-P
294	2-Nitropropane	79-46-9	10417-R
295	2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	10722-V
296	2,3,7,8-tetrachlorodibenzo-p-dioxin	1746-01-6	10157-G
297	2,4-D isooctyl ester	25168-26-7	10908-N
298	2,4-Diaminotoluene	95-80-7	10463-P
299	2,4-Dichlorophenoxyacetic acid	94-75-7	10451-Y
300	2,4-Dinitroaniline	97-02-9	10214-T
301	2,4,5-T isobutyl ester	4938-72-1	10907-J
302	2,4,5-T isooctyl ester	25168-15-4	10906-F
303	2,4,5-Trichlorophenoxyacetic acid	93-76-5	10447-P
304	2,4,5-Trimethylaniline	137-17-7	10589-J
305	2,4,6-Trinitrotoluene	118-96-7	10177-X
306	2,5-Dithiobiurea	142-46-1	10905-C
307	2,6-Xylidine	87-62-7	10185-X
308	2,7-Dichlorodibenzo-p-dioxin	33857-26-0	10789-V
309	3-Amino-4-ethoxyacetanilide	17026-81-2	10901-K

TABLE 5

CHEMICALS SCHEDULED FOR TESTING IN FY 1981 IN SALMONELLA MUTAGENESIS ASSAYS

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.
310	3-Amino-9-ethylcarbazole hydrochloride	132-32-1	10579-C
311	3-Bromobiphenyl	2113-57-7	10900-G
312	3-Chloro-p-toluidine	95-74-9	10460-D
313	3-Chloro-2-methylpropene	563-47-3	10632-X
314	3-Chloromethylpyridine hydrochloride	6959-48-4	10739-F
315	3-Nitro-p-acetophenetide	1777-84-0	10689-P
316	3-Sulfolene	77-79-2	10898-E
317	3,3'-Dichlorobenzidine	91-94-1	10897-A
318	3,3'-Dihydroxybenzidine	2373-98-0	10896-W
319	3,3'-Dimethoxybenzidine-4,4'-diisocyanate	91-93-0	10115-S
320	3,3'-Dimethylbenzidine dihydrochloride	612-82-8	10894-N
321	3,4-Dihydrocoumarin	119-84-6	10113-J
322	4-Bromobiphenyl	92-66-0	10893-J
323	4-Chloro-o-phenylenediamine	95-83-0	10892-F
324	4-Chloro-o-toluidine hydrochloride	3165-93-3	10720-L
325	4-Chloro-2-nitroaniline	89-63-4	10208-C
326	4-Nitroanthranilic acid	619-17-0	10649-H
327	4-Vinylcyclohexene	100-40-3	10480-T
328	4,4'-Diphenylmethane diisocyanate	101-68-8	10488-A
329	4,4'-Sulfonyldianiline	80-08-0	10890-X
330	5(6)-Nitrobenzimidazole	94-52-0	10449-X
331	5-Azacytidine	320-67-2	10889-A
332	5-Chloro-o-toluidine	95-79-4	10462-K
333	5-Hydroxytryptophan	56-69-9	10128-L
334	5-Nitro-o-anisidine	99-59-2	10477-N
335	5-Nitroacenaphthene	602-87-9	10644-N

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Carcinogenesis Testing

The two-year carcinogenesis bioassay is still the standard and most definitive method for detecting chemical carcinogens in animals. The test employs two sexes and two species, usually rats and mice, uses multiple dose levels of a chemical, begins at weaning and ends after two years. The results of the bioassay also serve as the reference base for the validation of short-term carcinogenesis assays. Table 6 lists the various phases of the bioassay process in chronological order.

The bioassay has scientific limitations—the data are difficult to use in quantitative estimation of hazard to humans and the findings provide little insight as to carcinogenic mechanism(s). And, until recently, it gave relatively little information about critical toxic effects other than carcinogenesis. However, it should be noted that the standard bioassay was neither designed nor intended to provide such information. Like other biological assays, the answer obtained (carcinogenicity or non-carcinogenicity) is sometimes not clearcut. Finally, the test is time consuming and expensive. Nonetheless, because the bioassay remains the most definitive test for potential carcinogenicity, testing of chemicals which have been inadequately tested, and for which there is significant human exposure, will continue at a rate of 45 new starts.

There are two continuing objectives aimed at increasing the numbers of chemicals assessed for carcinogenicity and at increasing the breadth of information in the bioassay about the toxicology of a chemical. First, the NTP aims to develop and validate less expensive and more rapid methods that may set priorities for, or in some instances supplement the need for, long-term bioassays. An *in vivo* short-term test is described in this section, while studies on several *in vitro* test systems are described in the section on Cellular Toxicology. Second, the NTP seeks to broaden the experimental protocol for the bioassay, particularly during the prechronic phase, to include a number of special studies which will give more information on the general physiologic state of the animal as well as data on other toxicologic end points. It is hoped that such information will increase the utility of bioassay results in risk estimation.

FY 1980 Accomplishments

At the end of FY 1980, the National Toxicology Program had 234 compounds in various phases of the carcinogenesis bioassay process. Of these, 40 were new starts and are currently in prechronic studies (Table 7). This represents a reduction from 79 bioassay starts in FY 1979. During the year, 24 bioassays were completed and the reports of the findings peer reviewed (Table 8). Of these, final reports were issued for 15 with the remainder to be issued early in FY 1981. Under the conditions of the tests, 11 (45%) were considered negative, 12 (50%) positive, and 1 (5%) equivocal as to carcinogenicity. Thirty-four bioassays are currently in the histopathology-report sequence (Table 9). One hundred and eighty-one bioassays were in various phases of animal experimentation (Table 10).

A major accomplishment in the carcinogenesis testing program during FY 1980 was the expansion of the carcinogenic bioassays to broaden the understanding of the test chemical's toxic effects. Previously, the bioassay included prechronic studies only for establishment of appropriate doses in the chronic phase. The current toxicologic characterization includes a wide variety of additional special studies integrated into the prechronic experiments. To date, additional studies include clinical chemistry, hematology, urinalysis, pharmacokinetics, metabolism, immunotoxicology, neurobehavioral toxicology, and endocrinology. About two-thirds of the chemicals designated to begin bioassay in FY 1980 had one or more special studies included in their experimental design.

To perform the expanded toxicological characterization of chemicals, the NTP is using a contracting mechanism under which laboratories and their personnel are qualified for standard bioassays and in each of the various special study areas. During FY 1980, twenty-one facilities were found qualified in some or all other test procedures currently used by NTP. These institutions and the areas of expertise are listed in Table 11.

To better monitor the carcinogenesis testing program, especially with the inclusion of various special studies, the NTP determined that the program could be best performed through direct management and supervision of each chemical test. The process is described in the Chemical Management section on p. 97. Bioassays started in FY 1980 are under direct NTP management while testing activities initiated prior to FY 1980 will continue to proceed through the prime contract mechanism.

In conjunction with NTP initiation of direct arrangements with testing laboratories, a number of other scientific support contracts were advertised and competitively awarded in FY 1980. These include pathology support, health and safety activities, chemical repository, chemical analytical services, animal production, and literature searching.

Carcinogenicity testing traditionally begins with young animals (typically six-week-old rodents). However, human chemical exposures may include the periods of *in utero* development and infancy. The adequacy of standard chronic bioassay tests as contrasted with methods that include prenatal and neonatal exposures continues to be evaluated. Three chemicals are being evaluated in prechronic phases of the bioassay: a polybrominated biphenyl (PBB), phenytoin (diphenylhydantoin), and ethylene thiourea, using *in utero* and neonatal exposure.

Inhalation bioassays for carcinogenicity, like those by other routes, usually involve a two-year duration of exposure. Because the specialized facilities required for inhalation studies are expensive and commit scarce technical manpower for extended time periods, studies with mice, rats and hamsters were undertaken that used a design which varies the ages of animals exposed and the duration of inhalation exposure. Vinyl chloride, a known human carcinogen, was used. Preliminary analysis of the data after up to 12 months exposure in rats and hamsters confirmed that the duration of exposure and age at initiation of exposure are critical factors. In rats the most common tumor was hepatic angiosarcoma and in hamsters mammary gland carcinoma and hepatic angiosarcoma were the most frequent. Long-term studies by the inhalation route on the carcinogenic and general toxicologic effects of asbestos were in progress. The inhalation studies were designed to assess carcinogenic potential, fibrogenic properties, and lung clearance of three asbestos fiber types and one form of fiber glass. In concurrent studies with orally administered asbestos, preliminary results of lifetime oral studies in hamsters, and after 18 months in rats, suggest that none of the fiber types produced life shortening in exposed animals.

During FY 1980 there was continuation of a program to determine the applicability of the lung adenoma test in Strain A mice relative to findings in the two-year bioassay. One facility, the University of California at San Diego, is evaluating under code 66 chemicals that have completed bioassays. To validate the interlaboratory reproducibility of the

lung adenoma test, 34 of these chemicals, coded differently, are also under study at the Oak Ridge National Laboratory.

FY 1981 Program Plans

During FY 1981, the National Toxicology Program plans to start 45 carcinogenesis bioassays. Forty of these are listed in Table 12. This level is comparable to FY 1980. It is expected that 34 long-term bioassays will be completed and the draft reports of the results peer reviewed in FY 1981 (Table 9). All of the new animal bioassay starts during the year will include broadened protocols with various special studies integrated into the experimental design.

Also, during FY 1981, several long-term carcinogenesis studies, not formally included in the bioassay program, will be conducted. These investigations, both ongoing and new, will examine the carcinogenic properties of the following substances (routes): methyl ethyl ketone peroxide (inhalation); 1,2-dichloroethane (inhalation); 2-nitropropane (inhalation); foundry particulates (inhalation); dimethylformamide (inhalation); roofing asphalts (skin); machine oils (skin); and two azo dyes, acid black 52 and disperse yellow 3, (feeding). All studies use the standard bioassay protocol. However, some of the studies will not be two-year tests.

The NTP will continue to develop the Toxicology Data Management System (TDMS) as an automated data input system for carcinogenesis bioassays. The prototype hardware for the TDMS was delivered in late 1980. On-line testing of the modular system will begin in the first half of FY 1981.

Developmental and prechronic studies concerned with *in utero* and neonatal exposure of animals to carcinogens will be completed early in FY 1981. Standard bioassays with six-week-old animals will be initiated concurrently with bioassays where exposure begins *in utero* and continues during the neonatal period using a polybrominated biphenyl (PBB), phenytoin and ethlyene thiourea as the test chemicals. The objective is to determine whether extending long-term chemical exposure of animals to the gestational and neonatal periods will result in heightened or altered sensitivity to induction of carcinogenesis and/or other types of toxic effects.

Studies aimed at validating the applicability of the mouse lung adenoma test as a short-term *in vivo* carcinogenesis assay will continue during FY 1981. The results will also provide information on the interlaboratory reproducibility of the test.

Inhalation exposure studies with vinyl chloride in rodents which seek to deremine whether there is an optimal animal age and exposure window for such studies will be completed during the year. Several of the long-term studies on the toxicology of asbestos by inhalation and oral ingestion will be completed during FY 1981.

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TABLE 6

Phases of the Two-Year Carcinogenesis Bioassay

Phase I. Pretesting (15 months)

1. Development of Toxicology Information Package
2. Development of Bioassay Design
3. Development of Health and Safety Package
4. Purchases and Analysis of Chemical
5. Preparation of BID Packages in Groups of Chemicals
6. Selection of Bioassay Laboratory and Scheduling of Study Start

*Phase II. Initial Toxicology Characterization (11 months)

1. Acute Toxicology Tests
2. Subchronic Toxicology Tests
3. Receipt of Toxicology Characterization Report
4. Evaluation of Data and Setting of Final Experimental Design

Phase III. Chronic Bioassay (25 months)

1. Start of Chronic Test
2. Completion of Chronic Test

Phase IV. Summary Report Preparation by Laboratory (3 months)

1. Receipt of Materials and Methods Report
2. Receipt of Histopathologic Diagnoses to Data System
3. Receipt of Histopathology Report

Phase V. Internal Program Review (6 months)

1. Pathology Confirmation (Validation, Quality Assurance)
2. Data Evaluation, Initial (Determination of Adequacy of Bioassay)
3. Report Preparation and Statistical Analysis
4. Data Evaluation, Final (Program Review of Final Report)

Phase VI. External Program Review (2 months)

1. NTP Peer Review

Phase VII. Report Issuance (2 months)

1. Implementation of Program Review Modifications
2. Report Issuance

*A bioassay is ongoing and a chemical is "on test" from Phases II through VI (47 months, avg.) Phase I begins after a chemical is selected. Times given for each Phase are average times.

TABLE 7

CHEMICALS STARTING IN CARCINOGENESIS BIOASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	SPECIES *	ROUTE *	CAS NO.	NTP NO.
1	Allyl glycidyl ether	r,m	inhal	106-92-3	10824-H
2	Benzaldehyde	r,m	gav	100-52-7	10087-A
3	Butyrolactone	r,m	gav	96-48-0	10090-F
4	Catechol	r,m	gav	120-80-9	10094-W
5	Chloramine	r,m	water	10599-90-3	10313-V
6	Chloroacetophenone	r,m	inhal	532-27-4	10625-C
7	Dichlorvos	r,m	gav	62-73-7	10017-V
8	DMBA/TPA	r,m	sp	57-97-6	10371-J
9	Epinephrine hydrochloride	r,m	inhal	55-31-2	10041-V
10	Ethyl bromide	r,m	inhal	74-96-4	10067-J
11	Ethyl chloride	r,m	inhal	75-00-3	10019-D
12	Ethylene oxide	r,m	inhal	75-21-8	10020-A
13	Formaldehyde	m	inhal	50-00-0	10002-S
14	Furan	r,m	gav	110-00-9	10119-H
15	Furfural	r,m	gav	98-01-1	10120-F
16	Furfuryl alcohol	r,m	gav	98-00-0	10121-J
17	Hexachlorocyclopentadiene	r,m	gav	77-47-4	10125-A
18	Mercaptobenzothiazole	r,m	gav	149-30-4	10073-C
19	Methyl carbamate	r,m	gav	598-55-0	10642-F
20	Methylene chloride	r,m	inhal	75-09-2	10030-H
21	Nalidixic acid	r,m	feed	389-08-2	10045-K
22	Nitrofurantoin	r,m	feed	67-20-9	10382-W
23	P-Nitrophenol	m	sp	100-02-7	10142-E
24	P-Quinone	r,m	gav	106-51-4	10162-V
25	Pentachloroanisole	r,m	gav	1825-21-4	10024-R
26	Pentachloronitrobenzene	r,m	feed	82-68-8	10033-V
27	Pentachlorophenol	m	feed	87-86-5	10429-G
28	Pentaerythritol tetranitrate	r,m	feed	78-11-5	10150-E
29	Phenylbutazone	r,m	gav	50-33-9	10354-F
30	Propylene	r,m	inhal	115-07-1	10538-R

* r = rat, m = mouse, gav = gavage, inhal = inhalation, sp = skin painting

TABLE 7

CHEMICALS STARTING IN CARCINOGENESIS BIOASSAYS DURING FY 1980

SEQ. NO.	CHEMICAL	SPECIES *	ROUTE *	CAS NO.	NTP NO.
31	Roxarsone	r,m	feed	121-19-7	10233-F
32	Tetrachloroethylene	r,m	inhal	127-18-4	10176-T
33	Tetranitromethane	r,m	inhal	509-14-8	10025-V
34	Vinyl toluene	r,m	inhal	25013-15-4	10032-R
35	Wollastonite calcium silicates	r,h	it	13983-17-0	10027-D
36	1,2-Epoxybutane	r,m	inhal	106-88-7	10066-F
37	1,3-Butadiene	m	inhal	106-99-0	10514-J
38	2-Chlorobenzalmalononitrile	r,m	inhal	2698-41-1	10711-H
39	2,6-Xylidine	r,m	feed	87-62-7	10185-X
40	5-Hydroxytryptophan	r,m	gav	56-69-9	10128-L

* r = rat, m = mouse, h = hamster; inhal = inhalation, it = intratracheal, gav = gavage

TABLE 8

CHEMICALS FOR WHICH CARCINOGENESIS BIOASSAYS WERE COMPLETED IN FY 1980

SEQ. NO.	CHEMICAL	CARC ACTIVITY *	CAS NO.	NTP NO.	TR NO. **
1	Benzoin	N	119-53-9	10550-A	204
2	Bis(2-chloro-1-methylethyl) ether	N	108-60-1	10523-N	191
3	Butyl benzyl phthalate	P	85-68-7	10422-E	213
4	Caprolactam	N	105-60-2	10505-F	214
5	Cinnamyl anthranilate	P	87-29-6	10426-V	196
6	Cytembena	P	21739-91-3	10778-H	207
7	Di(2-ethylhexyl)adipate	N	103-23-1	10497-E	212
8	Dibromochloropropane	P	96-12-8	10465-X	206
9	Ethylene dibromide	P	106-93-4	10513-F	210
10	Fluometuron	S	2164-17-2	10697-P	195
11	Malathion	N	121-75-5	10563-V	192
12	Phenol	N	108-95-2	10076-N	203
13	Reserpine	P	50-55-5	10355-J	193
14	Selenium sulfide	P	7488-56-4	10745-X	194
15	Selenium sulfide	N	7488-56-4	10745-X	197
16	Selsun	N	SELSUN	10808-H	199
17	Sunset Yellow FCF 6	N	2783-94-0	10714-V	208
18	Toluene-2,6-diamine dihydrochloride	N	15481-70-6	10768-A	200
19	1,2,3,6,7,8(7,8,9)-Hexachlorodibenzo-p-dioxin (gavage)	P	HCDD MIX	10790-S	198
20	1,2,3,6,7,8(7,8,9)-Hexachlorodibenzo-p-dioxin (skin paint)	N	HCDD MIX	10790-S	202
21	2,3,7,8-Tetrachlorodibenzo-p-dioxin	P	1746-01-6	10157-G	209
22	2,3,7,8-Tetrachlorodibenzo-p-dioxin	P	1746-01-6	10157-G	201
23	4,4'-Methylenebis(N,N'-dimethylaniline)	P	101-61-1	10487-W	186
24	4,4'-Oxydianiline	P	101-80-4	10490-C	205

* CARCINOGENIC ACTIVITY: N = negative, P = positive, S = suspect

** NTP/NCI Technical Report Number

TABLE 9

CHEMICALS FOR WHICH CARCINOGENESIS BIOASSAYS WILL BE COMPLETED IN FY 1981

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
1	Agar agar	9002-18-0	10754-C	R,M	F
2	Allyl isothiocyanate	57-06-7	10367-A	R,M	G
3	Asbestos, amosite	12172-73-5	10761-X	H	F
4	Asbestos, chrysotile	12001-29-5	10758-S	H	F
5	Bis(2-chloro-1-methylethyl) ether	108-60-1	10523-N	M	G
6	Bisphenol A	80-05-7	10034-Y	R,M	F
7	D & C Red 9	5160-02-1	10729-X	R,M	F
8	Di(2-ethylhexyl) phthalate	117-81-7	10188-J	R,M	F
9	Disperse Yellow 3	2832-40-8	10716-D	R,M	F
10	Eugenol	97-53-0	10468-J	R,M	F
11	Gum arabic	9000-01-5	10751-P	R,M	F
12	Gum guar	9000-30-0	10752-T	R,M	F
13	Gum tara	39300-88-4	10793-E	R,M	F
14	Locust bean gum	9000-40-2	10753-X	R,M	F
15	Mannitol	69-65-8	10386-L	R,M	F
16	Melamine	108-78-1	10525-W	R,M	F
17	Methylenedianiline dihydrochloride	13552-44-8	10862-G	R,M	W
18	Mirex	2385-85-5	10699-X	R	F
19	N-Nitrosodiethanolamine	1116-54-7	10143-H	R,M	W
20	Orange 10	1936-15-8	10693-Y	R,M	F
21	Pentachloroethane	76-01-7	10149-G	R,M	G
22	Polybrominated biphenyls (Firemaster FF 1)	67774-32-7	10800-C	R,M	F
23	Propyl gallate	121-79-9	10564-Y	R,M	F
24	Red 14	3567-69-9	10723-Y	R,M	F
25	Stannous chloride	7772-99-8	10747-F	R,M	F
26	Yellow 14	842-07-9	10662-W	R,M	F
27	Zearalenone	17924-92-4	10770-C	R,M	F
28	Ziram	137-30-4	10590-G	R,M	F
29	1,1-Dichloroethylene	75-35-4	10109-A	R,M	G
30	1,1,1,2-Tetrachloroethane	630-20-6	10651-J	R,M	G

* SP = species, RT = route, R = rat, M = mouse, H = hamster, F = feed, G = gavage, W = water.

TABLE 9

CHEMICALS FOR WHICH CARCINOGENESIS BIOASSAYS WILL BE COMPLETED IN FY 1981

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
31	1,3-Dichloropropene	542-75-6	10560-H	R,M	G
32	1,4-Diamino-2,6-dichlorobenzene	609-20-1	10647-A	R,M	F
33	11-Aminoundecanoic acid	2432-99-7	10783-W	R,M	F
34	2-Biphenylamine	90-41-5	10438-K	R,M	F

* SP = species, RT = route, R = rat, M = mouse, G = gavage, F = feed.

TABLE 10

CHEMICALS IN TESTING PHASES OF THE CARCINOGENESIS BIOASSAY DURING FY 1980

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
1	Acid Orange 3	6373-74-6	10737-X	RM	G
2	Agaritine	2757-90-6	10713-R	RM	W
3	Allyl glycidyl ether	106-92-3	10824-H	RM	I
4	Allyl isovalerate	2835-39-4	10717-G	RM	G
5	Alpha-Methylbenzyl alcohol	98-85-1	10473-X	RM	G
6	Ampicillin	69-53-4	10010-S	RM	G
7	Antimony oxide	1309-64-4	10676-V	RM	F
8	Asbestos, amosite	12172-73-5	10761-X	R	F
9	Asbestos, chrysotile	12001-29-5	10758-S	R	F
10	Asbestos, crocidolite	12001-28-4	10757-N	R	F
11	Ascorbic acid	50-81-7	10357-S	RM	F
12	Benzaldehyde	100-52-7	10087-A	RM	G
13	Benzene	71-43-2	10389-Y	RM	G
14	Benzofuran	271-89-6	10058-F	RM	G
15	Benzyl acetate	140-11-4	10591-K	RM	G
16	Benzyl alcohol	100-51-6	10059-J	RM	G
17	Benzyl chloride	100-44-7	10481-X	RM	G
18	Blue 15B	574-93-6	10635-J	RM	F
19	Boric acid	10043-35-3	10035-D	M	F
20	Bromobenzene	108-86-1	10060-G	RM	G
21	Bromodichloromethane	75-27-4	10397-Y	RM	G
22	Bromoform	75-25-2	10396-V	RM	G
23	Butyrolactone	96-48-0	10090-F	RM	G
24	Castor oil	8001-79-4	10748-J	RM	F
25	Catechol	120-80-9	10094-W	RM	G
26	Chloramine	10599-90-3	10313-V	RM	W
27	Chlorendic acid	115-28-6	10028-G	RM	F
28	Chlorinated trisodium phosphate	56802-99-4	10061-K	RM	G
29	Chloroacetophenone	532-27-4	10625-C	RM	I
30	Chlorobenzene	108-90-7	10528-H	RM	G

* SP = species, RT = route, R = rat, M = mouse, G= gavage, W = water, I = inhalation, F = feed.

TABLE 10

CHEMICALS IN TESTING PHASES OF THE CARCINOGENESIS BIOASSAY DURING FY 1980

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
31	Chlorodibromomethane	124-48-1	10570-R	RM	G
32	Chlorowax 40	63449-39-8	10062-P	RM	G
33	Chlorowax 500C	63449-39-8	10063-T	RM	G
34	Chlorpheniramine maleate	113-92-8	10537-L	RM	G
35	Coconut diethanolamide	68603-42-9	10802-J	RM	SP
36	Cyclohexanone	108-94-1	10064-X	RM	W
37	D-Limonene	5989-27-5	10071-T	RM	G
38	Decabromodiphenyl oxide	1163-19-5	10672-E	RM	F
39	Diallyl phthalate	131-17-9	10578-X	RM	G
40	Dichlorvos	62-73-7	10017-V	RM	G
41	Diesel fuel marine	DIESEL FUEL	10805-W	RM	G
42	Diesel fuel marine	DIESEL FUEL	10805-W	M	SP
43	Diethanolamine	111-42-2	10534-A	RM	W
44	Diglycidyl resorcinol ether	101-90-6	10492-J	RM	G
45	Dimethyl hydrogenphosphite	868-85-9	10663-A	RM	G
46	Dimethyl methylphosphonate	756-79-6	10660-N	RM	G
47	Dimethyl morpholinophosphonate	597-25-1	10641-C	RM	G
48	Dimethylvinyl chloride	513-37-1	10623-T	RM	G
49	Diphenhydramine hydrochloride	147-24-0	10040-R	RM	F
50	Disperse Blue 1	2475-45-8	10707-Y	RM	F
51	Dodecyl alcohol, ethoxylated	9002-92-0	10755-F	RM	F
52	DMBA/TPA	57-97-6	10371-J	RM	SP
53	DMBA/TPA	57-97-6	10371-J	M	SP
54	Ephedrine sulfate	134-72-5	10584-P	RM	F
55	Epinephrine hydrochloride	55-31-2	10041-V	RM	I
56	Erythromycin stearate	643-22-1	10656-E	RM	F
57	Ethyl acrylate	140-88-5	10594-X	RM	G
58	Ethyl bromide	74-96-4	10067-J	RM	I
59	Ethyl chloride	75-00-3	10019-D	RM	I
60	Ethylene chlorohydrin	107-07-3	10517-W	RM	SP
61	Ethylene oxide	75-21-8	10020-A	M	I

* SP = species, RT = route, R = rat, M = mouse, G = gavage, SP = skin painting, W = water, F = feed, I = inhalation.

TABLE 10

CHEMICALS IN TESTING PHASES OF THE CARCINOGENESIS BIOASSAY DURING FY 1980

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
62	Fluorescein, sodium	518-47-8	10624-X	RM	W
63	Formaldehyde	50-00-0	10002-S	M	I
64	Furan	110-00-9	10119-H	RM	G
65	Furfural	98-01-1	10120-F	RM	G
66	Furfuryl alcohol	98-00-0	10121-J	RM	G
67	Furosemide	54-31-9	10068-N	RM	F
68	Geranyl acetate	105-87-3	10507-N	RM	G
69	Gibberellic acid	77-06-5	10407-H	RM	F
70	Gilsonite	12002-43-6	10760-T	RM	F
71	Glutaraldehyde	111-30-8	10003-W	RM	SP
72	Glycidol	556-52-5	10630-P	RM	G
73	Hematoxylin	517-28-2	10044-G	RM	F
74	Hexachlorocyclopentadiene	77-47-4	10125-A	RM	G
75	Hexylresorcinol	136-77-6	10588-F	RM	G
76	Hydrochlorothiazide	58-93-5	10029-K	RM	F
77	Hydroquinone	123-31-9	10022-H	RM	G
78	HC Blue 1	2784-94-3	10715-Y	RM	F
79	HC Blue 2	33229-34-4	10788-R	RM	F
80	HC Red 3	2871-01-4	10718-K	RM	G
81	Iodinated glycerol	5634-39-9	10733-G	RM	G
82	Isophorone	78-59-1	10070-P	RM	G
83	Lauric acid diethanolamine	7487-79-8	10744-T	RM	SP
84	Maleic hydrazide diethanolamine	5716-15-4	10734-K	RM	W
85	Malonaldehyde	542-78-9	10627-J	RM	G
86	Mercaptobenzothiazole	149-30-4	10073-C	RM	G
87	Methyl carbamate	598-55-0	10642-F	RM	G
88	Methyl methacrylate	80-62-6	10418-V	RM	I
89	Methyldopa	555-30-6	10629-S	RM	F
90	Methylene chloride	75-09-2	10030-H	RM	G
91	Methylene chloride	75-09-2	10030-H	RM	I
92	Monuron	150-68-5	10600-R	RM	F

* SP = species, RT = route, R = rat, M = mouse, W = water, I = inhalation, G = gavage, F = feed, SP = skin painting

TABLE 10

CHEMICALS IN TESTING PHASES OF THE CARCINOGENESIS BIOASSAY DURING FY 1980

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
93	N-Butyl chloride	109-69-3	10089-H	RM	G
94	N-Phenyl-2-naphthylamine	135-88-6	10586-X	RM	F
95	N,N-Dimethylaniline	121-69-7	10039-T	RM	G
96	Nalidixic acid	389-08-2	10045-K	RM	F
97	Naphthalene	91-20-3	10046-P	RM	G
98	Navy fuels JP-5	NAVY FUELS	10140-W	M	SP
99	Navy fuels JP-5	NAVY FUELS	10140-W	R	G
100	Nitrofurantoin	67-20-9	10382-W	RM	F
101	Nitrofurazone	59-87-0	10047-T	RM	F
102	O-Phenylphenol	90-43-7	10439-P	M	SP
103	Oleic acid diethanolamine	13961-86-9	10764-J	RM	SP
104	Oxalic acid	144-62-7	10049-C	RM	F
105	Oxytetracycline hydrochloride	2058-46-0	10080-X	RM	F
106	P-Nitrophenol	100-02-7	10142-E	M	SP
107	P-Quinone	106-51-4	10162-V	RM	G
108	P-Rosaniline hydrochloride	569-61-9	10633-C	RM	F
109	Penicillin VK	132-98-9	10581-D	RM	G
110	Pentachloroanisole	1825-21-4	10024-R	RM	G
111	Pentachloronitrobenzene	82-68-8	10033-V	M	F
112	Pentachlorophenol, purified	87-86-5	10429-G	M	F
113	Pentachlorophenol, Technical grade	87-86-5	10429-G	M	F
114	Pentachlorophenol, Dowicide EC-7	87-86-5	10429-G	M	F
115	Pentachlorophenol, DR-2	87-86-5	10429-G	M	F
116	Pentaerythritol tetranitrate	78-11-5	10150-E	M	F
117	Phenolphthalein	77-09-8	10050-Y	RM	F
118	Phenylbutazone	50-33-9	10354-F	RM	F
119	Phenylephrine hydrochloride	61-76-7	10376-E	RM	F
120	Phthalocyanine green	1328-53-6	10680-E	RM	F
121	Propylene	115-07-1	10538-R	RM	I
122	Pyridine	110-86-1	10532-S	RM	G
123	Rhodamine 6G	989-38-8	10052-G	RM	F

* SP = species, RT = route, R = rat, M = mouse, G = gavage, F = feed, SP = skin painting, I = inhalation

TABLE 10

CHEMICALS IN TESTING PHASES OF THE CARCINOGENESIS BIOASSAY DURING FY 1980

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
124	Rotenone	83-79-4	10420-W	RM	F
125	Roxarsone	121-19-7	10233-F	RM	F
126	Sodium (2-ethylhexyl)alcohol sulfate	126-92-1	10572-Y	RM	F
127	Sodium aluminosilicate	1344-00-9	10054-P	RM	F
128	Sodium cyanurate	2624-17-1	10710-E	RM	G
129	Sodium dodecyl sulfate	151-21-3	10604-G	RM	F
130	Sodium fluoride	7681-49-4	10746-C	RM	W
131	Sodium xylenesulfonate	1300-72-7	10184-T	RM	F
132	Styrene oxide	96-09-3	10464-T	RM	G
133	Succinic anhydride	108-30-5	10518-A	RM	G
134	Tert-Butyl alcohol	75-65-0	10402-N	RM	W
135	Tetrachloroethylene, B	127-18-4	10176-T	RM	G
136	Tetrachloroethylene, C	127-18-4	10176-T	R	G
137	Tetrachloroethylene, D	127-18-4	10176-T	R	G
138	Tetrachloroethylene, E	127-18-4	10176-T	R	G
139	Tetrachloroethylene, F	127-18-4	10176-T	RM	I
140	Tetracycline hydrochloride	64-75-5	10381-S	RM	F
141	Tetrakis(hydroxymethyl)phosphonium chloride	124-64-1	10171-Y	RM	G
142	Tetranitromethane	509-14-8	10025-V	RM	I
143	Toluene diisocyanate	584-84-9	10638-W	RM	G
144	Tremolite	14567-73-8	10766-S	R	F
145	Trichlorfon	52-68-6	10360-X	RM	G
146	Trichloroethylene, B	79-01-6	10175-P	RM	G
147	Trichloroethylene, C	79-01-6	10175-P	R	G
148	Trichloroethylene, D	79-01-6	10175-P	R	G
149	Trichloroethylene, E	79-01-6	10175-P	RM	G
150	Trichloroethylene, F	79-01-6	10175-P	R	G
151	Tris(2-ethylhexyl) phosphate	78-42-2	10413-A	RM	G
152	THPS	55566-30-8	10809-L	RM	G
153	Vinyl toluene	25013-15-4	10032-R	RM	I
154	Witch hazel	68916-39-2	10183-P	RM	SP

* SP = species, RT = route, R = rat, M = mouse, F = feed, G = gavage, W = water, I = inhalation, SP = skin painting

TABLE 10

CHEMICALS IN TESTING PHASES OF THE CARCINOGENESIS BIOASSAY DURING FY 1980

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
155	Wollastonite calcium silicates	13983-17-0	10027-D	RH	IT
156	Xylenes, commercial mixture	1330-20-7	10004-A	RM	G
157	1,1,1-Trichloroethane	71-55-6	10390-W	RM	G
158	1,2-Dichlorobenzene	95-50-1	10456-T	RM	G
159	1,2-Dichloropropane	78-87-5	10111-C	RM	G
160	1,2-Epoxybutane	106-88-7	10066-F	RM	I
161	1,2-Epoxyhexadecane	7320-37-8	10740-D	RM	SP
162	1,2-Epoxypropane	75-56-9	10400-F	RM	I
163	1,3-Butadiene	106-99-0	10514-J	M	I
164	1,4-Dichlorobenzene	106-46-7	10038-P	RM	G
165	2-Amino-4-nitrophenol	99-57-0	10005-E	RM	G
166	2-Amino-5-nitrophenol	121-88-0	10565-D	RM	G
167	2-Butanone peroxide	1338-23-4	10001-N	RM	SP
168	2-Chlorobenzalmalononitrile	2698-41-1	10711-H	RM	I
169	2-Ethoxyethanol	110-80-5	10117-A	RM	G
170	2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	10722-V	RM	G
171	2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	10722-V	M	SP
172	2,3-Dibromo-1-propanol	96-13-9	10016-R	RM	G
173	2,3-Dibromo-1-propanol	96-13-9	10016-R	M	SP
174	2,4-Dichlorophenol	120-83-2	10557-D	RM	F
175	2,6-Xylidine	87-62-7	10185-X	RM	F
176	3-Chloro-2-methylpropene	563-47-3	10632-X	RM	G
177	4-Vinylcyclohexene	100-40-3	10480-T	RM	G
178	4,4'-Diphenylmethane diisocyanate	101-68-8	10488-A	RM	G
179	5-Hydroxytryptophan	56-69-9	10128-L	RM	G
180	8-Hydroxyquinoline	148-24-3	10598-N	RM	F
181	8-Methoxypsoralen	298-81-7	10023-L	R	G

* SP = species, RT = route, R = rat, H = hamster, M = mouse, IT = intratracheal, G = gavage, I = inhalation, SP = skin painting, F = feed.

TABLE 11

LABORATORIES QUALIFIED FOR CARCINOGENESIS BIOASSAYS AND VARIOUS SPECIAL STUDIES

NCI/BOA	[a]Routes of Administration					Special Capabilities				
	DF	DW	GV	SP	IH	Clinical Chemistry	Pharmacokinetics Metabolism	Immuno-Toxicology	Neurobehavioral Toxicology	Endocrinology
Battelle-Columbus	X	X	X	X		Yes	Yes	Yes		
Battelle-NW	X	X	X	X	X	Yes	Yes	Yes	Yes	
Bioassay Systems		X	X	X		Yes				
Eppley	X	X	X	X			Yes			
[e]FDRL	X	X	X	X		Yes				
[e]GSRI	X	X	X	X						
Hazleton	X	X	X	X	X	Yes		Yes		Yes
[e]IITRI TASK I only[d]	X	X	X	X	X			Yes		
[e]IRDC	X	X	X	X	X	Yes				
Inveresk	X	X	X	X	X	Yes	Yes		Yes	
Litton Bionetics	X	X	X	X	X	Yes	Yes[c]	Yes		Yes
Mason	X	X	X	X		Yes		Yes		
Microbiological Assoc.	X	X	X	X				Yes		
Midwest Res. Inst.	X	X	X	X	X	Yes	Yes			
Oregon State TASK I only		X	X	X				Yes		
Papanicolaou	X	X	X	X						
Raltech	X	X	X	X	X[b]	Yes				
Southern Res. Inst.	X	X	X	X		Yes	Yes			
Springborn	X	X	X	X						
Stanford Res. Inst.	X	X	X	X		Yes	Yes	Yes	Yes	
Texas A&M TASK I only	X	X	X	X		Yes				
Totals	19	21	21	21	8	14	8	9	3	2

[a]Dosed-feed, drinking water, gavage, skin paint, inhalation.

[b]Acute and 14 day repeated-dose only

[c]Restricted to Shady Grove animal facility

[d]Task I is prechronic studies

[e]FDRL (Food and Drug Research Laboratories, Inc.)
GSRI (Gulf South Research Institute)
IITRI (Illinois Institute of Technology Research Institute)
IRDC (International Research and Development Corporation)

TABLE 12

CHEMICALS SCHEDULED TO START CARCINOGENESIS BIOASSAYS IN FY 1981

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
1	Amphetamine sulfate	60-13-9	10085-S	RM	F
2	Azodicarbonamide	123-77-3	10086-W	RM	F
3	Beta-Cadinene	523-47-7	10091-J	RM	F
4	C I Pigment Red 23	6471-49-4	10210-D	RM	F
5	C I Pigment Red 3	2425-85-6	10209-F	RM	F
6	Carvone	99-49-0	10093-S	RM	F
7	Chloramphenicol	56-75-7	10096-E	RM	F
8	Chlorpromazine hydrochloride	69-09-0	10101-T	RM	F
9	Curcumin	458-37-7	10105-J	RM	F
10	Diethyl phthalate	84-66-2	10112-F	RM	F
11	Dimethoxane	828-00-2	10114-N	RM	G,SP
12	Dimethyloldihydroxyethyleneurea	1854-26-8	10205-P	RM	G,I
13	Ethylene glycol	107-21-1	10118-E	RM	F
14	Ethylenediamine	107-15-3	10190-K	RM	G
15	Glycol (Polysorbate 80)	9005-65-6	10122-N	RM	F
16	Hexachloroethane	67-72-1	10126-E	R	G
17	HC Yellow 4	52551-67-4	10123-S	RM	F
18	Isobutyl nitrite	542-56-3	10869-J	RM	I
19	Isoproterenol hydrochloride	51-30-9	10130-N	RM	I
20	Mercuric chloride	7487-94-7	10133-A	RM	F
21	Methyl coumarin	92-48-8	10136-L	RM	G
22	Monochloroacetic acid	79-11-8	10138-V	RM	G
23	N-Methylolacrylamide	924-42-5	10206-T	RM	F
24	Nitrobenzene	98-95-3	10141-A	RM	G,SP
25	Ochratoxin A	37203-43-3	10268-Y	RM	G
26	P-Chloroaniline	106-47-8	10100-P	RM	F
27	Palladium chloride (2+)	7647-10-1	10148-D	RM	F
28	Probenecid	57-66-9	10160-L	RM	F
29	Quercetin	117-39-5	10161-R	RM	F
30	Resorcinol	108-46-3	10163-Y	RM	G

* SP = species, RT = route, R = rat, M = mouse, F = feed, G = gavage, SP = skin paint, I = inhalation

TABLE 12

CHEMICALS SCHEDULED TO START CARCINOGENESIS BIOASSAYS IN FY 1981

SEQ. NO.	CHEMICAL	CAS NO.	NTP NO.	SP*	RT*
31	Sodium azide	26628-22-8	10164-D	RM	G
32	Titanium ferrocene	1271-19-8	10174-K	RM	G
33	Toluene	108-88-3	10009-V	RM	G,I
34	Tris(2-chloroethyl) phosphate	115-96-8	10178-C	RM	F
35	Vinyl cyclohexene dioxide	106-87-6	10179-F	RM	G,SP
36	1-Amino-2,4-dibromoanthraquinone	81-49-2	10084-N	RM	F
37	2,4-Diaminophenol dihydrochloride	137-09-7	10106-N	RM	F
38	3,4-Dihydrocoumarin	119-84-6	10113-J	RM	G
39	4-Hydroxyacetanilide	103-90-2	10127-H	RM	F
40	4,4'-Diamino-2,2'-stilbenedisulfonic acid	81-11-8	10107-S	RM	F

* SP = species, RT = route, R = rat, M = mouse, G = gavage, I = inhalation, F = feed, SP = skin painting.

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General Toxicology

Most chemicals selected for testing by NTP are chosen because the potential exists for considerable human exposure, and too little is known about their toxicologic effects. The scope of toxic action of an environmental agent is exercised on the entire organism. Within that organism, one seeks to identify a target organ or organs in which toxic injury produces dysfunction or overt disease. The general toxicology program uses a toxicologic screen to gather information on generalized toxicity of chemicals to test animals. Second, the program seeks to include tests which will give presumptive evidence of specific chemically induced damage to vital organs, such as lungs, liver and kidneys; fertility and reproduction; the nervous system and behavior; and the immune system. The screen also establishes the range of doses over which various toxicities occur, toxicological variability between males and females in two species of animals, and in some instances establishes the basic disposition pattern of a chemical within the body as a function of dose and time.

The general toxicology rodent screen is a major component of Phase I testing (Table 2). These Phase I tests should result in a core of toxicology data essential to the proper design of more extensive studies. Using the information from the Phase I rodent toxicologic screen, more extensive toxicologic testing can be started with increased capabilities to confirm and define those toxicities identified in the screen.

FY 1980 Accomplishments

Acute, subchronic and chronic studies aimed at characterizing the toxicologic potential of several chemicals of interest to the NTP were continued or begun in FY 1980. Chronic toxicology studies with a polybrominated biphenyl (PBB) mixture and its major component, a hexabromobiphenyl, were in progress during FY 1980. Subchronic toxicology studies were carried out with chlordecone (Kepone) and were aimed at examining general toxic effects and chemical disposition, as well as effects on fertility and reproduction and neurobehavioral function. Among effects seen were dose-related decreased fertility in male rats, and behavioral effects in males and females.

In test method development, particular emphasis was given to evaluating the sensitivity of a number of tests of renal function using subchronic exposure of Fischer rats to three different types of renal toxicants. It was found that the most promising types of renal function tests were those that measured total functional capacity of the kidneys. Many standard renal function tests were found to be of little value in detecting kidney injury. Further, direct linear measurement of urinary protein using an automated centrifugal analyzer proved to be sensitive, accurate and precise in rodent studies.

Development of expanded protocals for 90-day subchronic tests was a significant activity. Tests were selected to be added to prechronic studies in the areas of clinical chemistry, liver function, kidney function, thyroid function, urinalysis, sperm function, as well as specific screens or organ functions and damage. Some of these tests have been included in the prechronic phase of the two-year carcinogenesis bioassay.

FY 1981 Program Plans

The developmental effects of chlordecone (Kepone) will be assessed in rats. Effects on neurobehavioral development and on reproduction and fertility also will continue to be examined. Indepth studies will continue on the renal toxicology of 1,2-dibromo-3-chloropropane (DBCP), haloalkanes and several commercial solvents. Other selected chemicals will be studied for various toxic effects using expanded protocols.

The evaluation of tests for detecting kidney injury in subacute, subchronic and chronic toxicity studies will be expanded to include additional test procedures (e.g., electrophoretic separation of urinary proteins) and other classes of toxicants. Procedures using urine will be emphasized since these are noninvasive. The development and adaptation of test procedures for automated analyses will be continued.

The area of cutaneous toxicology will receive emphasis, primarily in development and evaluation of methods to measure toxicity of chemicals to skin, especially solvents.

During FY 1981, development of exanded protocals will continue, primarily for use in the general toxicologic rodent screen, and in the prechronic phase of the carcinogenesis two-year bioassay. Attention will be given both to increasing the types of toxic effects that can be measured and to improving or replacing currently employed assays. Expansion of the systemic pathologic examination at the high dose level in 90-day studies will continue. Development of exanded and improved protocols reflect the NTP's ongoing commitment to broadening toxicologic characterization of chemicals tested, and development and validation of improved protocols to better meet regulatory needs.

Chemical Disposition

Knowledge of the disposition, i.e. absorption, distribution, metabolism and excretion, of chemicals to which animals are exposed is fundamental to an understanding of the mechanisms by which exposure to chemicals induces toxicity. The objective of the Chemical Disposition program is to assist in interpreting and using available information on the disposition of chemicals and in developing new basic knowledge where needed. This data will help to more accurately predict the correct doses for compounds to be studied in animal bioassays. Developing fundamental information on chemical structure-activity relationships will permit a more accurate prediction of the disposition of large classes of chemicals and of chemicals of unrelated classes but which have similar structural or physical properties. The ultimate goal of the Chemical Disposition program is to provide basic data which will permit a more accurate extrapolation of laboratory data to humans.

Chemical disposition studies are designed to determine the absorption, degree of metabolism and rate of clearance of the compound of choice in one or more animal species at a low and a high dose administered via the anticipated route of human exposure, usually oral. The low dose is determined by the limits of accurate detection or the anticipated human exposure, whichever is higher. The high dose is determined by the lower limits of acute toxicity or the highest dose which can be accurately administered, whichever is lower. If absorption, metabolism and clearance are apparently unaffected by dose, the disposition of the chemical is studied at a relatively non-toxic dose which usually does not exceed anticipated human exposure by greater than 10-fold. If either absorption, metabolism or clearance is affected by dose, the initial studies are repeated with intermediate doses in order to determine the saturating dose for the biological mechanism involved.

FY 1980 Accomplishments

The chemical disposition effort in FY 1980 was conducted principally through two university-based contracts and a small in-house program staffed by three scientists plus technical support. Current program capacity is 10–15 chemical disposition starts yearly.

For the most efficient use of this limited capacity, preference is given to development of a core of knowledge based on chemical class characteristics

that can be used to predict the disposition of other chemicals within that class of in related classes. Studies on four major chemical classes were initiated or continued under NTP in FY 1980: aromatic and aliphatic amines, benzidine-based dyes, haloalkyl phosphates and halogenated polyaromatics.

Benzidine and seven benzidine-based dyes were studied in the dog and the rat. Dogs excreted free benzidine in the urine following oral administration of the dyes in amounts comparable to the benzidine excreted in urine following a similar dose of pure benzidine. Rats did not excrete benzidine in the urine following *acute* administration of the benzidine-based dyes, but did excrete benzidine and N-acetyl benzidine following chronic administration of several benzidine-based dyes.

Two 3,3'-dimethoxybenzidine-based dyes and four 3,3,'-dimethylbenzidine-based dyes were studied in dogs and rats. Both dogs and rats excreted free dimethoxybenzidine in the urine following oral administration of the dimethoxybenzidine-based dyes. Both species excreted unchanged 3,3,'-dimethylbenzidine in urine following the oral administration of two of the dimethylbenzidine-based dyes, direct Blue 25 and Acid Red 114.

The metabolisms of two polychlorinated biphenyls (PCBs) that are readily metabolized and one that is resistant to metabolism were studied *in vitro* and *in vivo* in three species—rat, dog and monkey. The results of the studies indicated that at least in some cases it may be possible to predict *in vivo* metabolism and disposition of chemicals based on rates of *in vitro* metabolism.

Studies with 2,3,7,8,-tetrachlorodibenzofuran (TCDF) showed that it is readily absorbed from the gastrointestinal tracts of rats and guinea pigs, and absorption is unaffected by the size of the dose within the dose range studied. Following either oral or intravenous administration, TCDF is initially concentrated in the livers of rats, guinea pigs and monkeys. The rat metabolizes TCDF at an appreciable rate and excretes the metabolites in the bile and ultimately in the feces. The guinea pig, apparently unable to metabolize TCDF, stores it for an extended period of time and is very sensitive to intoxication by TCDF. In multiple dose experiments with guinea pigs, symptoms of acute intoxication are observed only after a critical body burden is accumulated. The monkey metabolizes and excretes TCDF at a rate which is intermediate between that of the rat and guinea pig. Current effort is directed toward isolation and identification of a metabolite from monkey feces.

Studies of a uniquely toxic PCB, 3,4,3',4'-tetrachlorobiphenyl (TCB), in male and female rats and female monkeys have shown this PCB to be metabolized and excreted at a rate which is intermediate between that of rapidly metabolized and persistent PCBs which have been the subjects of past studies. No appreciable sex-related difference was observed in the disposition of TCB in rats. A species-related difference was observed for the disposition of TCB in a comparison of rats and monkeys. The biological half-life of TCB in the monkey was approximately five times that observed for the rat. The major difference in metabolism observed for TCB as opposed to other less toxic PCBs is that a metabolite of TCB persists in the blood longer than any other PCB or PCB metabolite so far studied.

The findings described here and in previous years provide a basis for the following conclusions about simple halogenated aromatics: (a) their lipid solubility facilitates absorption; (b) their half-lives are determined by the rate at which they are metabolized; (c) their ability to be metaolized is determined by the position, as well as the degree of halogenation; and (d) the major sites of accumulation are the liver, skin and adipose tissue and the relative importance of the liver and adipose tissues as storage sites is determined by the polarity of the compound in question.

The metabolism and disposition of two halogenated alkyl phosphates, tris (1,3-dichloro-2-propyl) phosphate (Fyrol FR–2) and tris (2,3-dibromopropyl) phosphate (Tris), were studied in the rat. The major mechanisms of metabolism involve dealkylations of the phosphate. The dealkylated products undergo various degrees of further metabolism and may be metabolized all the way to CO_2. *In vitro* studies have demonstrated that the dealkylations are mediated by both mixed-function oxidase enzymes and a soluble glutathione-S-transferase enzyme. Trace amounts of each of these compounds are metabolized to reactive intermediates which alkylate subcellular macromolecules. The major differences relating to chemical structure are observed in the alkylation of DNA in the kidney where treatment with Tris results in approximately 10-fold greater DNA alkylation than does a similar Fyrol FR–2 treatment.

Other studies were initiated during FY 1980 on the metabolism and disposition of chlorpheniramine maleate, acrylamide, p-chloroaniline and p-nitrotoluene.

FY 1981 Program Plans

A continuing objective of the chemical disposition program is to incorporate chemical disposition information into the beginning of the long-term bioassay process to assist chemical managers in dose selection and other decisions relating to the long-term testing of a chemical. A second objective is to design and conduct experiments which will enable relating chemical disposition and kinetic data to what one might expect to see in humans.

The NTP plans to award two new contracts which will increase the capacity of the program to 20–25 chemical starts a year by the end of FY 1981. Plans for FY 1981 call for the continuation of ongoing studies in chemical disposition, and initiation of 12 additional studies of compounds or classes of compounds.

Studies on the chemical disposition of benzidine-based dyes will continue. Current plans call for the use of radiolabeled compounds to accurately quantitate gastrointestinal absorption, distribution, metabolism and excretion of benzidine, 3,3'-dimethylbenzidine and 3,3'-dimethoxybenzidine. Radiolabeled benzidine will also be used to synthesize a radiolabeled benzidine-based dye to be used in similar studies of absorption, distribution, metabolism and excretion. The data from these studies will be used to calculate the kinetic parameters for the disposition of these compounds, and an effort will be made to extrapolate this data to the human condition in order to assess the hazard posed from human exposure to dyes synthesized from these carcinogenic precursors.

The work on comparing *in vitro* vs. *in vivo* metabolism of PCBs will be continued to refine the technique and hopefully provide data which will permit the extrapolation of these results to man.

Halogenated foreign chemicals are the most toxic and persistent of the chemicals contaminating our environment. Studies done to date have firmly established those factors which determine the disposition of simple halogenated aromatics. Future studies will be designed to expand this base of knowledge by determining how other types of substitution, in addition to halogens, affect the metabolism and disposition of organic compounds. In addition, the effort to elucidate the biochemical mechanism(s) by which halogenated hydrocarbons exert their action will be continued.

Data from the studies of chlorpheniramine maleate, acrylamide, p-chloroaniline and p-nitrotoluene, a series of aliphatic and aromatic amines plus p-nitrotoluene, which may be metabolically reduced to an amine, will be further analyzed in an effort to determine the effect of the amine group on the disposition of these compounds.

Immunological Toxicology

The functions of the immune system are host defense, maintenance of homeostasis and surveillance. Stimuli can be either endogenous of exogenous and the immune response either specific or nonspecific. The interactions of environmental chemicals of drugs with the immune system may result in undersirable effect of three types: (1) those determined by immunodeficiency or immune suppression, (2) those determined by alterations of host defense mechanisms, and (3) those determined by allergy or hypersensitivity. Although the system is remarkably resilient, drugs, chemicals, ionizing radiation and malnutrition can impair its function. There is increasing evidence that chronic, subclinical exposure to certain chemicals may depress immune responsiveness and increase susceptiblility to infectious agents.

The primary objective of the program in immunological toxicology is to develop and validate a series of ummunologic procedures to define a relatively simply screening battery of tests for implementation in the NTP chemical testing programs. Chemical suspected of causing immunologic alterations will be examined to aid in validation of the screening battery.

Early in FY 1980, a consensus meeting on immunotoxicology was held at NIEHS brining together over 35 immunologists, pathologists and toxicologists to develop a list of relevant immunological parameters for evaluation of chemical toxicity. There was general agreement that the discipline of immunology provide sensitive assay procedures to examine selective and general cellular toxicology since the immune system is composed of a variety of easily characterized functional subsets of rapidly proliferating cells.

The consensus group endorsed the development and validation of a comprehensive panel of assays including: (1) host resistance to bacterial and tumor cell challenge; (2) cell-mediated immune function as measures by lymphoproliferative responses to mitogens; (3) development of delayed hypersensitivity to T-cell dependent antigen; (4) assessment of antibody plaque forming cell responses; (5) quantitation of immunoglobulin levles; and (6) bone marrow progenitor cell assays.

FY 1980 Accomplishements

During FY 1980 several chemicals were examined for immunotoxic effects using a comprenhensive panel of immunology and host resisteance assays. Routine clinical chemistry, hematology and pathology/histology studies were also performed. All the chemicals were examined at three dose levels which were not believed to be overtly toxic in terms of causing negative weight gain or gross changes in liver pathology or chemistry. Table 13 summarizes the results seen with these chemicals. In general, the compounds DES, CY, BP, INDO, and TCDD were highly immunosuppressive affecting cell-mediated immunity and T/cell function, antibody PFC formation and host resistance parameters; OPP and TCPP demonstrated minimal or no immunotoxicity. Lymphoproliferative responses to T-cell dependent mitogens and resistance to tumor, bacterial or parasite challenge represented the most sensitive parameters of immunotoxicity assayed. The proposed mechanisms responsible for the immunotoxicity observed a given in Table 14.

Development continues on bone marrow progenitor and host resistance assays. During the past decade a variety of *in vivo* and *in vitro* assays have been developed to examine the functional state of hemopoietic progenitor cells from the bone marrow. These assays have not only aided in understanding the control and regulation of hematopoiesis but, more importantly, are uses as sensitive clinical indicators for myelotoxicity induced by chemotherapeutic drugs. However, little if any attention has been directed toward their potential as toxic indicators in the examiriation of chemicals of environmental concern. This appears rather surprising in view of the numerous chemicals that induce hematological alterations including anemia or myelosuppression. To date the NTP immunological toxicology program has examined the effects of several chemical pollutants on hemopoietic progenitor cell assays (Table 13). Preliminary data indicate that these assays may be used as an earlier indicator of cellular and immunotoxicity with most, but not all, chemicals.

FY 1981 Program Plans

Research on methods selection will continue in NTP laboratories during FY 1981 with emphasis on developing correlations between host resistance and immunological parameters. Alterations in host resistance appear from preliminary studies to be sensitive indicatorsa of immunotoxicity. For some time, a correlation has been found between the use of chemical immunosuppressants in clinical medicine and increased incidence of bacterial, viral, fungal, parasitic and neoplastic dieases. Through cooperation with FDA laboratories in Cincinnati, Ohio, and Jefferson, Arkansas, NTP will examine *in vivo* and *in vitro* approaches to immunological evaluation, including the evaluation of interferon production and the application of laser cytometry as an indicator of immunotoxicity and host resistance parameters. Contracts will be awarded during the first quarter of FY 1981 to assist with the development of host resistance models using viruses, bacteria, parasites, and tumor cells. In addition, the immunological panel will be validated using selected chemicals, and will be correlated with the host resistance panel developed in the first phase of the contract. An interlaboratory comparison of selected methods also will be initiated between contract and NTP laboratories during the second quarter FY 1981.

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TABLE 13

SUMMARY OF FY 1980 STUDIES OF VARIOUS CHEMICALS ON IMMUNE AND HOST SUSCEPTIBILITY PARAMETERS[a]

Chemical	RBC Counts	WBC Counts	Thymus Weight	Bone Marrow Progenitor Cell Proliferation	Antibody PFC Response	Serum Antibody Titer	Immunoglobulin Levels	Lymphoproliferative Responses
Diethylstilbestrol (DES)	NE	++	++	++	+	NE	+	++
Cyclophosphamide (CY)	++	++	++	++	++	++	++	++
Orthophenylphenol (OPP)	NE	NE	NE	NE	NE	NE	NE	NE
Tris (1,3,-dichloro-2-propyl) phosphate (TCPP)	NE	NE	NE	NE	NE	NE	NE	+
Indomethacin (INDO)	ND	ND	NE	+	+	ND	ND	+
Benzo(a)pyrene (BP)	NE	+	+	++	++	+	+	+
2,3,7,8-Tetrachloro-dibenzo-p-dioxin (perinatal exposure) (TCDD)	+	NE	++	+	ND	ND	ND	++

CONTINUED

TABLE 13 (Cont'd)

Chemical	Delayed Hypersensitivity Responses	Macrophage Functions	Resistance to Syngeneic Tumor Cell Challenge	Resistance to Bacterial Challenge	Expulsion of Parasite	CAS No.
Diethylstilbestrol (DES)	↓	↑↑	↓↓	↓↓	↓↓	56-53-1
Cyclophosphamide (CY)	↓↓	↓	↓↓	↓↓	↓↓	50-18-0
Orthophenylphenol (OPP)	NE	NE	NE	NE	NE	90-43-7
Tris (1,3-dichloro-2-propyl) phosphate (TCPP)	NE	NE	↓	NE	↓	13674-87-8
Indomethacin (INDO)	NE	↓	NE	NE	NE	53-86-1
Benzo(a)pyrene (BP)	NE	NE	NE	NE	↓	50-32-8
2,3,7,8-Tetrachloro-dibenzo-p-dioxin (perinatal exposure) (TCDD)	↓	NE	↓	↓	ND	1746-01-6

[a] Represents general effects following evaluation at 3 chemical dosage levels. Dosage levels examined were below that which induced signs of overt toxicity such as decreased body weight gain. Several chemicals induced slightly altered liver function (e.g., DES and OPP) but their effect was not related to immune dysfunction.

NE = no effect; ND = not done; ↓ = slight to moderate decrease; ↓↓ = marked decrease; ↑ = slight to moderate increase; ↑↑ = marked increase.

TABLE 14

MECHANISMS OF IMMUNOLOGICAL EFFECTS OF CHEMICALS STUDIED IN FY 1980

Chemical	Mechanism of Cellular Toxicity
TCDD	Toxic effects on thymus-dependent lymphocyte through a receptor for TCDD on maturing thymocytes.
DES	Toxic for thymus-dependent lymphocyte function and induces alteration in macrophage function resulting in altered host resistance.
INDO	Affects immunoregulatory circuits.
TCPP	Mild biological alkylating agent with resultant lympholysis.
CY	Potent biological alkylating agent with resultant lympholysis.
BP	Not fully characterized as yet. Primarily affects humoral (B-cell) immunity.

BILLING CODE 4110-08-C

Neurobehavioral Toxicology

The central nervous system has evolved as a highly specialized organ designed to accept signals from the internal and external environment and to initiate metabolic and behavioral responses of the total organism appropriate to its survival. The complex structure and function of the brain, and the need to simultaneously be protected from the environment and yet be responsive to it, make it uniquely susceptible to environmental insults. It is believed that behavioral and neurologic alterations in response to exposure to environmental pollutants often may represent the earliest manifestations of toxicity in animals. Thus, it is most relevant to the mission of the National Toxicology Program that test systems be developed and chemicals be tested for neurobehavioral effects.

The NTP neurobehavioral program involves the formation of a strategy for the development, standardization and validation of neurobehavioral screening tests. Such a test battery would provide a general indication of the presence of neurotoxicity, and would possibly indicate the type or nature of neurotoxicity in terms of neurobehavioral function that may be affected. Known representative neurotoxicants are studied in the battery to determine the level of sensitivity and selectivity of each component test. This battery with continuing refinements is used as part of the general toxicology screen and in the prechronic phase of the two-year carcinogenesis bioassay.

An additional objective is the development of a test capability for more extensive in-depth toxicological characterization of selected chemicals either identified in preliminary neurobehavioral screening or which are of public health concern.

FY 1980 Accomplishments

The neurobehavioral toxicology program involves laboratories at two NTP agencies. During FY 1980, a document was written which reviewed recommendations for appropriate research strategies in neurobehavioral toxicology which had been made at several recent workshops. The document identified those recommendations relevant to NTP and the extent of their implementation.

The standardization and validation of a test battery for the neurobehavioral assessment of potential neurotoxins continued under contract. This was being accomplished by evaluating the effects of tetraethyl tin, methyl mercury, sodium salicylate, D-amphetamine, acrylamide, arsenic, lead acetate, chlordecone (Kepone), and triethyl lead chloride on male rats of the Fischer 344 strain. Tests being evaluated included measures of sensory and motor functioning and indicators of learning ability.

Studies with Kepone demonstrated that adult rats exposed to 10 or 30 parts per million in the diet for a period of 90 days exhibited neurotoxicity as indicated by behavioral hyper-reactivity. In another study, female rats were fed Kepone in the diet for 60 days prior to mating. Dietary exposure continued throughout gestation and during lactation until the pups were 12 days of age. Male and female pups were being tested for neurobehavioral alternations at 30 and 90 days of age using a battery of tests consisting of startle responsiveness, negative geotaxis, tail flick, fore- and hindlimb grip strenght, and spontaneous motor activity. At approximately 21 and 100 days of age, rats of both sexes will be sacrificed, their brains dissected and assayed to determine Kepone-induced alterations in neurobehavioral or neurochemical functioning following developmental exposure to low amounts of Kepone encountered in the diet of the mother. This information will be useful in subsequent studies designed to study the neurotoxic mechanisms of Kepone. These studies were initiated in response to concerns expressed by the state of Virginia about human neurotoxicity of Kepone. Studies were also initiated on the neurobehavioral effects of 2,4-dichlorophenoxyacetic acid (2,4-D).

The NTP neurobehavioral toxicology program also conducted human and animal laboratory testing and work site studies of selected chemical agents during FY 1980. Included as part of the animal laboratory work were routine electrophysiological and behavioral screening studies after chronic inhalation exposure of animals to methyl bromide, ethylene oxide, and propylene oxide. Behavioral and neurochemical changes were found in offspring of rats exposed during pregnancy to 2-ethoyxyethanol in the reproductive hazards screening program. New methods were developed for the identification of loss of fine motor control in primates and changes in simple home cage behavior in several animal species. Subtle behavioral effects of toluene and methyl ethyl ketone, and their interaction, were surveyed in human laboratory studies. Similar behavioral changes caused by chronic carbon disulfide exposure were studied in humans in a textile factory. Manuscripts published in the scientific literature during FY 1980 reporting on work recently completed dealt with: chronic and acute exposures to methyl n-butyl ketone and methyl n-amyl ketone (rats and monkeys); acute exposure to carbaryl (rats and monkeys); gestational exposure (and testing in offspring) to 2-ethoxyethanol (rats); and acute exposures to methylene chloride and ethanol (human volunteers).

FY 1981 Program Plans

The standardization and validation of a test battery for neurobehavioral assessment of potential neurotoxins will be completed late in FY 1981. Automated procedures to assess toxicity in animals, using simple home cage behaviors such as eating, drinking, and motor activity, will be assessed using large numbers of animals in home cage-like environment. In addition, studies on the neurobehavioral toxicity of chlordecone and 2,4-D will continue.

Another effort will be to screen inhaled ethanol, 2-ethoxyethanol, propylene oxide, ethylene oxide, methyl bromide, tri ortho cresyl phosphate, and lithium compounds for neurotoxicity using neurobehavioral and neurophysiological tests. Interaction effects will be tested using exposure to selected combinations of toluene, methyl ethyl ketone, xylene, acetone, and ethanol in humans; and a job task stressor, forced pace, plus acetone in animals. Methods development work will utilize primates, implementing tests of fine motor control, and rodents, developing screening tests of sensory loss. Paint sprayers will be tested at the work site in order to characterize neurotoxicity in select worker populations having chronic exposures to assorted solvents.

An interlaboratory collaborative study is planned to identify and develop screening methods for measuring effects of prenatal exposure to chemicals on behavior during animal development. This study is described in the section on Reproductive and Developmental Toxicology.

Pulmonary Toxicology

Although many substances are assessed toxicologically by the inhalation route of exposure, pulmonary function testing is often neglected. The lung is often a prime target organ in addition to being a route of entry for systemtic intoxication. In recent years techniques have been developed that measure indices of pulmonary function in rodents—static and dynamic lung volumes, mechanical properties, gaseous diffusion, distribution of inspired air and

more recently, ventilatory performance. Use of these indices may help discover whether examining pulmonary function provides more toxicologic information than does pathologic evaluation of lung injury. Pulmonary function tests in animals must be accurate, precise and specific as well as very sensitive if they are to be used effectively in diagnosis of early and/or subtle pulmonary pathologic changes seen in animal models for chemically-induced pulmonary disease in humans.

FY 1980 Accomplishments

Through an Interagency Agreement, the NTP has initiated studies to evaluate the benefits of using respiratory function techniques in toxicity evaluations of compounds. A study exposing male rats to filtered conditioned air containing 0.2, 0.8, and 2.0 ppm ozone was completed during FY 1980. All animals were exposed for 6 hrs/day, 5 days/week for a duration of 63 exposure days. Experimental data are undergoing statistical analyses. Exposure of male rats to acrolein began later in the year. The experimental regimen was identical to the one employed for ozone; airborne concentrations were 0.4, 1.4 and 4.0 ppm. This study will be completed during FY 1981.

FY 1981 Program Plans

Statistical analyses and evaluation of the findings from the inhalation exposure studies with ozone and acrolein will be completed in FY 1981. Three additional compounds will be evaluated in FY 1981, one of which will have an expanded duration of exposure and a subsequent non-exposure holding period to assess recovery or exacerbation of the response.

Reproductive and Developmental Toxicology

The assessment of chemical agents for effects on reproductive function and developmental toxicity is of critical importance for estimating risk from human exposure. Techniques for evaluating reproductive and developmental toxicology have generally involved standardized whole animal test systems and as such provide only crude indictors of reproductive effects or developmental abnormalities. The underlying biological mechanisms which account for these major health problems are still unclear in part because of the complexity of the developmental and reproductive processes. An increasing number of environmental agents have been demonstrated to have adverse effects on reproduction and development. With the large number of compounds to be tested and the limited resources available, the NTP effort is directed primarily toward the use of conventional testing procedures and improvement of these procedures. Development and validation of new methods which will be more sensitive, specific and reproducible is being pursued at a modest level.

FY 1980 Accomplishments

The testing of chemicals for teratogenic potential in FY 1980 included the evaluation of 21 chemicals. Final reports were received in FY 1980 for these chemicals, and the results are shown in Table 15. In studies of teratogenicity, both maternal and fetal toxicity are assessed. Maternal toxicity is determined by lethality or a reduction in weight gain during pregnancy. Fetal toxicity is indicated by increased prenatal death, reduced fetal weight and/or an increased incidence of malformed fetuses. When fetal toxicity occurs only at dose levels producing maternal toxicity, the fetal effects may be secondary to maternal effects and thus are not considered as serious a finding as when fetal toxicity occurs below maternal toxic doses. In Table 15, positive effects are indicated only in those cases where feto-toxicity occurred at doses below those producing maternal effects.

Chemicals selected for testing by the NTP Executive Committee (see Table 16) are being reviewed and a literature file of toxicity information and any available teratology data is being established. From this information, protocols which are most appropriate for testing each particular chemical will be developed jointly by the contractor and the NTP.

The histopathologic examination of fetuses to detect lesions not obvious with conventional methods was completed in FY 1980. Fetuses from pregnant mice exposed intravenously to ethylene oxide did not reveal any alterations that could not be detected in the routine examination. Studies are currently underway with additional agents.

In the area of reprodution and fertility, studies were undertaken during FY 1980 evaluating the effects of 2,4-dichlorophenoxyacetic acid (2,4-D), 2,4,5-trichlorophenoxyacetic acid (2,4,5-T) and 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) on male fertility (Table 17). Male mice were treated with mixtures of these chemicals (components of the herbicide "Agent Orange") and the males were bred to untreated females. Fertility (% fertile matings) and sperm quality (% abnormal sperm, and sperm concentration and motility) were evaluated. Also, the offspring underwent teratologic evaluations. No significant decrements infertility or reproduction were found, and there was no evidence of germ cell toxicity. Survival of offspring and neonatal development were apparently unaffected by paternal exposure to the simulated mixtures of "Agent Orange".

Other chemicals already under specific test include dibromochloropropane and chlordecone (Kepone) (Table 17). These chemicals, which are known to alter reproduction in humans, are being used to help validate assay reliability and to increase understanding of their specific mechanisms of toxicity.

Priority chemicals, selected on the basis of usage and the extent of exposure, are being screened to determine potential reproductive hazard through germ cell mutations. Test systems used as *Drosophila* sex-linked recessive lethal (SRL), rat dominant lethan (DL), and mouse sperm head morphology (SHM). Chemicals under test in FY 1980 are listed in Table 17.

In the area of postnatal development, a project on the effect of maternal lead exposure on offspring was initiated in FY 1979 and will be completed in FY 1981. Lead acetate was administered in the diet to maternal rats and the functional status of various organ systems in their offspring was investigated and correlated with maternal blood lead levels. Oxygen metabolism and selected hematopoietic effects have been investigated. The cardiovascular system is presently being examined and the renal system was also under study in FY 1980.

Functional and psychomotor development in rats were studied by NTP in FY 1980 following exposure of pregnant females to 2-ethoxyethanol at 100 ppm. Developmental impairment and neurochemical alternations were observed in the offspring, and embryotoxicity was observed at high concentrations. Potential interactions between ethanol and 2-ethoxyethanol are presently being studied and should be completed in FY 1981.

Behavioral and cognitive disorders are among the more common congenital problems observed in children. A number of chemicals have been shown to produce behavioral dysfunction postnatally in animal studies. Although the need for the behavioral evaluation of neonatal animals in the safety assessment of new drugs and chemicals is evident, standardized, reliable and sensitive procedures have not been available for testing purposes. An interlaboratory collaborative study is planned to identify screening methods which yield valid and reproducible

results within and among laboratories. The methods will be evaluated based on their sensitivity to toxic alterations produced by three known behavioral teratogens which represent a range of chemical classes (Vitamin A, methylmercury and d-amphetamine). The dose-finding study for the intramural pilot segment of the collaborative study is underway and will be completed in FY 1981.

FY 1981 Program Plans

A new contract to continue conventional teratology testing of 10–12 chemicals per year was awarded. The contract also permits single or multigeneration studies and functional testing if needed.

Teratogenesis studies using inhalation exposure of ethyl benzene and 2-ethoxyethanol are scheduled for completion early in FY 1981. Studies by other routes of exposure on diphenhydramine, ethylene chlorohydrin, ethylene oxide (rabbit), phenol, and bisphenol A are due to be completed and reported on in FY 1981. A contract for teratogenesis testing of ethylene oxide, propylene oxide, and n-butyl acetate by inhalation was awarded in the fourth quarter of FY 1980.

In the area of fertility and reproduction, thirteen compounds are being screened under contract in five Tier II mutagenesis tests scheduled for completion in June 1981 (Table 17). The test systems being employed are *Drosophila* sex-linked recessive lethal (SRL), rat bone marrow cytology (BMC), mouse sperm head morphology (SHM), rat dominant lethal (DL), and *in vitro* unscheduled DNA synthesis in human fibroblasts (UDS). The compounds being tested are allyl chloride, bis(2-methoxyethyl)ether, butylene oxide, cyclohexanone, N,N-dimethylacetamide, dimethylformamide, hexachlorobutadiene, 2-methyoxyethanol, methyl bromide, N-methyl dicyclohexylamine, 2-nitropropane, styrene oxide, and 1,1,2,2-tetrachloroethane.

The pilot segment of the interlaboratory study on behavioral teratology will begin following delivery and approval of a microprocessor system early in FY 1981. Contracts or interagency agreements with six cooperating laboratories in the collaborative study will be awarded in FY 1981. Although the protocol for the study has been planned for some time, procedures are continually being refined using information from the pilot study and new information appearing in the literature. Consultation with experts in statistical analysis of behavioral data is also underway to assure that the most appropriate statistical methods are used. The final results of the interlaboratory study will determine whether or not behavioral tests of this type should be required for routine screening of chemical agents.

The reliability of animal studies for predicting hazard to man is being evaluated in a collaborative project with the Canadian government. In this project, the literature is being examined for concordance of data in terms of types of effects and dose levels in human and animal teratogenicity reports. Information from this project which is scheduled for completion in FY 1981 will be presented at the Toxicology Forum in February 1981. This effort, together with another NTP project involving the examination of the does-response characteristics of teratogenic manifestations, in particular, linearity of the relationship, should provide a better basis for low-dose extrapolation of the teratogenic potential of chemicals.

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TABLE 15

Chemicals for Which Teratology Assays Were Completed in FY 1980

Chemical	CAS No.	Species	Route	Fetotoxicity[b] Prenatal Death	Fetotoxicity[b] Reduced Fetal Weight	Increased Malformations[c]	Maternal Toxicity
n-Butyl acrylate	141-32-2	Mouse	Oral	--	--	+(1 gm/kg)	+(1.5 gm/kg)
Butylene oxide	106-88-7	Rat, Rabbit	Inhal	--	--	--	+(250 ppm)[d]
Carbon disulfide	75-15-0	Rat, Rabbit	Inhal	--	--	--	--
Diethylene glycol diacrylate	4074-88-8	Mouse	Oral	--	--	--	+(60 mg/kg)
1,1-Diphenyl-hydrazine HCl	530-47-2	Mouse	Oral	--	+(200 mg/kg)	+(400 mg/kg)	+(600 mg/kg)
Direct black 38	1937-37-7	Mouse	S.C.	+(100 mg/kg)	+(100 mg/kg)	+(100 mg/kg)	+(150 mg/kg)
Direct blue 6	2602-46-2	Mouse	S.C.	--	+(50 mg/kg)	+(75 mg/kg)	+(100 mg/kg)
Direct brown 95	16071-86-6	Mouse	S.C.	--	--	--	+(40 mg/kg)
Ethylene oxide	75-21-8	Mouse	I.V. D4-6	--	--	--	+(150 mg/kg)
			D6-8	--	+(150 mg/kg)	+(150 mg/kg)	--
			D8-10	--	--	--	+(150 mg/kg)
			D10-12	--	--	--	+(150 mg/kg)
Formaldehyde	50-00-0	Mouse	Oral	--	--	--	+(200 mg/kg)
2,2',3,3',5,5'-Hexachlorobiphenyl	35694-04-3	Mouse	Oral	+(128 mg/kg)	--	--	--
Methyl bromide	74-83-9	Rat, Rabbit	Inhal	--	--	--	+(70 ppm)[d]
Pentachloroanisole	1825-21-4	Mouse	Oral	--	--	--	+(100 mg/kg)
Perchloroethylene	127-18-4	Rat, Rabbit	Inhal	--	--	--	--
Styrene oxide	96-09-3	Rat, Rabbit	Inhal	--	--	--	+(100 ppm)[e] (15 ppm)[d]
Toluene-2,5-diamine sulfate	6369-59-1	Mouse	Oral	--	+(32 mg/kg)	--	+(48 mg/kg)
Trichloroethylene	79-01-6	Rat, Rabbit	Inhal	--	--	--	--
Xylene (mixed isomers)	1330-20-7	Mouse	Oral	--	+(2.4 ml/kg)	+(2.4 ml/kg)	+(3.6 ml/kg)
m-Xylene	108-38-3	Mouse	Oral	--	--	--	+(3 ml/kg)
o-Xylene	95-47-6	Mouse	Oral	--	+(0.9 ml/kg)	--	+(22.5 ml/kg)
p-Xylene	106-42-3	Mouse	Oral	--	--	--	+(22.5 ml/kg)

[a] All oral and subcutaneous (S.C.) dosing were done on days 6-15 of gestation. Ethylene oxide (I.V.) dosing was at 4 time periods for 3 consecutive days during gestation as indicated. Inhalation (Inhal) exposure to rats with trichloroethylene, perchloroethylene and carbon disulfide included groups with and without pregestational exposure 7 hours/day, 5 days/week for 3 weeks, and gestational exposure on days 1-19 or 7-19; exposure to rabbits was 7 hours/day, days 1-22 or 8-22 of gestation. Inhalation exposure to rats with butylene oxide, styrene oxide and methyl bromide was for 7 hours/day, 5 days/week for 3 weeks prior to gestation, and days 1-19 of gestation; exposure to rabbits was 7 hours/day on days 1-24 of gestation (for methyl bromide, days 1-15).

[b] Numbers in parentheses are the lowest effective dose/day for the endpoint indicated.

[c] Only 3 chemicals produced malformations which were not seen spontaneously in control animals: 1,1 diphenylhydrazine HCl produced ectrodactyly, micromelia and amelia; Direct Blue 6 produced micrognathia; and trichloroethylene produced external hydrocephaly, a rare defect, in a few rabbit fetuses.

[d] Value given for rabbit.

[e] Value given for rat.

TABLE 16

Chemicals Selected for Teratology and Reproductive Toxicology Assays
FY 1981-1983

Chemical	CAS No.
Benzyl alcohol	100-51-6
Butanone peroxide	1338-23-4
Caffeine	58-08-2
Carbon disulfide	75-15-0
Chlorinated dibenzofurans	CHL DIBENZF
Chlorowax 40	63449-39-8
Chlorowax 500C	63449-39-8
Chlorpromazine Hydrochloride	69-09-0
Cinnamaldehyde	104-55-2
Di(2-ethylhexyl)phthalate	117-81-7
1,2-Epoxybutane	106-88-7
Ethylenediamine	107-15-3
Ethylene glycol	107-21-1
Glycidyl ethers	GLYC ETHERS
Hexamethyl-p-rosaniline	548-62-9
Hydrochlorothiazide	58-93-5
Methylene chloride	75-09-2
Naphthalene	91-20-3
Nitrofurazone	59-87-0
p-Nitrophenol	100-02-7
Oxytetracycline Hydrochloride	2058-46-0
Probenecid	57-66-9
Selenium	7782-49-2
Sulfamethazine	57-68-1
Trimellitic anhydride	552-30-7

TABLE 17

Reproduction and Fertility Assays Reported or in Progress
FY 1980-1981

Chemical	CAS No.	Species or Test System	Route
Reported in FY 1980			
2,4-Dichlorophenoxyacetic acid (2,4-D)	94-75-7	Mouse	Diet
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)	1746-01-6	Mouse	Diet
2,4,5-Trichlorophenoxyacetic acid	93-76-5	Mouse	Diet
Testing in Progress in FY 1980			
Dibromochloropropane (DBCP)	96-12-8	Rat	Gavage
Kepone (Chlordecone)	143-50-0	Rat	Diet
Acrolein	107-02-8	SRL*	
n-Butyl acetate	123-86-4	SRL	
2-Ethoxyethanol	110-80-5	SRL, DL and SHM	
Ethyl benzene	100-41-4	DL	
Ethylene oxide	75-21-8	SHM	
Propylene oxide	75-56-9	DL, SHM	
Vinyl toluene	25013-15-4	SRL	
Tests to be Completed in FY 1981			
Allyl chloride	107-05-1	SRL,BMC,SHM,DL,UDS	
Bis(2-methoxyethyl)ether	111-96-6	"	
Butylene oxide	106-88-7	"	
Cyclohexanone	108-94-1	"	
N,N-dimethylacetamide	127-19-5	"	
Dimethylformamide	68-12-2	"	
Hexachlorobutadiene	87-68-3	"	
2-Methoxyethanol	109-86-4	"	
Methyl bromide	74-83-9	"	
N-Methyl dicyclohexylamine	7560-83-0	"	
2-Nitropropane	79-46-9	"	
Styrene Oxide	96-09-3	"	
1,1,2,2-Tetrachloroethane	79-34-5	"	

*SRL-Drosophila sex-linked recessive lethal; DL-rat dominant lethal; SHM-mouse sperm head morphology; BMC-rat bone marrow cytology; UDS-in vitro unscheduled DNA synthesis in human fibroblasts.

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Coordinative Management Activities

Chemical Nomination and Chemical Selection

More chemicals are nominated for NTP consideration than can be selected for study. Early recognition of this problem led the NTP Executive Committee to formulate a set of selection principles (Table 18). These eight chemical selection criteria motivate a matrix which operates throughout the NTP (Figure 3).

Most chemicals are nominated and selected for testing because toxicologic information is lacking and because the potential exists for human exposure. Other important criteria include production levels, physical and chemical properties, interest by government agencies, and possible significance for public health. The toxicology testing strategy is to identify the major toxic effects for each chemical studied. In addition to identifying chemical mutagens and carcinogens, this includes causation of damage to critical target organs such as the lungs, liver, and nervous system. Thus, Phase I tests (see Table 2) result in a core of toxicology data essential to the proper design of more extensive studies. As an example, using the information from the Phase I rodent toxicologic screen, Phases II and III testing can be started with increased capabilities to confirm and better define toxicities identified in the screen.

The NTP urges those interested in proposing a chemical or chemicals for testing consideration to explain the rationale for the nomination, to recommend the type of tests to be considered, and to supplement each nomination with as much of the necessary information as possible (see Table 19). All nominations are considered regardless of the depth of the information submitted. Nominations should be addressed to Chemical Nominations, National Toxicology Program, Room 3A–10, Landow Building, National Institutes of Health, Bethesda, Maryland 20205.

To encourage nominations, an announcement seeking chemical nominations was made in the February 8, 1980 **Federal Register**, and 973 request letters were sent to (1) consumer groups, (2) labor unions and labor safety officials, (3) occupational newsletters and publications, and (4) trade and professional associations. Furthermore, a call for nominations appeared in the April 1980 issue of the *NTP Technical Bulletin* mailed to 2,915 scientists and administrators actively engaged in toxicology and associated research. The chemical nomination procedure was explained and requests made for nominations at interagency and public meetings held in June 1980.

All nominations received are first screened to see if the chemical has already been tested, is under test, or is scheduled for test. If the chemical fits into any of these classes, this is made known to the nominator. Nominations outside these categories are forwarded to the NTP Chemical Review Group. The group examines the accompanying information, uses the current and appropriate literature sources, prepares executive summaries of relevant information, and submits these chemical overviews to the NTP Chemical Evaluation Group. This group includes representation of the agencies on the NTP Executive Committee: CPSC, EPA, FDA, NCI, NIEHS, NIH, NIOSH, and OSHA. The Evaluation Group proposes priority and testing needs to the NTP Executive Committee. The Executive Committee considers these recommendations together with the executive summaries and decides to approve a chemical for testing, defer it for more information, or disapprove the nominated chemical. Executive Committee decisions are published in the *NTP Technical Bulletin*. The Executive Committee also recommends priorities for testing and test development/validation to the NTP.

The selection of a chemical by the Executive Committee does not automatically commit the NTP to testing the chemical. The NTP is committed to ascertain the specific toxicologic and regulatory concerns; evaluate the adequacy of existing data or current efforts in government, academic, or private laboratories; and then propose and conduct specific tests that are needed. Occasionally new information is obtained that answers the questions posed in the nomination and selection process. Sometimes testing is not done because chemicals are withdrawn by the nominator, because others are or will be testing the chemical, or because the chemical is not available, or no longer produced.

The NTP Board of Scientific Counselors Chemical Nomination and Selection Subcommittee reviewed the procedures by which chemicals are nominated and selected for testing, surveyed the methods used for proposing specific testing requirements, and identified those areas needing further development. A major objective of the Subcommittee is to ensure public input into the chemical nomination and chemical selection process. Recommendations should be forthcoming from this Subcommittee during the first quarter of FY 1981.

For FY 1980, 126 Executive Summaries were prepared. Also, ten mini-monographs have been prepared in draft form and should be ready for distribution in the first quarter of FY 1981: butyl nitrite, capsaicin, cinnamaldehyde, 1,4-cineole, 1,8-cineole, ethyl benzene, glutaraldehyde, rotenone, sulfamethazine, and trimellitic anhydride. Approximately four hundred compounds have been listed and submitted for potential mutagenicity testing. More nominations for mutagenicity consideration will be submitted in the first quarter of FY 1981.

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TABLE 18

NTP CHEMICAL SELECTION PRINCIPLES

The NTP Executive Committee operates under the principle that industry will test chemicals for health and environmental effects as intended and mandated by the Congress under legislative authorities. Therefore, the NTP, acting under its chemical selection principles, will test:

1. Chemicals found in the environment that are not closely associated with commercial activities;

2. Desirable substitutes for existing chemicals, particularly therapeutic agents, that might not be developed or tested without Federal involvement;

3. Chemicals that should be tested to improve scientific understanding of structure-activity relationships and thereby assist in defining groups of commercial chemicals that should be tested by industry;

4. Certain chemicals tested by industry, or by others, the additional testing of which by the Federal government is justified to verify the results;

5. Previously tested chemicals for which other testing is desirable to cross-compare testing methods;

6. "Old chemicals" with the potential for significant human exposure which are of social importance but which generate too little revenue to support an adequate testing program (some of these may be "grandfathered" under FDA laws);

7. Two or more chemicals together, when combined human exposure occurs (such testing probably cannot be required of industry if the products of different companies are involved); and

8. In special situations, as determined by the Executive Committee, marketed chemicals which have potential for large-scale and/or intense human exposure, even if it may be possible to require industry to perform the testing.

FIGURE 3

NTP CHEMICAL NOMINATION AND CHEMICAL SELECTION PROCESS

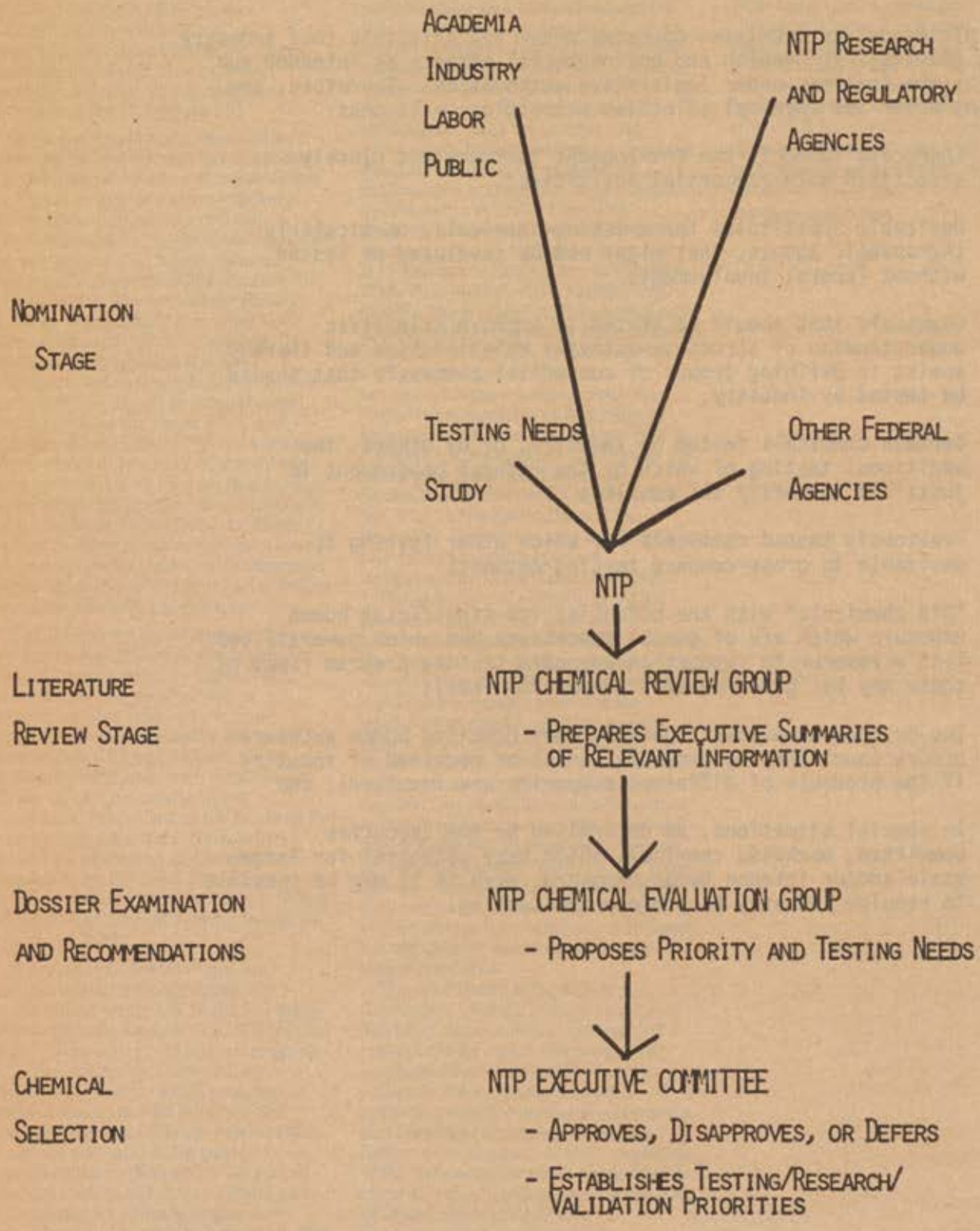


TABLE 19

NTP Chemical Nomination Elements

I. Chemical Identification

a. Chemical Abstracts Service (CAS) preferred name
b. Common or generic name and synonyms
c. CAS Registry Number
d. Chemical class and related compounds
e. Physical and chemical properties

i. Physical description
ii. Structural and molecular formula and molecular weight
iii. Melting and boiling points
iv. Solubility
v. Stability and reactivity
vi. Other relevant information

f. Commercial product(s) composition
g. References

II. Production, Use, Occurrence, and Analysis

a. Production

i. Source and synthesis, year and pathway of first production
ii. Current production and pathway

b. Uses
c. Occurrence in the Environment

i. Naturally occurring
ii. Air, water, and soil
iii. Occupational

d. Analysis
e. References

III. Toxicology

a. Human data, case reports, and epidemiological studies
b. Experimental animal information
c. In vitro and other short-term tests
d. Other relevant information
e. References

IV. Disposition and structure-activity-relations.

a. Absorption, distribution, metabolism, and excretion
b. Structure-activity correlations and considerations
c. References

V. Ongoing toxicological and environmental studies in the government, industry, and academia

VI. Rationale for Recommendation and Suggested Studies

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Chemical Management

To ensure that each chemical selected for extensive testing is thoroughly evaluated, NTP assigns a Chemical Manager to each compound. It is the Chemical Manager's responsibility to (1) know and understand the relevant scientific literature, (2) present draft protocol designs to the Experimental Design Groups, (3) keep current with the experiment's progress through the Laboratory Monitor, (4) maintain current awareness with the literature, (5) provide liaison with groups doing special tests, (6) assist in data evaluation, (7) draft the reports, and (8) fulfill requests for information on that chemical from interested parties.

The Bioassay Program contracts with commercial laboratories to perform the prechronic and two-year studies. Prior to FY 1980 the monitoring activities were performed by a prime contractor. Starting in FY 1980, the NTP has assigned a Laboratory Monitor to each testing laboratory to be responsible for monitoring the overall operations of the laboratory. The Laboratory Monitor ensures that good laboratory practices are being followed by (1) annual program reviews by peer groups of scientists, (2) quarterly site visits, (3) ad hoc visits by specific disciplines as needed, and (4) constant communication with the laboratory and principal investigator through periodic reports and telephone calls.

Chemical and Pathology Repositories

The chemistry program provides a centralized management system for test and control chemicals. Maintained to assure chemical quality and to minimize testing results variability due to external sources, the chemistry needs are facilitated via integrated contract mechanisms and cooperation and interaction with other NTP operations. The chemistry capabilites provide for procurement, repository functions, chemical analysis, analytical methods development, purification, synthesis, and preparation of chemical safety data handling sheets for approximately 3,000 chemicals.

Capabilities are provided for analyses of bulk chemicals, chemicals in test vehicles, methods development for quality assurance, including purity, stability and concentration determinations, chemical residue analysis for tissues and fluids, and special handling for residual and reprocured chemicals. In addition, capabilities exist for purification, derivatization, and synthesis of test chemicals. Trace level analysis of test chemicals and potential contaminants are available, when required, as well as provisions for percent level purity, stability and recovery analyses. Trace level chemical analyses may be necessary when toxicity tests of chemical mixtures or impure chemicals are positive and it is necessary to identify specific components that may be associated with the observed toxic effect.

FY 1980 Accomplishments

The chemistry program provides primary repository assistance to the mutagenesis and carcinogenesis testing programs. Two repositories have been established which operate under similar standard operating procedures; numerous joint projects have been undertaken that demonstrate integration of the two programs. The remaining chemistry requirements for the NTP toxicity testing programs are supported by another contract for analytical services support.

Throughout FY 1980 several hundred test and control chemicals were provided to investigators. Appropriate quantities for testing newly selected chemicals, in required purity, were procured. In addition, those chemicals selected for testing in the bioassay program were chemically analyzed to ensure they were the correct substances required. The genetic toxicology chemical repository holdings and activities are summarized in Table 20. The carcinogenesis bioassay chemical repository holdings and activities are summarized in Table 21.

FY 1981 Program Plans

Future plans include an extensive update of the repositories' computerized functions, necessitated by the repositories' expanded role in providing the chemistry needs of the various testing programs and for responding to appropriate national and international requests for test chemical samples. In addition, the analytical services support contract will be used to support teratology studies currently being conducted by the Program both in-house and on contract. During FY 1980, 49 chemicals for carcinogenesis bioassay, and 10 chemicals for teratology studies were analyzed. Special analyses were conducted of eight chemical/vehicle mixtures.

Several chemistry contracts and contract modifications in varying stages of completion should meet the increased chemistry needs, particularly in the areas of chemical location, procurement, analysis, synthesis, computer requirements and information retrieval, and preparation of data sheets for safe handling of hazardous chemicals.

Pathology Repository and Archives

The NTP maintains a centralized repository of histopathology materials collected during the bioassay studies. This is done in accordance with Good Laboratory Practice procedures and to provide a complete history of the pathology findings. Storage facilities are provided for wet tissues, paraffin blocks, microscopic slides and printouts of the data that appears in the Technical Reports. User facilities complete with microscopes are provided for investigators to view the materials. For more information or scheduling of user facilities, contact should be made with the Chief, Chemical Pathology Program, NTP, Room 1704, P.O. Box 12233, Research Triangle Park, N.C. 27709; or 919-541-3440 (commercial), 629-3440 (FTS).

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TABLE 20

GENETIC TOXICOLOGY CHEMICAL REPOSITORY HOLDINGS AND ACTIVITIES IN FY 1980

Control chemicals in inventory	24
Test chemicals in inventory	307
Test chemicals sent for Salmonella screen in FY 1980	303
Chemical aliquots sent to date	523*
Chemicals on order/back order	193
Chemicals in preparation/synthesis	3
Chemicals being analyzed	13
Chemical analyses completed	21
Chemicals selected for FY 1980 genetic toxicology testing	320
Chemicals selected for FY 1980 from NCI lists	228

*Includes chemicals other than for Salmonella testing

TABLE 21

CARCINOGENESIS BIOASSAY CHEMICAL REPOSITORY HOLDINGS AND ACTIVITIES IN FY 1980

Chemicals in archive allotment	238
Chemicals in in vitro allotment	295
Chemicals in public distribution allotment	91
Aliquots transferred to genetic toxicology repository	90
Aliquots sent for NCI/NTP genetic toxicology studies	102
Aliquots sent to other investigators	51

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Data Management and Analysis

NTP generates a considerable volume of data from the testing and test development initiatives that must be accurately acquired, stored, and made available promptly for retrieval at multiple locations. For example, in the pathology area approximately two million tissues are examined annually. Thus, a continuing high priority commitment is to develop appropriate automatic data processing (ADP) systems to capture various types of management and experimental data, and to make this information readily available for periodic examination, updating, summarization, and statistical analysis.

In the area of biostatistics new statistical methodologies are being developed for mutagenicity, carcinogenicity, and toxicologic data analysis. Another area of continuing statistical research is experimental design. Modifications in the design of the basic carcinogenesis bioassay are being studied. These may provide a better balance between the high power of detection associated with high dose studies and the low dose information needed for extrapolation methods.

FY 1980 Accomplishments

A review of the ADP requirements of animal bioassay activities was initiated in FY 1980. Following interviews with investigators, the requirements were summarized and the technical criteria that must be met by an ADP system were outlined. This review formed the basis of an ongoing evaluation of the present and future capabilities of the Toxicology Data Management System (TDMS) to meet the ADP needs of the NTP's animal bioassay programs. This system is being developed under an interagency agreement between the carcinogenesis testing program and one of the component agencies of the NTP. The system was designed to provide the following support:

a. Documentation of each nominated compound and tracking of events related to the compound during the review cycle.

b. Analysis of each new experiment and projection of resources requirements for conducting the bioassay.

c. Allocation of animals to the experiment.

d. Collection of weights, clinical observations, and other animal-related data during the conduct of the experiment.

e. Collection of pathology results.

f. Maintenance of complete experiment status summary for all bioassays.

g. Generation of a draft report for each bioassay which will aid in the development of the published final report.

TDMS is now undergoing evaluation, using both manual and automated techniques, at a contract laboratory doing carcinogenesis bioassays and by NTP personnel. Final testing of the software for source data collection as well as for stand-alone administrative functions at the bioassay contractor laboratories is dependent on procurement of the microprocessor-based intelligent data collection terminals scheduled for delivery early in FY 1981.

As part of the review process three ADP consultants assisted in the evaluation of TDMS and are identifying modifications that might enhance its capability to support the bioassay program more effectively. This review has been completed and the report will be submitted during the first quarter of FY 1981.

In other ADP studies, efforts have been made to provide a computerized system to allow storage and retrieval of management information about research activities. Several data base and file management systems have been evaluated for potential usefulness. An interim chemical tracking system has been implemented on an in-house minicomputer, and a replacement system is under development using a System 204.

The mutagenesis testing program is being supported by a computerized data base management system which allows timely and accurate collection and retrieval of laboratory test data. The system summarizes results, produces reports, and provides analyses to support mutagenicity determinations. The system is being developed further using the PROPHET system.

In FY 1980 ADP data systems support for the carcinogenesis bioassay program was provided by the Carcinogenesis Bioassay Data System (CBDS), some limited administrative management support systems, and other reporting systems. The CBDS facilitates the collection and reporting of information on chemical and animal data, clinical observations, and individual animal pathology. CBDS also contains chemical and Standard Nomenclature on Pathology (SNOP) code dictionary files. Reports from CBDS are used extensively by the bioassay program, particularly in the pathology, statistical analysis, and technical information areas.

Additional systems development includes (1) a Strain A Mouse system, which collects and reports information to assist in the administration of the Strain A studies, the evaluation of the results, and the comparison of the data with other *in vivo* and *in vitro* studies; and (2) a management and resource tracking system, which provides various monthly and quarterly management reports for the animal bioassay program.

Biostatistics research conducted to date on the microbial mutagenicity experiments indicates that a negative binomial sampling distribution for *Salmonella* test plate counts represents a significant improvement over the widely adopted Poisson model. A family of models has been constructed to relate the average plate count to the chemical dose administered per plate. Those models include genetic and cellular toxicity as competing risks, *vis a vis* mutation for all microbes. The "single-hit" model for radiation mutagenesis experiments is a special case of the group models.

For other toxicological data the use of randomization procedures for the analysis of binary response data is being investigated. The power of these procedures is being compared with that of alternative nonparametric techniques. During FY 1980 a Monte Carlo study was done on the power of some k-sample tests for ordered binomial alternatives. For small group sizes "exact tests" were found to be based on isotonic regression and Armitage's test for linear trend and similar power. However, "exact tests" appear to be less sensitive to reverse alternatives and more powerful for larger group sizes than the Armitage procedure.

In FY 1980 research continued on the statistical aspects of chronic carcinogenesis testing: competing risk techniques, cause of death assumptions, time-to-tumor model and simultaneous inference on multiple sites and types of tumors. During the past year an investigation began on the possible modifications of the basic bioassay design with regard to (1) choice of doses, (2) number of dose groups, and (3) number of animals per group. The major objective was to determine if the low dose extrapolation potential of the bioassay could be improved without seriously sacrificing the ability to identify carcinogenic chemicals.

The degree to which low dose extrapolation is altered by replacing the administered dose with the amount of DNA-carcinogen adduct formed was evaluated and found to be highly model dependent. Efforts are now being made to identify those pharmacokinetic

parameters which exert the most influence on the low dose risk estimate.

FY 1981 Program Plans

Based on the review of data systems by the ADP consultants, NTP will develop an action plan to enhance the TDMS capability to support most effectively the program needs. TDMS will begin to be installed in the second quarter of FY 1981 at a contract laboratory. This phase, to correspond with the initiation of a new two-year bioassay study, will provide an in-depth evaluation of all major modules of TDMS under actual conditions. Based on performance, necessary modifications and refinements will be made and integrated into the evaluation process.

In management information systems, FY 1981 activities will include continued development of the System 204. Currently the interim system is operational and awaiting modification and expansion by staff.

During FY 1981, work on the computerized data base system for the mutagenesis testing program will include further refinement of system capabilities as well as increased collection of data. The current level of ADP systems support for the carcinogenesis bioassay program will be maintained in FY 1981.

Development of appropriate technologies to process the large volume of data that will be generated from the various animal studies will continue. In FY 1981 various alternatives will be explored (e.g., a contract with a data processing organization) and a decision will be made as to how data summarization, statistical analysis, and report generation might be best effectuated. The long-term solution to this problem will involve the implementation of a comprehensive ADP system, such as TDMS, to handle many of these activites.

For biostatistics in FY 81, there will be a continuation of ongoing efforts in development of new statistical methodology, particularly for the prechronic toxicology studies and certain other special studies (e.g., metabolism, clinical chemistry, behavioral toxicology) that will begin to generate data during FY 1981.

The new family of models constructed to relate the average plate count from *Salmonella* test protocols to the test compound dose administered per plate will be fit to a file of over 600 *Salmonella* tests performed on contract. The need for further model refinements will be studied, as well as such issues as assay reproducibility within a laboratory or between laboratories.

A study to determine if the low dose extrapolation potential of the carcinogenesis bioassay could be improved will continue in FY 1981.

Laboratory Animal and Quality Control

The laboratory animal program provides quality animals for the bioassay program, monitors these animals for disease before they enter the bioassay laboratories and assures that the animals are maintained behind barriers and kept free of disease for the duration of the assay.

FY 1980 Accomplishments

Four laboratories are under contract to provide B6C3F1 mice and F344 rats for the NTP bioassay program. Keeping several labs in production will assure a continuous supply of laboratory animals for the bioassay program even when one or more labs may have to stop production due to a disease outbreak. This occurred at one provider laboratory in FY 1980.

The second aspect of disease monitoring is being met by two diagnostic laboratories, one under contract to NTP and one under contract to NCI. Maintaining two diagnostic labs allows cross checks for quality control as well as divides the work load during periods of peak demand.

FY 1981 Program Plans

During the coming year the bioassay animal care program will be more fully described for the participating laboratories. In addition, a policy for the use of detergents and disinfectants in the animal rooms will be formulated. Currently much of the bioassay program monitoring is under the prime contractor. During the next four years this function will be assumed entirely by NTP personnel. This will require a close liaison with personnel from the prime contractor.

Laboratory Health and Safety

Because a majority of the NTP's research and testing involves potentially hazardous materials, laboratory studies must be conducted so as to reduce to a minimum the possibility of human exposure to, or environmental release of, the test materials.

FY 1980 Accomplishments

In addition to health and safety programs at each laboratory participating in the toxicologic testing program (including routine site visits and reviews), efforts are being made to quantitatively define the potential for contamination within a facility resulting from specific testing activities. A work area monitoring program has been initiated to address potential laboratory contamination problems as a function of route of exposure (e.g., dose feed vs. gavage), engineering controls (e.g., animal barrier configurations, different exhaust ventilation designs), work practices, and personnel protection requirements. Results from surveys at several laboratories have indicated potential problem areas that are being addressed on a Program-wide basis.

The NTP recognizes the need for all laboratories participating in the Program to operate in compliance with all appropriate environmental protection statutes relating to the discharge of potentially hazardous wastes. Expanding upon earlier laboratory waste discharge studies, a program was initiated to define the levels of contamination in various waste streams (e.g., cage litter, cage washing wastewater), and to assess the feasibility of incinerating each on site. Further work in waste handling (solid, liquid, and gaseous streams) is necessary to assure compliance with recent hazardous waste statutes.

Several improvements to the administration of the carcinogenesis bioassay program, from a health and safety perspective, have been instituted, including the repacking into smaller containers of those bioassay chemicals received in bulk. Such a procedure serves several purposes: (a) Protective packaging of the material for shipment to the appropriate laboratory is facilitated; (b) Bulk storage at the laboratory is much easier; (c) The repackaging operation can be conducted under much more stringent personnel protection measures than can be achieved by each of the testing laboratories; and (d) The purity of the compound is easier to maintain.

In order to provide additional health and safety support to the testing program, several mechanisms have been developed to provide industrial hygiene/biomedical health and safety services for the program. These efforts include analytical support (e.g., compound-specific permeation studies for protective clothing) as well as support to provide expanded quantitative work area monitoring studies and industrial hygiene assessments of various laboratory activities.

Recently the carcinogenesis bioassay program/NTP sponsored a conference on the alternatives in the design and operation of toxicologic testing facilities which provided a forum for the discussion of several contrasting viewpoints regarding laboratory animal care and personnel health and safety.

FY 1981 Program Plans

Several areas will receive emphasis in FY 1981, including the disposal of potentially contaminated wastes associated with toxicologic testing activities, expansion of existing medical surveillance procedures to include indices of exposure of biological response in individuals working with biotest materials, cooperative efforts to evaluate methods of *in situ* decontamination of personnel and lab equipment that may have been inadvertently contaminated with test materials, and an expanded effort to quantitatively define the risk of personnel exposure to biotest materials during toxicologic testing activities.

Information Generation and Dissemination

The end product of the NTP is information—scientific information about toxic chemicals necessary in deciding societal issues relative to our health and environment. Therefore, communication remains a critical aspect of program success. First, information must be disseminated to other scientists so that peer review assures scientific quality. Second, information must be disseminated not only to the regulators responsible for protecting the public against unnecessary risks, but also to those exposed to the risks. Thus, the NTP has established a coordinated communications network to collect and disseminate toxicologic information.

The value of information produced by NTP depends in part upon the quality and timeliness of information the program receives. The NTP therefore actively seeks information from many sources: Federal, state and local governments; trade associations; industry; labor; academia; professional societies and public interest groups; the press; individuals; other countries; and other interested parties. This includes nominations of chemicals to be tested; critiques and questions about scientific procedures, policies, priorities, and resource allocations; and suggestions for program improvement.

—Scientific Coordination and Information Dissemination

To encourage public participation in the Program, the NTP holds an annual public meeting to introduce the current year's program plans and to solicit comments and advice. The third NTP Open Meeting will take place March 1, 1981, immediately preceding the Society of Toxicology Annual Meeting to be held in San Diego, California. Additionally, the NTP Board of Scientific Counselors convenes three to four times a year in open forum, as does the Board's Technical Reports Review Subcommittee and its *ad hoc* Panel of Experts to conduct peer review on technical reports of carcinogenesis bioassays.

NTP must be aware of scientific procedures and results produced by other laboratories. Part II of the Annual Plan, the *Review of Current DHHS Research Related to Toxicology*, is a major contribution for this effort. Active efforts to learn about work in progress and to establish better communication links among investigators worldwide are being pursued with various national and international organizations.

Fundamental to current awareness is the provision to scientists and administrators of comprehensive searches and/or reviews of the world's scientific and technical literature on a given compound, in advance of decisions about priorities and experimental test designs. This is of special importance for the carcinogenesis bioassay program, where each test represents a major commitment of time, labor, materials and funds for up to a five-year period.

Toxicologic research and testing require a high degree of scientific coordination for information generation and dissemination. To better utilize the tools of information science, the NTP has a cooperative agreement with the National Library of Medicine (NLM). The on-line services available from the NLM are particularly valuable: CHEMLINE, TOXLINE, RESEARCH PROJECTS, MEDLINE, CANCERLINE, TOXICOLOGY DATA BANK, RTECS (Registry of Toxic Effects of Chemical Substances), and others. These and other sources are used to prepare dossiers on chemicals nominated for test and to design test protocols. Also, new information services will need to be located or developed as needed for toxicology specialties not yet covered adequately in existing systems—for example, neurotoxicology, chemical immunotoxicology, and chemical-chemical interactions.

The Environmental Mutagen Information Center (EMIC), supported by the NTP, collects, organizes, and disseminates primarily published information on chemicals tested for mutagenicity. Located since inception in 1969 at the Oak Ridge National Laboratory (ORNL), the EMIC computerized data file contains 33,396 records on 9143 unique chemicals, 28,039 of which are available online from TOXLINE (at the National Library of Medicine) and from RECON (at the ORNL). Each record contains bibliographic information, assay systems, and keywords defining agents tested and organisms studied.

The Environmental Teratology Information Center (ETIC), at ORNL, also supported by the NTP maintains a computerized collection of published information on chemicals tested for or known to induce teratogenic effects. The file contains reference to 20,413 literature citations; 18,299 records are available from TOXLINE and RECON.

The NTP, and in particular the Technical Information Section, supplies information to Congress, scientists, the public, regulatory agencies consumer advocates, labor, legal organizations, industry, and others. During FY 1980, for instance, the NTP responded to 2,500 requests for technical information.

—Technical Report Preparation and Dissemination

The major responsibility of the Technical Information Section, however, is to provide the carcinogenesis bioassay program's chemical managers with the most relevant information necessary to oversee the progress of a compound from selection through carcinogenesis testing to final report preparation and distribution. Preparation of the technical report begins with selection of a chemical for testing and appointment of a chemical manager. Each manager is responsible for records management throughout the test and preparation of the draft carcinogenesis bioassay report. While experiments are in progress, the chemical manager interacts with other Government agencies and serves as resource person for scientific inquiries concerning the chemical and its possible adverse effects. Lists of chemicals scheduled for testing, those on test, and those already completed will be published routinely in the **Federal Register**, the Annual Plan and the NTP Technical Bulletin as well as being distributed to a variety of newsletters and scientific magazines.

Further, NTP uses various toxicologic information resources for extensive literature searching and acquisition of scientific papers. Included are a number of information organizations in the private sector which extend the capability of the NTP, and these organizations are available on short notice through interagency or basic ordering agreements. In FY 1980, 81 comprehensive literature searches were performed for the chemical manager by the Toxicology Information Response Center (TIRC). From these, the most important references were selected for inclusion in an experimental design package sent to reviewers for generating

the protocols for carcinogenesis bioassay testing.

—Tracking of Chemicals and Test Statuses

The Technical Information Section also updates the computerized management status file for chemicals in various stages of carcinogenicity testing, producing a computerized listing on all chemicals. These lists are distributed quarterly on an individual basis to those who have a need to know about the movement of chemicals through the program.

For administrative purposes a unique numbering system for select chemicals was devised and NTP numbers, corresponding CAS Registry Numbers, and references to tables in the Annual Plans in which each chemical appeared were computerized.

Further, a prototype NTP Chemical Registry Handbook was prepared which contains for each compound the generic name and NTP number, the CAS name and Registry Number, molecular formula, and references to online services containing more information about the compound. Indexes by CAS Registry Numbers, molecular formulas and names are included. In early 1981, the Handbook will be distributed to NTP scientists and administrators as well as being offered to anyone upon request.

A Literature Search Tracking System was designed to monitor the status of literature search requests. This system, based on individual compounds records, is being expanded considerably to function as an interm online chemical tracking system.

—International Coordination

In partnership with the international community, the NTP is striving to formulate a universally-based communication network of toxicologic information. Concomitantly, the NTP is seeking active participation from toxicologists throughout the world. The NTP will continue to explore and develop liaison with foreign agency counterparts. For instance, contacts have been established with the World Health Organization's International Program on Chemical Safety, with the International Agency for Research on Cancer, with the International Registry of Potentially Toxic Chemicals, and others.

—Public Awareness and Inquiry Responses

The newly established NTP Public Information Office is responsible for assuring that general information about the Program is disseminated widely among the scientific and public media: results of NTP problem-oriented research such as studies on the herbicide Agent Orange, synthetic fuels development, and hazardous waste dump sites; as well as results of the carcinogenesis bioassay program, the Annual Report on Carcinogens (see p. 113), and other NTP activities. The Public Information Office also answers inquiries from the press and the public about aspects of the Program.

The Public Information Office will publish periodically leaflets and booklets explaining to the public the NTP and its activities, answering questions about environmental health, addressing the benefit-risk question, and explaining basic principles of toxicologic research.

The Annual Plans will continue as the primary reference source for the NTP's research and testing efforts, resources and future plans. The NTP Technical Bulletin serves as the communication medium to those interested in NTP's current and future activities. The Bulletin informs the scientific community, regulators, and the general public on current chemical nomination and selection, test protocols, and research results. Also included are the activities of NTP personnel, the role of the various member agencies, and chemical profiles. Three issues of the NTP Technical Bulletin have been prepared and disseminated: November 1979, April 1980, and November 1980.

In FY 1981, the NTP will attempt to increase awareness of Program activities and capabilities at the level of state government by disseminating the Annual Plan and the Technical Bulletin to the state health departments. Some awareness already exists in that requests for information and nominations of chemicals for testing have been received from such agencies.

To disseminate information, the NTP maintains a computerized inventory of those with an ongoing interest in the Program's activities. The file is divided into broad categories: labor, industry, government, lawyers, researchers, consultants, academicians, public interest groups, scientific and national media, and other individuals who have expressed an interest in keeping aware of current activities. This growing file includes 2,915 names and addresses. Names are added to the registry on request.

Annual Report on Carcinogens

In July 1980, the First NTP Annual Report on Carcinogens was published and distributed. The report was prepared pursuant to a 1978 amendment, Section 301(b)(4), of the Public Health Services Act which requires the Secretary, DHHS, to publish annually a list of "all substances which are either known to be carcinogens or which may reasonably be anticipated to be carcinogens and to which a significant number of persons residing in the United States are exposed * * *." Each Annual Report must also contain information on the nature and degree of exposures to such carcinogens and on the extent to which Federal regulations are effective in reducing the risk to public health.

The First Annual Report focuses on 26 chemicals and industrial processes which the International Agency for Research on Cancer (IARC) evaluated with respect to induction of cancer in humans. For each of the 26, the Report summarizes available estimates of how many people are exposed both at home and in the workplace, and summarizes the available evidence of carcinogenicity as demonstrated by human and animal studies. For each of the chemicals and industrial processes, tables provide information on: domestic production and imports; how the product or process is used; the numbers of people exposed; as well as the route, frequency, and level of exposure; and the applicable Federal regulations. Data selected from the IARC Monographs and the original submissions from the Federal agencies are also included.

Although Federal agencies have been collecting information on—and regulating—carcinogens for years, this is the first time that this information has been assembled in a single report. The Annual Report thus represents an important medium for informing the public and policymakers on the status of substances considered likely to be carcinogenic for humans. Even though science and society have not arrived at a final consensus on the definition of a carcinogen, either in the human population or in experimental animals, prudent public policy dictates that regulation of possibly hazardous substances should not wait until there is human evidence of cancer. It is therefore important that evidence from studies on experimental animals be used as a basis for regulation to prevent exposures.

The report notes that over the past two years significant progress has been made in developing a consensus that, for the purposes of regulation, positive, well-conducted studies on laboratory animals provide presumptive evidence of the potential for human carcinogenicity.

Because the First NTP Annual Report on Carcinogens represents NTP's initial effort to identify carcinogens and document the available evidence, to estimate human exposures, and give the current status of public health

regulations, by necessity it focuses on those 26 chemicals and industrial processes which IARC—an agency of the World Health Organization—found in evaluating the scientific literature from 1971 to 1977, to be associated or suspected to be associated with human cancer.

The Report cautions that there are more than 26 known human carcinogens; just because a substance is not listed in the First Annual Report does not mean that it is not a carcinogen.

Future Annual Reports will be expanded to include data on the latest IARC evaluations of chemicals, as well as on chemicals already being regulated as carcinogens but not included in the first Report. The next Report, scheduled for publication in FY 1981, will include information on up to 100 additional carcinogens.

The First Report includes information on three IARC categories of chemicals or industrial processes. Category 1 includes those considered to be "carcinogenic for humans": 4-aminobiphenyl; arsenic and arsenic compounds; asbestos; benzene; benzidine; N,N-bis (2-chloroethyl)-2-naphthylamine; bis (chloromethyl) ether; chloromethyl methyl ether; chromium; diethylstilbestrol; melphalan; mustard gas; 2-naphthylamine; nickel and nickel compounds; soots, tars and oils; and vinyl chloride.

Category 2 includes chemicals or processes that are "probably carcinogenic for humans": aflatoxins; auramine; cadmium and cadmium compounds; cyclophosphamide; and oxymetholone.

Category 3 includes those chemicals or processes which "cannot be classified as to carcinogenicity for humans": chloramphenicol; hematite and iron oxide; isopropyl oils; phenacetin; phenytoin and phenytoin sodium.

The information in the first Report was prepared with the assistance of four regulatory agencies—the Consumer Product Safety Commission; the Environmental Protection Agency; the Food and Drug Administration; and the Occupational Safety and Health Administration—and three research agencies—the Centers for Disease Control/National Institute for Occupational Safety and Health; the National Cancer Institute; and the National Institute of Environmental Health Sciences.

Indexes

The following indexes are provided for this Annual Plan:

Page No.	Index title
117	Alphabetic Index to Chemicals in Text.
118–125	Alphabetic Index to Chemicals in Tables.
126–130	CAS Registry Number Index to Tables.
131–135	NTP Number Index to Tables.

The Alphabetic Index to chemicals in Tables is organized by a standard IBM sort, which places names beginning with numbers after the alphabet. Thus "nitrobenzene" and "2-nitropropane" are widely separated in this index. The prefixes "D", "L", "O", "M", and "P" are considered as part of the chemical name; thus, "O-nitrotoluene" is sorted under "O", not "N".

Any errors found by the user of these indexes or in the body of the Annual Plan should be called to the attention of: Dr. Larry Hart, National Toxicology Program, P.O. Box 12233, Research Triangle Park, North Carolina 22709.

Note.—The page numbers in the indexes correspond with the original printed version of the plan.

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ALPHABETIC INDEX TO CHEMICALS IN TEXT

CHEMICAL	PAGE
Acetone	82
Acid Black 52	52
Acid Red 114	72
Acrolein	83
Acrylamide	73
Acrylamide	80
Agent Orange	85
Arsenic	80
Asbestos	53
Asbestos fibers	52
Benzidine	72
Benzidine	73
Bisphenol A	86
Butyl nitrite	93
Capsaicin	93
Carbaryl	81
Carbon disulfide	81
Chlordecone	69
Chlordecone	80
Chlordecone	81
Chlorpheniramine maleate	73
Cinnamaldehyde	93
D-Amphetamine	80
Dimethylformamide	52
Diphenhydramine	86
Direct Blue 25	72
Disperse Yellow 3	52
Ethanol	81
Ethanol	82
Ethanol	85
Ethylbenzene	86
Ethylbenzene	93
Ethylene chlorohydrin	86
Ethylene oxide	81
Ethylene oxide	82
Ethylene oxide	86
Ethylene thiourea	53
Ethylnitrosourea	28
Fiber glass	52
Foundry particulates	52
Glutaraldehyde	93
Haloalkanes	70
Hexabromobiphenyl	69
Hexamethylphosphoramide	30
Lead acetate	80
Lead acetate	85
Lithium compounds	82
Machine oils	52
Methyl bromide	81
Methyl bromide	82
Methyl ethyl ketone	81
Methyl ethyl ketone	82
Methyl ethyl ketone peroxide	52
Methyl mercury	80
Methyl n-amyl ketone	81
Methyl n-butyl ketone	81
Methylene chloride	81
Ozone	83
P-Chloroaniline	73
P-Nitrotoluene	73
Phenol	86
Phenytoin	53
Propylene oxide	81
Propylene oxide	82
PBB	53
PBB	69
PCB	72
Roofing asphalts	52
Rotenone	93
Sodium salicylate	80
Sulfamethazine	93
Tetraethyl tin	80
Toluene	81
Toluene	82
Tri-o-cresyl phosphate	82
Triethyl lead	80
Trimellitic anhydride	93
Tris(1,3-dichloro-2-propyl) phosphate (Fyrol FR-2)	73
Tris(2,3-dibromopropyl) phosphate (TRIS)	73
Vinyl chloride	52
Vinyl chloride	53
Xylene	82
1,2-Dibromo-3-chloropropane	70
1,2-Dichloroethane	52
1,4-Cineole	93
1,8-Cineole	93
2-Ethoxyethanol	81
2-Ethoxyethanol	82
2-Ethoxyethanol	85
2-Ethoxyethanol	86
2-Nitropropane	52
2,3,7,8-Tetrachlorodibenzofuran	72
2,4-Dichlorophenoxyacetic acid	81
2,4-Dichlorophenoxyacetic acid	81
3,3'-Dimethoxybenzidine	73
3,3'-Dimethylbenzidine	72
3,3'-Dimethylbenzidine	73
3,4,3',4'-Tetrachlorobiphenyl	72

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
Acetamide	32/ 1
Acid Orange 3	60/ 1
Acrolein	90
Adipamide	39/ 1
Agar agar	58/ 1
Agaritine	39/ 2
Agaritine	60/ 2
Allyl chloride	90
Allyl glycidyl ether	39/ 3
Allyl glycidyl ether	55/ 1
Allyl glycidyl ether	60/ 3
Allyl isothiocyanate	39/ 4
Allyl isothiocyanate	58/ 2
Allyl isovalerate	39/ 5
Allyl isovalerate	60/ 4
Alpha-Methylbenzyl alcohol	60/ 5
Amiben	39/ 6
Amphetamine sulfate	67/ 1
Ampicillin	60/ 6
Ampicillin trihydrate	39/ 7
Aniline	32/ 2
Antimony oxide	60/ 7
Asbestos, amosite	58/ 3
Asbestos, amosite	60/ 8
Asbestos, chrysotile	58/ 4
Asbestos, chrysotile	60/ 9
Asbestos, crocidolite	60/ 10
Ascorbic acid	60/ 11
Azinphosmethyl	39/ 8
Azobenzene	32/ 3
Azodicarbonamide	32/ 4
Azodicarbonamide	67/ 2
AF-2	32/ 5
Benzaldehyde	32/ 6
Benzaldehyde	55/ 2
Benzaldehyde	60/ 12
Benzene	60/ 13
Benzidine	39/ 9
Benzo(a)pyrene	32/ 7
Benzo(a)pyrene	77
Benzofuran	32/ 8
Benzofuran	60/ 14
Benzoin	39/ 10
Benzoin	57/ 1
Benzyl acetate	39/ 11
Benzyl acetate	60/ 15
Benzyl alcohol	39/ 12
Benzyl alcohol	60/ 16
Benzyl alcohol	89
Benzyl chloride	60/ 17
Benzyl salicylate	32/ 9
Beta-Cadinene	39/ 13
Beta-Cadinene	67/ 3
Beta-Methylumbelliferone	32/ 10
Beta-Picoline	32/ 11
Biphenyl	32/ 12
Bis(2 chloro-1-methylethyl) ether	39/ 14
Bis(2-chloro-1-methylethyl) ether	57/ 2
Bis(2-chloro-1-methylethyl) ether	58/ 5
Bisphenol A	32/ 13
Bisphenol A	58/ 6
Blue 15B	60/ 18
Boric acid	32/ 14
Boric acid	60/ 19
Bromobenzene	32/ 15
Bromobenzene	60/ 20
Bromodichloromethane	39/ 15
Bromodichloromethane	60/ 21
Bromoform	32/ 16
Bromoform	60/ 22
Butyl benzyl phthalate	39/ 16
Butyl benzyl phthalate	57/ 3
Butyl(2,4-dichlorophenoxy) acetate	39/ 17
Butyl(2,4,5-trichlorophenoxy) acetate	39/ 18
Butylated hydroxytoluene	39/ 19
Butylene oxide	88
Butylene oxide	90
Butyrolactone	55/ 3
Butyrolactone	60/ 23
C I Acid Red 114	39/ 20
C I Pigment Red 23	39/ 21
C I Pigment Red 23	67/ 4
C I Pigment Red 3	39/ 22
C I Pigment Red 3	67/ 5
C I Vat Yellow 4	39/ 23
Cacodylic acid	32/ 17
Cadmium chloride	39/ 24
Cadmium oxide	39/ 25
Caffeine	39/ 26
Caffeine	89
Calcium chromate	32/ 18
Calcium chromate	38/ 1
Calcium cyanamide	39/ 27
Caprolactam	57/ 4
Carbendazim	39/ 28
Carbon disulfide	32/ 19
Carbon disulfide	88
Carbon disulfide	89
Carbromal	39/ 29
Carvone	39/ 30
Carvone	67/ 6
Castor oil	60/ 24
Catechol	32/ 20
Catechol	55/ 4
Catechol	60/ 25
Chloral	40/ 31
Chloral hydrate	32/ 21
Chlorambucil	40/ 32
Chloramine	55/ 5
Chloramine	60/ 26
Chloramphenicol	67/ 7
Chlordane	40/ 33
Chlordecone	40/ 34
Chlordecone	90
Chlorendic acid	60/ 27
Chlorinated dibenzofurans	89
Chlorinated trisodium phosphate	60/ 28
Chloroacetophenone	55/ 6
Chloroacetophenone	60/ 29
Chlorobenzene	32/ 22
Chlorobenzene	60/ 30
Chlorobenzilate	40/ 35
Chlorodibromomethane	40/ 36
Chlorodibromomethane	61/ 31
Chloropicrin	40/ 37
Chlorothalonil	40/ 38
Chlorothen	40/ 39
Chlorowax 40	40/ 40
Chlorowax 40	61/ 32
Chlorowax 40	89
Chlorowax 500C	40/ 41
Chlorowax 500C	61/ 33
Chlorowax 500C	89

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
Chlorpheniramine maleate	40/ 42
Chlorpheniramine maleate	61/ 34
Chlorpromazine hydrochloride	40/ 43
Chlorpromazine hydrochloride	67/ 8
Chlorpromazine hydrochloride	89
Chlorpropamide	40/ 44
Choline chloride	32/ 23
Cineol	40/ 45
Cinnamaldehyde	89
Cinnamyl anthranilate	57/ 5
Cis-Methyl oleic acid ester	40/ 46
Cis-Stilbene	32/ 24
Clonitralid	40/ 47
Coconut diethanolamide	61/ 35
Copper acetoarsenite	40/ 48
Coumarin	40/ 49
Croton oil	40/ 50
Crotonaldehyde	32/ 25
Curcumin	40/ 51
Curcumin	67/ 9
Cyanuric acid	32/ 26
Cyclohexanol	32/ 27
Cyclohexanone	32/ 28
Cyclohexanone	61/ 36
Cyclohexanone	90
Cyclophosphamide	32/ 29
Cyclophosphamide	77
Cytarabine	40/ 52
Cytembena	40/ 53
Cytembena	57/ 6
Cytoxal alcohol	40/ 54
D & C Red 9	58/ 7
D-Limonene	40/ 55
D-Limonene	61/ 37
D-Limonene dimercaptan	32/ 30
D-Phenylalanine	40/ 56
Dacarbazine	40/ 57
Decabromodiphenyl oxide	40/ 58
Decabromodiphenyl oxide	61/ 38
Di(p-ethylphenyl)dichloroethane	40/ 59
Di(2-ethylhexyl) phthalate	33/ 31
Di(2-ethylhexyl) phthalate	38/ 2
Di(2-ethylhexyl) phthalate	58/ 8
Di(2-ethylhexyl) phthalate	89
Di(2-ethylhexyl)adipate	33/ 32
Di(2-ethylhexyl)adipate	40/ 60
Di(2-ethylhexyl)adipate	57/ 7
Di-n-butylamine	33/ 33
Diacetone acrylamide	33/ 34
Diallyl phthalate	40/ 61
Diallyl phthalate	61/ 39
Diarylanilide yellow	41/ 62
Dibenzo-p-dioxin	41/ 63
Dibromochloropropane	57/ 8
Dibromochloropropane	90
Dibromodulcitol	41/ 64
Dibromomannitol	41/ 65
Dibutyltin diacetate	41/ 66
Dichlorodiphenylethylene	41/ 67
Dichloromethotrexate	41/ 68
Dichlorvos	55/ 7
Dichlorvos	61/ 40
Dicofol	41/ 69
Dieldrin	41/ 70
Diesel fuel marine	41/ 71
Diesel fuel marine	61/ 41
Diesel fuel marine	61/ 42
Diethanolamine	33/ 35
Diethanolamine	61/ 43
Diethyl carbonate	33/ 36
Diethyl phthalate	41/ 72
Diethyl phthalate	67/ 10
Diethylene glycol diacrylate	88
Diethylene glycol dimethyl ether	33/ 37
Diethylene glycol dimethyl ether	90/
Diethylstilbestrol	77
Diglycidyl resorcinol ether	41/ 73
Diglycidyl resorcinol ether	61/ 44
Dimenhydrinate	41/ 74
Dimethoate	41/ 75
Dimethoxane	41/ 76
Dimethoxane	67/ 11
Dimethyl hydrogenphosphite	41/ 77
Dimethyl hydrogenphosphite	61/ 45
Dimethyl methylphosphonate	41/ 78
Dimethyl methylphosphonate	61/ 46
Dimethyl morpholinophosphonate	41/ 79
Dimethyl morpholinophosphonate	61/ 47
Dimethyl sulfoxide	41/ 80
Dimethyl terephthalate	41/ 81
Dimethylamine	33/ 38
Dimethylcarbamoyl chloride	33/ 39
Dimethylcarbamoyl chloride	38/ 3
Dimethylcyanamide	33/ 40
Dimethylformamide	33/ 41
Dimethylformamide	90
Dimethyloldihydroxyethyleneurea	41/ 82
Dimethyloldihydroxyethyleneurea	67/ 12
Dimethylvinyl chloride	41/ 83
Dimethylvinyl chloride	61/ 48
Dioxathion	41/ 84
Diphenhydramine hydrochloride	41/ 85
Diphenhydramine hydrochloride	61/ 49
	88
Diphenyl oxide	33/ 42
Diphenylhydantoin	33/ 43
Direct Black 114	41/ 86
Direct Black 38	88
Direct Blue 1	41/ 87
Direct Blue 15	41/ 88
Direct Blue 218	41/ 89
Direct Blue 25	41/ 90
Direct Blue 53	41/ 91
Direct Blue 6	41/ 92
Direct Blue 6	88
Direct Brown 95	42/ 93
Direct Brown 95	
Direct Red 2	42/ 94
Disperse Blue 1	61/ 50
Disperse Yellow 3	58/ 9
Dodecyl alcohol, ethoxylated	61/ 51
Doxylamine	42/ 95
Dulcin	42/ 96
DMA-4 herbicide	42/ 97
DMBA/TPA	55/ 8
DMBA/TPA	61/ 52
DMBA/TPA	61/ 53
Endosulfan	42/ 98
Endrin	42/ 99
Ephedrine sulfate	61/ 54
Epinephrine hydrochloride	55/ 9
Epinephrine hydrochloride	61/ 55
Erythromycin stearate	42/100
Erythromycin stearate	61/ 56
Ethyl acrylate	42/101

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
Ethyl acrylate	61/ 57
Ethyl bromide	55/ 10
Ethyl bromide	61/ 58
Ethyl chloride	55/ 11
Ethyl chloride	61/ 59
Ethyl tellurac	42/102
Ethyl-3-methyl-3-phenylglycidate	42/103
Ethylbenzene	90
Ethylene chlorohydrin	42/104
Ethylene chlorohydrin	61/ 60
Ethylene dibromide	57/ 9
Ethylene glycol	33/ 44
Ethylene glycol	67/ 13
Ethylene glycol	89
Ethylene oxide	55/ 12
Ethylene oxide	61/ 61
Ethylene oxide	88
Ethylene oxide	90
Ethylene thiourea	33/ 45
Ethylenediamine	33/ 46
Ethylenediamine	38/ 4
Ethylenediamine	67/ 14
Ethylenediamine	89
Eugenol	33/ 47
Eugenol	58/ 10
Fenthion	42/105
Ferrocene	33/ 48
Ferrocene	38/ 5
Fluometuron	57/ 10
Fluorescein, sodium	42/106
Fluorescein, sodium	62/ 62
Formaldehyde	33/ 49
Formaldehyde	55/ 13
Formaldehyde	62/ 63
Formaldehyde	88
Formulated fenaminosulf	42/107
Furan	42/108
Furan	55/ 14
Furan	62/ 64
Furfural	33/ 50
Furfural	55/ 15
Furfural	62/ 65
Furfuryl alcohol	42/109
Furfuryl alcohol	55/ 16
Furfuryl alcohol	62/ 66
Furosemide	42/110
Furosemide	62/ 67
Gallic acid	33/ 51
Geranyl acetate	42/111
Geranyl acetate	62/ 68
Gibberellic acid	42/112
Gibberellic acid	62/ 69
Gilsonite	62/ 70
Glutaraldehyde	62/ 71
Glycerol	33/ 52
Glycidol	62/ 72
Glycidyl ethers	89
Glycine	33/ 53
Glycol (Polysorbate 80)	42/113
Glycol (Polysorbate 80)	67/ 15
Guanazole	42/114
Gum arabic	58/ 11
Gum guar	58/ 12
Gum tara	58/ 13
Hematoxylin	33/ 54
Hematoxylin	62/ 73
Heptachlor	42/115
Hexabromobiphenyl	33/ 55
Hexachlorobenzene	33/ 56
Hexachlorobutadiene	33/ 57
Hexachlorobutadiene	42/116
Hexachlorobutadiene	90
Hexachlorocyclopentadiene	33/ 58
Hexachlorocyclopentadiene	38/ 6
Hexachlorocyclopentadiene	55/ 17
Hexachlorocyclopentadiene	62/ 74
Hexachloroethane	33/ 59
Hexachloroethane	67/ 16
Hexachlorophene	33/ 60
Hexamethyl-p-rosaniline	42/117
Hexamethyl-p-rosaniline	89
Hexamethylmelamine	42/118
Hexanamide	42/119
Hexylresorcinol	42/120
Hexylresorcinol	62/ 75
Hydrazobenzene	33/ 61
Hydrazobenzene	38/ 7
Hydrochlorothiazide	42/121
Hydrochlorothiazide	62/ 76
Hydrochlorothiazide	89
Hydroquinone	34/ 62
Hydroquinone	62/ 77
Hydroquinone dimethyl ether	34/ 63
Hydroquinone monomethyl ether	34/ 64
Hydroxyurea	42/122
HC Blue 1	62/ 78
HC Blue 2	62/ 79
HC Red 3	62/ 80
HC Yellow 4	42/123
HC Yellow 4	67/ 17
Indomethacin	43/124
Indomethacin	77
Iodinated glycerol	62/ 81
Iodoform	43/125
Isoamyl nitrite	43/126
Isobutyl nitrite	43/127
Isobutyl nitrite	67/ 18
Isophorone	43/128
Isophorone	62/ 82
Isoproterenol hydrochloride	43/129
Isoproterenol hydrochloride	67/ 19
Lasiocarpine	43/130
Lauric acid diethanolamine	62/ 83
Lead dimethyldithiocarbamate	43/131
Lead dioxide	43/132
Lindane	43/133
Lithium chloride	34/ 65
Locust bean gum	58/ 14
M-Chlorophenol	34/ 66
M-Cresol	34/ 67
M-Nitrotoluene	43/134
M-Xylene	34/ 68
M-Xylene	88/
Malaoxon	43/135
Malathion	43/136
Malathion	57/ 11
Maleic hydrazide diethanolamine	43/137
Maleic hydrazide diethanolamine	62/ 84
Malonaldehyde	43/138
Malonaldehyde	62/ 85
Mannitol	34/ 69
Mannitol	58/ 15
Melamine	58/ 16

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
Mercaptobenzothiazole	43/139
Mercaptobenzothiazole	55/ 18
Mercaptobenzothiazole	62/ 86
Mercuric chloride	43/140
Mercuric chloride	67/ 20
Methacrylic acid	34/ 70
Methapyrilene	43/141
Methdilazine	43/142
Methoxychlor	43/143
Methyl bromide	88
Methyl bromide	90
Methyl carbamate	55/ 19
Methyl carbamate	62/ 87
Methyl coumarin	43/144
Methyl coumarin	67/ 21
Methyl methacrylate	43/145
Methyl methacrylate	62/ 88
Methyl parathion	43/146
Methyldopa	62/ 89
Methylene chloride	55/ 20
Methylene chloride	62/ 90
Methylene chloride	62/ 91
Methylene chloride	89
Methylenedianiline dihydrochloride	58/ 17
Methylhydrazine	34/ 71
Mexacarbate	43/147
Mirex	43/148
Mirex	58/ 18
Monochloroacetic acid	43/149
Monochloroacetic acid	67/ 22
Monosodium methane arsenate	43/150
Monuron	43/151
Monuron	62/ 92
Morpholine	34/ 72
Myleran	43/152
N-(1-Naphthyl)ethylenediamine dihydrochloride	43/153
N-Butyl acetate	90
N-Butyl acrylate	88
N-Butyl chloride	43/154
N-Butyl chloride	63/ 93
N-Butyl-p-aminobenzoate	34/ 73
N-Hexane	44/155
N-Methyl dicyclohexylamine	90
N-Methyl-p-aminophenol sulfate	44/156
N-Methylolacrylamide	67/ 23
N-Nitrosodiethanolamine	44/157
N-Nitrosodiethanolamine	58/ 19
N-Nitrosodimethylamine	34/ 74
N-Nitrosodimethylamine	38/ 8
N-Nitrosodimethylamine	44/158
N-Nitrosopiperidine	34/ 75
N-Phenyl-p-phenylenediamine	44/159
N-Phenyl-2-naphthylamine	63/ 94
N-Phenylhydroxylamine	44/160
N,N-Dimethyl-p-nitrosoaniline	44/161
N,N-Dimethylacetamide	90
N,N-Dimethylaniline	63/ 95
N,N-Dimethylurea	34/ 76
N,N'-Diethylthiourea	44/162
Nalidixic acid	55/ 21
Nalidixic acid	63/ 96
Naphthalene	44/163
Naphthalene	63/ 97
Naphthalene	89
Navy fuels JP-5	44/164
Navy fuels JP-5	63/ 98
Navy fuels JP-5	63/ 99
Neohesperidin dihydrochalcone	44/165
Nickelocene	34/ 77
Nithiazide	44/166
Nitrobenzene	44/167
Nitrobenzene	67/ 24
Nitroethane	44/168
Nitrofurantoin	34/ 78
Nitrofurantoin	38/ 9
Nitrofurantoin	55/ 22
Nitrofurantoin	63/100
Nitrofurazone	44/169
Nitrofurazone	63/101
Nitrofurazone	89
Nitromethane	44/170
O-Aminophenol	34/ 79
O-Chlorophenol	34/ 80
O-Cresol	34/ 81
O-Methoxyphenol	34/ 82
O-Methylhydroxylamine	44/171
O-Nitroanisole	44/172
O-Nitrotoluene	44/173
O-Phenylphenol	44/174
O-Phenylphenol	63/102
O-Phenylphenol	77
O-Toluidine hydrochloride	44/175
O-Xylene	34/ 83
O-Xylene	88
O,P'-DDD	44/176
Ochratoxin A	67/ 25
Octachlorodibenzodioxin	44/177
Oleic acid diethanolamine	63/103
Orange 10	58/ 20
Oxalic acid	34/ 84
Oxalic acid	63/104
Oxytetracycline hydrochloride	44/178
Oxytetracycline hydrochloride	63/105
Oxytetracycline hydrochloride	89
P-Anisidine	34/ 85
P-Chloroaniline	44/179
P-Chloroaniline	67/ 26
P-Chlorophenol	34/ 86
P-Cresol	34/ 87
P-Nitroaniline	44/180
P-Nitrophenol	34/ 88
P-Nitrophenol	38/ 10
P-Nitrophenol	55/ 23
P-Nitrophenol	63/106
P-Nitrophenol	89
P-Nitrosodiphenylamine	44/181
P-Nitrotoluene	44/182
P-Quinone	34/ 89
P-Quinone	55/ 24
P-Quinone	63/107
P-Rosaniline hydrochloride	63/108
P-Tolylurea	44/183
P-Xylene	34/ 90
P-Xylene	88
Palladium chloride (2+)	44/184
Palladium chloride (2+)	67/ 27
Parathion	44/185
Penicillin VK	45/186
Penicillin VK	63/109
Pentachloroanisole	45/187
Pentachloroanisole	55/ 25
Pentachloroanisole	63/110
Pentachloroanisole	88
Pentachlorobenzene	34/ 91

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
Pentachloroethane	45/188
Pentachloroethane	58/ 21
Pentachloronitrobenzene	34/ 92
Pentachloronitrobenzene	55/ 26
Pentachloronitrobenzene	63/111
Pentachlorophenol	35/ 93
Pentachlorophenol	55/ 27
Pentachlorophenol	63/112
Pentachlorophenol	63/113
Pentachlorophenol	63/114
Pentachlorophenol	63/115
Pentaerythritol tetranitrate	45/189
Pentaerythritol tetranitrate	55/ 28
Pentaerythritol tetranitrate	63/116
Phenacetin	45/190
Phenazopyridine hydrochloride	45/191
Phenbenzamine	45/192
Phenesterin	45/193
Phenformin	45/194
Pheniramine	45/195
Phenol	45/196
Phenol	57/ 12
Phenolphthalein	45/197
Phenolphthalein	63/117
Phenoxybenzamine hydrochloride	45/198
Phenyl salicylate	35/ 94
Phenylbutazone	45/199
Phenylbutazone	55/ 29
Phenylbutazone	63/118
Phenylephrine hydrochloride	63/119
Phenylmercuric acetate	45/200
Phosphamidon	45/201
Photodieldrin	45/202
Phthalamide	45/203
Phthalic anhydride	45/204
Phthalocyanine green	63/120
Pichloram	45/205
Picric acid	35/ 95
Picric acid	38/ 11
Piperazine	35/ 96
Piperonal	35/ 97
Piperonyl butoxide	45/206
Piperonyl sulfoxide	45/207
Polybrominated biphenyls (Firemaster FF 1)	58/ 22
Polyvinylchloride latex	45/208
Prednisone	45/209
Probenecid	45/210
Probenecid	67/ 28
Probenecid	89
Promethazine	45/211
Propiolactone	35/ 98
Propiolactone	38/ 12
Propyl gallate	45/212
Propyl gallate	58/ 23
Propylene	55/ 30
Propylene	63/121
Pyrazinamide	45/213
Pyridine	35/ 99
Pyridine	63/122
Pyrilamine	45/214
Pyrimethamine	45/215
Quercetin	67/ 29
Quinoline	35/100
Quinoline	38/ 13
Red 14	58/ 24
Reserpine	57/ 13
Resorcine Blue	45/216
Resorcinol	35/101
Resorcinol	67/ 30
Rhodamine 6G	63/123
Rhodanine	35/102
Rotenone	46/217
Rotenone	64/124
Roxarsone	56/ 31
Roxarsone	64/125
Selenium	89
Selenium sulfide	57/ 14
Selenium sulfide	57/ 15
Selsun	57/ 16
Semicarbazide hydrochloride	35/103
Sodium (2-ethylhexyl)alcohol sulfate	46/218
Sodium (2-ethylhexyl)alcohol sulfate	64/126
Sodium aluminosilicate	64/127
Sodium azide	35/104
Sodium azide	68/ 31
Sodium cyanurate	46/219
Sodium cyanurate	64/128
Sodium dichloroisocyanurate	46/220
Sodium diethyldithiocarbamate	46/221
Sodium dodecyl sulfate	46/222
Sodium dodecyl sulfate	64/129
Sodium fluoride	35/105
Sodium fluoride	64/130
Sodium iodomethanesulfonate	46/223
Sodium ligninsulfonate	35/106
Sodium phosphate, dibasic	35/107
Sodium ricinoleate	35/108
Sodium thioglycolate	35/109
Sodium xylenesulfonate	46/224
Sodium xylenesulfonate	64/131
Stannous chloride	58/ 25
Stearatochromic chloride complex	46/225
Streptomycin sulfate	35/110
Streptomycin sulfate	38/ 14
Styrene oxide	64/132
Styrene oxide	88
Styrene oxide	90
Succinic acid 2,2-dimethylhydrazide	46/226
Succinic anhydride	64/133
Sulfacetamide	46/227
Sulfallate	46/228
Sulfamethazine	46/229
Sulfamethazine	89
Sulfanilamide	46/230
Sunset Yellow FCF 6	57/ 17
Terephthalic acid	35/111
Tert-Butyl alcohol	46/231
Tert-Butyl alcohol	64/134
Tetrachlordiphenylethane	46/232
Tetrachloroethylene	35/112
Tetrachloroethylene	56/ 32
Tetrachloroethylene	64/135
Tetrachloroethylene	64/136
Tetrachloroethylene	64/137
Tetrachloroethylene	64/138
Tetrachloroethylene	64/139
Tetrachloroethylene	88
Tetrachlorophthalic anhydride	35/113
Tetrachlorvinphos	46/233
Tetracycline hydrochloride	46/234
Tetracycline hydrochloride	64/140
Tetraethyllead	35/114
Tetraethylthiuram disulfide	46/235

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
Tetrahydrofuran	46/236
Tetrakis(hydroxymethyl)phosphonium chloride	64/141
Tetramethyllead	46/237
Tetranitromethane	56/ 33
Tetranitromethane	64/142
Thenyldiamine	46/238
Thiocarbanilide	35/115
Thiocarbanilide	38/ 15
Thonzylamine	46/239
Titanium ferrocene	46/240
Titanium ferrocene	68/ 32
Tolazamide	46/241
Tolbutamide	46/242
Toluene	35/116
Toluene	68/ 33
Toluene diisocyanate	46/243
Toluene diisocyanate	64/143
Toluene-2,6-diamine dihydrochloride	57/ 18
Toxaphene	46/244
Trans-Stilbene	35/117
Tremolite	64/144
Tributoxyethyl phosphate	35/118
Tributyl borate	35/119
Trichlorfon	46/245
Trichlorfon	64/145
Trichloroethylene	64/146
Trichloroethylene	64/147
Trichloroethylene	64/148
Trichloroethylene	64/149
Trichloroethylene	64/150
Trichloroethylene	88
Trichlorofluoromethane	46/246
Tricresyl phosphate	35/120
Triethanolamine	35/121
Trifluralin	46/247
Trimellitic anhydride	47/248
Trimellitic anhydride	89
Trimethylthiourea	47/249
Tripelennamine	47/250
Triphenylphosphine	35/122
Tris(1,3-dichloro-2-propyl) phosphate	77
Tris(2-chloroethyl) phosphate	47/251
Tris(2-chloroethyl) phosphate	68/ 34
Tris(2-ethylhexyl) phosphate	47/252
Tris(2-ethylhexyl) phosphate	64/151
THPS	64/152
Urea	47/253
Vinyl cyclohexene dioxide	47/254
Vinyl cyclohexene dioxide	68/ 35
Vinyl toluene	56/ 34
Vinyl toluene	64/153
Vinyl toluene	90
Vinylidene fluoride	47/255
Vitamin D	47/256
Vitamin D3	47/257
Witch hazel	47/258
Witch hazel	64/154
Wollastonite calcium silicates	47/259
Wollastonite calcium silicates	56/ 35
Wollastonite calcium silicates	65/155
Xylenes, commercial mixture	65/156
Xylenes, commercial mixture	88
Yellow 14	58/ 26
Zearalenone	47/260
Zearalenone	58/ 27
Ziram	47/261
Ziram	58/ 28
Zirconium oxychloride	47/262
1(2H)-Phthalazinone	47/263
1-(4-Nitrophenylazo)-2-naphthalenamine	47/264
1-Acetyl-2-picolinoyl hydrazine	47/265
1-Amino-2,4-dibromoanthraquinone	47/266
1-Amino-2,4-dibromoanthraquinone	68/ 36
1-Aziridineethanol	35/123
1-Fluoro-2,4-dinitrobenzene	36/124
1-Nitrobutane	47/267
1-Nitrohexane	47/268
1-Nitropropane	47/269
1-Phenyl-2-thiourea	47/270
1-Phenyl-3-methyl-5-pyrazolone	47/271
1,1-Dichloroethylene	36/125
1,1-Dichloroethylene	58/ 29
1,1-Diphenylhydrazine hydrochloride	88
1,1,1-Trichloroethane	65/157
1,1,1,2-Tetrachloroethane	47/272
1,1,1,2-Tetrachloroethane	58/ 30
1,1,2,2-Tetrachloroethane	47/273
1,1,2,2-Tetrachloroethane	90
1,2-Dichlorobenzene	36/126
1,2-Dichlorobenzene	65/158
1,2-Dichloropropane	36/127
1,2-Dichloropropane	65/159
1,2-Epoxybutane	47/274
1,2-Epoxybutane	56/ 36
1,2-Epoxybutane	65/160
1,2-Epoxybutane	89
1,2-Epoxyhexadecane	47/275
1,2-Epoxyhexadecane	65/161
1,2-Epoxypropane	65/162
1,2-Epoxypropane	90
1,2-Propylene glycol	36/128
1,2,3-Trichlorobenzene	36/129
1,2,3-Trichloropropane	47/276
1,2,3,4-Tetrachlorobenzene	36/130
1,2,3,5-Tetrachlorobenzene	36/131
1,2,3,6,7,8(7,8,9)-Hexachlorodibenzo-p-dioxin (Mix)	47/277
1,2,3,6,7,8(7,8,9)-Hexachlorodibenzo-p-dioxin (Mix)	57/ 19
1,2,3,6,7,8(7,8,9)-Hexachlorodibenzo-p-dioxin (Mix)	57/ 20
1,2,4-Trichlorobenzene	36/132
1,3-Butadiene	56/ 37
1,3-Butadiene	65/163
1,3-Dichloro-5,5-dimethylhydantoin	47/278
1,3-Dichlorobenzene	36/133
1,3-Dichloropropene	48/279
1,3-Dichloropropene	59/ 31
1,3-Dioxane	36/134
1,3-Dioxane	38/ 16
1,3,5-Trichlorobenzene	36/135
1,3,5-Trichlorobenzene	38/ 17
1,4-Diamino-2,6-dichlorobenzene	48/280
1,4-Diamino-2,6-dichlorobenzene	59/ 32
1,4-Dichlorobenzene	36/136
1,4-Dichlorobenzene	65/164
1,4-Dioxane	36/137
1,4-Naphthalenediamine	48/281
1,8-Dihydroxy-4,5-dinitroanthraquinone	48/282

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ
2-Amino-4-nitrophenol	48/284
2-Amino-4-nitrophenol	65/165
2-Amino-5-nitrophenol	48/285
2-Amino-5-nitrophenol	65/166
2-Aminoanthracene	36/138
2-Biphenylamine	36/139
2-Biphenylamine	59/ 34
2-Bromobiphenyl	48/286
2-Butanone peroxide	48/287
2-Butanone peroxide	65/167
2-Butanone peroxide	89
2-Chloro-p-phenylenediamine sulfate	48/288
2-Chloro-1,3-butadiene	48/289
2-Chlorobenzalmalononitrile	56/ 38
2-Chlorobenzalmalononitrile	65/168
2-Chloroethyltrimethylammonium chloride	48/290
2-Chloromethylpyridine hydrochloride	48/291
2-Chloronitrobenzene	36/140
2-Chloronitrobenzene	38/ 18
2-Ethoxyethanol	48/292
2-Ethoxyethanol	65/169
2-Ethoxyethanol	90
2-Fluorobenzoyl chloride	36/141
2-Methoxyethanol	90
2-Methyl-1-nitroanthraquinone	48/293
2-Nitro-a,a,a-trifluorotoluene	36/142
2-Nitropropane	36/143
2-Nitropropane	38/ 19
2-Nitropropane	48/294
2-Nitropropane	90
2,2-Bis(bromomethyl)-1,3-propanediol	48/295
2,2-Bis(bromomethyl)-1,3-propanediol	65/170
2,2-Bis(bromomethyl)-1,3-propanediol	65/171
2,2',3,3',5,5'-Hexachlorobiphenyl	88
2,3-Dibromo-1-propanol	36/144
2,3-Dibromo-1-propanol	65/172
2,3-Dibromo-1-propanol	65/173
2,3-Dichloronitrobenzene	36/145
2,3-Dichloronitrobenzene	38/ 20
2,3-Dichlorophenol	36/146
2,3,5,6-Tetrachloronitrobenzene	36/147
2,3,7,8-Tetrachlorodibenzo-p-dioxin	48/296
2,3,7,8-Tetrachlorodibenzo-p-dioxin	38/ 21
2,3,7,8-Tetrachlorodibenzo-p-dioxin	57/ 21
2,3,7,8-Tetrachlorodibenzo-p-dioxin	57/ 22
2,3,7,8-Tetrachlorodibenzo-p-dioxin	77
2,3,7,8-Tetrachlorodibenzo-p-dioxin	90
2,4-D isooctyl ester	36/148
2,4-D isooctyl ester	48/297
2,4-Diaminophenol dihydrochloride	36/149
2,4-Diaminophenol dihydrochloride	38/ 22
2,4-Diaminophenol dihydrochloride	68/ 37
2,4-Diaminotoluene	48/298
2,4-Dichloronitrobenzene	36/150
2,4-Dichloronitrobenzene	38/ 23
2,4-Dichlorophenol	36/151
2,4-Dichlorophenol	65/174
2,4-Dichlorophenoxyacetic acid	38/ 24
2,4-Dichlorophenoxyacetic acid	48/299
2,4-Dichlorophenoxyacetic acid	90
2,4-Dinitroaniline	48/300
2,4-Dinitrotoluene	36/152
2,4-Dinitrotoluene	38/ 25
2,4,5-T isobutyl ester	48/301
2,4,5-T isooctyl ester	36/153
2,4,5-T isooctyl ester	48/302
2,4,5-Trichlorophenoxyacetic acid	38/ 26
2,4,5-Trichlorophenoxyacetic acid	48/303
2,4,5-Trichlorophenoxyacetic acid	90
2,4,5-Trimethylaniline	48/304
2,4,6-Trichlorophenol	36/154
2,4,6-Trinitrotoluene	48/305
2,5-Dichlorophenol	37/155
2,5-Dithiobiurea	48/306
2,6-Dichlorophenol	37/156
2,6-Dimethyl morpholine	37/157
2,6-Dimethyl morpholine	38/ 27
2,6-Xylidine	48/307
2,6-Xylidine	56/ 39
2,6-Xylidine	65/175
2,7-Dichlorodibenzo-p-dioxin	48/308
2'-Methyl-4-dimethylaminobenzene	37/158
3-Amino-a,a,a-trifluorotoluene	37/159
3-Amino-4-ethoxyacetanilide	48/309
3-Amino-9-ethylcarbazole hydrochloride	49/310
3-Bromobiphenyl	49/311
3-Chloro-p-toluidine	49/312
3-Chloro-2-methylpropene	49/313
3-Chloro-2-methylpropene	65/176
3-Chloromethylpyridine hydrochloride	49/314
3-Methylcholanthrene	37/160
3-Nitro-a,a,a-trifluorotoluene	37/161
3-Nitro-p-acetophenetide	49/315
3-Sulfolene	49/316
3,3'-Dichlorobenzidine	49/317
3,3'-Dihydroxybenzidine	49/318
3,3'-Dimethoxybenzidine	37/162
3,3'-Dimethoxybenzidine-4,4'-diisocyanate	49/319
3,3'-Dimethylbenzidine dihydrochloride	49/320
3,4-Dichloronitrobenzene	37/163
3,4-Dichloronitrobenzene	38/ 28
3,4-Dichlorophenol	37/164
3,4-Dihydrocoumarin	49/321
3,4-Dihydrocoumarin	68/ 38
3,5-Dichlorophenol	37/165
4-Biphenylamine	37/166
4-Biphenylamine	38/ 29
4-Bromobiphenyl	49/322
4-Chloro-a,a,a-trifluorotoluene	37/167
4-Chloro-o-phenylenediamine	49/323
4-Chloro-o-toluidine hydrochloride	49/324
4-Chloro-2-nitroaniline	49/325
4-Chloro-3-nitro-a,a,a-trifluorotoluene	37/168
4-Chloro-3,5-dinitro-a,a,a-trifluorotoluene	37/169
4-Chloronitrobenzene	37/170
4-Chloronitrobenzene	38/ 30
4-Hydroxyacetanilide	37/171
4-Hydroxyacetanilide	68/ 39
4-Nitroanthranilic acid	49/326
4-Vinylcyclohexene	49/327
4-Vinylcyclohexene	65/177
4,4'-Diamino-2,2'-stilbenedisulfonic acid	68/ 40
4,4'-Diphenylmethane diisocyanate	49/328
4,4'-Diphenylmethane diisocyanate	65/178
4,4'-Methylenebis(N,N'-dimethylaniline	57/ 23
4,4'-Methylenebis(2-chloroaniline)	37/172

ALPHABETIC INDEX TO TABLES

CHEMICAL	PAGE/SEQ	CHEMICAL	PAGE/SEQ
4,4'-Oxydianiline	57/ 24		
4,4'-Sulfonyldianiline	49/329		
5(6)-Nitrobenzimidazole	49/330		
5-Azacytidine	49/331		
5-Chloro-o-toluidine	49/332		
5-Hydroxytryptophan	49/333		
5-Hydroxytryptophan	56/ 40		
5-Hydroxytryptophan	65/179		
5-Nitro-o-anisidine	49/334		
5-Nitroacenaphthene	49/335		
8-Hydroxyquinoline	65/180		
8-Methoxypsoralen	65/181		
11-Aminoundecanoic acid	48/283		
11-Aminoundecanoic acid	59/ 33		

CAS REGISTRY NUMBER INDEX TO TABLES

CAS NO.	PAGE/SEQ	CAS NO.	PAGE/SEQ	CAS NO.	PAGE/SEQ
50-00-0	33/ 49	60-87-7	45/211	75-52-5	44/170
50-00-0	55/ 13	61-76-7	63/119	75-56-9	65/162
50-00-0	62/ 63	62-38-4	45/200		
50-00-0	88	62-44-2	45/190	75-56-9	90
50-18-0	32/ 29	62-53-3	32/ 2	75-60-5	32/ 17
50-18-0	77	62-73-7	55/ 7	75-65-0	46/231
50-32-8	32/ 7	62-73-7	61/ 40	75-65-0	64/134
50-32-8	77	62-75-9	34/ 74	75-69-4	46/246
50-33-9	45/199	62-75-9	38/ 8	75-74-1	46/237
50-33-9	55/ 29	62-75-9	44/158	75-87-6	40/ 31
50-33-9	63/118	63-74-1	46/230	76-01-7	45/188
50-55-5	57/ 13	63-92-3	45/198	76-01-7	58/ 21
50-81-7	60/ 11	64-75-5	46/234	76-06-2	40/ 37
51-03-6	45/206	64-75-5	64/140	76-44-8	42/115
51-30-9	43/129	64-77-7	46/242	77-06-5	42/112
51-30-9	67/ 19	67-20-9	34/ 78	77-06-5	62/ 69
52-68-6	46/245	67-20-9	38/ 9	77-09-8	45/197
52-68-6	64/145	67-20-9	55/ 22	77-09-8	63/117
53-03-2	45/209	67-20-9	63/100	77-47-4	33/ 58
53-19-0	44/176	67-48-1	32/ 23	77-47-4	38/ 6
53-86-1	43/124	67-62-9	44/171	77-47-4	55/ 17
53-86-1	77	67-68-5	41/ 80	77-47-4	62/ 74
54-31-9	42/110	67-72-1	33/ 59	77-65-6	39/ 29
54-31-9	62/ 67	67-72-1	67/ 16	77-79-2	49/316
55-31-2	55/ 9	67-97-0	47/257	77-83-8	42/103
55-31-2	61/ 55	68-12-2	33/ 41	78-00-2	35/114
55-38-9	42/105	68-12-2	90	78-11-5	45/189
55-48-6	33/ 53	69-09-0	40/ 43	78-11-5	55/ 28
55-55-0	44/156	69-09-0	67/ 8	78-11-5	63/116
55-98-1	43/152	69-09-0	89	78-34-2	41/ 84
56-38-2	44/185	69-53-4	60/ 6	78-42-2	47/252
56-49-5	37/160	69-65-8	34/ 69	78-42-2	64/151
56-53-1	77	69-65-8	58/ 15	78-51-3	35/118
56-69-9	49/333	70-30-4	33/ 60	78-59-1	43/128
56-69-9	56/ 40	70-34-8	36/124	78-59-1	62/ 82
56-69-9	65/179	71-43-2	60/ 13	78-87-5	36/127
56-75-7	67/ 7	71-55-6	65/157	78-87-5	65/159
56-81-5	33/ 52	72-20-8	42/ 99	79-01-6	64/146
57-06-7	39/ 4	72-43-5	43/143	79-01-6	64/147
57-06-7	58/ 2	72-54-8	46/232	79-01-6	64/148
57-13-6	47/253	72-55-9	41/ 67	79-01-6	64/149
57-41-0	33/ 43	72-56-0	40/ 59	79-01-6	64/150
57-55-6	36/128	74-83-9	88	79-01-6	88
57-57-8	35/ 98	74-83-9	90	79-11-8	43/149
57-57-8	38/ 12	74-96-4	55/ 10	79-11-8	67/ 22
57-66-9	45/210	74-96-4	61/ 58	79-24-3	44/168
57-66-9	67/ 28	75-00-3	55/ 11	79-34-5	47/273
57-66-9	89	75-00-3	61/ 59	79-34-5	90
57-68-1	46/229	75-09-2	55/ 20	79-41-4	34/ 70
57-68-1	89	75-09-2	62/ 90	79-44-7	33/ 39
57-97-6	55/ 8	75-09-2	62/ 91	79-44-7	38/ 3
57-97-6	61/ 52	75-09-2	89	79-46-9	36/143
57-97-6	61/ 53	75-15-0	32/ 19	79-46-9	38/ 19
58-08-2	39/ 26	75-15-0	88	79-46-9	48/294
58-08-2	89	75-15-0	89	79-46-9	90
58-14-0	45/215	75-21-8	55/ 12	80-05-7	32/ 13
58-89-9	43/133	75-21-8	61/ 61	80-05-7	58/ 6
58-93-5	42/121	75-21-8	88		
58-93-5	62/ 76			80-08-0	49/329
58-93-5	89	75-21-8	90	80-62-6	43/145
59-87-0	44/169	75-25-2	32/ 16	80-62-6	62/ 88
59-87-0	63/101	75-25-2	60/ 22	81-11-8	68/ 40
59-87-0	89	75-27-4	39/ 15	81-49-2	47/266
60-13-9	67/ 1	75-27-4	60/ 21	81-49-2	68/ 36
60-34-4	34/ 71	75-35-4	36/125	81-55-0	48/282
60-35-5	32/ 1	75-35-4	58/ 29	82-68-8	34/ 92
60-51-5	41/ 75	75-38-7	47/255	82-68-8	55/ 26
60-57-1	41/ 70	75-47-8	43/125	82-68-8	63/111

CAS REGISTRY NUMBER INDEX TO TABLES

CAS NO.	PAGE/SEQ
83-79-4	46/217
83-79-4	64/124
84-66-2	41/ 72
84-66-2	67/ 10
85-44-9	45/204
85-68-7	39/ 16
85-68-7	57/ 3
86-21-5	45/195
86-50-0	39/ 8
87-29-6	57/ 5
87-61-6	36/129
87-62-7	48/307
87-62-7	56/ 39
87-62-7	65/175
87-65-0	37/156
87-68-3	33/ 57
87-68-3	42/116
87-68-3	90
87-86-5	35/ 93
87-86-5	55/ 27
87-86-5	63/112
87-86-5	63/113
87-86-5	63/114
87-86-5	63/115
88-06-2	36/154
88-72-2	44/173
88-73-3	36/140
88-73-3	38/ 18
88-89-1	35/ 95
88-89-1	38/ 11
88-96-0	45/203
89-25-8	47/271
89-63-4	49/325
90-05-1	34/ 82
90-33-5	32/ 10
90-41-5	36/139
90-41-5	59/ 34
90-43-7	44/174
90-43-7	63/102
90-43-7	77
91-20-3	44/163
91-20-3	63/ 97
91-20-3	89
91-22-5	35/100
91-22-5	38/ 13
91-23-6	44/172
91-64-5	40/ 49
91-79-2	46/238
91-80-5	43/141
91-81-6	47/250
91-84-9	45/214
91-85-0	46/239
91-93-0	49/319
91-94-1	49/317
92-48-8	43/144
92-48-8	67/ 21
92-52-4	32/ 12
92-66-0	49/322
92-67-1	37/166
92-67-1	38/ 29
92-87-5	39/ 9
93-76-5	38/ 26
93-76-5	48/303
93-76-5	90
93-79-8	39/ 18
94-20-2	40/ 44
94-25-7	34/ 73
94-52-0	49/330
94-75-7	38/ 24
94-75-7	48/299
94-75-7	90
94-80-4	39/ 17
95-06-7	46/228
95-47-6	34/ 83
95-47-6	88
95-48-7	34/ 81
95-50-1	36/126
95-50-1	65/158
95-55-6	34/ 79
95-57-8	34/ 80
95-74-9	49/312
95-77-2	37/164
95-79-4	49/332
95-80-7	48/298
95-83-0	49/323
96-09-3	64/132
96-09-3	88
96-09-3	90
96-12-8	57/ 8
96-12-8	90
96-13-9	36/144
96-13-9	65/172
96-13-9	65/173
96-18-4	47/276
96-31-1	34/ 76
96-45-7	33/ 45
96-48-0	55/ 3
96-48-0	60/ 23
97-02-9	48/300
97-53-0	33/ 47
97-53-0	58/ 10
97-77-8	46/235
98-00-0	42/109
98-00-0	55/ 16
98-00-0	62/ 66
98-01-1	33/ 50
98-01-1	55/ 15
98-01-1	62/ 65
98-16-8	37/159
98-46-4	37/161
98-56-6	37/167
98-85-1	60/ 5
98-95-3	44/167
98-95-3	67/ 24
98-96-4	45/213
99-08-1	43/134
99-49-0	39/ 30
99-49-0	67/ 6
99-54-7	37/163
99-54-7	38/ 28
99-57-0	48/284
99-57-0	65/165
99-59-2	49/334
99-99-0	44/182
100-00-5	37/170
100-00-5	38/ 30
100-01-6	44/180
100-02-7	34/ 88
100-02-7	38/ 10
100-02-7	55/ 23
100-02-7	63/106
100-02-7	89
100-21-0	35/111
100-40-3	49/327
100-40-3	65/177
100-41-4	90
100-44-7	60/ 17
100-51-6	39/ 12
100-51-6	60/ 16
100-51-6	89
100-52-7	32/ 6
100-52-7	55/ 2
100-52-7	60/ 12
100-65-2	44/160
100-75-4	34/ 75
101-14-4	37/172
101-54-2	44/159
101-61-1	57/ 23
101-68-8	49/328
101-68-8	65/178
101-80-4	57/ 24
101-84-8	33/ 42
101-90-6	41/ 73
101-90-6	61/ 44
102-08-9	35/115
102-08-9	38/ 15
102-54-5	33/ 48
102-54-5	38/ 5
102-71-6	35/121
103-23-1	33/ 32
103-23-1	40/ 60
103-23-1	57/ 7
103-30-0	35/117
103-33-3	32/ 3
103-85-5	47/270
103-90-2	37/171
103-90-2	68/ 39
104-55-2	89
104-94-9	34/ 85
105-55-5	44/162
105-58-8	33/ 36
105-60-2	57/ 4
105-87-3	42/111
105-87-3	62/ 68
106-42-3	34/ 90
106-42-3	88
106-44-5	34/ 87
106-46-7	36/136
106-46-7	65/164
106-47-8	44/179
106-47-8	67/ 26
106-48-9	34/ 86
106-51-4	34/ 89
106-51-4	55/ 24
106-51-4	63/107
106-87-6	47/254
106-87-6	68/ 35
106-88-7	47/274
106-88-7	56/ 36
106-88-7	65/160
106-88-7	88
106-88-7	89
106-88-7	90
106-92-3	39/ 3
106-92-3	55/ 1
106-92-3	60/ 3
106-93-4	57/ 9
106-99-0	56/ 37
106-99-0	65/163
107-02-8	90
107-05-1	90

CAS REGISTRY NUMBER INDEX TO TABLES

CAS NO.	PAGE/SEQ
107-07-3	42/104
107-07-3	61/ 60
107-15-3	33/ 46
107-15-3	38/ 4
107-15-3	67/ 14
107-15-3	89
107-21-1	33/ 44
107-21-1	67/ 13
107-21-1	89
108-03-2	47/269
108-30-5	64/133
108-38-3	34/ 68
108-38-3	88
108-39-4	34/ 67
108-43-0	34/ 66
108-46-3	35/101
108-46-3	67/ 30
108-60-1	39/ 14
108-60-1	57/ 2
108-60-1	58/ 5
108-70-3	36/135
108-70-3	38/ 17
108-78-1	58/ 16
108-80-5	32/ 26
108-86-1	32/ 15
108-86-1	60/ 20
108-88-3	35/116
108-88-3	68/ 33
108-90-7	32/ 22
108-90-7	60/ 30
108-93-0	32/ 27
108-94-1	32/ 28
108-94-1	61/ 36
108-94-1	90
108-95-2	45/196
108-95-2	57/ 12
108-99-6	32/ 11
109-69-3	43/154
109-69-3	63/ 93
109-86-4	90
109-99-9	46/236
110-00-9	42/108
110-00-9	55/ 14
110-00-9	62/ 64
110-46-3	43/126
110-54-3	44/155
110-80-5	48/292
110-80-5	65/169
110-80-5	90
110-85-0	35/ 96
110-86-1	35/ 99
110-86-1	63/122
110-91-8	34/ 72
111-30-8	62/ 71
111-42-2	33/ 35
111-42-2	61/ 43
111-92-2	33/ 33
111-96-6	33/ 37
111-96-6	90
112-62-9	40/ 46
113-92-8	40/ 42
113-92-8	61/ 34
114-86-3	45/194
115-07-1	55/ 30
115-07-1	63/121
115-28-6	60/ 27
115-29-7	42/ 98
115-32-2	41/ 69
115-96-8	47/251
115-96-8	68/ 34
117-08-8	35/113
117-18-0	36/147
117-39-5	67/ 29
117-81-7	33/ 31
117-81-7	38/ 2
117-81-7	58/ 8
117-81-7	89
118-52-5	47/278
118-55-8	35/ 94
118-58-1	32/ 9
118-74-1	33/ 56
118-96-7	48/305
119-39-1	47/263
119-53-9	39/ 10
119-53-9	57/ 1
119-84-6	49/321
119-84-6	68/ 38
119-90-4	37/162
120-57-0	35/ 97
120-61-6	41/ 81
120-62-7	45/207
120-80-9	32/ 20
120-80-9	55/ 4
120-80-9	60/ 25
120-82-1	36/132
120-83-2	36/151
120-83-2	65/174
121-14-2	36/152
121-14-2	38/ 25
121-17-5	37/168
121-19-7	56/ 31
121-19-7	64/125
121-69-7	63/ 95
121-75-5	43/136
121-75-5	57/ 11
121-79-9	45/212
121-79-9	58/ 23
121-88-0	48/285
121-88-0	65/166
122-66-7	33/ 61
122-66-7	38/ 7
123-31-9	34/ 62
123-31-9	62/ 77
123-77-3	32/ 4
123-77-3	67/ 2
123-86-4	90
123-91-1	36/137
124-40-3	33/ 38
124-48-1	40/ 36
124-48-1	61/ 31
124-64-1	64/141
126-31-8	46/223
126-92-1	46/218
126-92-1	64/126
126-99-8	48/289
127-07-1	42/122
127-18-4	35/112
127-18-4	56/ 32
127-18-4	64/135
127-18-4	64/136
127-18-4	64/137
127-18-4	64/138
127-18-4	64/139
127-18-4	88
127-19-5	90
128-37-0	39/ 19
128-66-5	39/ 23
129-15-7	48/293
131-17-9	40/ 61
131-17-9	61/ 39
132-32-1	49/310
132-98-9	45/186
132-98-9	63/109
133-90-4	39/ 6
134-72-5	61/ 54
135-88-6	63/ 94
136-40-3	45/191
136-77-6	42/120
136-77-6	62/ 75
137-09-7	36/149
137-09-7	38/ 22
137-09-7	68/ 37
137-17-7	48/304
137-30-4	47/261
137-30-4	58/ 28
138-89-6	44/161
139-94-6	44/166
140-11-4	39/ 11
140-11-4	60/ 15
140-56-7	42/107
140-88-5	42/101
140-88-5	61/ 57
141-32-2	88
141-84-4	35/102
141-91-3	37/157
141-91-3	38/ 27
142-46-1	48/306
143-50-0	40/ 34
143-50-0	90
144-62-7	34/ 84
144-62-7	63/104
144-80-9	46/227
147-24-0	41/ 85
147-24-0	61/ 49
147-94-4	40/ 52
148-18-5	46/221
148-24-3	65/180
148-65-2	40/ 39
149-30-4	43/139
149-30-4	55/ 18
149-30-4	62/ 86
149-91-7	33/ 51
150-68-5	43/151
150-68-5	62/ 92
150-69-6	42/ 96
150-76-5	34/ 64
150-78-7	34/ 63
151-21-3	46/222
151-21-3	64/129
156-10-5	44/181
156-62-7	39/ 27
262-12-4	41/ 63
271-89-6	32/ 8
271-89-6	60/ 14
298-00-0	43/146
298-81-7	65/181
302-17-0	32/ 21
303-34-4	43/130

CAS REGISTRY NUMBER INDEX TO TABLES

CAS NO.	PAGE/SEQ	CAS NO.	PAGE/SEQ	CAS NO.	PAGE/SEQ
305-03-3	40/ 32	612-82-8	49/320	1746-01-6	77
314-13-6	41/ 91	613-13-8	36/138	1746-01-6	90
315-18-4	43/147	619-17-0	49/326	1777-84-0	49/315
320-67-2	49/331	622-51-5	44/183	1787-53-7	45/216
367-51-1	35/109	627-05-4	47/267	1825-21-4	45/187
384-22-5	36/142	628-02-4	42/119	1825-21-4	55/ 25
389-08-2	55/ 21	628-94-4	39/ 1	1825-21-4	63/110
389-08-2	63/ 96	630-20-6	47/272	1825-21-4	88
393-52-2	36/141	630-20-6	58/ 30	1854-26-8	41/ 82
393-75-9	37/169	634-66-2	36/130	1854-26-8	67/ 12
458-37-7	40/ 51	634-90-2	36/131	1897-45-6	40/ 38
458-37-7	67/ 9	636-21-5	44/175	1918-02-1	45/205
		643-22-1	42/100	1936-15-8	58/ 20
469-21-6	42/ 95	643-22-1	61/ 56	1937-37-7	88
470-82-6	40/ 45	645-05-6	42/118	1982-37-2	43/142
488-41-5	41/ 65	645-49-8	32/ 24	2008-39-1	42/ 97
505-22-6	36/134	646-14-0	47/268	2052-07-5	48/286
505-22-6	38/ 16	673-06-3	40/ 56	2058-46-0	44/178
509-14-8	56/ 33	688-74-4	35/119	2058-46-0	63/105
509-14-8	64/142	756-79-6	41/ 78	2058-46-0	89
510-15-6	40/ 35	756-79-6	61/ 46	2113-57-7	49/311
513-37-1	41/ 83	828-00-2	41/ 76	2150-54-1	41/ 90
513-37-1	61/ 48	828-00-2	67/ 11	2164-17-2	57/ 10
517-28-2	33/ 54	842-07-9	58/ 26	2243-61-0	48/281
517-28-2	62/ 73	868-85-9	41/ 77	2373-98-0	49/318
518-47-8	42/106	868-85-9	61/ 45	2385-85-5	43/148
518-47-8	62/ 62	924-42-5	67/ 23	2385-85-5	58/ 18
523-47-7	39/ 13	961-11-5	46/233	2425-85-6	39/ 22
523-47-7	67/ 3	961-71-7	45/192	2425-85-6	67/ 5
523-87-5	41/ 74	989-38-8	63/123	2429-74-5	41/ 88
528-74-5	41/ 68	992-59-6	42/ 94	2432-99-7	48/283
530-47-2	88	999-81-5	48/290	2432-99-7	59/ 33
532-27-4	55/ 6	1067-33-0	41/ 66	2475-45-8	61/ 50
532-27-4	60/ 29	1072-52-2	35/123	2489-77-2	47/249
541-73-1	36/133	1116-54-7	44/157	2602-46-2	41/ 92
542-56-3	43/127	1116-54-7	58/ 19	2602-46-2	88
542-56-3	67/ 18	1156-19-0	46/241	2610-05-1	41/ 87
542-75-6	48/279	1163-19-5	40/ 58	2624-17-1	46/219
542-75-6	59/ 31	1163-19-5	61/ 38	2624-17-1	64/128
542-78-9	43/138	1271-19-8	46/240	2698-41-1	56/ 38
542-78-9	62/ 85	1271-19-8	68/ 32	2698-41-1	65/168
548-62-9	42/117	1271-28-9	34/ 77	2757-90-6	39/ 2
548-62-9	89	1300-72-7	46/224	2757-90-6	60/ 2
552-30-7	47/248	1300-72-7	64/131	2783-94-0	57/ 17
552-30-7	89	1306-19-0	39/ 25	2784-94-3	62/ 78
555-30-6	62/ 89	1309-60-0	43/132	2832-40-8	58/ 9
556-52-5	62/ 72	1309-64-4	60/ 7	2835-39-4	39/ 5
563-41-7	35/103	1328-53-6	63/120	2835-39-4	60/ 4
563-47-3	49/313	1330-20-7	65/156	2871-01-4	62/ 80
563-47-3	65/176	1330-20-7	88	2873-97-4	33/ 34
569-61-9	63/108	1330-78-5	35/120	2893-78-9	46/220
574-93-6	60/ 18	1338-23-4	48/287	3025-77-2	47/264
576-24-9	36/146	1338-23-4	65/167	3165-93-3	49/324
583-78-8	37/155	1338-23-4	89	3209-22-1	36/145
584-84-9	46/243	1344-00-9	64/127	3209-22-1	38/ 20
584-84-9	64/143	1406-16-2	47/256	3268-87-9	44/177
591-35-5	37/165	1420-04-8	40/ 47	3296-90-0	48/295
597-25-1	41/ 79	1455-77-2	42/114	3296-90-0	65/170
597-25-1	61/ 47	1465-25-4	43/153	3296-90-0	65/171
598-55-0	55/ 19	1467-79-4	33/ 40	3546-10-9	45/193
598-55-0	62/ 87	1582-09-8	46/247	3567-69-9	58/ 24
602-87-9	49/335	1596-84-5	46/226	3688-53-7	32/ 5
603-35-0	35/122	1634-78-2	43/135	3731-39-3	37/158
608-93-5	34/ 91	1639-59-4	43/150	3810-74-0	35/110
609-20-1	48/280	1746-01-6	38/ 21	3810-74-0	38/ 14
609-20-1	59/ 32	1746-01-6	48/296	4074-88-8	88
611-06-3	36/150	1746-01-6	57/ 21	4170-30-3	32/ 25
611-06-3	38/ 23	1746-01-6	57/ 22	4342-03-4	40/ 57

CAS REGISTRY NUMBER INDEX TO TABLES

CAS NO.	PAGE/SEQ	CAS NO.	PAGE/SEQ
4465-94-5	40/ 54	13961-86-9	63/103
4802-20-4	32/ 30	13983-17-0	47/259
4938-72-1	48/301	13983-17-0	56/ 35
5160-02-1	58/ 7	13983-17-0	65/155
5323-95-5	35/108	14567-73-8	64/144
5634-39-9	62/ 81	15242-96-3	46/225
5716-15-4	43/137	15481-70-6	57/ 18
5716-15-4	62/ 84	16071-86-6	42/ 93
5989-27-5	40/ 55	16071-86-6	88
5989-27-5	61/ 37	17026-81-2	48/309
*6358-85-6	41/ 62	17433-31-7	47/265
6373-74-6	60/ 1	17924-92-4	47/260
6459-94-5	39/ 20	17924-92-4	58/ 27
6471-49-4	39/ 21	19010-66-3	43/131
6471-49-4	67/ 4	20702-77-6	44/165
6959-47-3	48/291	20941-65-5	42/102
6959-48-4	49/314	21739-91-3	40/ 53
7177-48-2	39/ 7	21739-91-3	57/ 6
7320-37-8	47/275	25013-15-4	56/ 34
7320-37-8	65/161	25013-15-4	64/153
7447-41-8	34/ 65	25013-15-4	90
7487-79-8	62/ 83	25168-15-4	36/153
7487-94-7	43/140	25168-15-4	48/302
7487-94-7	67/ 20	25168-26-7	36/148
7488-56-4	57/ 14	25168-26-7	48/297
7488-56-4	57/ 15	26628-22-8	35/104
7558-79-4	35/107	26628-22-8	68/ 31
7560-83-0	90	28407-37-6	41/ 89
7647-10-1	44/184	33229-34-4	62/ 79
7647-10-1	67/ 27	33857-26-0	48/308
7681-49-4	35/105	35694-04-3	88
7681-49-4	64/130	36355-01-8	33/ 55
7699-43-6	47/262	37203-43-3	67/ 25
7772-99-8	58/ 25	39300-88-4	58/ 13
7782-49-2	89	52551-67-4	42/123
8001-28-3	40/ 50	52551-67-4	67/ 17
8001-35-2	46/244	55566-30-8	64/152
8001-79-4	60/ 24	56802-99-4	60/ 28
8061-51-6	35/106	61702-44-1	48/288
9000-01-5	58/ 11	61703-05-7	41/ 86
9000-30-0	58/ 12	63449-39-8	40/ 40
9000-40-2	58/ 14	63449-39-8	40/ 41
9002-18-0	58/ 1	63449-39-8	61/ 32
9002-86-2	45/208	63449-39-8	61/ 33
9002-92-0	61/ 51	63449-39-8	89
9005-65-6	42/113	63449-39-8	89
9005-65-6	67/ 15	67774-32-7	58/ 22
10043-35-3	32/ 14	68603-42-9	61/ 35
10043-35-3	60/ 19	68916-39-2	47/258
10108-64-2	39/ 24	68916-39-2	64/154
10318-26-0	41/ 64	CHL DIBENZF	89
10599-90-3	55/ 5	DIESEL FUEL	41/ 71
10599-90-3	60/ 26	DIESEL FUEL	61/ 41
10605-21-7	39/ 28	DIESEL FUEL	61/ 42
12001-28-4	60/ 10	GLYC ETHERS	89
12001-29-5	58/ 4	HCDD MIX	47/277
12001-29-5	60/ 9	HCDD MIX	57/ 19
12002-03-8	40/ 48	HCDD MIX	57/ 20
12002-43-6	62/ 70	NAVY FUELS	44/164
12172-73-5	58/ 3	NAVY FUELS	63/ 98
12172-73-5	60/ 8	NAVY FUELS	63/ 99
12789-03-6	40/ 33	SELSUN	57/ 16
13171-21-6	45/201	*6369-59-1	88
13366-73-9	45/202		
13552-44-8	58/ 17		
13674-87-8	77		
13765-19-0	32/ 18		
13765-19-0	38/ 1		

NTP NUMBER INDEX TO TABLES

NTP NO.	PAGE/SEQ
10001-N	48/287
10001-N	65/167
10001-N	89
10002-S	33/ 49
10002-S	55/ 13
10002-S	62/ 63
10002-S	88
10003-W	62/ 71
10004-A	65/156
10004-A	88
10005-E	48/284
10005-E	65/165
10007-L	89
10008-R	42/117
10008-R	89
10009-V	35/116
10009-V	68/ 33
10010-S	60/ 6
10014-H	32/ 19
10014-H	88
10014-H	89
10015-L	40/ 45
10016-R	36/144
10016-R	65/172
10016-R	65/173
10017-V	55/ 7
10017-V	61/ 40
10018-Y	90
10019-D	55/ 11
10019-D	61/ 59
10020-A	55/ 12
10020-A	61/ 61
10020-A	88
10020-A	90
10021-E	33/ 55
10022-H	34/ 62
10022-H	62/ 77
10023-L	65/181
10024-R	45/187
10024-R	55/ 25
10024-R	63/110
10024-R	88
10025-V	56/ 33
10025-V	64/142
10026-Y	47/248
10026-Y	89
10027-D	47/259
10027-D	56/ 35
10027-D	65/155
10028-G	60/ 27
10029-K	42/121
10029-K	62/ 76
10029-K	89
10030-H	55/ 20
10030-H	62/ 90
10030-H	62/ 91
10030-H	89
10031-L	35/114
10032-R	56/ 34
10032-R	64/153
10032-R	90
10033-V	34/ 92
10033-V	55/ 26
10033-V	63/111
10034-Y	32/ 13
10034-Y	58/ 6
10035-D	32/ 14
10035-D	60/ 19
10036-G	39/ 26
10036-G	89
10038-P	36/136
10038-P	65/164
10039-T	63/ 95
10040-R	41/ 85
10040-R	61/ 49
10041-V	55/ 9
10041-V	61/ 55
10043-D	89
10044-G	33/ 54
10044-G	62/ 73
10045-K	55/ 21
10045-K	63/ 96
10046-P	44/163
10046-P	63/ 97
10046-P	89
10047-T	44/169
10047-T	63/101
10047-T	89
10049-C	34/ 84
10049-C	63/104
10050-Y	45/197
10050-Y	63/117
10052-G	63/123
10053-K	89
10054-P	64/127
10056-X	46/229
10056-X	89
10058-F	32/ 8
10058-F	60/ 14
10059-J	39/ 12
10059-J	60/ 16
10059-J	89
10060-G	32/ 15
10060-G	60/ 20
10061-K	60/ 28
10062-P	40/ 40
10062-P	61/ 32
10062-P	89
10063-T	40/ 41
10063-T	61/ 33
10063-T	89
10064-X	32/ 28
10064-X	61/ 36
10064-X	90
10066-F	47/274
10066-F	56/ 36
10066-F	65/160
10066-F	89
10067-J	55/ 10
10067-J	61/ 58
10068-N	42/110
10068-N	62/ 67
10070-P	43/128
10070-P	62/ 82
10071-T	40/ 55
10071-T	61/ 37
10073-C	43/139
10073-C	55/ 18
10073-C	62/ 86
10076-N	45/196
10076-N	57/ 12
10080-X	44/178
10080-X	63/105
10080-X	89
10083-J	36/129
10084-N	47/266
10084-N	68/ 36
10085-S	67/ 1
10086-W	32/ 4
10086-W	67/ 2
10087-A	32/ 6
10087-A	55/ 2
10087-A	60/ 12
10088-E	40/ 35
10089-H	43/154
10089-H	63/ 93
10090-F	55/ 3
10090-F	60/ 23
10091-J	39/ 13
10091-J	67/ 3
10093-S	39/ 30
10093-S	67/ 6
10094-W	32/ 20
10094-W	55/ 4
10094-W	60/ 25
10096-E	67/ 7
10097-H	40/ 34
10097-H	90
10098-L	89
10100-P	44/179
10100-P	67/ 26
10101-T	40/ 43
10101-T	67/ 8
10101-T	89
10104-F	40/ 49
10105-J	40/ 51
10105-J	67/ 9
10106-N	36/149
10106-N	38/ 22
10106-N	68/ 37
10107-S	68/ 40
10109-A	36/125
10109-A	58/ 29
10111-C	36/127
10111-C	65/159
10112-F	41/ 72
10112-F	67/ 10
10113-J	49/321
10113-J	68/ 38
10114-N	41/ 76
10114-N	67/ 11
10115-S	49/319
10116-W	41/ 80
10117-A	48/292
10117-A	65/169
10117-A	90
10118-E	33/ 44
10118-E	67/ 13
10118-E	89
10119-H	42/108
10119-H	55/ 14
10119-H	62/ 64
10120-F	33/ 50
10120-F	55/ 15
10120-F	62/ 65
10121-J	42/109
10121-J	55/ 16

NTP NUMBER INDEX TO TABLES

NTP NO.	PAGE/SEQ
10121-J	62/ 66
10122-N	42/113
10122-N	67/ 15
10123-S	42/123
10123-S	67/ 17
10124-W	33/ 57
10124-W	42/116
10124-W	90
10125-A	33/ 58
10125-A	38/ 6
10125-A	55/ 17
10125-A	62/ 74
10126-E	33/ 59
10126-E	67/ 16
10127-H	37/171
10127-H	68/ 39
10128-L	49/333
10128-L	56/ 40
10128-L	65/179
10129-R	43/124
10129-R	77
10130-N	43/129
10130-N	67/ 19
10131-S	43/132
10133-A	43/140
10133-A	67/ 20
10134-E	45/200
10135-H	43/141
10136-L	43/144
10136-L	67/ 21
10137-R	44/171
10138-V	43/149
10138-V	67/ 22
10139-Y	43/150
10140-W	44/164
10140-W	63/ 98
10140-W	63/ 99
10141-A	44/167
10141-A	67/ 24
10142-E	34/ 88
10142-E	38/ 10
10142-E	55/ 23
10142-E	63/106
10142-E	89
10143-H	44/157
10143-H	58/ 19
10145-R	44/177
10146-V	40/ 46
10148-D	44/184
10148-D	67/ 27
10149-G	45/188
10149-G	58/ 21
10150-E	45/189
10150-E	55/ 28
10150-E	63/116
10153-R	40/ 56
10154-V	44/160
10155-Y	45/205
10156-D	33/ 43
10157-G	38/ 21
10157-G	48/296
10157-G	57/ 21
10157-G	57/ 22
10157-G	77
10157-G	90
10160-L	45/210
10160-L	67/ 28
10160-L	89
10161-R	67/ 29
10162-V	34/ 89
10162-V	55/ 24
10162-V	63/107
10163-Y	35/101
10163-Y	67/ 30
10164-D	35/104
10164-D	68/ 31
10165-G	46/220
10170-V	46/236
10171-Y	64/141
10174-K	46/240
10174-K	68/ 32
10175-P	64/146
10175-P	64/147
10175-P	64/148
10175-P	64/149
10175-P	64/150
10175-P	88
10176-T	35/112
10176-T	56/ 32
10176-T	64/135
10176-T	64/136
10176-T	64/137
10176-T	64/138
10176-T	64/139
10176-T	88
10177-X	48/305
10178-C	47/251
10178-C	68/ 34
10179-F	47/254
10179-F	68/ 35
10180-D	47/255
10181-G	47/256
10182-K	47/257
10183-P	47/258
10183-P	64/154
10184-T	46/224
10184-T	64/131
10185-X	48/307
10185-X	56/ 39
10185-X	65/175
10187-F	36/132
10188-J	33/ 31
10188-J	38/ 2
10188-J	58/ 8
10188-J	89
10189-N	44/155
10190-K	33/ 46
10190-K	38/ 4
10190-K	67/ 14
10190-K	89
10192-T	40/ 39
10194-C	41/ 74
10195-F	42/ 95
10196-J	46/238
10197-N	45/195
10198-S	45/214
10199-W	46/239
10200-V	47/250
10201-Y	45/192
10202-D	45/211
10203-G	43/142
10205-P	41/ 82
10205-P	67/ 12
10206-T	67/ 23
10208-C	49/325
10209-F	39/ 22
10209-F	67/ 5
10210-D	39/ 21
10210-D	67/ 4
10211-G	44/172
10212-K	39/ 25
10213-P	48/282
10214-T	48/300
10215-X	44/165
10216-C	47/264
10217-F	44/180
10218-J	45/208
10219-N	46/225
10220-K	47/262
10229-W	40/ 48
10233-F	56/ 31
10233-F	64/125
10249-L	41/ 89
10252-S	32/ 25
10253-W	33/ 36
10256-H	33/ 41
10256-H	90
10268-Y	67/ 25
10277-D	35/120
10286-G	39/ 20
10287-K	41/ 87
10291-V	46/235
10313-V	55/ 5
10313-V	60/ 26
10351-T	32/ 29
10351-T	77
10353-C	32/ 7
10353-C	77
10354-F	45/199
10354-F	55/ 29
10354-F	63/118
10355-J	57/ 13
10357-S	60/ 11
10358-W	45/206
10360-X	46/245
10360-X	64/145
10362-F	42/105
10364-N	77
10367-A	39/ 4
10367-A	58/ 2
10369-H	36/128
10370-F	35/ 98
10370-F	38/ 12
10371-J	55/ 8
10371-J	61/ 52
10371-J	61/ 53
10374-W	34/ 71
10375-A	32/ 1
10376-E	63/119
10378-L	45/190
10379-R	32/ 2
10381-S	46/234
10381-S	64/140
10382-W	34/ 78
10382-W	38/ 9
10382-W	55/ 22
10382-W	63/100
10386-L	34/ 69
10386-L	58/ 15
10387-R	33/ 60
10388-V	36/124
10389-Y	60/ 13
10390-W	65/157

NTP NUMBER INDEX TO TABLES

NTP NO.	PAGE/SEQ
10391-A	42/ 99
10392-E	46/232
10393-H	41/ 67
10394-L	40/ 59
10396-V	32/ 16
10396-V	60/ 22
10397-Y	39/ 15
10397-Y	60/ 21
10398-D	43/125
10399-G	88
10399-G	90
10400-F	65/162
10400-F	90
10401-J	32/ 17
10402-N	46/231
10402-N	64/134
10403-S	46/237
10404-W	40/ 31
10407-H	42/112
10407-H	62/ 69
10408-L	39/ 29
10409-R	42/103
10411-S	41/ 84
10413-A	47/252
10413-A	64/151
10414-E	35/110
10415-H	34/ 70
10416-L	33/ 39
10416-L	38/ 3
10417-R	36/143
10417-R	38/ 19
10417-R	48/294
10417-R	90
10418-V	43/145
10418-V	62/ 88
10420-W	46/217
10420-W	64/124
10421-A	45/204
10422-E	39/ 16
10422-E	57/ 3
10424-L	39/ 8
10426-V	57/ 5
10427-Y	37/156
10429-G	35/ 93
10429-G	55/ 27
10429-G	63/112
10429-G	63/113
10429-G	63/114
10429-G	63/115
10430-E	36/154
10431-H	36/140
10431-H	38/ 18
10432-L	35/ 95
10432-L	38/ 11
10433-R	45/203
10434-V	47/271
10436-D	34/ 82
10437-G	32/ 10
10438-K	36/139
10438-K	59/ 34
10439-P	44/174
10439-P	63/102
10439-P	77
10441-R	35/100
10441-R	38/ 13
10444-D	32/ 12
10445-G	37/166
10445-G	38/ 29
10446-W	39/ 9
10447-P	38/ 26
10447-P	48/303
10447-P	90
10448-T	34/ 73
10449-X	49/330
10451-Y	38/ 24
10451-Y	48/299
10451-Y	90
10452-D	46/228
10454-K	34/ 83
10454-K	88
10455-P	34/ 81
10456-T	36/126
10456-T	65/158
10458-C	34/ 79
10459-F	34/ 80
10460-D	49/312
10461-G	37/164
10462-K	49/332
10463-P	48/298
10464-T	64/132
10464-T	88
10464-T	90
10465-X	57/ 8
10465-X	90
10466-C	33/ 45
10468-J	33/ 47
10468-J	58/ 10
10470-K	37/159
10471-P	37/161
10472-T	37/167
10473-X	60/ 5
10474-C	37/163
10474-C	38/ 28
10477-N	49/334
10478-S	37/170
10478-S	38/ 30
10479-W	35/111
10480-T	49/327
10480-T	65/177
10481-X	60/ 17
10484-J	37/172
10487-W	57/ 23
10488-A	49/328
10488-A	65/178
10490-C	57/ 24
10491-F	33/ 42
10492-J	41/ 73
10492-J	61/ 44
10493-N	35/115
10493-N	38/ 15
10495-W	33/ 48
10495-W	38/ 5
10496-A	35/121
10497-E	33/ 32
10497-E	40/ 60
10497-E	57/ 7
10498-H	35/117
10499-L	32/ 3
10500-K	47/270
10501-P	34/ 85
10503-X	44/162
10505-F	57/ 4
10507-N	42/111
10507-N	62/ 68
10508-S	34/ 90
10508-S	88
10509-W	34/ 87
10510-T	34/ 86
10513-F	57/ 9
10514-J	56/ 37
10514-J	65/163
10515-N	90
10516-S	90
10517-W	42/104
10517-W	61/ 60
10518-A	64/133
10520-C	34/ 68
10520-C	88
10521-F	34/ 67
10522-J	34/ 66
10523-N	39/ 14
10523-N	57/ 2
10523-N	58/ 5
10524-S	36/135
10524-S	38/ 17
10525-W	58/ 16
10526-A	32/ 26
10528-H	32/ 22
10528-H	60/ 30
10529-L	32/ 27
10530-J	32/ 11
10531-N	35/ 96
10532-S	35/ 99
10532-S	63/122
10533-W	34/ 72
10534-A	33/ 35
10534-A	61/ 43
10535-E	33/ 33
10536-H	33/ 37
10536-H	90
10537-L	40/ 42
10537-L	61/ 34
10538-R	55/ 30
10538-R	63/121
10540-S	35/113
10541-W	36/147
10543-E	47/278
10544-H	35/ 94
10545-L	32/ 9
10546-R	33/ 56
10549-D	47/263
10550-A	39/ 10
10550-A	57/ 1
10552-H	35/ 97
10553-L	41/ 81
10554-R	45/207
10557-D	36/151
10557-D	65/174
10558-G	36/152
10558-G	38/ 25
10559-K	37/168
10560-H	48/279
10560-H	59/ 31
10563-V	43/136
10563-V	57/ 11
10564-Y	45/212
10564-Y	58/ 23
10565-D	48/285
10565-D	65/166
10568-P	36/137
10569-T	33/ 38

NTP NUMBER INDEX TO TABLES

NTP NO.	PAGE/SEQ	NTP NO.	PAGE/SEQ	NTP NO.	PAGE/SEQ
10570-R	40/ 36	10641-C	41/ 79	10722-V	65/170
10570-R	61/ 31	10641-C	61/ 47	10722-V	65/171
10572-Y	46/218	10642-F	55/ 19	10723-Y	58/ 24
10572-Y	64/126	10642-F	62/ 87	10729-X	58/ 7
10573-D	48/289	10643-J	34/ 76	10731-Y	35/108
10575-K	39/ 19	10644-N	49/335	10733-G	62/ 81
10576-P	39/ 23	10645-S	35/122	10734-X	43/137
10578-X	40/ 61	10646-W	34/ 91	10734-X	62/ 84
10578-X	61/ 39	10647-A	48/280	10737-X	60/ 1
10579-C	49/310	10647-A	59/ 32	10738-C	48/291
10581-D	45/186	10648-E	36/150	10739-F	49/314
10581-D	63/109	10648-E	38/ 23	10740-D	47/275
10584-P	61/ 54	10649-H	49/326	10740-D	65/161
10586-X	63/ 94	10651-J	47/272	10743-P	34/ 65
10587-C	45/191	10651-J	58/ 30	10744-T	62/ 83
10588-F	42/120	10652-N	36/130	10745-X	57/ 14
10588-F	62/ 75	10653-S	36/131	10745-X	57/ 15
10589-J	48/304	10654-W	44/175	10746-C	35/105
10590-G	47/261	10656-E	42/100	10746-C	64/130
10590-G	58/ 28	10656-E	61/ 56	10747-F	58/ 25
10591-K	39/ 11	10657-H	32/ 24	10748-J	60/ 24
10591-K	60/ 15	10659-R	35/119	10750-K	35/106
10593-T	42/107	10660-N	41/ 78	10751-P	58/ 11
10594-X	42/101	10660-N	61/ 46	10752-T	58/ 12
10594-X	61/ 57	10662-W	58/ 26	10753-X	58/ 14
10595-C	35/102	10663-A	41/ 77	10754-C	58/ 1
10597-J	46/221	10663-A	61/ 45	10755-F	61/ 51
10598-N	65/180	10668-V	42/ 94	10757-N	60/ 10
10599-S	33/ 51	10669-Y	48/290	10758-S	58/ 4
10600-R	43/151	10670-W	41/ 66	10758-S	60/ 9
10600-R	62/ 92	10671-A	35/123	10760-T	62/ 70
10602-Y	34/ 64	10672-E	40/ 58	10761-X	58/ 3
10603-D	34/ 63	10672-E	61/ 38	10761-X	60/ 8
10604-G	46/222	10675-R	34/ 77	10763-F	45/201
10604-G	64/129	10676-V	60/ 7	10764-J	63/103
10605-K	44/181	10680-E	63/120	10766-S	64/144
10606-P	39/ 27	10681-H	90	10768-A	57/ 18
10607-T	41/ 63	10682-L	40/ 47	10770-C	47/260
10608-X	43/146	10683-R	43/153	10770-C	58/ 27
10609-C	32/ 21	10684-V	33/ 40	10772-J	43/131
10610-Y	43/147	10685-Y	46/226	10777-E	42/102
10613-K	35/109	10686-D	43/135	10778-H	40/ 53
10614-P	36/142	10689-P	49/315	10778-H	57/ 6
10615-T	36/141	10692-V	40/ 38	10783-W	48/283
10616-X	37/169	10693-Y	58/ 20	10783-W	59/ 33
10622-P	36/134	10697-P	57/ 10	10788-R	62/ 79
10622-P	38/ 16	10699-X	43/148	10789-V	48/308
10623-T	41/ 83	10699-X	58/ 18	10790-S	47/277
10623-T	61/ 48	10701-A	41/ 88	10790-S	57/ 19
10624-X	42/106	10707-Y	61/ 50	10790-S	57/ 20
10624-X	62/ 62	10708-D	47/249	10791-W	88
10625-C	55/ 6	10710-E	46/219	10791-W	90
10625-C	60/ 29	10710-E	64/128	10793-E	58/ 13
10626-F	36/133	10711-H	56/ 38	10800-C	58/ 22
10627-J	43/138	10711-H	65/168	10801-F	48/288
10627-J	62/ 85	10713-R	39/ 2	10802-J	61/ 35
10629-S	62/ 89	10713-R	60/ 2	10805-W	41/ 71
10630-P	62/ 72	10714-V	57/ 17	10805-W	61/ 41
10631-T	35/103	10715-Y	62/ 78	10805-W	61/ 42
10632-X	49/313	10716-D	58/ 9	10808-H	57/ 16
10632-X	65/176	10717-G	39/ 5	10809-L	64/152
10633-C	63/108	10717-G	60/ 4	10810-J	90
10635-J	60/ 18	10718-K	62/ 80	10822-A	90
10636-N	36/146	10719-P	33/ 34	10823-E	39/ 6
10637-S	37/155	10720-L	49/324	10824-H	39/ 3
10638-W	46/243	10721-R	36/145	10824-H	55/ 1
10638-W	64/143	10721-R	38/ 20	10824-H	60/ 3
10639-A	37/165	10722-V	48/295	10825-L	39/ 1

NTP NUMBER INDEX TO TABLES

NTP NO.	PAGE/SEQ
10826-R	39/ 28
10827-V	32/ 18
10827-V	38/ 1
10828-Y	39/ 24
10829-D	39/ 18
10830-A	39/ 17
10831-E	32/ 5
10832-H	39/ 7
10833-L	88
10834-R	41/ 70
10835-V	41/ 69
10836-Y	41/ 68
10837-D	41/ 65
10838-G	41/ 64
10839-K	41/ 62
10840-H	40/ 57
10841-L	32/ 30
10842-R	40/ 54
10843-V	40/ 52
10845-D	40/ 50
10846-G	32/ 23
10847-K	40/ 44
10848-P	40/ 37
10849-T	40/ 33
10850-R	40/ 32
10851-V	44/170
10852-Y	44/168
10853-D	44/166
10854-G	44/161
10855-K	44/159
10856-P	34/ 75
10857-T	34/ 74
10857-T	38/ 8
10857-T	44/158
10858-X	44/156
10859-C	88
10860-Y	90
10861-D	43/152
10862-G	58/ 17
10863-K	43/143
10864-P	43/134
10865-T	43/133
10868-F	43/130
10869-J	43/127
10869-J	67/ 18
10870-G	43/126
10871-K	42/122
10872-P	33/ 61
10872-P	38/ 7
10873-T	42/119
10874-X	42/118
10875-C	42/115
10876-F	42/114
10877-J	33/ 53
10878-N	33/ 52
10879-S	42/ 98
10880-P	42/ 97
10881-T	42/ 96
10882-X	42/ 93
10882-X	88
10883-C	41/ 92
10883-C	88
10884-F	41/ 91
10885-J	41/ 90
10886-N	88
10887-S	41/ 86
10888-W	41/ 75
10889-A	49/331
10890-X	49/329
10892-F	49/323
10893-J	49/322
10894-N	49/320
10895-S	37/162
10896-W	49/318
10897-A	49/317
10898-E	49/316
10899-H	37/160
10900-G	49/311
10901-K	48/309
10902-P	37/158
10903-T	37/157
10903-T	38/ 27
10904-X	45/215
10905-C	48/306
10906-F	36/153
10906-F	48/302
10907-J	48/301
10908-N	36/148
10908-N	48/297
10909-S	88
10910-P	48/293
10911-T	48/286
10912-X	36/138
10913-C	48/281
10914-F	47/276
10915-J	47/273
10915-J	90
10916-N	45/213
10917-S	88
10918-W	47/269
10919-A	47/268
10920-X	47/267
10921-C	47/265
10922-F	47/253
10923-J	77
10924-N	46/247
10925-S	46/246
10926-W	46/244
10927-A	46/242
10928-E	46/241
10929-H	46/233
10930-F	46/230
10931-J	46/227
10932-N	35/110
10932-N	38/ 14
10933-S	35/107
10934-W	46/223
10935-A	45/216
10936-E	45/209
10937-H	45/202
10938-L	45/198
10939-R	45/194
10940-N	45/193
10942-W	44/185
10943-A	44/183
10944-E	44/182
10945-H	44/176
10946-L	44/173

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federal register

Friday
February 27, 1981

Part III

Department of Labor

Wage and Hour Division, Employment Standards Administration

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

New General Wage Determination Decisions

None.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Alaska: AK80–5130	Sept. 26, 1980.
Arkansas: AR80–4081	Nov. 7, 1980.
Colorado:	
CO80–5137	Oct. 24, 1980.
CO80–5138	Oct. 24, 1980.
CO80–5139	Oct. 24, 1980.
CO80–5140	Oct. 24, 1980.
Illinois, Indiana, Kentucky, Missouri, Ohio & West Virginia: IL80–2018.	Mar. 28, 1980
Oregon: OR80–5145	Nov. 21, 1980.
Virginia: VA78–3037	Oct. 13, 1978.
Washington: WA80–5136	Oct. 17, 1980.
Kentucky: KY80–1109	Oct. 17, 1980.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Connecticut: CT75–2067 (CT81–3014)	Apr. 25, 1975.
Illinois: IL79–2051 (IL81–2003)	June 15, 1979.
Missouri: MO80–4023 (MO81–4013)	Apr. 11, 1980.

Cancellation of General Wage Determination Decisions

None.

Signed at Washington, D.C. this 20th day of February 1981.

Dorothy P. Come,

Assistant Administrator, Wage and Hour Division.

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Modification Page 1

DECISION NO. AK80-5130 Mod. #3 (45 FR 64040 September 26, 1980) Statewide, Alaska	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Elevator Constructors					
Probationary Helper (No Fringes)	$11.22				
Painter					
Area 2 and 3					
Residential Painter	12.21	.90	2.00		.20
Soft Floor Layers					
Area 1					
Zone 1 and 3	20.33	1.35	2.00		.21
Zone 2	21.16	1.35	2.00		.21
DECISION NO. AR80-4081 - MOD. #4 - 45FR7432 - November 7, 1980					
Sebastian, Crawford and Washington Counties, Ark.					
CHANGE:					
Modification #2 issued in Federal Register dated Feb. 13, 1981 to read "Modificaiton #3."					

Modification Page 2

DECISION NO. CO80-5137 - Mod. #3 (45 FR 70577 - Oct. 24, 1980) Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Larimer, Morgan, Park, Summit and Weld Counties, Colorado	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Electricians:					
Remaining Counties:					
Electricians	$14.85	.59	3%+1.25		3/10%
Cable Splicers	15.10	.59	3%+1.25		3/10%
Glaziers	14.25	.65	.80	b	
ADD:					
FOOTNOTE:					
b. 15 days paid vacation after 1600 hours.					
DECISION NO. CO80-5138-Mod. #5 (45 FR 70682 - Oct. 24, 1980) El Paso County, Colorado					
CHANGE:					
Glaziers	14.25	.65	80	b	
Lathers	12.64				.01
ADD:					
Footnote:					
b. 15 days paid vacation after 1600 hours.					

Modification Page 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. CO80-5139 - Mod. #3 (45 FR 70686 - October 24, 1980) Delta, Garfield, Gunnison, Mesa, Montrose and Pitkin Counties, Colorado					
CHANGE:					
Glaziers	14.25	.65	.80	b	
Marble and Tile Setters; Terrazzo Workers	14.14	1.20	1.30		.04
Tile, Marble and Terrazzo Finishers:					
Finishers	9.55	1.10	1.15	.50	
Floor Grinders	9.70	1.10	1.15	.50	
Base Grinders	10.25	1.10	1.15	.50	
ADD:					
FOOTNOTE:					
b. 15 days paid vacation after 1600 hours.					
DECISION NO. CO80-5140 - Mod.#3. (45 FR 70691 - October 24, 1980) Las Animas, Otero and Pueblo Counties, Colorado					
CHANGE:					
Glaziers	14.25	.65	.80	b	
OMIT:					
Soft Floor Layers as originally issued.					
ADD:					
Soft floor layers	12.39	.80	1.05	.75	.10
FOOTNOTE:					
b. 15 days paid vacation after 1600 hours.					

Modification Page 4

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. IL80-2018 - MOD. #1 (45 FR 20650 - March 28, 1980) Illinois, Indiana, Kentucky, Missouri, Ohio & West Virginia					
Change:					
Area I					
Within the geographical jurisdiction of the St. Paul District, Corps of Engineers					
Levermen, Engineer, Mechanic and Boatman	$ 12.86	1.20	1.20		
Oiler	10.64	1.20	1.20		
Area II					
Within the geographical jurisdiction of the Rock Island District, Corps of Engineers					
Levermen, Engineer, Mechanic, and Boatman	12.86	1.20	1.20		
Oiler	10.64	1.20	1.20		
AREA III					
Within the geographical jurisdiction of the Chicago District, Corps of Engineers					
Levermen, Engineer, Mechanic, and Boatman	12.86	1.20	1.20		
Oiler	10.64	1.20	1.20		

DECISION NO. OR80-5145 - Mod #3 (45 FR 77321 - Nov. 21, 1980) Statewide Oregon	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BRICKLAYERS; STONEMASONS:					
Area 1	$16.31	.95	1.00		.12
LATHERS:					
Area 1	14.42	1.05	1.75		.06
DECISION NO. VA78-3073 - MOD. #9 (43 FR 47445 - October 13, 1978) Radford Army Ammunition Plant, Virginia					
CHANGE:					
SHEET METAL WORKERS	$11.25	.40	.72		.07
DECISION NO. WA80-5136 - Mod #6 (45 FR 69151 - Oct. 17, 1980) Statewide Washington					
CHANGE:					
BRICKLAYERS; MARBLE SETTERS:					
Area 5	$16.31	1.05	1.40		.22
CEMENT MASONS:					
Area 2:					
Cement Masons	15.08	.95	1.50		.10
Composition, Color, Mastic, Trowel Machine, Grinder, Power Tool, Gunnite Nozzleman	15.33	.95	1.50		.10
LATHERS:					
Area 3	14.42	1.05	1.75		.06
SOFT FLOOR LAYERS:					
Area 5	14.08	.63	1.25		1%

DECISION NO. KY80-1108 - Mod. #1
45FR69148 dated October 17, 1980

Boone, Campbell, Kenton, & Pendleton Counties, Kentucky	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE					
Master Mechanic	$14.19	1.11	1.25		.11
Class A	13.94	1.11	1.25		.11
Class B	13.82	1.11	1.25		.11
Class C	12.78	1.11	1.25		.11
Class D	12.35	1.11	1.25		.11
Class E	9.49	1.11	1.25		.11

SUPERSEDEAS DECISION

STATE: CONNECTICUT COUNTY: HARTFORD
DECISION NO. CT81-3014 DATE: DATE OF PUBLICATION
Supersedes Decision No. CT75-2067 dated April 25, 1975 in 40 FR 18304
DESCRIPTION OF WORK: Residential Construction (consisting of single family homes and apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS AND CEMENT MASONS	11.05	.75	.75		
CARPENTERS	7.84				
ELECTRICIANS	8.04				
GLAZIERS	8.00				
LABORERS	6.07				
PAINTERS	9.60				
PLUMBERS	8.67				
ROOFERS	6.15				
SHEET METAL WORKERS	8.44				
TAPERS	9.00				
TILE SETTERS	7.54				
TRUCK DRIVER: 3 axle	7.00				
POWER EQUIPMENT OPERATOR: Crane	8.86	.30	.65	a	

FOOTNOTE:
a. Seven Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and Good Friday

SUPERSEDEAS DECISION

STATE: Illinois COUNTY: Cook
DECISION NUMBER: IL81-2003 DATE: Date of Publication
Supersedes Decision No.: IL79-2051, dated June 15, 1979, in 44 FR 34737
DESCRIPTION OF WORK: Building (including Residential), Heavy and Highway Construction Projects

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$16.00	$1.095	$1.395		.05
BOILERMAKERS	15.30	1.675	1.50	5%	.08
BRICKLAYERS:					
Bricklayers; Stonemasons	14.40	1.10	1.10		.08
Caulkers; Cleaners; and Pointers	14.10	1.65	1.05		
CARPENTERS:					
Building, Heavy & Highway: Carpenters; Millwrights; Piledrivermen; and Soft Floor Layers	14.00	1.23	1.08		.10
CEMENT MASONS:					
Building	12.35	1.35	1.25		.05
Heavy and Highway	12.35	1.35	1.25		.05
ELECTRICIANS	13.15	7.20%	13.28%	.80	.76%
ELEVATOR CONSTRUCTORS:					
Constructors	15.67	1.195	.82	a+b	.035
Helpers	70%JR	1.195	.82	a+b	.035
Helpers (Prob.)	50%JR				
GLAZIERS	11.89	.48	.89		.01
IRONWORKERS:					
Structural and Reinforcing	15.30	1.24	1.22		.10
Ornamental	13.00	.75	1.105		.10
Riggers and Machinery Movers	9.80	.75	1.725	1.30	.15
Metal Pence Erector	10,52	.85	1.105		.10
LATHERS	13.82	.605	.645		.04
LINE CONSTRUCTION:					
Linemen; Equipment Operators	15.25	4.4%	6.50%	6.2%	.25%
MARBLE SETTERS	15.86	.90			
PAINTERS:					
Brush, Decorators, Paperhangers and Tapers	11.50	.575	.75		.013
PIPEFITTERS	15.75	.97	1.50		.05
PLASTERERS	12.87	.875	1.07		.07
PLUMBERS	15.20	.80	1.00		.07

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS	$14.50	$1.45	$1.06		.04
SHEET METAL WORKERS	12.95	.90	.73	.50	.07
SPRINKLER FITTERS	13.75	1.15	1.05		.15
SURVEY CREW:					
Layout Technician	14.40	.90	.40		
Instrument Man	11.88	.90	.40		
Rodman	9.85	.90	.40		
TILE SETTERS	13.65	.81	1.07		
TILE SETTERS' FINISHERS	11.15	.71	.62		
TRUCK DRIVERS:					
Building and Residential:					
2-3 Axle Trucks	11.75	29.00c	33.00c		
4 Axle Trucks	12.00	29.00c	33.00c		
5 Axle Trucks	12.20	29.00c	33.00c		
6 Axle Trucks	12.40	29.00c	33.00c		
Heavy and Highway:					
2-3 Axle Trucks	11.75	.95	1.00		
4 Axle Trucks	12.00	.95	1.00		
5 Axle Trucks	12.20	.95	1.00		
6 Axle Trucks	12.40	.95	1.00		

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Day after Thanksgiving Day; G-Christmas Day

FOOTNOTES:
a. 7 Paid Holidays - A through G
b. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years
c. Per week per employee

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
Common; Plasterer Tenders; Pumps for DeWatering and other Unclassified Laborers	$11.10	.57	$1.30		
Cement Gun Laborers	11.175	.57	1.30		
Scaffold Laborers and Chimney Laborers over 40'	11.20	.57	1.30		
Windlass and Cement Gun Nozzle Laborers - Gunnite	11.25	.57	1.30		
Stone Handlers and Derrickmen	11.30	.57	1.30		
Jackhammermen	11.325	.57	1.30		
Concrete Vibrator; Plumbers' Tenders; and Chain Saw Operator	11.35	.57	1.30		
Firebrick and Boiler Setters' Tenders	11.425	.57	1.30		
Chimney Tenders on Firebrick; Caisson Diggers and Well Point System Men	11.45	.57	1.30		
Boiler Setter Plastic Tenders	11.55	.57	1.30		
Jackhammer on Firebrick ONLY	11.675	.57	1.30		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
WRECKING LABORERS:					
General Laborers	$ 9.37	.57	$1.20		
Wallmen, Wreckers, Burners, and Hammermen	10.02	.57	1.20		
Smokestack or High Man	10.37	.57	1.20		
LANDSCAPE WORK: Building, Residential, and Heavy Construction:					
Arborist	6.50	.25		.26	
Landscape Laborer	5.87				
Landscape Plantsman I & II	6.18				
Highway Construction:					
Landscape Plantsmen	7.48			e+f	
Truck Driver - Tractor Trailer (3 axle or more) and Equipment Operator	7.96			e+f	
Truck Driver - 2 axle	7.54			e+f	

FOOTNOTES:
e. Six Paid Holidays; New Year's Day; Memorial Day July Fourth; Labor Day; Thanksgiving Day; Christmas Day
f. 1 year's service - 1 week's Paid Vacation; 3 or more years' service - 2 weeks' Paid Vacation

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: Building and Residential Construction:					
Class 1	$13.95	$1.20	$1.20	.70	.05
Class 2	12.65	1.20	1.20	.70	.05
Class 3	11.50	1.20	1.20	.70	.05
Class 4	10.25	1.20	1.20	.70	.05

Class 1: Mechanic; Asphalt Plant; Asphalt Spreader; Autograde; Batch Plant; Benoto (requires 2 Engineers); Boiler and Throttle Valve; Caisson Rigs; Central Redi-mix Plant; Combination Back Hoe Front EndLoader Machine; Compressor and Throttle Valve; Concrete Breaker (truck mounted); Concrete Conveyor; Concrete Paver 27E cu. ft.; Concrete Placer; Concrete Tower; Cranes (all); Cranes, Hammerhead; Derricks (all); Derricks, traveling; Grader; Elevating Grouting Machines; Highlift Shovels or Front Endloader 2½ yd. and over; Hoists, 1, 2 and 3 drum; Hoists, 2 tuggers one floor; Hydraulic Boom Trucks; Locomotives (all); Motor Patrol; Piledrivers and Skid Rig; Post Hole Digger; Pre-stress Machine; Pump Cretes: Squeeze Cretes, Screw type Pumps; Gypsum Bulker and Pump; Rock Drill (self-propelled); Rock Drill (truck mounted); Scoops, tractor drawn; Slip Form Paver; Straddle Buggies; Tournapull; Tractor w/boom and side boom; Trenching Machines

Class 2: Boilers, Bulldozers, Broom, all power propelled; Concrete Mixer (2 bag and over); Conveyor, portable; Forklift Trucks; Greaser Engineer; Highlift Shovels or Front Endloaders under 2½ yd.; Hoists, automatic; Hoists, all elevators; Hoists, Tugger, single drum; Rollers (all); Steam Generators; Stone Crushers; Tractors (all); Winch Trucks with "A" Frame

Class 3: Air Compressor, small 125 and under (1 to 5 not to exceed a total of 300 ft.); Air Compressor, large over 125 combination, small equipment Operator; Generators, small 50KW and under; Generators, large over 50 KW; Heaters, mechanical; Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.); Pumps, well points; Welding Machines (2 through 5); Winches, 4 small electric drill; Winches

Class 4: Oilers

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: Sewer, Heavy and Highway Construction:					
Class 1	$13.60	$1.20	$1.20	.70	.05
Class 2	13.05	1.20	1.20	.70	.05
Class 3	12.30	1.20	1.20	.70	.05
Class 4	11.20	1.20	1.20	.70	.05
Class 5	10.20	1.20	1.20	.70	.05

Class 1: Asphalt Plant; Asphalt Heater and Planer Combination; Asphalt Spreader; Autograde; Belt Loader; Caisson Rigs; Central Redimix Plant; Concrete Breaker (truck mounted); Concrete Conveyor; Concrete Paver over 27E cu. ft.; Concrete Placer; Concrete Tube Float; Cranes, all attachments; Cranes, Linden, Peco and Machines of a like nature; Derricks, traveling; Dredges; Euclid Loader; Elevating type Gradall and Mechanics of a like nature; Derricks; All Derrick Boats; Derricks, traveling; Dredges; Euclid Loader; Elevating type Gradall and Mechanics of a like nature, 1 cu. yd. and over; Mucking Machine, under 1 cu. yd.; Piledrivers and Skid Rig; Pre-stress Machine; Pump Cretes, Dual Ram (requiring frequent lubrication and water); Rock Drill, Crane type; Slip Form Paver; Straddle Buggies; Tractor w/boom; Tractaire w/attachments; Trenching Machine; Underground Boring and/or Mining Machine, under 5 ft.; Wheel Excavator Widener (Apsco)

Class 2: Mechanic-welder; Batch Plant; Bituminous Mixer; Bulldozer; Combination Backhoe Front End Loader Machine; Concrete Breaker of Hydro-hammer; Concrete Grinding Machine; Concrete Mixer or Paver, 7S Series to and including 27 cu. ft.; Concrete Spreader; Concrete Curing Machine; Burlap Machine; Belting Machine and Sealing Machine; Finishing Machine; Concrete Grader; Motor Patrol; Auto Patrol; Form Grader; Pull Grader; Subgrader; Highlift Shovels or Front End Loader; Hydraulic Boom Trucks (all attachments); Locomotives, Dinky; Pump Cretes: Squeeze Cretes, Screw type Pumps; Cypsum Bulker and Pump; Rock Drill (self-propelled); Roto-tiller; Seaman, etc.; Self-propelled Scoops; Tractor drawn, self-propelled Compactor, Spreader, Chipstone, etc.; Scraper; Tank Car Heater; Tractor, push, pulling Sheeps Foot, disc.; Compactor, etc.; Tug Boats

POWER EQUIPMENT OPERATORS (Cont'd)
Sewer, Heavy and Highway construction (Cont'd)

Class 3: Boilers; Boiler and Throttle Valve; Brooms, all power propelled; Cement Supply Tender; Compressor Throttle Valve; Concrete Mixer (2 bags and over); Conveyor, portable; Fireman on Boiler; Forklift Trucks; Greaser Engineer; Grouting Machine Hoists; Automatic Hoists; All Elevator Hoists; Tugger, single drum; Jeep Diggers; Pipe Power Saw, Concrete; Power-driven Pug Mills; Rollers, all; Steam Generators; Stone Crushers; Stump Machine; Winch Truck with "A" Frame; Work Boats; Tamper; Form Motor driven

Class 4: Air Compressors, all; Generators; Heaters; Mechanical Light Plants, all (1 through 5); Pumps, all; Pumps, well points; Tractaire; Welding Machines (2 through 6)

Class 5: Oilers

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: MISSOURI COUNTY: STATEWIDE
DECISION NO.: MO81-4013 DATE: DATE OF PUBLICATION
Supersedes Decision No. MO80-4023 dated April 11, 1980 in 45 FR 24997
DESCRIPTION OF WORK: Heavy and Highway Construction Projects

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS & PILEDRIVERMEN:					
Zone 1	12.56	.90	.95	.50	.03
Zone 1A	12.16	.90	.95	.50	.03
Zone 2	12.01	.90	.95	.50	.03
Zone 3	13.00	.60	.50		.03
Zone 4	12.40	.60	.50		.03
Zone 5	11.15	.90	.95	.50	.03
Zone 6	12.82	.43	.25		.03
Zone 7	12.97	.53			.03
Zone 7A	12.67	.53	.30		.03
Zone 8	12.20	.65		.25	.10
ZOne 9	12.80	.60	.50		.07
Zone 10	13.16	.90	.95		.18

AREAS COVERED BY CARPENTERS & PILEDRIVERMEN ZONES

Zone 1 - Franklin, Jefferson, St. Charles, Counties
Zone 1A - Lincoln, Warren Counties
Zone 2 - Pike, ST. Francois & Washington Counties
Zone 3 - Cass and Lafayette Counties
Zone 4 - Atchison, Andrew, Barry, Barton, Bates, Buchanan, Caldwell, Camden, Carroll, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Jasper, Johnson, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Ozark, Polk, St. Clair, Saline, Stone, Taney, Vernon, Webster, Worth & Wright Counties
Zone 5 - Crawford, Dent, Gasconade, Iron, Madison, Maries, Montgomery, Phelps, Pulaski, Reynolds, Shannon & Texas Counties
Zone 6 - Boone, Cooper & Howard Counties
Zone 7 - Adair, Audrain, Benton, Chariton, Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Morgan, Pettis, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties
Zone 7A - Callaway, Cole, Miller, Moniteau and Osage Counties
Zone 8 - Bolllinger, Butler, Cape Girardeau, Carter, Dunklin, Howell, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Ste. Genevieve, Scott, Stoddard and Wayne Counties
Zone 9 - Clay, Jackson, Platte and Ray Counties
Zone 10 - St. Louis County & City

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS					
Zone 1	12.675	.80	.70		
Zone 2	10.93				
Zone 3	13.17	.80	.70		
Zone 4	7.50	.85	.50	.55	
Zone 5	10.75				
Zone 6	11.68				
Zone 7	12.30				
Zone 8	7.40				
ZOne 9	12.15	.80	.70		
Zone 10	12.30				

AREAS COVERED BY CEMENT MASONS ZONES

Zone 1 - Bates, Carroll, Cass and Lafayette Counties
Zone 2 - Dent, Phelps, Pike, Pulaski and Texas Counties
Zone 3 - Clay, Jackson, Platte and Ray Counties
Zone 4 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Scott, Stoddard and Wayne Counties
Zone 5 - Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Ozark, Polk, Stone, Taney, Webster & Wright Counties
Zone 6 - Benton, Henry, Hickory, Johnson, Morgan, Pettis, Saline and St. Clair Counties
Zone 7 - Adair, Audrain, Boone, Chariton, Cooper, Howard, Linn, Macon, Moniteau, Monroe, Randolph, Shelby, Schuyler, Sullivan, and Putnam Counties
Zone 8 - Barry, Barton, Jasper, Lawrence, McDonald, Newton and Vernon Counties
Zone 9 - Andrew, Atchinson, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway and Worth Counties
Zone 10 - Callaway, Camden, Cole, Gasconade, Maries, Miller, Montgomery and Osage Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:					
Zone 1					
Electrical contract over $15,000.00	12.30	.54	3%	11.5%	½%
Electrical contracts $15,000.00 & under	10.49	.54	3%	11.5%	½%
Zone 2	14.68	.69	3%+.90	7%	.12
Zone 3					
Electrical contracts not to exceed 2000 man hours	13.68	.69	3%+.90	7%	.12
Electrical contract 2000 man hours and over	14.68	.69	3%+.90	7%	.12
Zone 4					
Electrical contracts not to exceed 2000 man hours	13.68	.69	3%+.90	7%	.12
Electrical contracts 2000 man hours and over	14.68	.69	3%+.90	7%	.12
Zone 5					
Electrical contract not to exceed 2000 man hours	13.08	.69	3%+.90	7%	.12
Electrical contracts 2000 man hours and over	14.68	.69	3%+.90	7%	.12
Zone 6	13.40	.83	3%+5½%	15½%	.12
Zone 7					
Electrical contracts over $15,000.00	13.40	.83	3%+5½%	15½%	.10
Zone 8					
Electrical contract $15,000.00 and under	12.54	.83	3%+5½%	15½%	.10
Zone 9					
Electrical contract $15,000.00 and under	9.69	.83	3%+5½%	15½%	.10
Zone 10					
Electrical contract $15,000.00 and under	6.85	.83	3%+5½%	15½%	.10

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS CONT'D:					
Zone 11	13.40	.47	3%+1.00	6%	.02
Zone 12	13.89	.47	3%+1.00	6%	.02
Zone 13	13.11	.60	3%+.50	7%	.01
Zone 14					
Electricians	11.56	.65	3%+.75	5%	.01
Cable Splicers	11.91	.65	3%+.75	5%	.01
Zone 15					
Electricians	13.00	.47	3%+.50	7%+.30	.01
Cable Splicers	13.25	.47	3%+.50	7%+.30	.01

AREAS COVERED BY ELECTRICIANS ZONES

Zone 1 - Adair, Audrain (that part of east of Highway 19), Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Montgomery, Pike, Putnam, Ralls, Schuyler, Scotland, Shelby and Sullivan Cos.
Electrical contracts over $15,000.00
Electrical contracts $15,000.00 and under

Zone 2 - Area bounded on the North by State Highway 92 in Platte & Clay Counties; east by a straight line from Intersection of State Highway 92 & 33 in Clay County Intersection of U. S. Highway 24 & State Highway 7 in Jackson County; south on Highway 7 to Pleasant Hill; South from Pleasant Hill due West to the Missouri-Kansas State Line; West by the Missouri-Kansas State Line. Towns of Pleasant Hill & Blue Springs are excluded

Zone 3 - Portion of Cass, Clay, Jackson and Platte Counties not included in Zone 2

Zone 4 - Bates, Benton, Henry, Johnson, Lafayette and Pettis Cos.

Zone 5 - Carroll, Cooper, Morgan, Ray and Saline Counties

Zone 6 - St. Charles County, St. Louis County and City

Zone 7 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Franklin, Iron, Jefferson, Lincoln, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, St. Francois, Ste. Genevieve, Stoddard, Warren, Washington, and Wayne Cos.:
Electrical contract over $15,000.00

DECISION NO. MO81-4013

ELECTRICIANS (CONT'D)

Zone 8 - Franklin, Jefferson, Lincoln, and Warren Counties.
Electrical contracts $15,000.00 and under
Zone 9 - Bollinger, Cape Girardeau, Perry, Scott, St. Francois, and Ste. Genevieve Counties:
Electrical contracts $15,000.00 and under
Zone 10 - Butler, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Pemiscot, Ripley, Reynolds, Stoddard, Washington, and Wayne Counties:
Electrical contracts $15,000.00 and under
Zone 11 - Christian, Dallas, Douglas, Greene, Hickory, Howell, Laclede, Oregon, Ozark, Polk, Shannon, Stone, Teney, Texas, Webster, and Wright Counties
Zone 12 - Pulaski County
Zone 13 - Andrew, Buchanan, Clinton, and DeKalb Counties
Zone 14 - Barry, Barton, Caldwell, Cedar, Dade, Daviess, Gentry, Holt, Jasper, McDonald, Newton, Nodaway, St. Clair, Vernon, and Lawrence Counties
Zone 15 - Atchinson, Audrain (except Cuivre Township), Boone, Callaway, Camden, Chariton, Cole, Crawford, Dent, Gasconade, Grundy, Harrison, Howard, Livingston, Maries, Mercer, Miller, Moniteau, Osage, Phelps, Randolph and Worth Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS:					
Zone 1	13.475	.65	1.05		
Zone 2	12.35	.80	1.50	1.00	.05
Zone 3	12.235	.80	1.50	1.00	.05
Zone 4	12.10	.75	.85		.12
Zone 5	12.40	.55	.90		
Zone 6	11.55	.60	1.05		.06
Zone 7	12.45	.55	.95		.05

AREAS COVERED BY IRONWORKERS ZONES

Zone 1 - Audrain, Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Iron, Jefferson, Lincoln, Madison, Maries, Miller, Montgomery, Osage, Perry, Phelps, Pike, Pulaski, Reynolds, Shannon, St. Charles, St. Francois, St. Louis & City, Ste. Genevieve, Texas, Warren, Washington, and Wright Cos.
Zone 2 - Andrew, Atchison, Barton, Bates, Benton, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Chariton, Clay, Clinton, Cooper, Dallas, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Johnson, Laclede, Lafayette, Linn, Livingston, Mercer, Moniteau, Morgan, Nodaway, Pettis, Platte, Polk, Putnam, Randolph, Ray, St. Clair, Saline, Sullivan, Vernon and Worth Cos.
Zone 3 - Christian, Dade, Douglas, Greene and Webster Cos.
Zone 4 - Barry, Jasper, Lawrence, McDonald, Newton and Stone Cos.
Zone 5 - Adair, Clark, Knox, Lewis, Macon, Marion, Monroe, Ralls, Schuyler, Scotland and Shelby Cos.
Zone 6 - Howell, Oregon, Ozark and Taney Cos.
Zone 7 - Butler, Bollinger, Carter, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, Stoddard and Wayne Counties.

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
GROUP 1					
Zone 1	10.09	.60	.60	.75	.10
Zone 2	8.69	.60	.60	.75	.10
Zone 3:					
(a)	11.40	.60	.50		.10
(b)	11.20	.60	.70		.10
Zone 4:					
(a)	10.50	.60	.50		.10
(b)	10.30	.60	.70		.10
GROUP 2					
Zone 1	10.24	.60	.60	.75	.10
Zone 2	8.84	.60	.60	.75	.10
Zone 3					
(a)	11.90	.60	.50		.10
(b)	11.70	.60	.70		.10
Zone 4					
(a)	11.00	.60	.50		.10
(b)	10.80	.60	.70		.10
GROUP 3					
Zone 1	10.39	.60	.60	.75	.10
Zone 2	8.99	.60	.60	.75	.10
Zone 3					
(a)	12.15	.60	.50		.10
(b)	11.95	.60	.70		.10
Zone 4					
(a)	11.25	.60	.50		.10
(b)	11.05	.60	.70		.10
GROUP 4					
Zone 1	10.59	.60	.60	.75	.10
Zone 2	9.19	.60	.60	.75	.10
GROUP 5					
Zone 1	10.84	.60	.60	.75	.10
Zone 2	9.44	.60	.60	.75	.10

DECISION NO. MO81-4013

LABORERS CLASSIFICATION DEFINITIONS ZONES 1 AND 2

GROUP 1 - General Laborers - Carpenter tenders; salamander tenders; dump man and ticket takers on stock piles; flagmen; loading trucks under bins, hoppers, and conveyors; track men and all other general laborers

GROUP 2 - First Semi-skill - Air tool operator; cement handler, bulk or sack; dump man on earth fill; georgie buggie man; material batch hopper man; spreader on asphalt machine; material mixer man (except on manholes); coffer dams; riprap pavers - rock, block or brick; signal man; scaffolds over ten feet not self-supported from ground up; skipman on concrete paving; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile and duct lines and all other pipe lines, power tool operator, all work in connection with hydraulic or general dredging operations; puddlers (paving only); straw blower nozzleman

GROUP 3 - Second Semi-skill - Asphalt plant platform man; chuck tender; crusher feeder; men handling creosote ties or creosote materials; men working with and handling epoxy material or materials (where special protection is required); head pipe layer on sewer work; topper of standing trees; batter board man on pipe and ditch work; vibrator man; feeder man on wood pulverizers; board and willow mat weavers and cable tiers on river work; deck hands; pile dike and revetment work; all laborers working on underground tunnels less than 25 feet where compressed air is not used; abutment and pier hole men working six (6) feet or more below ground; men working in coffer dams for bridge piers and footings in the river

GROUP 4 - Third Semi-skill - Laser beam man; asphalt raker; barco tamper; jackson or any other similar tamp; wagon driller; churn drills, air track drills and all other similar drills; cutting torch man; form setters; liners and stringline men on concrete paving, curb, gutters, ditch liners, hot mastic kettleman, hot tar applicator, hand blade operators, and mortar men on brick or block manholes; sand blasting and gunite nozzle men; rubbing concrete; air tool operator in tunnels; caulker and lead man; screed man on asphalt machine, chain or concrete saw; cliff scalers working from scaffolds, bosuns' chairs or platforms on dams or power plants over ten (10) feet above ground; grade checker on cuts and fills string line man for electronic grade control; pressure groutmen

GROUP 5 - Fourth Semi-skill - Manhole builders, - brick or block dynamite and powder men; welder

DECISION NO. MO81-4013

LABORERS CLASSIFICATION DEFINITIONS ZONES 3 and 4

GROUP 1 - General Labor-Carpenter tenders; salamander tenders; dump man; ticket takers; loading trucks under bins, hoppers, and conveyors; track men; cement handler; dump man on earth fill; georgie buggie man; material batch hopper man; spreader on asphalt machine; material mixer man (except on manholes); coffer dams; riprap pavers-rock, block or brick; signal man; scaffolds over ten feet not self-supported from ground up; skipman on concrete paving; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile and duct lines and all other pipe lines; power tool operator; all work in connection with hydraulic or general dredging operations; form setters, puddlers (paving only); straw blower nozzleman; asphalt plant platform man; chuck tender; crusher feeder; men handling creosote ties or creosote materials; men working with and handling epoxy material; topper of standing trees; feeder man on wood pulverizers, board and willow mat weavers and cable tiers on river work; deck hands; pile dike and revetment work; all laborers working on underground tunnels less than 25 ft. where compressed air is not used; abutment and pier hole men working six (6) ft. or more below ground; men working in coffer dams for bridge piers and footings in the river; barco tamper; jackson or any other similar tamp; cutting torch man; liners, curb, gutters, ditch liners; hot mastic kettleman; hot tar applicator; hand blade operator; mortar men on brick or block manholes; rubbing concrete, air tool operator under 65 lbs.; caulker and lead man; chain or concrete saw under 15 h.p.

GROUP 2 - First Semi-Skill-Vibrator man; asphalt raker; head pipe layer on sewer work; batterboard man on pipe and ditch work; cliff scalers working from bosun's chairs; scaffolds or platforms on dams or power plants over 10 ft. high; air tool operator over 65 lbs.; stringline man on concrete paving; sand blast man

GROUP 3 - Second Semi-Skill-Laser beam man; wagon drill; churn drill; air track drill and all other similar type drills, gunite nozzle man; pressure grout man; screed man on asphalt; concrete saw 15 h.p. and over; grade checker; stringline man on electronic grade control; manhole builder; dynamite man; powder man; welder; tunnel man

DECISION NO. MO81-4013

AREA COVERED BY LABORERS

Zone 1 - Buchanan, Cass and Lafayette Counties

Zone 2 - Andrew, Atchison, Barry, Barton, Bates, Benton, Caldwell, Camden, Carroll, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Greene, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Jasper, Johnson, Laclede, Lawrence, Livingston, McDonald, Mercer, Morgan, Newton, Nodaway, Ozark, Pettis, Polk, St. Clair, Saline, Stone, Taney, Vernon, Webster, Wright and Worth Counties.

Zone 3 :

a - Franklin and Jefferson Counties

b - St. Charles County

Zone 4

a - Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Chariton, Clark, Cole, Cooper, Crawford, Dent, Dunklin, Gasconade, Howard, Howell, Iron, Knox, Lewis, Linn, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, New Madrid, Oregon, Osage, Pemiscot, Perry Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Sullivan, Texas, Washington and Wayne Counties

b - Lincoln, Montgomery and Warren Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
ZONE 5					
Group 1	10.50	.60	.60	1.00	.10
Group 2	10.65	.60	.60	1.00	.10
Group 3	10.80	.60	.60	1.00	.10
Group 4	11.00	.60	.60	1.00	.10
Group 5	11.30	.60	.60	1.00	.10

CLASSIFICATION DEFINITIONS

Group 1 - General laborer - Carpenter tenders, salamander tenders; dump man, & ticket takers on stock piles; flagmen; loading trucks under bins, hoppers and conveyors; track men and all other general laborers

Group 2 - First Semi-skill - Air tool operator; cement handler (bulk or sack); chain or concrete saw; deck hands; dump man on earth fill; grade checkers on cuts and fills; georgie buggies man; material batch hopper man; scale man; material mixer man (except on manholes, coffer dams, abutments and pier hole men working below ground); riprap pavers rock, block or brick; signal man; scaffolds over 10 ft. not self-supported from ground up; skipman on concrete paving; vibrator man; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; power tool operator; all work in connection with hydraulic or general dredging operations; poddlers (paving only)

Group 3 - Second Semi-skill - Crusher feeder; men handling creosote ties or creosote materials; men working with and handling epoxy material or materials (where special protection is required); head pipe layer on sewer work; topper of standing trees; batter board man on pipe & ditch work; feeder man on wood pulverizers; board and willow mat weavers and cable tiers on river work; all laborers working on underground tunnels where compressed air is not used

DECISION NO. MO81-4013

CLASSIFICATION DEFINITIONS CONT'D

Group 4 - Third Semi-skill - Spreader or screed man on asphalt machine; asphalt raker; laser beam man; barco tamper; jackson or any other similar tamp; wagon driller, churn drills, air track drills and all other similar drills; cutting torch man; form setter; liners and stringline men on concrete paving, curb, gutters and etc.; hot mastic kettleman; hot tar applicator; hand blade operators; and mortar men on brick or block manholes; sand blasting and gunnite nozzlemen; rubbing concrete; air tool operator in tunnels

Group 5 - Fourth Semi-skill - Manhole builder (brick or block); dynamite and powder men

AREA COVERED BY LABORERS

ZONE 5 - Clay, Jackson, Platte and Ray Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS					
ZONE 6 - St. Louis City and County:					
General laborer	11.825	.65	1.05		.04
Dynamiter or powderman	12.325	.65	1.05		.04
Pier hole	10.825	.45	1.00		
LINE CONSTRUCTION:					
ZONE 1					
Lineman	15.75	.45	3%+.25		½%
Lineman operator	14.66	.45	3%+.25		½%
Groundman powderman	10.93	.45	3%+.25		½%
Groundman	10.38	.45	3%+.25		½%
ZONE 2					
Lineman	15.05	.45	3%+.25		½%
Lineman operator	14.34	.45	3%+.25		½%
Groundman powderman	10.43	.45	3%+.25		½%
Groundman	9.63	.45	3%+.25		½%
ZONE 3					
Lineman & cable splicers	13.78	.50	7%	12½%	½%
Groundman - winch driver	10.11	.50	7%	12½%	½%
Groundman - driver	9.75	.50	7%	12½%	½%
Equipment operator	12.32	.50	7%	12½%	½%
Groundman	9.75	.50	7%	12½%	½%
ZONE 4					
Lineman	14.10	.45	3%+8%		½%
Groundman equipment op.	12.51	.45	3%+8%		½%
Groundman - Class A	8.87	.45	3%+8%		½%
ZONE 5 - Railroad and Cross County Transmission Lines:					
Lineman	13.34	.45	3%+.25		½%
Lineman operator	12.34	.45	3%+.25		½%
Groundman powderman	9.17	.45	3%+.25		½%
Groundman	8.56	.45	3%+.25		½%
Pole treating specialist	14.00	.45	3%+.25		½%
Pole treating truck driver	9.17	.45	3%+.25		½%
Pole treating groundman	8.56	.45	3%+.25		½%

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION:					
ZONE 6 - Telephone and Telegraph Railroad Communications and C.A.T.V. Work:					
Cable splicer, air pressure technician, central office equipment man, & key system installer	10.16	.50	3%	5%	½%
Telephone lineman, installer, CATV terminator, & equipment operator (D-4 or larger crawler, wheel trencher quarter yard backhoe or larger)	9.73	.50	3%	5%	½%
Equipment operator (all other small equipment)	8.50	.50	3%	5%	½%
Groundman-winch driver	7.61	.50	3%	5%	½%
Groundman	6.67	.50	3%	5%	½%

AREA COVERED BY LINE CONSTRUCTION

ZONE 1 - Bates, Benton, Carroll, Cass, Clay, Henry, Johnson, Jackson, Lafayette, Pettis, Platte, Ray and Saline Counties
ZONE 2 - Andrew, Atchinson, Barry, Barton, Buchanan, Caldwell, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Hickory, Holt, Jasper, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Ozark, Polk, St. Clair, Stone, Taney, Vernon, Webster, Worth and Wright Counties

DECISION NO. MO81-4013

AREA COVERED BY LINE CONSTRUCTION CONT'D

ZONE 3 - Crawford, Franklin, Iron, Jefferson, Reynolds, St. Charles, St. Francois, St. Louis, Washington, Adair, Audrain, Boone, Callaway, Camden, Carter, Chariton, Clark, Cole, Cooper, Dent, Gasconade, Howard, Howell, Knox, Lewis, Lincoln, Linn, Macon, Maries, Marion, Miller, Moniteau, Monroe, Montgomery, Morgan, Oregon, Osage, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Ripley, Ste. Genevieve, Schuyler, Scotland, Shannon, Shelby, Sullivan, Texas and Warren Counties

ZONE 4 - Boillinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Scott, Stoddard, and Wayne Counties

ZONE 5 - Atchison, Nodaway, Worth, Harrison, Mercer, Holt, Andrew, Dekalb, Davies, Grundy, Buchanan, Clinton, Caldwell, Livingston, Platte, Clay, Ray, Carroll, Jackshon, Lafayette, Saline, Cass, Johnson, Pettis, Bates, Henry, Vernon, Benton, St. Clair, Hickory, Barton, Cedar, Polk, Dallas, Laclede, Jasper, Dade, Lawrence, Greene, Webster, Wright, Newton, McDonald, Barry, Stone, Christian, Douglas, Taney, Ozark and Gentry Counties

ZONE 6 - Adair, Audrain, Boone, Callaway, Camden, Carter, Chariton, Clark, Cole, Cooper, Crawford, Dent, Franklin, Gasconade, Howard, Howell, Iron, Jefferson, Knox, Lewis, Lincoln, Linn, Macon, Maries, Marion, Miller, Moniteau, Monroe, Montgomery, Morgan, Oregon, Osage, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Charles, St. Francois, St. Louis & City, Ste. Genevieve, Schuyler, Scotland, Shannon, Shelby, Sullivan, Texas, Warren and Washington Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
ZONE 1					
Brush and roller	12.19	.55	.70		.08
Spray	13.19	.55	.70		.08
Bridge	12.94	.55	.70		.08
ZONE 2					
Brush	10.00	.50	.25		.01
Spray	10.75	.50	.25		.01
Sandblasting, bridges, towers, stacks, walkways, cables & tanks 15,000 gal. or more capacity)	12.20		.25		
ZONE 3					
Brush	8.20				
Spray	8.70				
ZONE 4					
Brush and roller	10.25	.70	.35		
Spray, structural steel and sandblasting	11.50	.70	.35		
ZONE 5					
Brush	11.25				
Bridge	12.00				
Spray, sandblasting opr.; work performed on bridges 75 ft. in height	12.25				
All structural steel over 50 ft. in height	12.00				
ZONE 6					
Brush	11.85	.85	.35		
Spray	12.85	.85	.35		
Steel, storage bin & tank	12.25	.85	.35		
Bridge, stage; belt; bazooka	12.35	.85	.35		
ZONE 7					
Brush, roller	10.82		.50		
Spray	11.32		.50		
ZONE 8					
Brush	11.20		.20		
Spray & Steel	11.70		.20		
ZONE 9					
Brush	11.85	.68	.37		.15
Spray	13.35	.68	.37		.15

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS CONT'D:					
ZONE 10					
Brush	9.90	.50			
Spray, Bridgemen, steelmen	10.40	.50			
ZONE 11					
Brush	9.10		.25		
Structural steel	9.60		.25		
Bridges	9.85		.25		
ZONE 12					
Brush	8.00				

AREA COVERED BY PAINTERS

ZONE 1 - Bates, Caldwell, Carroll, Clinton, Cass, Clay, Daviess, Grundy, Henry, Harrison, Jackson, Johnson, Lafayette, Livingston, Mercer, Platte, and Ray Counties
ZONE 2 - Bollinger, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Scott, Stoddard, Reynolds, Iron, Butler, Carter, Shannon, Wayne, Oregon and Ripley Counties
ZONE 3 - Lincoln and Pike Counties
ZONE 4 - Camden, Crawford, Dent, Laclede, Maries, Miller, Phelps, Pulaski and Texas Counties
ZONE 5 - Benton, Cooper, Moniteau, Morgan, Pettis, and Saline Counties
ZONE 6 - Andrew, Atchinson, Buchanan, DeKalb, Gentry, Holt, Nodaway and Worth Counties
ZONE 7 - Barry, Barton, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair and Vernon Counties
ZONE 8 - Audrain, Boone, Callaway, Chariton, Cole, Gasconade, Howard, Monroe, Montgomery, Osage and Randolph Counties
ZONE 9 - Jefferson, St. Charles, St. Louis & City, Warren and Franklin Counties
ZONE 10 - Christian, Dallas, Douglas, Greene, Hickory, Howell, Ozark, Polk, Stone, Taney, Webster and Wright Counties
ZONE 11 - St. Francois, Ste. Genevieve, Madison, Perry and Washington Counties
ZONE 12 - Marion County

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
ZONE 1					
Group I	12.45	.85	1.00	1.05	.15
Group II	12.20	.85	1.00	1.05	.15
Group III	11.50	.85	1.00	1.05	.15
Group IV					
(a)	9.03	.85	1.00	1.05	.15
(b)	10.50	.85	1.00	1.05	.15
Group V	12.70	.85	1.00	1.05	.15
Group VI	12.45	.85	1.00	1.05	.15
ZONE 2					
Group I	13.32	.90	1.00		.20
Group II	12.02	.90	1.00		.20
Group III	11.57	.90	1.00		.20
Group IV:					
(a)	14.02	.90	1.00		.20
(b)	14.87	.90	1.00		.20
(c)	15.32	.90	1.00		.20
(d)	16.07	.90	1.00		.20
(e)	13.82	.90	1.00		.20
ZONE 3					
Group I	13.45	.90	1.00		.07
Group II	13.25	.90	1.00		.07
Group III	13.05	.90	1.00		.07
Group IV	12.45	.90	1.00		.07
Group V	13.70	.90	1.00		.07
Group VI	13.95	.90	1.00		.07
ZONE 4					
Group I	12.45	.90	1.00		.07
Group II	12.10	.90	1.00		.07
Group III	11.90	.90	1.00		.07
Group IV	11.05	.90	1.00		.07
Group V	12.70	.90	1.00		.07
Group VI	12.95	.90	1.00		.07
ZONE 5					
Group I	12.45	.85	1.00	1.05	.15
Group II	12.20	.85	1.00	1.05	.15
Group III	11.50	.85	1.00	1.05	.15
Group IV:					
(a)	9.03	.85	1.00	1.05	.15
(b)	10.50	.85	1.00	1.05	.15
Group V	12.70	.85	1.00	1.05	.15
Group VI	12.45	.85	1.00	1.05	.15

DECISION NO. MO81-4013

POWER EQUIPMENT OPERATORS CONT'D:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 6					
Group I	11.65	.85	1.00	1.05	.15
Group II	11.30	.85	1.00	1.05	.15
Group III	11.10	.85	1.00	1.05	.15
Group IV	9.30	.85	1.00	1.05	.15
Group V	11.90	.85	1.00	1.05	.15
Group VI	12.15	.85	1.00	1.05	.15
Group VII	12.40	.85	1.00	1.05	.15
ZONE 7					
Group I	12.07	.60	1.00	.46	
Group II	11.72	.60	1.00	.46	
Group III	11.52	.60	1.00	.46	
Group IV	9.47	.60	1.00	.46	
Group V	12.32	.60	1.00	.46	
Group VI	12.57	.60	1.00	.46	
Group VII	12.82	.60	1.00	.46	
ZONE 8					
Group I	12.07	.60	1.00	.46	
Group II	11.72	.60	1.00	.46	
Group III	11.52	.60	1.00	.46	
Group IV	9.47	.60	1.00	.46	
Group V	12.32	.60	1.00	.46	
Group VI	12.57	.60	1.00	.46	
Group VII	12.82	.60	1.00	.46	
ZONE 9					
Group I	12.90	.90	1.00		.07
Group II	12.70	.90	1.00		.07
Group III	12.50	.90	1.00		.07
Group IV	11.90	.90	1.00		.07
Group V	13.15	.90	1.00		.07
Group VI	13.40	.90	1.00		.07

DECISION NO. MO81-4013

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS ZONE 1 & 5

Group I - Asphalt paver and spreader; asphalt plant console operator; auto grader; back hoe; blade operator, all types; boilers-2; booster pump on dredge; boring machine (truck or crane mounted); bulldozer operator; clamshell operator; compressor maintenance operator-2; concrete plant operator, central mix; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dragline operator; dredge engineman; dredge operator; drillcat with compressor mounted on cat; drilling or boring machine, rotary, self-propelled; highloader-fork lift, and welders, field or shop; maintenance operator; mucking machine; piledriver operator; pitman crane operator; pump-2; quad-trac; scoop operator-all types; pushcat operator; scoops in tandem; self-propelled rotary drill (Leroy or Equal-not Air Trac); shovel operator; side discharge spreader; side boom cats; skimmer scoop operator; slip form paver (CMI, REX, or Equal); throttle man; truck crane; welding machine maintenance operator-2

Group II - "A" frame truck; asphalt hot mix silo; asphalt plant fireman; drum or boiler; asphalt plant mixer operator; asphalt plant man; asphalt roller operator; backfiller operator; chip spreader; concrete batch plant, dry, power operated; concrete mixer operator, skip loader; concrete pump operator; crusher operator; elevating grader; greaser; hoisting engine-1 drum; Latourneau rooter; multiple compactor; pavement breaker, self-propelled, of the hydra- hammer or similar type; power shield; pug mill operator; stump cutting machine; towboat operator; tractor operator-over 50 h.p.

Group III - Boilers - 1; chip spreader (front man); churn drill operator; compressor maintenance operator - 1; concrete saws, self-propelled; roller operator, other than dredge; conveyor operator; distributor operator; finishing machine operator; fireman, rig; float operator; form grader operator; pump; pump maintenance operator, other than dredge; roller operator, other than high type asphalt; screening and washing plant operator, self-propelled street broom or sweeper, siphons and jets; subgrading machine operator; tank car heater operator-combination boiler and booster; tractor 50 hp or less, without attachments; vibrating machine operator, not hand; welding machine maintenance operator - 1

DECISION NO. MO81-4013

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS ZONE 1 & 5 CONT'D

Group IV:
(a) Oiler
(b) Oiler drivers, all types

Group V - Clamshells, 3 yds. capacity or over; crane or rigs, 80 ft. of boom or over (incl. jib); draglines, 3 yds. capacity or over; piledrivers, 80 ft. of boom or over (incl. jib); shovels and backhoes, 3 yds. capacity or over

Group VI - Hoists (each additional drum over 1 drum)

POWER EQUIPMENT OPERATORS ZONE 2

GROUP I - Backhoe; cableway; crane, crawler or truck; crane, hydraulic-truck or cruiser mounted - 16 tons & over; crane locomotive; derrick, steam; derrick car & derrick boat; dragline; dredge; gradall, crawler or tire mounted; locomotive, gas, steam & other powers; pile driver, land or floating; scoop, skimmer; shovel, power (steam, gas, electric, or other powers); switch boat; whirley; air tugger w/air compressor; anchor-placing barge; asphalt spreader; athey force feeder loader (self-propelled); backfilling machine; boat operator-push boat or tow boat (jobsite); boiler, high pressure breaking in period; boom truck, placing or erecting; boring machine, footing foundation; bullfloat; cherry picker; combination concrete hoist & mixer (such as mixermobile); compressors, two, not more than 50 ft. apart; compressor (when operator runs throttle); compressor-generator combination; compressor-pump combination; generators, two 30 KW or over, or any number developing over 30 KW; generator-pump combination ; compressor-welder combination; concrete breaker (truck or tractor mounted); concrete pump, such as pump-crete machine; concrete spreader; conveyor, large (not self-propelled), hoisting or moving brick and concrete into, or into and on floor level, one or both; crane, hydraulic-rough terrain, self-propelled; crane hydraulic-truck or cruiser mounted-under 16 tons; drilling machines, self-powered, used for earth or rock drilling or boring (wagon drills and any hand drills obtaining power from other

DECISION NO. MO81-4013

POWER EQUIPMENT OPERATORS ZONE 2 CONT'D

GROUP I CONT'D
sources including concrete breakers jackhammers and barco equipment - no engineer required); elevating grader; engineman, dredge; excavator or powerbelt machine; finishing machine, self-propelled oscillating screed; forklift; grader, road with power blade; highlift; hoist; concrete and brick (brick cages or concrete skips operating in or on tower, towermobile, or similar equipment); hoist; stack; hydro-hammer; lad-a-vator, hoisting brick or concrete; loading machine (such as barber-greene); mechanic, on job site; mixer, paving; mixer-mobile; mucking machine; pipe cleaning machine; pipe wrapping machines; plant asphalt; plant, concrete producing or ready-mix job site; plant heating-job site; plant mixing-job site; plant power, generating-job site; pumps, two self-powered over 2" through 6"; pumps, electric submersible, one through three, over 4"; quad-track; roller, asphalt, top or subgrade; scoop, tractor drawn; spreader box; sub-grader; tie tamper; tractor-crawler, or wheel type with or without power unit, power take-offs, and attachments regardless of size; trenching machine; tunnel boring machine; vibrating machine automatic, automatic propelled; welding machines (gasoline or diesel) more than one but not over four (regardless of size); well drilling machine.

GROUP II - Conveyer, large (not self-propelled); conveyer, large (not self-propelled) moving brick and concrete (distributing) on floor level; mixer two or more mixers of one bag capacity or less, air tugger w/plant air; boiler, for power or heating on construction projects; boiler, temporary; compressor, air-one; compressor air (mounted on truck); concrete saw, self-propelled; curb finishing machine; ditch paving machine; elevator (building construction or alteration); endless chain hoist; form grader; generator, one over 30 KW or any number developing over 30 KW; greaser; hoist; one drum regardless of size (except brick or concrete); lad-a-vator, other hoisting; manlift; mixer, asphalt, over 8 cu. ft. capacity, mixer, if two or more mixers of one bag capacity or less are used by one employer on job an operator is required; mixer, with outside loader, 2 bag capacity or more; mixer, with side loader, regardless of size, not paver; oiler on dredge; oiler on truck crane; pug mill operator; pump, sump-self-powered, automatic controlled over 2" during use in connection with construction work; sweeper, street; welding machine, one over 400 amp.; winch operating from truck; scissor lift (used for hoisting); tractor, small wheel type 50 h.p. & under with grader blade & similar equipment

DECISION NO. MO81-4013

POWER EQUIPMENT OPERATORS ZONE 2 CONT'D

GROUP III - Boat operator-outboard motor (job site); conveyor (such as con-vay-it) regardless of how used; oiler; sweeper, floor

GROUP IV - (a) Air pressure, oiler engineer, operating under ten pounds (b) Air pressure, oiler engineer operating over ten pounds (c) Air pressure engineer operating under ten pounds (d) Air pressure engineer operating over ten pounds (e) Crane-piledriving and extracting; crane using rock socket tool; dragline - 7 cu. yds. & over; shovel, power - 7 cu. yds. and over; crane, climbing such as Linden); derrick, diesel, gas or electric hoisting material and erecting steel - 150' or more above ground; hoist, three or more drums; scoop, tandem; tractor, tandem crawler

Crane with boom (including jib), over 100' from pin to pin (add 1¢ per foot to maximum of $2.00) above basic rate for crane

Work in tunnel or tunnel shaft, .50¢ above base rate

POWER EQUIPMENT OPERATORS ZONES 3, 4, and 9

GROUP I - Asphalt finishing machine & trench widening spreader, asphalt plant console operator; autograder; automatic slipform paver; back hoe; blade operator - all types; boat operator - tow; boiler - 2; central mix concrete plant operator; clam shell operator; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dozer operator; dragline opr.; dredge booster pump; dredge engineman; dredge operator; drill cat with compressor mounted on cat; drilling or boring machine rotary self-propelled; highloader; hoisting engine - 2 active drums; launch-hammer wheel; locomotive operator - standard guage; mechanics and welders; mucking machine; piledriver operator; pitman crane operator; push cat operator; quad-trac; scoop operator; sideboom cats; skimmer scoop operator; trenching machine operator; truck crane, shovel operator

GROUP II - A-Frame; asphalt hot-mix silo; asphalt roller operator; asphalt plant fireman (drum or boiler); asphalt plant man; asphalt plant mixer operator; backfiller operator; barber-greene loader;

DECISION NO. MO81-4013

POWER EQUIPMENT OPERATORS ZONES 3, 4 and 9 CONT'D

GROUP II CONT'D
boat operator (bridge & dams); chip spreader; concrete mixer operator - skip loader; concrete plant operator; concrete pump operator; dredge oiler; elevating grader operator; fork lift; grease fleet; hoisting engine - 1; locomotive operator - narrow gauge; multiple compactor; pavement breaker; powerbroom - self propelled; power shield; rooter; slip-form finishing machine; stumpcutter machine; side discharge concrete spreader; throttleman; tractor operator (over 50 hp); winch truck; asphalt roller operator; crusher operator

GROUP III - Spreader box operator, self-propelled (not asphalt); tractor operator (50 h.p. or less); boilers - 1; chip spreader (front man); Churn drill operator; compresor over 105 CFM 2 - 3 pumps 4" & over; 2 - 3 light plant 7.5 KWA or any combination thereof; clef plane opr.; compressor maintenance operator 2 or 3; concrete saw operator (self-propelled); curb finishing machine; distributor operator; finishing machine operator; flex plane operator; float operator; form grader operator; pugmill operator; roller operator, other than high type asphalt; screening & washing plant opeator; siphons & jets; subgrading machine operator; tank car heater (combination boiler & booster); ulmac, ulric or similar spreader; vibrating machine operator; hydrobroom

GROUP IV - Oiler; grout machine; oiler-driver; compressor over 105 CFM-1; conveyor operator-1; maintenance operator; pump-4" & over-1

GROUP V - Crane with 3 yds. & over buckets; dragline operator - 3 yds & over; shovel - 3 yds. & over; piledrivers - all types; clam-shell - 3 yds. & over; hoists - each additional active drum over 2 drums

GROUP VI - Tandem scoop operator

Crane, rigs over 100 feet (incl. jib)-1¢ per foot

DECISION NO. M081-4013

POWER EQUIPMENT OPERATORS ZONES 6, 7 and 8

GROUP I - Asphalt finishing machine & trench widening spreader; asphalt plant console operator; automatic slipform paver; auto-grader; backhoe; blade operator, - all types; boat operator - tow; boilers - 2; central mix concrete plant operator; clamshell operator; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dozer operator; dragline operator; dredge booster pump; dredge engineman; dredge operator; drill cat with compressor mounted on cat; drilling or boring machine rotary self-propelled; highloader; hoisting engine - 2 active drums; launch hammer wheel; locomotive operator; - standard guage; mechanics and welder; mucking machine; piledriver operator; sideboom cats; skimmer scoop operators; trenching machine operator; truck crane; scoop operators - all types

GROUP II - A-frame; asphalt hot mix silo; asphalt plant fireman (drum or boiler); asphalt roller operator; asphalt plant man; asphalt plant mixer operator; backfiller operator; barber-greene loader; boat operator (bridges and dams), chip spreader; concrete mixer operator - skip loader; concrete plant operator; concrete pump operator; crusher operator; dredge oiler; elevating grader operator; fork lift; greaser-fleet; hoisting engine - 1; locomotive operator - narrow guage; multiple compactor, pavement breaker; power - broom - self-propelled; power shield; rooter; slip form finishing machine; stumpcutter machine; side discharge concrete spreader; throttle man; tractor operator (over 50 hp); winch truck

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; clef plane operator; concrete saw operator (self-propelled); curb finishing machine; distributor operator; finishing machine operator; flex plane operator; float operator; form grader operator; pugmill operator; roller operator, other than high type asphalt; screening & washing plant operator; siphons & jets; subgrading machine operator; spreader box operator, self-propelled (not asphalt); tank car heater operator (combination boiler & booster); ulmac, ulric, or similar spreader; vibrating machine operator, not hands; tractor operator (50 hp or less)

GROUP IV - Oiler; oiler driver, fireman - rig; maintenance operators

GROUP V - Dragline operator - 3 yds. & over; shovel - 3 yds. & over; clamshell - 3 yds. & over; crane, rigs or piledrivers, 100' of boom or over (incl. jib), hoists - each additional active drum over 2 drums

DECISION NO. M081-4013

POWER EQUIPMENT OPERATORS ZONE 6, 7 and 8 CONT'D

GROUP VI - Tandem scoop operator; crane, rigs or piledrivers 150' to 200' of boom (inc. jib)

GROUP VII - Crane rigs, or piledrivers 200 ft. of boom or over (incl. jib)

AREAS COVERED BY POWER EQUIPMENT OPERATORS ZONES

ZONE 1 - Clay, Jackson, Platte and Ray Counties

ZONE 2 - St. Louis City and County

ZONE 3 - Franklin, Jefferson, St. Charles Counties

ZONE 4 - Adair, Audrain, Boillinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Clark, Cole, Crawford, Dent, Dunklin, Gasconade, Howell, Iron, Knox, Lewis, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Texas, Washington, and Wayne Counties

ZONE 5 - Buchanan, Cass, Clinton and Lafayette Counties

ZONE 6 - Andrew, Atchinson, Bates, Benton, Caldwell, Carroll, Charlton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Johnson, Linn, Livingston, Mercer, Nodaway, Pettis, Saline, Sullivan and Worth Counties

ZONE 7 - Christian, Greene, Jasper, Lawrence and Taney Counties

ZONE 8 - Barry, Barton, Camden, Cedar, Dade, Dallas, Douglas, Hickory, Laclede, McDonald, Newton, Ozark, Polk, St. Clair, Stone, Vernon, Webster and Wright Counties

ZONE 9 - Lincoln and Warren Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS					
ZONE 1					
Group 1	10.91	1.00	1.25	.75	
Group 2	11.11	1.00	1.25	.75	
Group 3	11.42	1.00	1.25	.75	
Group 4	11.57	1.00	1.25	.75	
Group 5	10.69	1.00	1.25	.75	

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS

Group 1 - One team; station wagons; pickups, material, single axle; tank wagon, single axle
Group 2 - Two teams, material tandem; semi-trailers; winch, fork distributor drivers and operators, agitator and transit mix, tank wagon, tandem or semi-trailers, insley wagons, dump excavating, 5 cu. yds. & over, dumpsters, half-tracks, speedace, euclids and other similar excavating equipment
Group 3 - A-frame, low boy, boom
Group 4 - Mechanics & welders
Group 5 - Oilers and greasers

AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 2 - Clay, Jackson, Platte and Ray Counties

DECISION NO. MO81-4013

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS					
ZONE 2					
Group 1	14.11				
Group 2	14.26				
Group 3	14.33				
Group 4	14.22				
Group 5	14.01				
ZONE 3					
Group 1	13.06				
Group 2	13.21				
Group 3	13.28				
Group 4	13.17				
Group 5	12.96				
ZONE 4					
Group 1	12.15	1.00	1.25		
Group 2	12.30	1.00	1.25		
Group 3	12.37	1.00	1.25		
Group 4	12.26	1.00	1.25		
Group 5	12.05	1.00	1.25		
ZONE 5					
Group 1	10.94	1.00	1.25		
Group 2	11.09	1.00	1.25		
Group 3	11.21	1.00	1.25		
Group 4	11.10	1.00	1.25		
Group 5	10.84	1.00	1.25		
ZONE 6					
Group 1	10.21	1.00	1.25		
Group 2	10.36	1.00	1.25		
Group 3	10.48	1.00	1.25		
Group 4	10.37	1.00	1.25		
Group 5	10.11	1.00	1.25		

DECISION NO. MO81-4013

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS

Group 1 - Flat bed trucks - single axle; station wagon; pickup trucks; material trucks - single axle; tank wagon - single axle
Group 2 - Flat bed trucks - tandem axle; material trucks, tandem, axle; tank wagon - tandem axle
Group 3 - Semi and/or pole trailers; winch fork and steel trucks; Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment, a-frame and derrick trucks, float or low boy, distributor drivers and operators, tank wagon, semi-trailer
Group 4 - Agitor and transit mix trucks
Group 5 - Warehouseman

AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 2 - Franklin, Jefferson and St. Charles Counties
ZONE 3 - Lincoln and Warren Counties
ZONE 4 - Buchanan, Cass, Johnson and Lafayette Counties
ZONE 5 - Andrew, Audrain, Barton, Bates, Benton, Bollinger, Boone, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Carter, Cedar, Chariton, Christian, Clinton, Cole, Cooper, Crawford, Dade, Dallas, Daviess, DeKalb, Dent, Douglas, Gasconade, Greene, Henry, Hickory, Howard, Iron, Jasper, Laclede, Lawrence, Linn, Livingston, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Osage, Pemiscot, Perry, Pettis, Phelps, Pike, Polk, Pulaski, Ralls, Randolph, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Saline, Scott, Shannon, Shelby, Stoddard, Texas, Vernon, Washington, Wayne, Webster and Wright Counties
ZONE 6 - Adair, Atchison, Berry, Butler, Clark, Dunklin, Gentry, Grundy, Harrison, Holt, Howell, Knox, Lewis, McDonald, Mercer, Nodaway, Oregon, Ozark, Putnam, Ripley, Schuyler, Scotland, Stone, Sullivan, Taney and Worth Counties

"Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)".

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federal register

Friday
February 27, 1981

Part IV

Department of the Interior

Fish and Wildlife Service

Review for Wildlife Classified as Endangered or Threatened in 1975 and 1976

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Review for Wildlife Classified as Endangered or Threatened in 1975 and 1976

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of Review.

SUMMARY: The Endangered Species Act of 1973, as amended, requires the Service to conduct a review of all listed species at least once every five years. The purpose of this section is to insure that the listing accurately reflects the most current status of the listed species. In order to aid the Service in discharging this responsibility, the Director is requesting from any party comments and appropriate data which might document the need to delist or reclassify any of the selected species of Endangered or Threatened wildlife listed below. If as a result of this review, the present classification of Endangered or Threatened is not consistent with current evidence, the Director will propose changes in such classification accordingly.

DATES: Comments must be received no later than June 29, 1981.

ADDRESSES: Submit comments to Director (OES), Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. Comments and materials received will be available for public inspection by appointment during normal business hours (7:45 a.m. to 4:15 p.m.) at the Service's Office of Endangered Species, Suite 500, 1000 North Glebe Road, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, Fish and Wildlife Service, U.S. Department of Interior, Washington, D.C. 20240 (Phone 703/235–2771).

SUPPLEMENTARY INFORMATION:

Background

The Lists of Endangered and Threatened Wildlife and Plants are found in 50 CFR 17.11 (wildlife) and 50 CFR 17.12 (plants). The most recent such lists were published in the **Federal Register** of May 20, 1980 (45 FR 33768–81). The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended, and 50 CFR 424.20 require the Service to conduct a review of each listed species at least once every five years. Species which are to be considered under the present review are listed below. Species listed during 1975 and 1976 which subsequently have been affected by rules reclassifying all or significant parts of their populations are not included in this notice.

Definitions

The following definitions are provided to assist those persons who contemplate submitting information regarding the status of the species listed below:

(1) "Critical Habitat" means (a) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (1) essential to the conservation of the species and (2) which may require special management considerations or protection, and (b) specific areas outside the geographical area occupied by a species at the time it is listed upon a determination by the Director that such areas are essential for the conservation of the species.

(2) "Endangered" means any species which is in danger of extinction throughout all or a significant portion of its range.

(3) "Species" includes any species or subspecies of fish or wildlife or plant, and any distinct population segment of any species or subspecies of a vertebrate which is capable of interbreeding when mature. A species is determined to be Endangered or Threatened because of any of the following factors:

(a) The present or threatened destruction, modification, or curtailment of its habitat or range;

(b) Overutilization for commercial, sporting, scientific, or educational purposes;

(c) Disease or predation;

(d) The inadequacy of existing regulatory mechanisms, or

(e) Other natural or man-made factors affecting its continued existence.

(4) "Threatened" means any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range.

Effects of Review

If substantial evidence is available to the Service or is presented by any party for one or more below listed species, the Director intends to propose new rules that would do any of the following: (a) reclassify a species from Endangered to Threatened, (b) reclassify a species from Threatened to Endangered, or (c) remove a species from the List of Endangered or Threatened Wildlife. Distinct geographic populations of vertebrate species as well as subspecies of all wildlife species may be proposed for either separate reclassification to a different status than the presently listed species or removal from the list. If no substantial data is available or presented to suggest a status change for a particular species, then the next formal status review will be announced no later than five years hence.

Once a species has been determined to be Threatened or Endangered, the Act imposes certain restrictions on activities involving the species. Generally, it is unlawful for a person subject to the jurisdiction of the United States to take an Endangered species or to engage in foreign and domestice commerce involving an Endangered species or its parts or products, 16 U.S.C. 1538(a)(1); 50 CFR 17.21. The Director has discretion in determining whether the taking and commercial restrictions will be made applicable to Threatened species, 16 U.S.C. 1533(d). As a general rule, the taking and commerce restrictions applicable to Endangered species are made applicable to Threatened species by 50 CFR 17.31. However, the Director does promulgate special rules for some species, varying the taking and commerce prohibitions. See, for example, 50 CFR 17.40(b), Special Rule for Grizzly Bears.

Public Comments Solicited

The Director requests any comments concerning the status of the below listed species be sent to him. Comments from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party are hereby solicited. Such comments must be in writing and should contain the name, signature, address, telephone number, and the association, institution, or business, if any, of the party.

Receipt of all comments will be acknowledged in writing by the Service. If significant data are available, warranting a change in a species' classification under the Act, the Director will propose a rule to modify the present status of the listed species. In order to determine if the comments contain significant data, the Director will consider whether the document:

(1) Clearly indicates the scientific and any common name of the species involved;

(2) Contains a detailed narrative describing, as appropriate, the past and present numbers and distribution of the involved species, subspecies, or distinct vertebrate geographic population; the particular threatening factors affecting the species; and, if appropriate, the features and importance of any Critical Habitat;

(3) Is accompanied, as appropriate, by supporting documentation, such as

maps, a list of bibliographic references, reprints of pertinent publications, or copies of written reports or letters from authorities; and

(4) Does not essentially repeat scientific, commercial, or other relevant information already cited by the Director in an earlier rulemaking process or notice of review.

The procedural rules for relcassifying or removing a species from the list were published in the February 27, 1980, **Federal Register** (45 FR 13010–13026) to be codified at 50 CFR Part 424.

The primary authors of this notice are Paul A. Opler and Jay M. Sheppard, Office of Endangered Species, U.S. Fish and Wildlife Service (Phone: 707/235–1975).

Dated: January 28, 1981.

F. Eugene Hester,

Acting Director, Fish and Wildlife Service.

BILLING CODE 4310-55-M

Species		Historic range	Vertebrate population where Endangered or Threatened	Status	When listed
Common name	Scientific name				
MAMMALS:					
Anoa	Bubalus anoa quarlesi	Indonesia	Entire	E	15
Anteater, scaly	Manis temmincki	Africa	Entire	E	15
Antelope, bontebok	Damaliscus dorcas dorcas	South Africa	Entire	E	15
Antelope, giant sable	Hippotragus niger variani	Angola	Entire	E	15
Antelope, Mongolian saiga	Saiga tatarica mongolica	Mongolia	Entire	E	15
Argali	Ovis ammon hodgsoni	China (Tibet)	Entire	E	15
Armadillo, giant	Priodontes giganteus	Venezuela & Guyana to Argentina	Entire	E	15
Babiroussa	Babyrousa babyrussa	Indonesia	Entire	E	15
Bat, gray	Myotis grisescens	Central & SE USA	Entire	E	13
Bear, brown	Ursus arctos pruinosus	China (Tibet)	Entire	E	15
Bear, brown	Ursus arctos arctos	Palearctic	Italy	E	15
Beaver	Castor fiber birulai	Mongolia	Entire	E	15
Bobcat	Felis rufus escuinapae	Central Mexico	Entire	E	15
Camel, Bactrian	Camelus bactrianus	Mongolia, China	Entire	E	15
Cat, Andean	Felis jacobita	Chile, Peru, Bolivia, Argentina	Entire	E	15
Cat, black-footed	Felis nigripes	Southern Africa	Entire	E	15
Cat, flat-headed	Felis planiceps	Malaysia	Entire	E	15
Cat, leopard	Felis bengalensis bengalensis	Eastern Asia	Entire	E	15
Cat, marbled	Felis marmorata	Nepal, Malaysia, Burma, Indonesia	Entire	E	15
Cat, Temminck's	Felis temmincki	China (Tibet), Malaysia, Indonesia (Sumatra)	Entire	E	15
Chamois, Apennine	Rupicapra rupicapra ornata	Italy	Entire	E	15
Chimpanzee	Pan troglodytes	W & central Africa	Entire	T	16
Chimpanzee, pigmy	Pan paniscus	Zaire	Entire	T	16
Chinchilla	Chinchilla brevicaudata boliviana	Bolivia	Entire	E	15
Colobus, black	Colobus satanas	Equatorial Guinea, People's Republic of Congo, Cameroon, Gabon	Entire	E	16
Colobus, Tana River red	Colobus badius rufomitratus	Kenya	Entire	E	16
Deer, Cedros Island mule	Odocoileus hemionus cedrosensis	Mexico (Cedros Island)	Entire	E	10
Deer, hog	Axis (=Cervus) porcinus annamiticus	Thailand, Indochina	Entire	E	15
Deer, musk	Moschus mochiferus moschiferus	South-central Asia	Entire	E	15
Deer, pampas	Ozotoceras bezoarcticus	Brazil, Argentina, Uruguay, Paraguay	Entire	E	15

Species		Historic range	Vertebrate population where Endangered or Threatened	Status	When listed
Common name	Scientific name				
Deer, Philippine	Axis calamianensis	Philippines (Calamian Islands)	Entire	E	15
Drill	Papio leucophaeus	Equatorial West Africa	Entire	E	16
Elephant, Asian	Elephas maximus	South-central & SE Asia	Entire	E	15
Gelada (baboon)	Theropithecus gelada	Northern Ethiopia	Entire	T	16
Gibbons	Hylobates spp. (incl. Nomascus)	China, India, southeastern Asia	Entire	E	15
Goral	Nemorhaedus goral	East Asia	Entire	E	15
Hare, hispid	Caprolagus hispidus	India, Nepal	Entire	E	15
Horse, Przewalski's	Equus przewalskii	Mongolia	Entire	E	15
Huemul, North Andean	Hippocamelus antisiensis	Equador, Peru, Chile, Bolivia, Argentina	Entire	E	15
Huemul, South Andean	Hippocamelus bisulcus	Chile, Argentina	Entire	E	15
Jaguarundi	Felis yagouaroundi cacomitli	USA (TX), Mexico	Entire	E	15
Jaguarundi	Felis yagouaroundi fossata	Mexico, Nicaragua	Entire	E	15
Jaguarundi	Felis yagouaroundi panamensis	Nicaragua, Costa Rica, Panama	Entire	E	15
Jaguarundi	Felis yagouaroundi tolteca	USA (AZ), Mexico	Entire	E	15
Langur, capped	Presbytis pileatus	India, Burma	Entire	E	15
Langur, entellus	Presbytis entellus	China (Tibet), India, Pakistan, Kashmir, Sri Lanka, Sikkim, Bangladesh	Entire	E	15
Langur, golden	Presbytis geei	India (Assam), Bhutan	Entire	E	15
Langur, long-tailed	Presbytis potenziani	Indonesia	Entire	T	16
Langur, purple-faced	Presbytis senex	Sri Lanka (=Ceylon)	Entire	T	16
Lemurs	Lemuridae(incl. Cheirogaleidae, Lepilemuridae); all members of genera Lemur, Phaner, Hapalemur, Lepilemur, Microcebus, Allocebus, Cheirogaleus, Varecia	Malagasy Republic (=Madagascar)	Entire	E	15
Leopard, clouded	Neofelis nebulosa	SE & south-central Asia, Taiwan	Entire	E	15
Linsang, spotted	Prionodon pardicolor	Nepal, Assam, Vietnam, Cambodia, Laos, Burma	Entire	E	15
Loris, lesser slow	Nycticebus pygmaeus	Indochina	Entire	T	16
Macaque, Formosan rock	Macaca cyclopis	Taiwan	Entire	T	16
Macaque, Japanese	Macaca fuscata	Japan (Shikoku, Kyushu and Honshu Is.)	Entire	T	16
Macaque, stump-tailed	Macaca arctoides	India (Assam) to southern China	Entire	T	16
Macaque, Toque	Macaca sinica	Sri Lanka (=Ceylon)	Entire	T	16
Mandrill	Papio sphinx	Equatorial West Africa	Entire	E	16
Mangabey, white-collared	Cercocebus torquatus	Senegal to Ghana; Nigeria to Gabon	Entire	E	16
Markhor, Chiltan	Capra falconeri chiltanensis	Pakistan	Entire	E	15
Markhor, Kabal	Capra falconeri megaceros	Afghanistan, Pakistan	Entire	E	15
Markhor, straight-horned	Capra falconeri jerdoni	Pakistan, Afghanistan	Entire	E	15
Marmoset, cotton-top	Saguinus oedipus	Panama, Costa Rica, Colombia	Entire	E	16
Monkey, black howler	Alouatta pigra	Mexico, Guatamala, Belize	Entire	T	16
Monkey, Diana	Cercopithecus diana	Coastal West Africa	Entire	E	16
Monkey, Francois' leaf	Presbytis francoisi	China (Kwangsi), Indochina	Entire	E	16
Monkey, howler	Alouatta villosa	Mexico to S. America	Entire	E	15
Monkey, L'hoest's	Cercopithecus lhoesti	Upper Eastern Congo Basin, Cameroon	Entire	E	16
Monkey, proboscis	Nasalis larvatus	Borneo	Entire	E	15
Monkey, red-bellied	Cercopithecus erythrogaster	Western Nigeria	Entire	E	16
Monkey, red-eared nose-spotted	Cercopithecus erythrotis	Nigeria, Cameroon, Fernando Po	Entire	E	16

Species		Historic range	Vertebrate population where Endangered or Threatened	Status	When listed
Common name	Scientific name				
Monkey, Tonkin snub-nosed	Rhinopithecus avunculus	Vietnam	Entire	T	16
Monkey, yellow-tailed woolly	Lagothrix flavicauda	Andes of northern Peru	Entire	E	16
Mouse, Australian native	Notomys pedunculatus	Australia	Entire	E	15
Mouse, Australian native	Notomys aquilo	Australia	Entire	E	15
Otter, long-tailed	Lutra longicaudis	South America	Entire	E	15
Otter, marine	Lutra felina	Peru, south to Straits of Magellan	Entire	E	15
Otter, southern river	Lutra provocax	Chile, Argentina	Entire	E	15
Pronghorn, peninsular	Antilocapra americana peninsularis	Mexico (Baja Cal.)	Entire	E	10
Pudu	Pudu pudu	Southern S. America	Entire	E	15
Puma, Costa Rican	Felis concolor costaricensis	Nicaragua, Panama, Costa Rica	Entire	E	15
Seal, Hawaiian monk	Monachus schauinslandi	Hawaiian Archipelago	Entire	E	18
Serow, Sumatran	Capricornis sumatraensis	Sumatra	Entire	E	15
Shapo	Ovis vignei	Kashmir	Entire	E	15
Siamang	Symphalangus syndactylus	Malaysia, Indonesia	Entire	E	15
Tamarin, pied	Saguinus bicolor	Northern Brazil	Entire	E	16
Tamarin, white-footed	Saguinus leucopus	Northern Colombia	Entire	T	16
Tapir, Asian	Tapirus indicus	Burma, Laos, Cambodia, Vietnam, Malaysia, Indonesia, Thailand	Entire	E	15
Tarsier, Philippine	Tarsius syrichta	Philippines	Entire	T	16
Urial	Ovis orientalis ophion	Cyprus	Entire	E	15
BIRDS:					
Blackbird, yellow-shouldered	Agelaius xanthomus	USA (Puerto Rico)	Entire	E	17
Booby, Abbott's	Sula abbotti	Indian Ocean: Christmas Island	Entire	E	15
Bristlebird, western rufous	Dasyornis broadbenti littoralis	Australia	Entire	E	15
Cotinga, banded	Cotinga maculata	Brazil	Entire	E	15
Cotinga, white-winged	Xipholena atropurpurea	Brazil	Entire	E	15
Crane, black-necked	Grus nigricollis	China (Tibet)	Entire	E	15
Crane, Cuba sandhill	Grus canadensis nesiotes	West Indies: Cuba	Entire	E	15
Crane, white-naped	Grus vipio	Mongolia	Entire	E	15
Creeper, Hawaiian	Loxops maculata mana	USA (Hawaii)	Entire	E	10
Curassow, razor-billed	Mitu (=Crax) mitu mitu	Brazil (Eastern)	Entire	E	15
Duck, pink-headed	Rhodonessa caryophyllacea	India	Entire	E	15
Eagle, Greenland white-tailed	Haliaeetus albicilla groenlandicus	Greenland & adjacent Atlantic Islands	Entire	E	15
Eagle, harpy	Harpia harpyja	Mexico south to Argentina	Entire	E	15
Falcon, Eurasian peregrine	Falco peregrinus peregrinus	Europe, Eurasia south to Africa & Mid East	Entire	E	15
Frigatebird, Andrew's	Fregata andrewsi	East Indian Ocean	Entire	E	15
Greenshank, Nordmann's	Tringa guttifer	USSR, Japan, south to Malaya, Borneo	Entire	E	15
Gull, relict	Larus relictus	India, China	Entire	E	15
Hermit, hook-billed (hummingbird)	Glaucis (=Ramphodon) dohrnii	Brazil	Entire	E	15
Hornbill, helmeted	Rhinoplax vigil	Thailand, Malaysia	Entire	E	15
Macaw, glaucous	Anodorhynchus glaucus	Paraguay, Uruguay, Brazil	Entire	E	15
Macaw, indigo	Anodorhynchus leari	Brazil	Entire	E	15
Macaw, little blue	Cyanopsitta spixii	Brazil	Entire	E	15
Owl, giant scops	Otus gurneyi	Phillipines: Marinduque & Mindanao Is.	Entire	E	15

Species		Historic range	Vertebrate population where Endangered or Threatened	Status	When listed
Common name	Scientific name				
Parakeet, Forbes'	Cyanoramphus auriceps forbesi	New Zealand	Entire	E	15
Parrot, Bahaman or Cuban	Amazona leucocephala	West Indies: Cuba, Bahamas, Caymans	Entire	E	15
Parrot, red-capped	Pionopsitta pileata	Brazil	Entire	E	15
Parrot, red-spectacled	Amazona pretrei pretrei	Brazil, Argentina	Entire	E	15
Parrot, vinaceous-breasted	Amazona vinacea	Brazil	Entire	E	15
Pheasant, Elliot's	Syrmaticus ellioti	China	Entire	E	15
Pigeon, Mindoro zone-tailed	Ducula mindorensis	Philippines	Entire	E	15
Piping-guan, black-fronted	Pipile jacutinga	Argentina	Entire	E	15
Pitta, Koch's	Pitta kochi	Philippines	Entire	E	15
Poo-uli	Melamprosops phaeosoma	USA (Hawaii)	Entire	E	10
Quetzel, resplendent	Pharomachrus mocinno	Mexico to Panama	Entire	E	15
Rail, Lord Howe wood	Tricholimnas sylvestris	Australia (Lord Howe Island)	Entire	E	15
Shearwater, Newell's Manx	Puffinus puffinus newelli	USA (Hawaii)	Entire	T	10
Siskin, red	Carduelis (=Spinus) cucullatus	South America	Entire	E	15
Teal, Campbell Island flightless	Anas aucklandica nesiotis	New Zealand (Campbell Island)	Entire	E	15
Tinamou, solitary	Tinamus solitarius	Brazil, Paraguay, Argentina	Entire	E	15
White-eye, Norfolk Is.	Zosterops albogularis	Indian Ocean: Norfolk Islands	Entire	E	15
REPTILES:					
Alligator, Chinese	Alligator sinensis	China	Entire	E	15
Caiman, Apaporis River	Caiman crocodilus apaporiensis	Colombia	Entire	E	15
Caiman, black	Melanosuchus niger	Amazon basin	Entire	E	15
Caiman, broad-snouted	Caiman latirostris	Brazil, Argentina, Paraguay, Uruguay	Entire	E	15
Crocodile, African dwarf	Osteolaemus tetraspis tetraspis	West Africa	Entire	E	15
Crocodile, Ceylon mugger	Crocodylus palustris kimbula	Sri Lanka,	Entire	E	15
Crocodile, Congo dwarf	Osteolaemus tetraspis osborni	Congo River drainage	Entire	E	15
Crocodile, mugger	Crocodylus palustris palustris	India, Pakistan, Iran, Bangladesh	Entire	E	15
Crocodile, Philippine	Crocodylus novaeguinea mindorensis	Philippine Islands	Entire	E	15
Crocodile, Siamese	Crocodylus siamensis	SE Asia, Malay Peninsula	Entire	E	15
Gavial (=gharial)	Gavialus gangeticus	Pakistan, Burma, Bangladesh, India	Entire	E	15
Monitor, Bengal	Varanus bengalensis	Iran, Iraq, India, Sri Lanka, Malaysia, Afganistan, Burma, Vietnam, Thailand	Entire	E	15
Monitor, desert	Varanus griseus	N. Africa to Neareast, Caspian Sea through USSR to Pakistan, NW India	Entire	E	15
Monitor, Komodo Island	Varanus komodensis	Indonesia (Komodo, Rintja, Padar, & western Flores Is.)	Entire	E	15
Monitor, yellow	Varanus flavescens	W Pakistan through India to Bangladesh	Entire	E	15

Species		Historic range	Vertebrate population where Endangered or Threatened	Status	When listed
Common name	Scientific name				
Python, Indian	Python molurus molurus	Sri Lanka & India	Entire	E	15
Tomistoma	Tomistoma schlegelii	Malaysia, Indonesia	Entire	E	15
Tortoise, angulated	Geochelone yniphora	Malagasy Republic (=Madagascar)	Entire	E	15
Tortoise, Indian flap-shell	Lissemys punctata punctata	India, Pakistan, Bangladesh	Entire	E	15
Turtle, black softshell	Trionyx nigricans	Bangladesh	Entire	E	15
Turtle, Burmese peacock	Morenia ocellata	Burma	Entire	E	15
Turtle, Cuatro Cienegas softshell	Trionyx ater	Mexico	Entire	E	15
Turtle, geometric	Geochelone geometrica	Union of S. Africa	Entire	E	15
Turtle, Indian sawback	Kachuga tecta tecta	India	Entire	E	15
Turtle, Indian softshell	Trionyx gangeticus	Pakistan, India	Entire	E	15
Turtle, peacock softshell	Trionyx hurum	India, Bangladesh	Entire	E	15
Turtle, spotted pond	Geoclemmys (=Damonia) hamiltonii	N India, Pakistan	Entire	E	15
Turtle, three-keeled Asian	Geoemyda (=Nicoria) tricarinata	Central India to Bangladesh & Burma	Entire	E	15
AMPHIBIANS:					
Frog, Panamanian golden	Atelopus varius zeteki	Panama	Entire	E	15
Salamander, Chinese giant	Andrias davidianus davidianus	Western China	Entire	E	15
Salamander, Japanese giant	Andrias davidianus japonicus	Japan	Entire	E	15
Salamander, Red Hills	Phaeognathus hubrichti	USA (Alabama)	Entire	T	19
Toad, African viviparous	Nectophrynoides spp.	Tanzania, Guinea	Entire	E	15
Toad, Cameroon	Bufo superciliaris	Equatorial Africa	Entire	E	15
Toad, Monte Verde	Bufo periglenes	Costa Rica	Entire	E	15
FISHES:					
Bonytoungue, Asian	Scleropages formosus	Thailand, Indonesia,	Entire	E	15
Darter, bayou	Etheostoma rubrum	USA (Mississippi)	Entire	T	10
Darter, snail	Percina tanasi	USA (Tennessee)	Entire	E	12
Madtom, Scioto	Noturus trautmani	USA (Ohio)	Entire	E	10
Temolek, Ikan (minnow)	Probarbus jullieni	Thailand, Cambodia, Vietnam, Malaysia, Laos	Entire	E	15
CLAMS:					
Pearly mussel, Alabama lamp	Lampsilis virescens	USA (AL, TN)	N/A	E	15
Pearly mussel, Appalachian monkeyface	Quadrula sparsa	USA (TN, VA)	N/A	E	15
Pearly mussel, birdwing	Conradilla caelata	USA (TN, VA)	N/A	E	15
Pearly mussel, Cumberland bean	Villosa (=Micromya) trabalis	USA (Kentucky)	N/A	E	15
Pearly mussel, Cumberland monkeyface	Quadrula intermedia	USA (AL, TN, VA)	N/A	E	15
Pearly mussel, Curtis'	Epioblasma (=Dysnomia) florentina curtisi	USA (Missouri)	N/A	E	15
Pearly mussel, dromedary	Dromus dromas	USA (TN, VA)	N/A	E	15
Pearly mussel, green-blossom	Epioblasma (=Dysnomia) torulosa gubernaculum	USA (TN, VA)	N/A	E	15

Species		Historic range	Vertebrate population where Endangered or Threatened	Status	When listed
Common name	Scientific name				
Pearly mussel, Higgin's eye	Lampsilis higginsi	USA (IL, IA, MN, MO, NE, WI)	N/A	E	15
Pearly mussel, Nicklin's	Megalonaias nicklineana	Mexico	N/A	E	15
Pearly mussel, orange-footed	Plethobasis cooperianus	USA (AL, IN, IA, KY, OH, PA, TN)	N/A	E	15
Pearly mussel, pale lilliput	Toxolasma (=Carunculina) cylindrella	USA (AL, MO, TN, WV)	N/A	E	15
Pearly mussel, pink mucket	Lampsilis orbiculata	USA (AL, IL, IN, KY, MO, OH, PA, TN, WV)	N/A	E	15
Pearly mussel, Sampson's	Epioblasma (=Dysnomia) sampsoni	USA (IL, IN)	N/A	E	15
Pearly mussel, Tampico	Cyrtonaias tampicoensis tecomatensis	Mexico	N/A	E	15
Pearly mussel, tubercled-blossom	Epioblasma (=Dysnomia) torulosa torulosa	USA (IL, KY, TN, WV)	N/A	E	15
Pearly mussel, turgid-blossom	Epioblasma (=Dysnomia) turgidula	USA (AL, AR, MO, TN)	N/A	E	15
Pearly mussel, white cat's eye	Epioblasma (=Dysnomia) sulcata delicata	USA (IN, MI, OH)	N/A	E	15
Pearly mussel, white wartyback	Plethobasis circatricosus	USA (AL, TN)	N/A	E	15
Pearly mussel, yellow-blossom	Epioblasma (=Dysnomia) florentina florentina	USA (AL, TN)	N/A	E	15
Pigtoe, fine-rayed	Fusconaia cuneolus	USA (AL, TN, VA)	N/A	E	15
Pigtoe, rough	Pleurobema plenum	USA (KY, TN, VA)	N/A	E	15
Pigtoe, shiny	Fusconaia edgariana	USA (AL, TN, VA)	N/A	E	15
Pocketbook, fat	Potamilus (=Proptera) capax	USA (AR, IN, MO, OH)	N/A	E	15
INSECTS:					
Butterfly, Bahama swallowtail	Papilio andraemon bonhotei	USA (FL), Bahamas	N/A	T	13
Butterfly, El Segundo blue	Euphilotes (=Shijimiaeoides) battoides allyni	USA (California)	N/A	E	14
Butterfly, Lange's metalmark	Apodemia mormo langei	USA (California)	N/A	E	14
Butterfly, Lotis blue	Lycaeides argyrognomon lotis	USA (California)	N/A	E	14
Butterfly, mission blue	Icaricia icarioides missionensis	USA (California)	N/A	E	14
Butterfly, San Bruno elfin	Callophrys mossii bayensis	USA (California)	N/A	E	14
Butterfly, Schaus swallowtail	Papilio aristodemus ponceanus	USA (Florida)	N/A	T	13
Butterfly, Smith's blue	Euphilotes (=Shijimiaeoides) enoptes smithi	USA (California)	N/A	E	14

WHEN LISTED FOOTNOTES:

8--40 FR 29864; July 16, 1975
9--40 FR 31736; July 28, 1975
10--40 FR 44151; September 25, 1975
11--40 FR 44418; September 26, 1975
12--40 FR 47506; October 9, 1975
13--41 FR 17740; April 28, 1976
14--41 FR 22044; June 1, 1976
15--41 FR 24064; June 14, 1976
16--41 FR 45993; October 19, 1976
17--41 FR 51021; November 19, 1976
18--41 FR 51612; November 23, 1976
19--41 FR 53034; December 3, 1976

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federal register

Friday
February 27, 1981

Part V

Department of the Interior

Geological Survey

Final Outer Continental Shelf Orders Governing Oil and Gas Lease Operations in the Arctic

DEPARTMENT OF THE INTERIOR

Geological Survey

Final Outer Continental Shelf Orders Governing Oil and Gas Lease Operations in the Arctic

Notice is hereby given that under Title 30 of the Code of Federal Regulations, § 250.11, the Deputy Chief, Conservation Division—Offshore Minerals Regulation, U.S. Geological Survey (USGS), has approved the issuance of final Outer Continental Shelf (OCS) Orders Nos. 1, 2, 3, 4, 5, 7, 8, and 12 for the Arctic Area of the Gulf of Alaska Region. These Orders will be effective February 27, 1981.

The analysis contained in the Environmental Assessment (EA) of the proposed Arctic OCS Orders and the comments received regarding that analysis were considered prior to making a decision to issue these final Arctic OCS Orders. In accordance with the Council on Environmental Quality regulation (45 CFR 1508.13), a document entitled "A Finding of No Significant Impact" has been prepared for the issuance of these Orders. This document is available, upon request, from the Deputy Conservation Manager and the Deputy Chief, Conservation Division—Offshore Minerals Regulation, at the addresses listed below.

Lessees cannot explore for oil and gas in the Arctic OCS Area until they have an exploration plan approved by the USGS. Many of the standards for approving these plans are set by the Arctic OCS Orders. A lessee already has filed an exploration plan with the Deputy Conservation Manager, Offshore Field Operations, Alaska OCS Region. Under this plan, the lessee proposes to build gravel islands in the Beaufort Sea lease sale area. Due to the loss of favorable ice conditions in the Arctic, these islands cannot be built this year unless construction begins by March 1, 1981. A need exists to have the Orders take effect by this date, so that the USGS may approve or disapprove the exploration plan.

Industry will not need the additional time to comply with these Orders before the effective date. These Orders have been available to industry in virtually the current form since June 13, 1979 (44 FR 34060), and are similar to existing Orders in other OCS regions. Lessees have had an adequate opportunity to adjust their plans to these requirements. We, therefore, find good cause not to wait 30 days before having these Orders take effect. See 5 U.S.C. § 553(d)(3).

These Orders incorporate appropriate suggestions received in response to the following **Federal Register** Notices published on:

1. June 13, 1979 (44 FR 34060), requesting comments on the proposed version of Arctic OCS Orders Nos. 1, 2, 3, 4, 5, 7, and 12.

2. June 29, 1979 (44 FR 38004), June 29, 1979, requesting comments on the final versions of OCS Orders Nos. 1, 2, 3, 4, 5, 7, and 12 for the Gulf of Mexico, Pacific, Gulf of Alaska, and Atlantic OCS Regions, and referred to the Arctic OCS Orders, as published on May 18, 1979 (44 FR 29258).

3. July 2, 1979 (44 FR 38676), requesting comments on proposed OCS Order No. 8 and proposed "Operating Procedures for the OCS Platform Verification Program" for the Gulf of Mexico, Pacific, Gulf of Alaska, Atlantic, and Arctic OCS.

4. September 27, 1979 (44 FR 55670), postponing the effective date of the Orders to December 1, 1979, and announced that the final Orders would include the final versions of Arctic OCS Orders Nos. 1, 2, 3, 4, 5, 7, and 12. The December 1, 1979, effective date was subsequently extended to January 1, 1980, by Notice on November 30, 1979 (44 FR 69040).

5. December 21, 1979 (44 FR 76212), promulgating OCS Orders Nos. 1, 2, 3, 4, 5, 7, 8, and 12, effective January 1, 1980, for the Gulf of Mexico, Pacific, Gulf of Alaska, and Atlantic OCS Regions. This Notice generated unsolicited comments applicable to the Arctic OCS Orders.

6. April 10, 1980 (45 FR 24713), requesting comments on proposed revisions of portions of final OCS Orders Nos. 1, 2, 5, and 7 for the Gulf of Mexico, Pacific, Gulf of Alaska, and Atlantic OCS Regions. Comments relative to the Arctic Area were also invited, since these proposed revisions are also applicable to the Arctic OCS Orders.

7. August 18, 1980 (45 FR 55126), publishing final revisions of certain requirements of OCS Orders Nos. 1, 2, 5, and 7, effective September 15, 1980, for the Gulf of Mexico, Pacific, Gulf of Alaska, and Atlantic OCS Regions. This Notice and the final Orders also include responses to appropriate suggestions received at a public meeting held at the USGS National Center in Reston, Virginia on May 20, 1980. These responses and suggestions are applicable to the Arctic OCS Orders.

8. December 19, 1980 (45 FR 83868), requesting comments on an EA of the potential environmental effects of issuing the proposed Arctic OCS Orders.

These Orders have also been revised to reflect the revision of the operating regulations contained in 30 CFR 250, which implements the Outer Continental Shelf Lands Act (OCSLA) Amendments of 1978. These regulation revisions were published on October 26, 1979 (44 FR 61886), with an effective date of December 13, 1979. Accordingly, it should be noted that the preamble and the text of each Order cite the regulations as revised.

Arctic OCS Order No. 8 incorporates, by reference, the document entitled "Operating Procedures for the OCS Platform Verification Program," October 1979. The original proposed version of this document was published with a proposed OCS Order No. 8 for the Gulf of Mexico, Pacific, Gulf of Alaska, Atlantic and Arctic OCS on July 2, 1979 (45 FR 38676). A summary of comments, discussions, and the final version of the document were published for the Gulf of Mexico, Pacific, Gulf of Alaska and Atlantic OCS Regions on December 21, 1979 (44 FR 75254). This version of the document is hereby adopted by reference into the Arctic OCS Order No. 8. The USGS is currently revising this document and will publish a revised version in the future.

In accordance with the USGS Director's Delegation of Authority, published on March 14, 1980 (45 FR 16570), the title, "Oil and gas Supervisor," has been changed to "Deputy Conservation Manager." Authority of the Chief, Conservation Division, to approve Orders has been delegated to the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

It should be noted that some of the requirements of these Orders will be revised in the near future to reflect the implementation of the "Memorandum of Understanding Between the United States Geological Survey of the Department of the Interior and the United States Coast Guard of the Department of Transportation concerning Regulation of Activities and Facilities on the Outer Continental Shelf of the United States," which was signed on December 18, 1980 and published on January 8, 1981 (45 FR 2199).

Comments were received from the following organizations:

Alaska Legal Services Corporation.
Alaska Oil and gas Association.
American Bureau of Shipping.
AMOCO Production Co.
ARCO Alaska, Inc.
Atlantic Richfield Co.
Axelson, Inc.
Brown & Root, Inc.
Chevron USA, Inc.
Chicago Bridge and Iron Co.
Continental Oil Co.
Det Norske Veritas.
Engineering Specialties, Inc.
Exxon Company, USA.
Friends of the Earth, Alaska Office.

Getty Oil Co.
Gulf Oil Exploration and Production Co.
Hunt Oil Co.
J. Ray McDermott & Co.
Lone Star Steel Co.
Marathon Oil Co.
Massachusetts Executive Office of Environmental Affairs.
National Ocean Industries Association.
National Wildlife Federation. Natural Resources Defense Council, Inc.
Offshore Operators Committee.
Otis Engineering Corporation.
Pace Marine Engineering Systems, Inc.
Pennzoil Co.
Phillips Petroleum Co.
Shell Oil Co.
Sohio Alaska Petroleum Co.
State of Alaska, Office of the Governor.
Sun Production Co.
Tennessee Gas Pipeline.
Terris and Sunderland, Counsel for the North Slope Borough of Alaska.
Texaco, Inc.
Tiedemann, H. M., and Co., Inc.
Trans-Continental Gas Pipeline Corporation.
Trustees for Alaska.
Union Oil Company of California, Gulf and Western Regions.
U.S. Department of Commerce, National Oceanic and Atomospheric Administration.
U.S. Department of the Interior, Fish and Wildlife Service.
U.S. Environmental Protection Agency.
U.S. Navy, Naval Facilities Engineering Command.
Ziontz, Pirtle, Morisset, Ernstoff and Chestnut, on behalf of the Inupiat Community of the Arctic slope.

In order to facilitate our discussions of the comments received and the presentation of the final version of the Orders, this Notice is organized under the following general headings:

I. Summaries and Discussions of Comments Received in Response to Federal Register Notices Published Through August 18, 1980

This section discusses the comments received on the **Federal Register** Notices listed above in items 1 through 7 and explains the revisions to the June 13, 1979, proposed Arctic Orders as presented in the Appendix of the EA which was published on December 19, 1980 (45 FR 83888). Refer to item 8 above.

Some of the comments and discussions published on December 21, 1979 (44 FR 76212), are repeated in this publication for the convenience of the readers. In certain instances, the revised portions of paragraphs and subparagraphs are indicated in italics.

II. Summaries and Discussions of Comments Received in Response to Federal Register Notice (45 FR 83868) on the Environmental Assessment

This section discusses the comments pertaining to the analysis of the environmental effects of the proposed Arctic Orders and alternatives.

III. Final Arctic OCS Orders

This section contains the final Arctic OCS Orders Nos. 1, 2, 3, 4, 5, 7, 8, and 12.

The term "OCS area," as used herein, is defined as an established organizational unit of a USGS region under the jurisdiction of a deputy Conservation Manager. An area is comprised of one or more districts, each of which is under the administration of a District Supervisor.

Arctric OCS Orders are applicable to leases on the OCS of the Beaufort Sea, Chukchi Sea, and the Hope Basin. The term "Outer Continental Shelf" means all submerged lands lying seaward and outside of the area of lands beneath navigable waters as defined in section 2 of the Submerged Lands Act (Public Law 31, 83rd Congress, 1st Session), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

For further information, contact Mr. David Schuenke Chief, Branch of Rules and Procedures, Conservation Division, USGS, Mail Stop 640, 12201 Sunrise Valley Drive, Reston, Virginia 22092 (703–860–7395). The primary authors of this document are Mr. Rodney A. Smith, Deputy Conservation Manager, Mr. Rishi Tyagi, Chief, regulations and Orders Section, and Mr. stan Radack, Chief, engineering and Operations Section, Offshore Field Operations, USGS, Alaska OCS Region, P.O. Box 259, Anchorage, Alaska 99510 (907–271–4303); Mr. Lloyd M. Tracey, chief, OCS Orders and Standards Section, and Mr. Ray Beittel, Office of the Deputy Chief, Conservation Division—Offshore Minerals Regulation, USGS, Mail Stop 640, National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092 (703–860–7395); and Mr. Poe Leggette, Office of the Solicitor, Department of the Interior, Mail Stop 600, National Center, 12201 Sunrise Valley drive, Reston, Virginia 22092 (703–860–6736).

Copies of this Notice are available from the following:

Deputy Conservation Manager, Offshore Field Operations, U.S. Geological Survey, Alaska OCS Region, P.O. Box 259, Anchorage, Alaska 99510.
Deputy Chief, Conservation Division—Offsore Minerals Regulation, U.S. Geological Survey, Mail Stop 640, National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

Booklet copies of the final Arctic OCS Orders will be availalbe from the Deputy Conservation Manager and the Deputy Chief, Conservation Division—Offshore Minerals Regulation, at the addresses listed above in approximately 60 days after the effective date of these Orders.

Copies of the USGS Standards referenced in Arctic OCS Order No. 2 are available from the Deputy Chief, Conservation Division—Offshore Minerals Regulation, at the address above.

Dated: February 17, 1981.

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

I. Summaries and Discussions of Comments Received in Response to Federal Register Notices Published Through August 18, 1980

General Comments

Comments. One commenter noted that the term "operator" had been replaced with the term "lessee" throughout the revised OCS Orders. The commenter also contended that "There appears to be some confusion between drilling 'contractor' and 'operator.' We agree that the drilling 'contractor' is the lessee's agent and that the 'lessees' are generaly responsible for drilling and development of the lease. Therefore, with regard to provisions addressing legal liabilities, 'lessee' would be correct. However, many of the provisions apply to operational questions, such as submission of forms, reporting, etc. We suggest that the 'operator' is the proper party in those instances, not the lessee (non-operator). In those instances, the lessee (non-operator) would have to first obtain the information from the operator before it could respond. This requirement would be unnecessary, burdensome, and inefficient. We urge you to direct such requirements to the 'operator' not 'lessee' (non-operator) with regard to operational activity."

Discussion. As indicated on May 18, 1979 (44 FR 29261), under the discussion for the revisions of subparagraph 2.1.1 of OCS Order No. 2, the USGS maintains that the lessee is legally responsible for all requirements for compliance, including drilling and developing the lease. The USGS recognizes that much of the information which is required must be submitted in behalf of the lessee(s) by the operator.

The Preambles of OCS Orders Nos. 2 and 5 were revised to clarify that certain required information may be submitted by the "designated lease operator."

OCS Order No. 1

Paragraph 1

Comments. One commenter suggested that the Order should provide different requirements for large and small

structures. Another commenter suggested that the Arctic Order should provide requirements for artificial islands.

Discussion. These suggestions were adopted.

Paragraph 1 was reorganized into three subparagraphs: 1.1, *Large Platforms and Structures;* 1.2, *Small Structures;* and 1.3, *Artificial Islands.*

The requirements for large platforms are the same as the original Order. The requirements for small structures are the same as the existing OCS Order for the Gulf of Mexico Region and are consistent with the U.S. Coast Guard requirements. The requirements for artificial islands are applicable only to the Artic Areas.

Paragraph 2

Comments. One commenter suggested that the entire paragraph be deleted, since the sign required by the Order would create an unnecessary hazard during its installation and during subsequent drilling operations.

Discussion. The USGS disagrees. This requirement is in accordance with 30 CFR 250.37, which requires each drilling structure to be clearly identified. The sign need not create a hazard, since it may be affixed outside the derrick and need not interfere with the drilling operations. The Order was revised to allow the option of installing the sign on the heliport. We consider these signs necessary to facilitate the identification of particular floating drilling vessels from the air, especially during emergency conditions.

Comments. One commenter suggested that the words "floating platforms" should be added to the first sentence.

Discussion. The USGS agrees with the intent of this suggestion; therefore, the Order was revised by deleting the word "semisubmersible." The words "floating platforms" are considered to be all inclusive.

Paragraph 4

Comments. One commenter believes only potentially hazardous or sizable submerged objects should be reported to the U.S. Coast Guard. The U.S. Coast Guard also expressed concern that excessive reports are being filed because the currently effective Orders for the active areas do not place any limitations on the reportable objects.

Discussion. The USGS has accepted this suggestion and revised paragraph 4 of OCS Order No. 1, as indicated in section III of this Notice. The U.S. Coast Guard will forward all reports disclosing potential obstructions to the National Marine Fisheries Service for appropriate inclusion on the list of obstructions to fishing devices. This list is published in the Weekly notice to Mariners by the Defense Mapping Agency Hydrographic/Topographic Center, and is distributed to all USGS District Supervisors. This publication is available from: DMAOOS, Code IMA, 650 Brookes Lane, Washington, DC 20315.

The U.S. Coast Guard also intends to publish a Notice outlining the method of position fixing.

Comments. It was suggested that the last sentence concerning permanent markers should be deleted from the Arctic Order because ice and ice flows would be hazardous to these devices.

Discussion. The U.S. Coast Guard District Commander will consider all environmental conditions in determining marking requirements. The District Commander has the prerogative of granting departures from this requirement where permanent markers are impractical.

Comments. There was a wide divergence of opinion on the proposed revision of this paragraph, as published on April 10, 1980 (45 FR 24713). One commenter agreed with the proposed revision; another contended that the 40-pound limitation on the reporting of objects was too low; and another contended that this limitation was too high. The first commenter stated, "* * * a 6" ANSI 600 series weld neck flange weights 73 lbs., and an 8" ANSI 600 series flange weighs 112 lbs., and these should not be considered an obstruction." This commenter suggested that the limitation should be 120 pounds or less; another suggested the limitation should be 150 pounds. The opposing view maintains that 55-gallon drums are a major cause of net damage. It was contended that "* * * platform workers knock holes in the drums and throw them into the Gulf rather than return them to the shore. The drums weigh less than 40 pounds empty, but on the sea floor filled with mud, they weigh half a ton or more. Often they rip through the net wings or through the bottom of the net causing the loss of a catch."

This commenter also contended that batteries and diesel fuel filters also weigh less than 40 pounds, and these items have caused damage to fishing nets.

Discussion. The 40-pound weight limitation was selected because the USGS determined that a 55-gallon steel drum without a top weighs approximately 42 pounds. Therefore, any 55-gallon steel drum lost, with or without a top, would be required to be reported. The disposal of material such as containers, batteries, and diesel fuel filters is prohibited by OCS Order No. 7, subparagraphs, 1.2, *Solid Material Disposal,* 1.2.2, *Containers,* and 1.2.3, *Equipment.* Engine starting batteries weigh 45 to 55 pounds and, therefore, would be reportable items. It appears that the 40 pound weight limitation is reasonable.

Comments. It was suggested that subparagraph 4b of the April 10, 1980 (45 FR 24713) version of the proposed revision of paragraph 4, should be revised to separate the weight limitation from the configuration limitation. It was contended that the configuration limitation should be treated alone, since it alone provides sufficient reason for exclusion

Discussion. The USGS disagrees with the contention. The intent was to require the reporting of light bulky items which would damage fishing nets, regardless of weight.

Comments. It was suggested that a new subparagraph should be added to the Order as follows: "Are located within 150 feet of fixed structures on which approved aids to navigation are maintained." It was contended that prudent fishermen would maintain this distance for safety.

Discussion. The USGS agrees with the intent of this suggestion and has revised the subparagraph to include a new subparagraph 4c, as follows: "c. Are *determined to be located on the sea floor* within 46 meters (150 feet) of fixed structures on which approved aids to navigation are maintained."

The phrase "determined to be located on the sea floor" was added because an accidentially dropped object may roll or be carried by currents more than 150 feet from the structure and, therefore, could present a hazard to fishing gear.

Paragraph 5. Marking of Equipment

Comments. Several commenters commented on the content of this paragraph, which was added to the final Orders for the Gulf of Mexico, Pacific, Gulf of Alaska, and Atlantic Regional Orders on December 21, 1979 (44 FR 76216). This paragraph was added in accordance with the new regulation, 30 CFR 250.54, which was published on October 26, 1979 (44 FR 61886). This new regulation implements section 403(b) of the OCSLA Amendments of 1978.

Discussion. As stated on April 10, 1980 (45 FR 24713), appropriate comments received in response to the solicitation for comments on 30 CFR 250.54 would be considered in the development of the final revision of paragraph 5 of OCS Order No. 1. These comments were incorporated into a proposed revision of paragraph 5 which was published on June 16, 1980 (45 FR 40669). Comments were requested to be submitted by August 15, 1980. These

comments are being analyzed and appropriate suggestions will be incorporated into a reproposal of paragraph 5 to be published in the Federal Register in the future. The subsequent paragraph, entitled "Departures," was renumbered.

OCS Order No. 2

Preamble

Comments. No comments received.

Discussion. A sentence was added referring to the requirements for "Electrical Equipment," "Welding Practices and Procedures," and "Employee Orientation and Motivation," specified in OCS Order No. 5 for production safety systems and applicable to drilling rigs.

Subparagraph 1.1a

Comments. It was proposed that the requirements of subparagraph 1.1a regarding drilling of a relief well, be elaborated and more specific relative to time within which the drilling of the relief well had to be commenced.

Discussion. Operators will be required to identify in their plan for exploration or plan of operation a means of drilling a relief well. The plan will be based on the season for which the operation is proposed, the distance from shore and the offshore islands, water depth, the depth of the proposed wells and prospective hydrocarbon zones, the type of operation and type of other drilling operations in the area such as gravel island, ice island, drillship, and barge, and the status of new technical developments.

Requirements specifying the type of drilling unit that must be used and the maximum permissible time for site preparation are intentionally omitted because of the large number of variables affecting relief well decisions. The relief well options proposed by the operator will have to be acceptable to the District Supervisor from a timing and a technical standpoint.

Paragraph 1.1

Comments. It was suggested that, in addition to subsections 1.1a, 1.1b, and 1.1c, a subsection be added requiring provisions for dealing with normal and emergency operations during three separate seasonal conditions and for dealing with possible fire involvement.

Discussion. The first suggestion was adopted and the following subsection 1.1d was added: "1.1d. Hazards unique to the site of the drilling operations, including conditions such as solid ice cover freezeup and breakup." Requirements for firefighting systems are covered under subparagraph 5.1.8 of OCS Order No. 5.

Subparagraph 1.2

Comments. Several commenters stated that the last sentence should be revised to require "if drilling activity does not commence within 6 months," be changed to "12 months." It was contended that the 6-months requirement will "create new problems as a result of rig scheduling, partnership agreements and availability of equipment."

Another commenter stated that the last sentence in this subparagraph should be changed to provide "if drilling activity does not commence within one year after approval date, the permit will expire unless an application for extension due to unusual circumstances is made to the District Supervisor."

Discussion. The USGS considered the reasons submitted for the proposed change. The last sentence of subparagraph 1.2 was deleted, because diligence requires that drilling should proceed as soon as possible after an Application for Permit to Drill has been approved. If drilling is delayed for valid reasons the District Supervisor may reevaluate his approval at the time drilling is to commence.

Subparagraph 2.1.1.

Discussion. The following editorial revisions were made to improve the organization of the requirements. A sentence was added to make it clear that the information need not be resubmitted when a unit moves about in a given area or returns to an area where the drilling unit had been previously approved, unless there were changes in equipment which affect the rated capacity of the unit. This sentence was formerly contained in subparagraph 2.2c, *Mobile Drilling Units*, and was moved to subparagraph 2.1.1, because the requirement is applicable to drilling rigs on mobile drilling units and fixed structures. The requirements of subparagraph 2.1.1f were formerly contained in subparagraph 2.2a. It is considered that this requirement should more appropriately be placed under "General Requirements," because it applies to fixed and mobile drilling units.

Comments. It was suggested that this Order should specify the extreme oceanographic and meteorological conditions "which must be withstood" by the drilling units.

Discussion. This suggestion was not adopted because the oceanographic and meteorological conditions vary from area to area, and from season to season; therefore, it is necessary to evaluate each drilling unit on a site-specific case-by-case basis. This subparagraph was revised by adding the phrase "and ice conditions" to the first sentence. It is considered necessary that this parameter be included, since ice conditions can affect the fitness of the drillng unit.

Comments. One commenter suggested that the drilling units be equipped with a mud circulation pump which can be used in case a generator blackout.

Discussion. We have determined that the addition of this requirement is unnecessary. Drilling units proposed for use by the lessees are routinely checked to ensure they incorporate redundancy in emergency backup equipment, consistent with the current state-of-the-art and also meeting the requirements of BAST. It is common practice to equip Arctic drilling rigs with multiple mud pumps with independent power sources.

Subparagraph 2.1.3

Discussion. This subparagraph was revised to provide for those areas where sufficient geophysical data has been collected to prepare a comprehensive report on the geological hazards which the District Supervisor will evaulate to determine if additional shallow geologic hazard surveys are required. The phrase, "* * * or other surveys required by the Deputy Conservation Manager (DCM, Offshore Field Operations)" was added because the DCM may require other surveys, such as archaeological surveys or biological surveys, to be conducted in certain areas, as stipulated by lease terms.

Comments. Several comments received in response to the final version of subparagraph 2.2, *Mobile Drilling Units*, item "c," for the Pacific, Alaska and Atlantic Regions published on December 21, 1979 (44 FR 76223), and a proposed revision published on April 10, 1980, (45 FR 24713), prompted the USGS to reevaluate the requirements for the submittal of seabed data for all regions of the OCS.

Discussion. The USGS has reviewed the criteria for requiring these data and has determined that seabed data is important not only for the determination of the stability of mooring points for mobile units, but also for fixed drilling platforms, and for the stability of the location for subsea blowout-preventer stacks. Therefore, the USGS revised the requirement to allow the District Supervisors to selectively require the submittal of the data as indicated below. It should be noted that since this requirement is applicable to mobile and fixed drilling units, it is appropriate to include this requirement under the heading of *General Requirements* and

the subheading of *Well-Site Surveys*, rather than under the heading 2.2, *Mobile Drilling Units*, item "c," as indicated in the December 21, 1979 (44 FR 76223) version of the subparagraph. Therefore, this requirement was deleted from subparagraph 2.2 and incorporated into subparagraph 2.1.3 *Well-Site Surveys*, by adding the following sentence:

> When requested, this data shall include sediment and seabed data, e.g., seabed profiles, sediment consistency, allowable bearing and sliding loads, and nearby potential seabed hazards, i.e., sand waves, slumps, mud slides, permafrost, and deposits of frozen gas hydrates.

Subparagraph 2.1.4

Comments. It was suggested that this subparagraph should include a requirement to monitor and report ice conditions.

Discussion. The USGS agrees; the phrase "and monitor ice conditions" was added to the first sentence.

Comments. Several commenters suggested that the section be revised to require this data collection only as needed for early area planning and to provide for its possible discontinuation once sufficient data were available for a given area.

Discussion. The proposed suggestion has merit and the requirement was modified to read, "Where such information is not readily available, lessees shall collect and report oceanographic, meteorological and performance data, and monitor ice conditions during the period of operation. The type of information collected, method of collection, and report requirements will be as specified by the DCM, Offshore Field Operations."

Subparagraph 2.2a

Comments. No specific comments were received. This subparagraph was revised in response to general comments received on the Final Orders for the Gulf of Mexico, Pacific, Gulf of Alaska, and Atlantic Regions published on December 21, 1979 (44 FR 76223).

Discussion. This subparagraph was revised to require a listing of the maximum environmental and operational conditions used for the design. This revision is a clarification of the previous wording. The reference to the Critical Operations and Curtailment Plan was deleted from subparagraph 2.2a and was incorporated as item "f" of subparagraph 2.1.1. Refer to the discussion for the revision of subparagraph 2.1.1.

Subparagraph 2.2b

Comments. No comments received.

Discussion. The requirement was revised to include a listing of ice loading and unusual site-specific environmental conditions.

Subparagraph 2.3

Comments. No comments received.

Discussion. The following sentence was added to subparagraph 2.3, *Fixed Drilling Platforms: "Mobile drilling units which have their jacking equipment removed, or have been otherwise immobilized, will be considered fixed drilling platforms and applications shall also be submitted in accordance with OCS Order No. 8."* This sentence was added to clarify the requirement when a "mobile drilling unit" is converted to a "fixed drilling unit."

Subparagraph 3.1

Comment. One commenter questioned the usefulness of the requirement for the cements used to cement through permafrost zones to have low heat of hydration; another commenter questioned the use of the word "excessive" in the fourth sentence.

Discussion. The fourth sentence of this subparagraph was modified to read, "The cement used to cement through permafrost zones shall be designed to set before freezing and shall have a low heat of hydration so as not to thaw frozen formations." The USGS considers the use of gypsum based cements having a low heat of hydration is a proven successful method of cementing in permafrost zones.

Comment. One commenter recommended that cementing of casing shall always be checked by running a cement bond log.

Discussion. USGS reviewed this comment and believes the present requirements of subparagraphs 3.1 and 3.6 adequately address testing of cement jobs and remedial cement jobs.

Comments. It was suggested that the sixth sentence of subparagraph 3.1 should be revised as follows: (1) Delete the requirement "12 meters (39 feet) below the ocean floor" and (2) Insert "the depth of the structural casing shoe." It was contended that "placement of the mudline suspension starting ring should determine the depth at which cement should be removed below the mudline. Sufficient data is not always available to place the starting ring within 39 feet of the mudline."

Discussion. The USGS agrees with the commenter's reasons for the suggestion. This suggestion was adopted.

Comments. It was suggested that the penultimate sentence of the first paragraph be revised by inserting the phrase "after consulting with," in lieu of "in accordance with the instructions of."

Discussion. This suggestion was not adopted. The proposed phrase implies that anything the lessee proposes to do would be acceptable to the District Supervisor. The phrase, "* * * as approved by the District Supervisor" was adopted.

The first sentence of the second paragraph of 3.1 listing design criteria was reworded for editorial clarity.

Comments. One commenter objected to the December 21, 1979 (44 FR 76214) version of subparagraph 3.1c, which was changed from "maximum anticipated surface pressure" to "anticipated surface pressure." The commenter contended, "However, it now appears that some USGS [District] supervisors have interpreted 'anticipated surface pressure' to be determined considering only gas in the hole, which can result in certain wells not being drilled." This revision also impacts subparagraph 5.1.1, *Blowout Preventer (BOP) Equipment Requirements*, which requires that the working pressure of any BOP shall exceed the anticipated surface pressure to which it may be subjected.

Discussion. The USGS determined from comments received that industry uses a variety of methods to determine the design wellhead pressure for surface and production casing strings and in the selection of BOP stack and wellhead working pressure levels. For example, one company assumes the design pressure used in designing the casing string and selecting the wellhead BOP working pressures is equal to a column of dry gas times a factor equal to the square root of the ratio of 4,000 divided by the casing setting depth. Another company uses a factor of 62⅓ percent of the anticipated maximum bottom hole pressure. Another company sizes BOP equipment to withstand ⅓ of the estimated bottom hole pressure at the next casing depth. In recognition of the divergence of opinion on this subject, the USGS revised the second paragraph of subparagraph 3.1, as shown below. This revision will allow the USGS to identify any design wellhead pressures that appear inconsistent with normal industry practice. This procedure will also allow industry to evolve and apply new criteria as they are developed. The revisions of the subparagraph are indicated in italics. The italicized revision renders the first sentence of the second paragraph of subparagraph 5.1.1 redundant; therefore, this sentence was deleted. It should be noted that a proposed revision of this subparagraph was published on April 10, 1980, (45 FR

24714) and that the final version, as published below, is responsive to comments received on that version, and comments received at a public meeting at the USGS National Center in Reston, Virginia on May 20, 1980. Additional comments on the April 10, 1980 version are discussed below.

Comments. It was suggested that the last sentence of the April 10, 1980 (45 FR 24714) version of the footnote should be revised to state, "The lessee shall include as part of the statement of anticipated surface pressure a statement containing the calculations used to determine this pressure during the drilling phase, the completion phase, and the anticipated surface pressure used for production string design."

It was contended that "The anticipated surface pressure for production purposes through the production casing is usually based on the estimated bottom hole pressure less the pressure exerted by a column of gas with the hole void of fluid. This type of calculation is not appropriate for calculation of anticipated pressure for the drilling and completion phases and our recommended change recognizes this difference."

Discussion. The USGS agrees that the suggested revision would go well with the penultimate sentence of the footnote. The sentence was adopted with minor editorial changes. Refer to the final revision of the footnote.

Comments. It was suggested that the following sentence should be added to the footnote: "Any reasonable criteria for calculating anticipated surface pressure known to provide safe operations for a particular company, in combination with appropriate historical design factors, equipment, and operational practices for the type well proposed, shall be deemed acceptable."

It was contended that, "Technology which has proven safe, as well as cost effective for a particular company, should not be arbitrarily set aside."

Discussion. The USGS believes that the type of information suggested by the commenter should be considered by the District Supervisor. The District Supervisor, however, is required to make an engineering judgment on the validity of the calculations used to determine anticipated surface pressure. The second paragraph of subparagraph 3.1 is revised as shown below in italics.

3.1 *General Requirements.*

* * * * *

The design criteria considered for all wells shall be submitted with the Application for Permit to Drill. The criteria to be considered shall include all pertinent factors for well control, such as:

a. Formation fracture gradients.
b. Formation pressure.
c. *Anticipated surface pressure.**
d. Casing setting depths.
e. Permafrost zones.

**Anticipated surface pressure is defined as the surface well pressure which can reasonably be expected to be exerted upon a casing string and its related wellhead equipment. In the calculation of anticipated surface pressure, the lessee shall take into account the drilling, completion, and producing conditions. He shall consider mud densities to be used below various casing strings, fracture gradients of the exposed formations, casing setting depths, total well depth, formation fluid type, and other pertinent conditions. Considerations for calculating anticipated surface pressure may vary for each segment of the well. The lessee shall include as a part of the statement of anticipated surface pressure the calculations used to determine this pressure during the drilling phase and the completion phase, including the anticipated surface pressure used for production string design.*

* * * * *

Comments. One commenter suggested that the first sentence in the penultimate paragraph should be changed to state, "The lessee, its assignee or the lease operator * * *."

Discussion. This suggestion was not adopted because it is not necessary to use the term "assignee," since one who has been assigned an interest in a lease becomes the lessee.

Comments. Another commenter stated that pipe/casing manufacturers produce "numerous proprietary grades of casing" for which there are no American Petroleum Institute (API) Standards. It was further stated that excessive paperwork would be eliminated if each manufacturer of proprietary grade casing file their specifications with each District Supervisor.

Discussion. The USGS agrees with this proposal. Accordingly, the sentence in the fourth paragraph was changed as follows: "If casing to be used is not fabricated to API Standards, the yield strengths of the casing shall be included on the Application for Permit to Drill (Form 9–331C), provided these specifications are not on file with the USGS."

Comments. A commenter recommended that item "d" be amended to add: "A±25—foot tolerance shall be allowed for casing and drill depth requirements." It was contended that: "casing joint lengths and hole fill require some tolerance to meet a specified depth limit.

Discussion. This change was not adopted. Exceptions to the casing setting depth may be authorized by the District Supervisor if evidence supporting the need for such exceptions is presented.

Comments. The title of paragraph 3.1e should be "Abnormally Pressured Zones" and not "Permafrost Zones."

Discussion. This was a typographical error in the June 13, 1979 (44 FR 34062) version of the Order. There is no subparagraph 3.1e. Item "e. Permafrost Zones," is the last item in the list of pertinent factors for well control. The information printed after "e. Permafrost Zones," was intended to be a separate paragraph of subparagraph 3.1.

Comments. One commenter stated that the last paragraph of the June 13, 1979 (44 FR 34062) version was not clear and needed clarification. Another commenter recommended this paragraph be deleted. It was stated, "This requirement has been excerpted from the Prudhoe Bay field rules and is applicable to a permafrost region 2,000 feet thick and 20-year, 50-foot radius thaw under 190°F producing conditions. At this time only 13⅜-inch, 72-pound/foot, N–80 Buttress casing has been tested and demonstrated capable of performing within the specification. In exploratory drilling, and floating drilling in particular, surface casing will normally consist of 16- or 20-inch casing and drilling activities will last about 6 months. It is unknown whether 16- and 20-inch casing can meet the requirement and, indeed, should not be required, since the thaw which would occur over the short period of time and lower temperature drilling activity would be minimal. Specific casing requirements such as those proposed should be included in field rules when development drilling begins as provided for in Section 10 of Order No. 2."

Discussion. The USGS is in general agreement with the rationale presented in this comment. All proposed casing design strings will be reviewed on an individual basis when submitted on the Application for Permit to Drill (Form 9–331C). Therefore, this paragraph was deleted.

Subparagraph 3.2

Comments. It was suggested that the last sentence be changed to add the phrase "with a larger diameter bit than outside diameter of the casing," be inserted following the word "drilled," and before the word "the."

Discussion. It is not believed necessary to include this phrase, since, when any hole is drilled to be cased, the

casing outside diameter must be smaller than the bit.

Subparagraph 3.3.1

Comments. It was suggested the fourth sentence in the first paragraph be revised by changing the word "exact" to "approximate." Another suggestion stated the following sentence should be added to the first paragraph: "Exceptions to the above casing setting depth restraints may be authorized by the District Supervisor if evidence supporting the need for such exceptions is presented by the operator." It was contended that, "As deeper waters are reached, the fracture gradient is reduced with water depth and these current depths may not permit circulation to the surface, i.e. fracture gradient insufficient to support a column of liquid. Casing setting depth exceptions may be required to ensure the safety of operations."

Discussion. Proposed casing programs are to be submitted with the Application for Permit to Drill. Actual well conditions, depth of prospective zones, and other considerations may justify changes in casing setting depth(s), subject to approval by the DCM, Offshore Field Operations. The word "exact" was deleted.

Subparagraph 3.3.2

Comments. It was suggested that the last part of the first sentence be changed from "up to the top of the casing" to "back to the ocean floor."

Discussion. It was recognized that the cement fill requirement should provide for conductor casing set on artificial islands and conductor casing set from floating drilling rigs. Therefore, the subparagraph was revised as indicated below:

3.3.2 *Conductor Casing Cementing Requirements.*

3.3.2.1 *Drilling from Artificial Islands.* When drilling from artificial islands, conductor casing shall be cemented with a quantity of Cement sufficient to fill the calculated annular space back to the surface. cement fill to surface shall be verified by the observation of cement returns. Upon approval by the District Supervisor, the cement may be washed out or displaced to a depth not exceeding the depth of the structural casing shoe to facilitate casing removal upon well abandonment.

3.3.2.2. *Drilling from Floating Drilling Rigs.* When drilling from floating drilling rigs, conductor casing shall be cemented with a quantity of cement sufficient to fill the calculated annular space up to the top of the casing. Cement fill to the top of the casing shall be verified by the observation of cement returns. In the event that observation of cement returns is not feasible or possible, the method of verifying the cement fill shall be approved by the District Supervisor. Upon approval by the District Supervisor, the cement may be washed out or displaced to a depth not exceeding the depth of the structural casing shoe to facilitate casing removal upon well abandonment.

Comments. It was observed that, "the suggested change in paragraph 3.1 for removal of cement to the mudline hanger applies to paragraph 3.3.2 as well. It is necessary to remove the cement to the mudline hanger assemblies in order to facilitate the operation of mudline suspension equipment and to permit temporary abandonment and re-entry of wells."

Discussion. The USGS agrees with this comment. The following sentence was added to subparagraph 3.3.2.1 and 3.3.2.2: "Upon approval by the District Supervisor, the cement may be washed out or displaced to a depth not exceeding the depth of the structural casing shoe to facilitate casing removal upon well abandonment."

Subparagraph 3.3.3

Comments. It was suggested that the following sentence be added after the first sentence: "For floating drilling operations that use a one-stack BOP system, a lesser volume of cement is permissible to prevent sealing the annular space between the conductor casing and surface casing." It was contended that: "Measurements to test the seal between the surface and conductor casing are difficult to register when all variables on a floating rig are considered.

"If the surface-conductor casing annulus is sealed at the bottom when using a one-stack subsea BOP system, the subsea casing hanger packoff sealing this annulus cannot be effectively pressures tested without bursting of the conductor casing each time the BOP's are tested to pressure exceeding the collapse pressure of the casing. With some formation exposed below the conductor pipe, the formation should break down before collapse of the surface pipe or burst of the conductor pipe, if a leak occurs in the sealing arrangement."

Discussion. The following statement was adopted: "For floating drilling operations that use a one-stack BOP system, a lesser volume of cement is permissible to prevent sealing the annular space between the conductor casing and surface casing, when approved by the District supervisor. Any annular space open to the drilled hole must be sealed in accordance with the requirements in Order No. 3 upon abandonment."

Subparagraph 3.4

Comments. It was suggested that the fourth sentence be deleted, which states: "Pressure data shall be obtained either by testing to formation leak-off or by testing to a predetermined equivalent mud weight."

It was contended that: "Formation fracture strength (in shale) often increases over a period of time with exposure to mud filtrate. Therefore, it is not possible in many cases to test a casing shoe soon after drilling out as high as needed to reach a given mud weight objective. Subsequent (and progressively higher) formation tests are not desirable either, since some amount of 'new hole' is always exposed and a fracture if initiated in a long open-hole section is difficult or impossible to repair without running more casing. Also, testing to 'leak-off' or otherwise inadvertently initiating a borehole fracture can limit the initial (undisturbed) strength of the borehole."

Discussion. This suggestion was not adopted; however, this sentence was changed to the following: "Pressure data shall be obtained either by testing to formation leak-off or by testing to a predetermined equivalent mud weight as approved by the District Supervisor." The USGS considers the data of formation leak-off or testing to an equivalent mud weight a necessary procedure in wildcat or exploratory wells. Once these data are adequately developed in a given field, it would not be required on each well.

Subparagraph 3.5

Comments. No comment received.

Discussion. A sentence was added to provide for slotted liner and open hole completions.

Subparagraph 3.6

Comments. It was suggested that the word "prolonged" be inserted before the word "unscheduled" in the first sentence in the paragraph following the table. Another commenter suggested that the phrase "that result in redrilling of the entire open hole interval" be inserted after the second use of "operation" in the third line.

Discussion. The USGS is in general agreement with these comments. This paragraph has been rewritten as follows: "In the event of prolonged drill pipe operations which could cause damage to the casing, the casing shall be pressure tested, calipered, or otherwise

evaluated, as approved by the District Supervisor."

Comments. It was suggested that the fourth paragraph be revised in the first sentence to delete "addition to" and insert "lieu of." Also, in the first sentence, delete "sufficient time must elapse" and insert "the waiting time need not exceed the time required." It was contended that: "Industry experience over the past several years shows that there is no reasonable necessity to wait on cement any longer than the time necessary to reach a compressive strength of 500 psi. Cement can be designed and pretested to reach this strength in a minimum time, taking into account bottom hole temperature."

Discussion. These suggestions were not adopted. There are a large number of cement types (slurries) the lessee may elect to use, depending on well depth, temperature, and other well conditions. Cement setting time varies considerably, depending on the percent of bentonite, calcium chloride, or other additives (or retarders) used. It is believed that the 8- and 12-hour waiting time requirements are reasonable.

Comments. Another commenter suggested that: "The second to last paragraph should be deleted or reworded to state that the compressive strength of the bottom 500 feet of cement should be at least that of the formation in which it is set." It was contended that: "On conductor and surface casing cement jobs, the slurry composition is often modified to prevent loss of circulation. This modification precludes development of 500 psi compressive strengths; however, this is insignificant as the surrounding formations generally have less than 100 psi compressive strength."

Discussion. The suggestion was not adopted. Surface casing is commonly set at depths where formation compressive strengths substantially exceed 100 psi.

Comments. It was suggested that in paragraph 4, the 502 feet of annular cement fill be changed to 100 feet. It was stated that there will be excessive waiting on cement time on conductor casing where lightweight, low fluid loss cement must be used in the upper portion of the annulus to prevent lost circulation.

Discussion. The suggestion was not adopted. It is believed that only 100 feet of cement with a compressive strength of 500 psi does not provide integrity to the total cement column, sufficient to resume drilling operations.

Paragraph 4

Comments. One commenter stated, "It is felt that the maximum individual inclination survey limit of 6 degrees is too restrictive and that the limit of 3 degrees for average inclination is sufficiently limiting. It is suggested that the maximum individual inclination survey limit of 6 degrees be dropped." Another commenter suggested that this paragraph be revised to require that: "* * * well will be considered directional if any one survey exceeds 6° and overall average angle exceeds 3°."

Another commenter suggested that the first sentence in the last paragraph be revised by inserting the phrase "If directional at that depth" after "surface casing." It was further suggested: "Insert a second sentence, Dipmeter directional data is an acceptable substitution for directional surveys." In the present third sentence, insert the phrase "if directional at this depth or below surface casing if vertical" after "structural casing."

It was contended that: "For most drilling cases, unless the well is intended to be directional, shallower than the surface casing setting depth, the well will be virtually vertical (1° inclination), and surveys above surface casing depth on vertical wells would serve no useful purpose."

Discussion. It is agreed that a maximum individual inclination survey limit of 6 degrees can be too restrictive. Therefore, this requirement was deleted.

The USGS is concerned with maintenance of leaseline and other spacing requirements; however, the USGS is also concerned as to the location of the bottom of the hole throughout the drilling of the well to total depth.

Dipmeter directional data are acceptable; therefore, the last sentence in paragraph 4 was added, as follows: "A composite dipmeter directional survey, including a listing of the directionally computed inclinations and azimuths on a well classified as vertical, will be acceptable as fulfilling the applicable requirements of this paragraph."

It is not agreed that directional surveys should start below surface casing, since this casing is permitted to be set as deep as 4,500 feet. Hole deviation may become substantial at this depth under certain drilling conditions.

Subparagraph 5.1.1

Comments. Several commenters suggested that the term "maximum anticipated surface pressure" be changed to "anticipated surface pressure." Another commenter suggested that the phrase "maximum burst load" be used. Some of the rationales submitted in support of "anticipated surface pressure" are quoted as follows: "Use of 'maximum anticipated surface pressure' as defined by the USGS on page 29263, FR May 18, 1979, in this context would require use of equipment that is not available. (The definition allows for consideration of a gas filled wellbore.)"

"Casing design requirements and bit size restriction through high pressure BOP's would be all but impossible to live with. In addition, the capability of shutting in a well and reachieving primary well control by circulating under the 'maximum anticipated' pressure is also only a remote possibility."

"The anticipated surface pressure shall consider all pertinent factors for well control, such as (a) Formation Pressure, (b) Formation Fracture Gradients, (c) Mud Densities, (d) Casing Setting Depths."

One commenter defined anticipated surface pressure as follows: "Anticipated surface pressure is defined as the surface well pressure to be exposed to a casing string and its related wellhead equipment. Anticipated surface pressure will take into account the anticipated drilling, completion and producing conditions. It will consider mud densities to be used below various casing strings, fracture gradients of the exposed formations, casing setting depths, total well depth, formation fluid type and other pertinent conditions. Considerations for anticipated surface pressure will vary for each segment of the well."

Discussion. The USGS has analyzed the rationales submitted in support of the phrase "anticipated surface pressure." The commenter's suggestion that "anticipated surface pressure" be used instead of "maximum anticipated surface pressure" was adopted. The content of the commenter's definition of anticipated surface pressure was also adopted, with modification, as stated in the discussion of Subparagraph 3.1, *General Requirements.*

On the Application for Permit to Drill, the lessee shall include anticipated surface pressures at all casing setting depths, and at total depth, the calculations and rationales to substantiate the stated pressures shall also be included. Refer to the discussion of subparagraph 3.1.

Comments. The May 18, 1979 (44 FR 29271) version of the Orders for the four active regions and the June 13, 1979 (44 FR 34064) proposed Arctic OCS Orders contained the following caveat in subparagraph 5.1.1., "except that the working pressure of the annular preventer need not exceed 34,475 kPa (5000 psi)." The caveat was deleted from the final version of Order No. 2 for the

active regions and published on December 21, 1979 (44 FR 76226). Several commenters objected to the deletion of this exception for the following reasons:

1. The deletion was made without a solicitation for comments.

2. A 10,000-psi, 13⅝-inch annular preventer costs $83,000, and larger six 10,000-psi working pressure annular preventers are not available.

3. "The operational need, use, and justification for this equipment is very questionable."

Due to the larger volume of comments received on the deletion, a proposed revision of the requirement was published on April 10, 1980 (45 FR 24715) and interested parties were invited to attend a public meeting at the USGS National Center in Reston, Virginia on May 20, 1980. It was the concensus of opinion that the caveat should be reinstated in the subparagraph. One commenter suggested that a qualifying phrase such as, "If, upon review of an applicant's request for permit to drill, the District Supervisor determines that the blowout preventer equipment proposed for use in not adequate, he may require equipment rated to higher pressures," should be added.

Several commenters stated that they limit the use of annular preventers to controlling pressures in the range of 2,000 to 3,500 psi. This limitation is accomplished through the use of prudent well-control procedures.

Discussion. After considering all comments, the USGS has revised subparagraph 5.1.1, as indicated below in italics. It should be noted that the first sentence of the second paragraph of the former subparagraph 5.1.1 was deleted. The deleted sentence was rendered redundant by the revisions of subparagraph 3.1.

5.5.1 *BOP Equipment.* Blowout preventer equipment shall consist of an annular preventer and specified number of ram-type preventers. The pipe rams shall be of proper size to fit the drill pipe in use. The working pressure of any blowout preventer shall exceed the anticipated surface pressure to which it may be subjected, *except that the working pressure of the annular preventer need not exceed 34,475 kPa (5000 psi), unless a higher working pressure is required by the District Supervisor. When the anticipated surface pressure exceeds the rated working pressure of the annular preventer, the lessee shall submit with the Application for Permit to Drill a well-control procedure which indicates how the annular preventer will be utilized and the pressure limitations which will be applied during each mode of pressure control.*

All blowout-preventer systems shall be equipped with:

* * * * *

Subparagraph 5.1.1g

Comments. It was suggested that the subparagraph 5.1.1g be revised to provide for the use of flexible steel hose and hammer unions.

Discussion. The USGS agrees that the use of flexible steel hoses and hammer unions is common industry practice, and has adopted the suggestion. This equipment is acceptable provided the working pressure ratings are equal to or exceed the other pressure fittings in the choke manifold. It should be noted that the adjective "maximum" was deleted from the phrase "maximum anticipated pressure," in accordance with the rationales presented in the discussions of subparagraphs 3.1 and 5.1.1.

Comments. It was proposed that the following sentence be added to subparagraph 5.1.1g: "Equipment downstream of the choke need not meet this pressure requirement."

Discussion. This proposal was not adopted, since API RP 53 provides for this.

Subparagraph 5.2, Note 5 and 5.3, Note 2

Comments. In the May 18, 1979 (44 FR 29271) and June 13, 1979 (44 FR 34064) versions of Order No. 2, Note No. 5 of subparagraph 5.2, *Subsea BOP Requirements,* was stated as follows:

"—5. When a tapered drill string is in use, the BOP stack shall be equipped with pipe rams to fit both sizes of drill pipe."

In December 21, 1979 (44 FR 76227) version of the Order, the Note stated:

"—5. When a tapered drill string is in use, the BOP stack shall be equipped with two (2) sets of pipe rams for the larger size string and one (1) set for the smaller size string of drill pipe."

The same revision was incorporated into Note No. 2 of subparagraph 5.3, *Surface BOP Requirements.* Several commenters objected to these revisions for the following reasons:

1. The revision was incorporated without a solicitation for comments.

2. "To add one additional set of pipe rams and all appurtenances to a surface stack of 13⅝" or larger size will cost over $100,000. For a subsea stack, the changes are much more significant and the overall cost to add a third set of pipe rams would be over $250,000."

3. "Tapered drill strings have previously been successfully employed with one set of rams for each size of drill pipe. Therefore, this requirement is not necessary or reasonable."

Discussion. The USGS's rationale for these revisions was presented in the Notice on April 10, 1980 (45 FR 24714) as follows:

"The intent of the requirement for two sets of pipe rams for use with a constant diameter drill string is to allow the option of using ram-to-ram stripping or ram-to-annular stripping to enter the hole under pressure. This procedure is a commonly accepted industry practice; therefore, the second set of pipe rams is considered a minimum requirement for a constant diameter drill string.

"Regardless of the drilling string configuration, it is generally considered not to be a safe or acceptable practice to operate with only one set of rams for the major pipe string, because during a stripping operation, with only one set of pipe rams, the annular preventer would have to be relied on to accomlish the operation. Morever, should the pack-off elements fail in the annular preventer, the stripping operation could not be acomplished without a set of backup pipe ram. When a tapered drill string is used, most of the pipe would consist of the larger diameter, and a blowout while making a trip would be far less likely to occur with the smaller size pipe within the stack. In the event that a kick should occur with the smaller size pipe within the stack, it would be necessary to use the annular preventers for the stripping operation; however, the use of the annular preventer could be limited to the number of smaller diameter joints to be stripped to place the larger diameter within the stack."

Comments were also solicited on the above rationale at a public meeting at the USGS National Center in Reston, Virginia, May 20, 1980. The comments received as a result of the Federal Register solicitation and the public meeting are addressed below.

Comments. The Majority of the commenters objected to the requirements for the third set of pipe rams when a tapered drill string is in use.

Three commenters contended that if the blowout-preventer stack were arranged with the smaller pipe rams between the larger pipe rams and the blind rams, either the smaller or larger drill pipe rams located below the drilling spool could be closed, and the blind rams could then be replaced with a smaller or larger pipe ram if a redundant ram is considered necessary for a long term well-control operation. Another option would be to replace the small pipe rams with large pipe rams for large ram-ro-large ram stripping.

Discussion. The USGS does not consider these suggestions as viable alternatives. In the case of the surface blowout-preventer stack, it appears that changing rams with the lower portion of

the stack under pressure would be an extremely hazardous operation. Neither commenter indicated that they would attempt such an operation with a subsea blowout-preventer stack. It would appear that with a subsea blowout-preventer stack this operation would be impossible or prohibitive from the standpoint of personnel safety. Furthermore, the last line of defense, i.e., closing the blind shear rams, shearing the pipe, and moving off location, is forever lost whem the blind shear rams are removed. Another alternative to the third set of pipe rams is suggested in the following comment.

Comments. One commenter suggested the following alterative for the third set of pipe rams:

"The objection that the addition of one set of pipe rams to a surface stack will cost over $100,000 and to a subsea stack, over $250,000, assumes that one blowout-preventer must be added to existing stacks to comply with Order No. 2. However, by simply replacing one set of 5" pipe rams with one set of 2⅞" through 5" variable bore rams at a cost of about $25,000, the number of preventers in existing subsea and surface stacks is sufficient to comply with Order No. 2.

"Variable bore rams seal on a range of pipe sizes, i.e., 2⅞" through 5" or 3½" through 7". In a three ram surface BOP stack, blind/shear or lind rams may be installed in the upper ram cavity, 2⅞" through 5" variable bore rams in the middle cavity, and 5" in the lower cavity. Middle and lower pipe rams can then be used to seal on the major or 5" pipe string and the middle rams used to seal on the smaller size pipe. Indeed, by using variable bore rams in both pipe ram cavities, two ram preventers would provide double protection for both pipe sizes of a tapered drill string. Drill pipe can be suspended on variable bore ram 2⅞" through 5" in the same manner as on 5" pipe rams."

Discussion. The USGS reaffirms the rationale contained in the Notice of April 10, 1980 (44 FR 24714). However, as a result of comments received at the public meeting on May 20, 1980, and subsequent comments, it was recognized that certain optional alternative requirements should be incorporated for subsea and surface BOP stacks. therefore, the requirements for subsea and surface BOP stacks are revised as indicated below. Lessees should plan to use a three pipe ram stack arrangement when a tapered drill string is anticipated for use. In the event of an unplanned requirement for a tapered drill string, or when there are mechanical or physical restraints, the revised requirements provide optional alternatives.

It should be noted that item "d" of subparagraph 5.2, and item "e" of subparagraph 5.3 provide the same redundancy as item "a" of subparagraphs 5.2 and 5.3, and that item "e" of subparagraph 5.2 and item "f" of subparagraph 5.3 provide the same redundancy as item "c" of subparagraphs 5.2 and 5.3. It should also be noted that item "d" of subparagraph 5.3 is not allowed as an option for subsea BOP stacks under subpargaraph 5.2, because picking up a crossover sub and switching to the large size pipe when a well control problem occurs with the smaller pipe within the stack, is not a viable option with a subsea stack in deep water. With a subsea stack having only two sets of rams for the larger size pipe, the only course of pipe action with the smaller size pipe within the stack during a blowout might be to shear the smaller pipe. We believe that operating in this mode should be an exception to approved practice and, therefore, should only be allowed under exceptional circumstances through the departure procedure; furthermore, the majority of subsea stacks have sufficient cavities to provide redundant pipe rams, and the "last ditch" option of shearing the pipe is always available with subsea stacks.

5.2 *Subsea BOP Requirements*

* * * * *

—5. When a tapered drill string is in use, the BOP stack shall be equipped with one of the following pipe ram configurations:

a. Two (2) sets of pipe rams for the larger size string and one (1) set for the smaller size string of drill pipe.

b. Two (2) sets of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

c. Two (2) sets of variable bore pipe rams to fit both sizes of pipe.

d. One (1) set of pipe rams for the larger size string, and one (1) set of variable bore pipe rams to fit both sizes of pipe.

e. One (1) set of pipe rams for the larger size string and one (1) set of pipe rams for the smaller pipe, and one (1) set of variable bore pipe rams to fit both sizes of pipe.

* * * * *

5.3 *Surface BOP Requirements.*

* * * * *

—2. When a tapered drill string is in use, the BOP stack shall be equipped with one of the following pipe ram configuration:

a. Two (2) sets of pipe rams for the larger size string or drill pipe and one (1) set for the smaller sizes string of drill pipe.

b. Two (2) sets of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

c. Two (2) sets of variable bore pipe rams to fit both sizes of pipe.

d. Two (2) sets of pipe rams for the larger size string. The blind ram cavity shall be equipped with blind shear rams and blind ram actuator shall be converted to operate the blind shear rams. A crossover sub to the larger size pipe shall be readily available on the rig floor.

e. One (1) set of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

f. One (1) set of pipe rams for the larger string, one (1) set of pipe rams for the smaller pipe, and one (1) set of variable bore pipe rams to fit both sizes of pipe.

* * * * *

Comments. It was proposed that the phrase "or storm packer" be added to last sentence of subparagraph 5.2, after "bridge plug." It was stated, "The inclusion of the term more clearly defines equipment that the operator may select to use depending upon well conditions."

Discussion. This suggestion was adopted.

Subparagraph 5.3

Comments. No comments received.

Discussion. The first item in the table, "Drive or Structural" was amended to add "1–Annular." This requires that when drilling conductor hole (or surface hole), an annular type preventer and a diverter system is required to enhance the safety of this drilling operation.

Comments. It was suggested that Note 1 be revised to add the following at the end of the paragraph: "The flowpath from the BOP to the branch point of diverter lines in new systems shall have a minimum internal diameter of 15 centimeters (6 inches)." It was contended, "For clarification that only one flowpath is required from the BOP to the branch point."

Discussion. This suggestion was adopted for clarity.

Subparagraph 5.4.2

Comments. It was stated that the second sentence reads: "This program shall include all known pertinent information, including * * *, a schematic diagram indicating the equipment to be installed from the rotary table to the proposed conductor-casing seat, and * * *" It was recommended the schematic diagram

requirement be deleted, since, "* * * the riser is not used, there will be no equipment to show in a diagram."

Discussion. This is true if the marine riser cannot be used to drill conductor holes. However, some conductor holes are drilled with a riser equipped with a dump value, which permits sea floor diversion of returns. In these cases, a schematic is required.

Subparagraph 5.7

Comments. No comments received.

Discussion. It is considered necessary that all BOP tests should be recorded. Therefore, the following sentence was added: "All BOP tests shall be recorded in the driller's report."

Subparagraph 5.7.1c

Comments. Several commenters agreed with the proposed revision of subparagraph 5.7.1, Item "c", proposed in the Notice on April 10, 1980 (45 FR 24715) for the Gulf of Mexico and Pacific Regions only. This revision would require blind and blind shear rams to be tested prior to drilling out after each casing string has been set, instead of requiring these rams to be tested weekly. All of the commenters suggested that the revision should be applicable to all regions of the OCS.

Discussion. As a result of comments received at the public meeting on May 20, 1980, it was concluded that due to the variations in drilling rates for all areas of the OCS, adopting the proposed revision for all regions would result in the blind rams and blind shear rams being tested after a time lapse of one week to two months. Several BOP manufacturers suggested that this frequency would be entirely satisfactory for testing blind and blind shear rams. This contention is based on the fact that the sealing surfaces of blind and blind shear rams are not subjected to as much friction wear as occurs with pipe rams; therefore, the seal life is longer and requires less testing.

The USGS agrees with this contention and has revised the requirements for all regions of the OCS. Since this revision pertains to the frequency of testing, it was recognized that it would be editorially simpler and clearer to revise subparagraph 5.7.1, *BOP Testing Frequency.* Therefore, we revised subparagraphs 5.7.1, 5.7.2, and 5.7.3, as shown below in italics. It should be noted that an additional sentence was inserted after the first sentence of item "c" of subparagraph 5.7.1. This sentence was formerly contained in item "d" of subparagraph 5.7.4. Refer to the discussion of the revsion of subparagraph 5.7.4.

A statement was also added to identify two operations under which tests may be delayed. The added sentence is as follows: "Well operations which prevent testing are stuck drill pipe and pressure control operations."

5.7.1 *BOP Testing Frequency.* Surface and subsea BOP stacks shall be tested as follows:

* * * * *

c. At least once each week, but not exceeding 7 days between tests, alternating between control stations. *If either control system is not functional, further drilling operations shall be suspended until that system becomes operable.* A period of more than 7 days between blowout-preventer tests *is allowed when well operations prevent testing and remedial efforts are being performed, provided the tests will be conducted as soon as possible before normal operations resume, and the reason for postponing testing is entered into the report. Well operations which prevent testing are stuck drilling pipe and pressure-control operations.* Testing shall be at staggered intervals to allow each drilling crew to operate the equipment.

The weekly test is not required for blind and blind shear rams. These rams need only be tested prior to drilling out after each casing string has been set.

* * * * *

5.7.2. *Pressure Testing Surface BOP Systems.* The penultimate sentence of subparagraph 5.7.2. is deleted. This sentence is rendered redundant by the revision of subparagraph 5.7.1., item "c."

5.7.3. *Pressure Testing Subsea BOP Systems.* The last sentence of subparagraph 5.7.3. is deleted. This sentence is rendered redundant by the revision of subparagraph 5.7.1, item "c."

Subparagraph 5.7.2

Comments. No comments received.

Discussion. The phrase "including the choke manifold" was added to the first sentence. This is to clarify that the choke manifold is to be included in the "related control equipment."

Comments. Several commenters recommended that the last sentence be deleted. It was contended that: "The testing of the smaller pipe rams with this frequency and while off bottom with open hole is a hazardous exposure and should be avoided. The small pipe rams should be tested with the same frequency and in the same manner with the other ram-type BOP's."

Discussion. The USGS agrees with the above rationale, and has deleted the last sentence.

Comments. Another commenter is quoted as follows: *"Section 5.* (Blowout-Preventer (BOP) Equipment Requirements.) This section appears flawed with a serious inconsistency. Although Section 5.1.1 requires 'the working pressure of any blowout preventer shall exceed the maximum-anticipated surface pressure to which it may be subjected,' Section 5.7.2, *Pressure Testing Surface BOP Systems* reads: 'Ram-type BOP's and related control equipment shall be tested at the maximum-anticipated surface pressure or at 70 percent of the minimum internal yield pressure of the casing, whichever is the lesser. The annular type BOP shall be tested at 70 percent of the minimum internal yield pressure of the casing, whichever is the lesser.'

"Therefore, if 70 percent of the minimum internal yield pressure of the casing is less that the maximum anticipated surface pressure at a ram-type BOP, if a blowout occurred at maximum pressure, the BOP would not have been tested for that great a pressure and failure might ensue. Similarly, at best, the annular BOP will be tested at 70 percent of the maximum anticipated surface pressure. This minimum testing cannot assure proper functioning of the equipment at full load."

Discussion. The commenter incorrectly quoted the second sentence of subparagraph 5.7.2. The phrase, "of its rated working pressure or 70 percent" was deleted in the comment. This deletion changed the meaning of the second sentence concerning annular type BOP testing. Testing annular type BOP's at 70 percent of the anticipated surface pressure is not the intent, as stated in the penultimate sentence of the commenter. The annular type preventers are to be tested at 70 percent of their rated working pressure, or 70 percent of the internal yield pressure of the casing, whichever is lesser. Casing strings are designed with the minimum internal yield pressure greater than the anticipated surface pressure at their setting depths.

In BOP testing, the limiting factor is the minimum internal yield pressure of the casing. The safety factor of 70 percent is used to protect the casing string from pressures exceeding the internal yield, in the event of a test plug failure. In all cases, BOP's are factory tested to pressures greater than their working pressure.

It is not practical to field test BOP's above their working pressure, which could be greater than the internal yield pressure of the casing.

Subparagraph 5.7.4

Comments. Several commenters objected to the "partial actuation"

requirement of this subparagraph when tapered drill strings are in use, because there is no reliable way to assure that the smaller size rams would not close completely on the pipe and thereby damage the rams and the pipe.

Other commenters objected to the frequency of the daily and every other day requirement for the actuation of surface and subsea BOP pipe rams. At the public meeting on May 20, 1980, several BOP manufacturers expressed their opinion that the actuation of rams required during the weekly pressure test is adequate to assure the reliablility of the BOP stack. It was contended that daily and every other day action of the rams could result in unnecessary "wear and tear."

Discussion. In consideration of all of the comments, the USGS has reevaluated the rationale for the actuation tests and has replaced the original subparagraphs 5.7.4 and 5.7.5 with a new subparagraph 5.7.4, *Actuation of Auxiliary Well-Control Equipment,* as indicated below.

It should be noted that the content of item "d" of the deleted original subparagraph was incorporated into item "c" of the revised subparagraph 5.7.1. This sentence was modified to state, "If either control system is not functional, further drilling operations shall be suspended until that system becomes operable." It is mandatory to be able to control the BOPs from either station at all times.

5.7.4 *Actuation of Auxiliary Well-Controll Equipment.* In conjunction with the weekly pressure test of surface and subsea BOP systems, auxiliary well-control equipment, such as choke manifold valves, kelly cocks, and drill pipe safety valves, shall be actuated. Casing safety valves shall be actuated prior to running casing.

Subparagraph 5.8

Comments. Several commenters objected to the requirement that all BOP systems, marine risers, and associated equipment shall be inspected and maintained in accordance with the manufacturers' recommended procedures.

Discussion. The USGS believes this comment has merit and has revised subparagraph 5.8, as indicated below in italics.

Comments. A commenter proposed that the following two sentences be added: "When using the underwater television equipment for other purposes, it is expected that the BOP stack and marine riser systems be inspected. Deployment of the television equipment for the express purpose of inspection of the stack and riser systems needs to be done only weekly at the time of performance of the subsea BOP tests."

Discussion. This proposal was not adopted. The USGS believes that daily inpsection is necessary in order to verify the integrity of the BOP stack and marine riser.

5.8 *Inspection and Maintenance.* All BOP systems, marine risers, and associated equipment shall be inspected and maintained *to assure that the equipment will function properly. The manufacturers' recommended inspection and maintenance procedures are acceptable as guidelines in complying with this requirement.* The BOP systems and marine risers shall be visually inspected at least one each day, if the weather and sea conditions permit the inspection. Inspection of subsea installations may be accomplished by the use of television equipment.

Subparagraph 5.9

Comments. A commenter suggested that a phrase in the last sentence be changed from "at any time" to "any reasonable time." Another commenter recommended that the following phrase be added to the last sentence: "after consulting with the operator's senior representative present." It was contended that: "During certain times in drilling operations, a BOP drill would be hazardous. Consultation with operator's representative would avoid such hazards."

Discussion. The USGS agrees in part with these suggestions and has revised the requirement to state, "after notifying *and consulting with* the lessee's senior representative present." We believe that the phrase *"and consulting with"* provides a safeguard against a request for drill at an ill-advised time, because the lessee's senior representative would advise the USGS representative of any hazardous well conditions which would prohibit the test. We believe the USGS representative should have the prerogative of requesting an unscheduled BOP drill in order to retain the element of surprise as a test of the state of readiness of the drilling crew and equipment.

It is considered necessary that all BOP drills should be recorded. Therefore, the following sentence was added: "All BOP drills shall be recorded in the driller's report."

Paragraph 6

Comments. It was suggested that the first sentence of the second paragraph be changed to read: "Mud temperatures shall be controlled to minimize heat loss to and thawing of the permafrost, which can result in serious well problems while drilling through the permafrost."

Also it was suggested that the second and third sentences in the same paragraph be modified to permit continuance of drilling without having to cool the muds once the hydrate zones have been duly protected.

Discussion. These suggestions were adopted, and the second paragraph was modified to read: "Mud temperatures shall be controlled to minimize heat loss to the permafrost and to mimimize thawing of the permafrost, which can result in serious well problems while drilling through the permafrost. To insure maximum safety, hydrate zones shall be anticipated and diagnosed quickly, and drilled using the latest state-of-the-art methods. Provided that the hydrate zones are adequately protected, drilling can continue on a site specific basis without the need to control the temperature of the mud thereafter."

Subparagraph 6.1

Comments. It was contended that the requirement for circulating bottoms up prior to starting out of the hole "* * * should be tempered to fit well conditions."

Discussion. In our opinion, the subparagraph is "* * * tempered to fit well conditions" since the subparagraph requires "* * * either circulation with the drill pipe just off bottom to the extent that the annular volume is displaced, *or proper documentation in the driller's report prior to pulling the pipe as follows."* Items "a," "b," and "c" then list conditions which are required to be documented in the driller's log in lieu of circulating bottoms up.

Comments. It was contended that item "b" should be tempered to allow some reasonable difference in the weight of returning mud and the weight of mud entering the hole. One commenter suggested an allowable mud weight difference of 0.2 pound per gallon, and another commenter suggested an allowable difference of 1 percent.

Discussion. The USGS agrees with this contention and has revised subparagraph 6.1, item "b," as follows:

6.1 *Mud Control*

* * * * *

b. The weight of the returning mud is essentially the same as the weight of the mud entering the hole. In the event that the returning mud is lighter than the entering mud by weight differential equal to or greater than 0.2 pound per gallon, the mud shall be circulated until the annular volume is displaced, and the mud properties shall be checked for the influx of gas or liquid.

* * * * *

Comment. One commenter suggested that the requirement to post a maximum pressure to be contained under a blowout preventer before controlling excess pressure by bleeding through the choke is inconsistent with good well control philosophy.

Discussion. This suggestion has merit and the requirement was modified to read: "The maximum pressure which can be tolerated on each casing string shall be posted near the driller's control console."

Comments. A commenter suggested that the term "vacuum-type" should be deleted from the penultimate paragraph. It was further stated that: "To define vacuum type only precludes any advancements on new equipment for this purpose. It would also require removal of existing equipment."

Discussion. The USGS agrees, and the term, "an operable gas separator," was adopted.

Subparagraph 6.2a

Comments. A commenter proposed the following: "Section 6.2a provides for monitoring of mud levels and requires visual and audio warning devices. The Gulf of Alaska Operations Orders specified numerical maximum changes beyond which warning devices would be triggered. We suggest that such a provision be added to this section."

Discussion. The sensitivity of the pit volume measuring devices should be custom designed to provide the maximum possible sensitivity, considering the type of vessel or structure. Therefore, limitations should not be placed on these indicators.

Subparagraph 6.3

Comments. It was the view of some commenters that subparagraphs 6.3a and 6.3b requrie excessive mud quantities which may exceed certain rig mud storage capacity. Another commenter stated that: "The requirement should include only that which is common practice in the offshore, i.e., to keep weighting material and to have replacement for usage within several hours of reach. Material storage volume requirements should be specified as: 'the quantity,required to weight up the system 1 ppg.' " Another opinion stated that: "a very simple and practical approach to this subject is to require a minimum material inventory of the amount necessary to increase the weight of the active mud system by 1 pound/gallon."

Discussion. The USGS agrees that some rig mud storage capacity would be exceeded under the requirements of subparagraphs 6.3a and 6.3b; therefore, the requirements of subparagraphs 6.3a and 6.3b were deleted. Since the Order requires a table of mud quantities versus well depth to be submitted with the Application for Permit to Drill, the District Supervisor will evaluate the criteria used to determine these quantities.

The second paragraph clearly provides for adjustment where the required quantities exceed rig storage capacity. This paragraph states: "When the mud quantity required exceeds the storage capacity of the drilling facility, the lessee shall maintain maximum mud inventories and must receive approval from the District Supervisor of the lessee's plans to resupply mud inventories in the event of an emergency. The plan shall include an estimate of the time required for delivery of the mud supplies."

Suparagraph 6.4a

Comments. One commenter stated that: "Requiring what appears to be continuous high-capacity ventilation will create an enormous heating requirement to keep the mud from freezing in the winter. The requirement should be for ventilation capability which can be activated when necessary and only to the extent required to prevent unsafe concentrations of combustible gas." It was also suggested that: "* * * the sentence be altered to read that 'the enclosed area be ventilated with high capacity mechanical ventilation systems capable of changing the air every two minutes on signal from a gas detector or gas detectors, indicating the presence of gas.' "

Discussion. Addtional comments received in response to the EA resulted in a revision of the subparagraph. Refer to section II of this Notice.

Subparagraph 6.4b

Comment. It was proposed that the following sentence be added: "The negative pressure areas are to be protected with a pressure sensitive alarm."

Discussion. The USGS believes this suggestion has merit, and adopted this statement.

Subparagraph 7.2

Comments. One commenter suggested adding "storm packer" following "bridge plug" in the last sentence.

Discussion. The USGS agrees; "storm packer" was added.

Subparagraph 7.3

Comments. No comments received.

Discussion. The second and third paragraphs were combined for the purpose of clarity. The first sentence of the former third paragraph was changed to read as follows: "In order to maintain qualification, any driller, toolpusher, or operator's representative must successfully complete a USGS-approved refresher course annually and repeat the basic well-control course every 4 years, as described in the provisions of GSS–OCS–T 1."

The phrase: "After December 1, 1979" was deleted, since this date is not applicable to the Arctic Order. This sentence becomes the second sentence in the second paragraph.

Paragraph 8

Comments. No comments received.

Discussion. In the second sentence, the phrase: "Second Edition, June 1979" was changed to "First Edition, February 1976." The Second Edition to the USGS Standard on hydrogen sulfide is currently being developed.

Paragraph 9

Comments. No comments received.

Discussion. It was recognized that there was not a time period stated as to when the lessee should submit a Critical Operations and Curtailment Plan. Therefore, in the second sentence of paragraph 9, the phrase "file with the District Supervisor" was deleted; the phrase "submit for approval with the Exploration Plan or Development and Production Plan" was added.

Subparagraph 9b(4)

Comments. One commenter suggested that ice conditions and hazards be considered under this requirement.

Discussion. Although ice conditions are considered to be a part of oceanographic conditions, for clarity, this suggestion was adopted, and the sentence was revised to read: "known or anticipated meteorological, oceanographic, and ice conditions."

Subparagraph 9c

Comments. It was stated that: "Present wording requires the name of the person with responsibility for safety of drilling operations. We feel very strongly that this should be the title of the person and not a name—thus allowing more flexibility of personnel and is much more practical." Another commenter suggested that the words "* * * at the site * * *" be eliminated and replace with "* * * the person in charge of overall drilling operations * * *." It was also stated that: "The representative 'at the site' does not have overall responsibility for the operation and is subject to change due to work schedule."

Discussion. The USGS does not agree that only a title of the person in charge

should be submitted. Generally, titles within an organization may remain the same, i.e., "Drilling Superintendent" and "Drilling Foreman." In normal operations, and particularly in times of emergencies, it is considered essential that the names corresponding to these positions be known, so that the individual may be contacted. It is agreed that the lessee's representative may not have the "overall responsibility for the operation" at the site. Accordingly, item "c" was revised to read: "The name of the person who has responsibility as the person in charge of overall drilling operations."

Paragraph 10

Comment. No comment received.

Discussion. A new paragraph 11, *Use of Best Available and Safest Technologies (BAST),* was added to incorporate the requirement for the use of BAST in accordance with the OCS Lands Act Amendments of 1978. the subsequent paragraph, *"Departures"* was renumbered.

OCS Order No. 3

General Comments.

Comments. One commenter stated, "The requirements of Proposed Order No. 3, regarding plugging and abandonment, are certainly sufficient. We request, however, that the Proposed Order and the regulations on which the Order is based be amended to require action possibly three days from receipt. the standby costs for a rig alone are considerable and are escalating every day. If action is not rapidly taken on a request to plug and abandon, a very substantial cost will be incurred by the operator for the direct costs associated with the additional rig standby and more costs for services standby. Furthermore, for every day a rig is idle, it takes that much longer to drill the next well."

Discussion. This comment does have merit; however, the USGS does not agree that a time limit, as recommended, should be placed in the Order. We know of no instance in the Gulf of Alaska Region when an unreasonable length of time was taken in approving a plugging and abandonment program. Usually, if a company submits a program with adequate diagrams and information, the Gulf of Alaska Region OCS District Office has the capability and will approve or disapprove the program within a matter of hours.

Paragraph 1

Comments. No comments received.

Discussion. A new paragraph 1, *Application for Approval to Abandon a Well,* was added in accordance with the regulation, 30 CFR 250.92, *Sundry Notices and Reports on Wells.* The subsequent paragraphs were renumbered. In the comments and discussion which follow, the original paragraph numbers are indicated in parentheses.

Subparagraph 2.4.1b (1.4.1b)

Comments. One commenter suggested that subparagraph 2.4.1b (1.4.1b) be reworded to clarify where the cement should be set.

Discussion. The USGS revised this subparagraph for clarification.

Subparagraph 2.8 (1.8)

Comments. Two commenters were concerned that the subparagraph did not allow oil base fluid to be left in the hole. The current use of the oil based arctic gels are believed to be a superior method for insulation and maintenance of casing integrity.

Discussion. The effects of these arctic gels upon the marine environment have not yet been determined. Therefore, each well should be considered on a case-by-case basis, and the environmental effects can be ascertained throughout the exploratory and development process. The subparagraph was changed to reflect this thought.

The USGS provided an additional requirement to use corrosion inhibitors in fluid left adjacent to the permafrost, thereby insuring the integrity of the pipe.

Subparagraph 2.10 (1.10)

Comments. It was suggested that the phrase "and to have a low heat of hydration" be deleted, since it is questionable whether a "high" heat of hydration affects the permafrost when the hole is drilled with warm mud.

Discussion. This suggestin was not adopted. The USGS believes that cement used throughout permafrost zones must have a low heat of hydration so as not to thaw frozen formations. The use of gypsum based cement is a proven successful method of cementing in permafrost zones. The effects of mud in the permafrost zone have been addressed, and according to Order No. 2, paragraph 6, mud temperature must be controlled to minimize heat loss and thawing effects.

Paragraph 3 (2)

Comments. One commenter suggested that subparagraph 2.3 (1.3), *Plugging or Isolating Perforated Intervals,* should be included in the exceptions to temporary abandonment. It was believed that a producible zone would be damaged if subjected to the cement job.

Discussion. This suggestion was not adopted. Since temporary abandonment does not have any time constraints, this type of plugging should be required to prevent migration of fluids. The subparagraph allows for isolation of the zone by setting a bridge plug above the interval as long as the perforations are isolated from the hole below. this method will prevent formation damage.

Comments. It was suggested that subparagraph 2.5 (1.5), *Plugging of Annular Space,* be included in the exceptions to temporary abandonment. If test casing were installed, it would be undesirable to perforate and squeeze before testing other formations.

Discussion. The suggestion was not adopted. We agree that it would be undesirable to perforate and squeeze a test casing string. However, we believe that a request for departure is required to justify a waiver of the requirement for cementing the annular space. A departure of this nature may be approved on a case-by-case basis after consideration of all the risk factors.

It was recognized that the last sentence was only applicable to item "b" of the proposed Order. Therefore, the content of the original item "a" was incorporated as the penultimate sentence. The content of the original item "b" was incorporated into the last sentence.

OCS Order No. 4

Paragraph 1

Comments. Several commenters suggested that an Application for Determination of Well Producibility should be filed at the operator's discretion. The thought was that the application would be a "waste of time" for dry holes, and that the operator would lose competitive advantage by submitting such proprietary data.

Discussion. The USGS believes that the application provides necessary scientific and technical information concerning the geology of OCS leases. The timely submittal of this information is required for the District Supervisor's evaluation of the diligence of the lessee in the development of the lease.

The proprietary nature of all information submitted with the Application for Determination of Well Producibility will be evaluated, in accordance with the OCSLA and the Freedom of Information Act. Data which are determined to be proprietary will not be released.

OCS Order No. 5

Preamble

Comments. A comment pertaining to the submittal of certain information by

the lessees who are designated operators, was received.

Discussion. Refer to the discussion under the heading of "General Comments" at the beginning of section I of this Notice.

Paragraph 1

Comments. One commenter suggested that the requirement for the use of the best available and safest technology (BAST) be specifically stated in this Order.

Discussion. This paragraph was revised to include language requiring the use of BAST.

Paragraph 2

Comments. No comments received.

Discussion. The phrase "or subsequent revisions which the Chief, Conservation Division, has approved for use," was deleted from the first sentence. This phrase is not necessary because under the reorganization of the Conservation Division, representatives of the Deputy Chief, Conservation Division, Offshore Minerals Regulation, participate in the development of the referenced quality assurance standards. The references to specific editions in item "a" and "b" were changed to "latest edition, with all addenda."

The last sentence was revised to eliminate the reference to the dates for compliance. This reference is not necessary, since the effective date of these Orders provides sufficient time for Arctic lessees to be in compliance with the quality assurance requirements when the first surface and subsurface safety valves are installed.

Subparagraph 3.1

Comments. Several commenters stated that: "(1) the requirement that the attendant being at the wellhead is unnecessary if the well is shut-in, (2) at the wellhead can be a dangerous location if operations are being conducted overhead, and (3) the attendant could be more effective if free to move about and monitor overall operations."

Discussion. "At the wellhead" is considered overly restrictive, and attendance is not necessary if the well is shut-in (not open to flow from a hydrocarbon-bearing zone). The subparagraph was revised.

Comments. A commenter who uses a tubular/annular type subsurface-safety device which vents annular gas pressure on wells lifted by electric submersible pumps, requested that this type of safety device be included in the list of acceptable devices. Another commenter suggested that criteria be established for the determination of the capablility of a well to flow.

Discussion. The revised list includes the tubular/annular type subsurface-safety device. The availability of criteria from the District Supervisor toward determination of the capability of a well to flow was noted in the revised subparagraph.

Comments. Another commenter recommended that due to the variable characteristics of permafrost in offshore areas, the setting depth of the subsurface safety device should be approved by the District Supervisor on a case-by-case basis.

Discussion. The recommendation was adopted.

Subparagraphs 3.2.1a. and 3.1.1b

Comments. One commenter claimed that advances in technology have solved earlier problems related to the control lines and connections of surface-controlled subsurface-safety valves (SCSSV's).

Discussion. The primary reasons for requiring subsurface-controlled subsurface-safety valves (SSCSV's) at pressures above 4,000 psi were problems of communication in the control lines and tubing hangers at these higher pressures. A determination was made that these problems have been solved adequately by improvements in technology. The requirement for SSCSV's above 4,000 psi was removed accordingly.

Subparagraph 3.2

Comments. Several commenters suggested that this paragraph be revised to conform to the February 1, 1980, compliance date, as announced on June 13, 1979 (44 FR 34060).

Discussion. The phrase "which are installed on new installations after July 1, 1979," was deleted. This requirement does not apply to the Arctic Order, since all installations will be made in the future.

Comments. Another commenter stated that standards for installation and operation of equipment as outlined in subparagraphs 2a, 2b, 3.2, 3.3, 3.9, 4.2, 4.3c, 4.3e, 5.1.1, 5.1.8, and 5.1.10c should include required differences in installation and operation standards to conform to the three seasonal conditions in the Arctic.

Discussion. In response to this comment and another comment received on the Orders contained in the Appendix of the EA, a new subparagraph 1.1, *Subfreezing Operations*, was added. Refer to the discussion of subparagraph 1.1 in section II of this Notice. Since this new subparagraph requires lessees to submit evidence that *all* production safety systems must be suitable for operations under subfreezing conditions, the references to subfreezing condtions in other subparagraphs in the Order were deleted.

Comments. It was suggested that this subparagraph be revised to allow the use of valves that had been qualified by performance testing to a previous edition of "API Specification for Subsurface Safety Valves," API Spec 14A, during the performance test effectivity.

Discussion. The USGS has revised subparagraph 3.2, indicated below in italics, to allow the use of previous qualified valves for the duration of the 3-year qualification period. These valves must then be requalified to the Fourth Edition of API Spec 14A, as required by section 4.2 of API Spec 14A, if manufacturing is to be continued.

It should be noted that the subparagraph addresses future replacement of subsurface-safety valves and defines the term "replacement."

It should also be noted that the subparagraph was revised to exclude section 6, Appendix A and Appendix J of Specification which addresses the use of the API monogram. A sentence was added to make it clear that the use of the API monogram is optional; whereas, the use of the OCS symbol is mandatory.

Comments. Another commenter expressed agreement with the revision proposed on April 10, 1980 (45 FR 24716), pertaining to subsurface-safety valves and recommended that a similar revision be included for surface-safety valves.

Discussion. The USGS does not intend to revise subparagraph 4.2, *Specification for Wellhead Surface-Safety Valves (SSV)*, because these valves are required to conform to API Spec 14D, Third Edition, November 1980. Subsection 4.2 of this document states that "performance testing is not required for SSV equipment other than valves for Class 2 service." Periodic retesting is a requirement of API Spec 14A. There is no retest requirement in API Spec 14D.

3.2 *Specification for Subsurface-Safety Valves.* Surface-controlled and subsurface-controlled-safety valves required by subparagraphs 3.4 and 3.5, *which are installed or replaced,* shall conform to "American Petroleum Institute (API) Specification for Subsurface-Safety Valves," API Spec 14A, Fourth Edition, November 1977, *with the exception of section 6, Appendix A and Appendix J of this specification, except for provisions thereof that are required in sections 1 through 5 of this specification,* or

subsequent revisions which the *Deputy Chief, Conservation Division—Offshore Minerals Regulation,* has approved for use at the time of installation. *The API monogram is optional, whereas the requirement for the OCS symbol is mandatory. A valve qualified to a previous edition of API Spec 14A is acceptable, provided that the valve enters inventory within 3 years of its qualifying performance test date. For purpose of this requirement, the term "replacement" is defined as occurring when that portion of the valve assembly containing the serial number is removed from inventory and a new certified valve is placed in inventory.*

Subparagraph 3.3

Comments. Several commenters suggested that this paragraph be revised to conform to the February 1, 1980, compliance date as announced on June 15, 1979 (44 FR 34650).

Discussion. Subsequent to this **Federal Register** Notice, the latest edition of the American Petroleum Institute Recommended Practice 14B (API RP 14B) was disapproved for use by the Chief, Conservation Division. All references to API RP 14B were removed from this Order.

Subparagraph 3.4

Comments. No comments received.

Discussion. The phrase "After the effective date of this Order" was deleted. Since all installations will be in the future, this phrase is not necessary.

Subparagraph 3.4.1

Comments. One commenter argued that the requirement to test wireline retrievable valves monthly for 3 months after being removed for frequently conducted routine operations results in excessive testing and causes unnecessary wear and possible failure of the valves.

Discussion. The comment about excessive testing leading to possible failure has validity. The paragraph was revised to remove all monthly testing requirements for both wireline and tubing retrievable valves. Also, the reference to API RP 14B was deleted for the reasons stated in the discussion under subparagraph 3.3.

Comments. Another commenter argued that the rate of testing is too infrequent and that frequency should be increased over the life of the devices, since equipment becomes less reliable with age.

Discussion. The performance of subsurface-safety valves is very closely monitored under a formal failure and inventory reporting system as outlined in paragraph 6 of this Order.

Statistical analyses of these data does not suggest that an increase in the testing frequency, over that to be required, would contribute to safety or reliability.

Subparagraph 3.5

Comments. No comments received.

Discussion. The words "or jacket" were deleted, since they are unnecessary and a source of confusion.

Subparagraph 3.5.1

Comments. One commenter suggested that SSCSV's should be tested in place by surface means.

Discussion. There is no known hazard-free and convenient method to flow test a SSCSV for closure in a well.

Subparagraph 3.6

Comments. No comments received.

Discussion. The words "after the date of this Order" were deleted for the same reason stated in subparagraph 3.4. The second sentence was revised to make it clear that the 30 meter setting depth for tubing plugs is applicable to nonpermafrost areas.

Subparagraph 3.7

Comments. No comments received.

Discussion. It was determined that the proper functioning of subsurface safety devices in injection wells is of such importance to warrant the formal, periodic testing program. Therefore, testing requirements were added to the subparagraph.

Subparagraph 3.8

Comments. Several commenters stated that, "(1) at the wellhead can be a dangerous location if operations are being conducted overhead, (2) the attendant could be more effective if free to move about and monitor overall operations, and (3) clarification was needed as to under what conditions attendance at the wellhead is required."

Discussion. "At the wellhead" is considered overly restrictive, and attendance is not necessary if the well is shut-in (not open to flow from a hydrocarbon-bearing zone). The subparagraph was revised.

Comment. One commenter stated, "It is unclear from the description of the subsurface safety device removal process that a second unit was required to be on the platform for immediate replacement of the damaged unit. If this is not standard practice, it should be."

Discussion. The comment has been reviewed and we agree. Subparagraph 3.10 of Order No. 5 already addresses this requirement and we believe it is adequate.

Subparagraph 3.9

Comments. No comments received.

Discussion. The phrase "after the effective date of this Order" was deleted for the same reason stated in subparagraph 3.4.

Subparagraph 3.10

Comments. No comments received.

Discussion. The phrase "and capable of flowing" was added to the first sentence of this subparagraph. This addition was made to clarify that if the well is not capable of flowing, the requirements of subparagraph 3.10 do not apply.

Subparagraph 3.11

Comments. One commenter claimed that the paperwork required to be prepared and maintained offshore is excessive.

Discussion. The USGS is aware of the paperwork burden and constantly searches for methods and places to reduce the load without sacrificing essential information.

Comments. No comments received.

Discussion. It was recognized that a lessee may not have an offshore field office; therefore, a sentence was added to this subparagraph as follows: "If the lessee has no such offshore field office, then the records shall be kept in the nearest onshore field office."

Subparagraph 3.11a

Comments. It was suggested that, for clarity, the term "design" be qualified as the "manufacturer's design."

Discussion. The suggestion was adopted.

Subparagraph 3.11f

Comments. Commenters remarked that this requirement is unclear and that it is difficult to make accurate verifications of personnel.

Discussion. The subparagraph was revised to require the identity of the person qualified in accordance with subparagraph 5.7.

Subparagraph 3.12

Comments. No comments received.

Discussion. The word "manufacturer" was added to this subparagraph, which is consistent with paragraph 6, *Failure and Inventory Reporting System (FIRS).*

Paragraph 4

Comments. No comments received.

Discussion. The title of this paragraph was revised to include the word "surface." This word was added to clarify that paragraph 4 covers the requirements of surface production safety systems, whereas, paragraph 3

includes the requirements of subsurface safety devices.

Comments. One commenter alleged that the language used in this paragraph is vague and does not assure use of BAST.

Discussion. Paragraph 1 of this Order was revised to require the use of BAST.

Subparagraph 4.2

Comments. No comments received.

Discussion. The phrase "on new installations after July 1, 1979" was deleted for the same reason as discussed in subparagraph 3.4.

It should also be noted that the subparagraph was revised to exclude Appendix A and Appendix J of the Specification which addresses the use of the API monogram. A sentence was added to make it clear that the use of the API monogram is optional; whereas, the use of the OCS symbol is mandatory.

Subparagraph 4.3

Comments. A commenter requested that valves used to vent casing pressure on certain low-pressure wells produced by electric submersible pumps be exempt from certification requirements.

Discussion. These valves used as casing vent valves on wells produced by electric submersible pumps are not considered to be primarily surface safety valves (SSV's) and are, therefore, exempt from the requirements of API RP 14D and certification requirements.

Comments. One commenter suggested, "Safety Analysis Function Evaluation Chart should be supplemented by actual computer simulation of failure. Although more expensive than a chart, a simulation program can test the system logic more thoroughly than a chart and also be used as a training tool and an aid in system design and refinement."

Discussion. Subparagraph 4.3b requires the lessees to submit a schematic flow diagram and related Safety Aanlysis Function Evaluation (SAFE) chart. This chart shall be developed in accordance with the provisions of API RP 14C and the additional requirements of OCS Order No. 5. Since the lessees will be conforming to the requirements of an approved API RP 14C Code, the Chart will be used to meet the requirements of BAST. Also, see discussions of BAST under comments and discussion on subparagraph 2.1.1, *Fitness of Drilling Unit*, of OCS Order No. 2.

Subparagraph 4.3c

Comments. No comments received.

Discussion. The phrase "design pressure" was deleted from the first sentence; the words "maximum-allowable working pressure" were added. This revision was made in order to be consistent with API RP 14E.

Subparagraph 5.1.1

Comments. One commenter remarked that subparagraph 5.1.1 was apparently contradictory to subparagraph 5.1.1d.

Discussion. Subparagraph 5.1.1 was revised to remove the apparent contradiction, by adding the phrase "Unless otherwise qualified for use according to subparagraph 5.1.1d below" to the first sentence.

Subparagraph 5.1.1c

Comments. Two commenters recommended removal of the requirement that the high pressure shut-in sensor be set no higher than 10 percent above the highest operating pressure of the vessel on the grounds that there is no justification for protecting a vessel from pressures below its working pressure and that such a pressure sensor setting would cause nuisance shut-ins.

Discussion. The comments were not accepted, since the margin of safety surrendered is not offset by possible nuisance shut-ins or other adverse effects.

The phrase "by the use of pressure recorders" was added in order to clarify the intent of the requirement for the recording of operating pressure ranges.

Comments. Another commenter noted that some production processes operate at less than 35 kPa (5 psi) and suggested that the activation pressure of low-pressure sensors on these pressure vessels be approved by the District Supervisor on a case-by-case basis.

Discussion. The suggestion was adopted. The language in the former version of the subparagraph did not adequately cover vessels operating at these low pressures.

Subparagraph 5.1.1d

Comments. No comments received.

Discussion. The phrase "after the effective date of this Order" was deleted in the first sentence for the same reason as the discussion in subparagraph 3.4.

The phrase "prior to placing in service" was added to the second sentence. This clarifies that the lessee has the option of pressure testing the vessel at any location prior to placing the vessel in service.

Subparagraph 5.1.2a

Comments. No comments received.

Discussion. There have been several questions from field personnel as to the interpretation of the first sentence of the subparagraph and the recommendation of Section A1 of API RP 14C. The first sentence was revised to make it clear that the high and low pressure sensors are to be located on the flowline in accordance with *Section A1 and Figure A1* of API RP 14C.

The second sentence was deleted. The requirement for equipment to permit testing of pressure sensors with an external pressure source is stated in subparagraph 5.1.3 of this Order.

Comments. One commenter recommended that the high-pressure flowline sensor may be set at 250 psi above the normal operating pressure of the system to allow for swings in pressure, such as heading.

Discussion. This recommendation was not adopted. The reduction in the level of safety by such a broad license is not offset by the efforts involved in resetting pilots or using two sets of pilots and in using pressure recorders.

Subparagraph 5.1.2b

Comments. No comments received.

Discussion. The phrase "be able to withstand" was deleted and the phrase "have a working pressure equal to or greater than" was added. This revision was made for clarity.

Subparagraph 5.1.4

Discussion. The following revisions were made as a result of USGS review. The phrase "only at the boat landing" was added to the second sentence. The breakable synthetic tubing is intended for use only in emergencies. Valves or switches located elsewhere on the platform may be used for testing the Emergency Shutdown (ESD) system.

The following paragraph was added: "Electro-pneumatic systems shall meet the corresponding design and functional requirements as those which apply to pneumatic systems." No provisions were made in the original Order for electropneumatic shutdown systems.

Comments. Several commenters objected to the requirement for posting a schematic of the ESD system and to the requirement for platform shutdown not to exceed 45 seconds.

Other commenters suggested a time delay between closure of the surface safety valve (SSV) and the SSSV.

Discussion. The USGS accepted these suggestions. The posting of a schematic of the ESD system was considered unnecessary and the requirement was changed to require schematics to be maintained on the platform or nearest offshore field office. The paragraph was also revised to provide for a 2 minute planned time delay between closure of the surface and subsurface valves.

Subparagraph 5.1.5

Comments. Several commenters objected to the requirement for spark arrestors on other than diesel engines on the bases that natural gas engines do not emit particulate matter, arrestors would be harmful to the engines, and that arrestors are not available for many natural gas engines, including turbines.

Discussion. These arguments are cogent and the requirement for arrestors was limited to diesel engines.

Subparagraphs 5.1.7a(1)(2) and (3); 5.1.7b(1) and (2)

Comments. No comments received.

Discussion. It was determined that both interstage and suction scrubbers should be protected. The Order was revised.

Subparagraph 5.1.8

Comments. Several commenters objected to the requirements for fixed water-spray systems in the well bays and to the language that chemicals may be used in lieu of a water-spray system only.

Discussion. The subparagraph was revised to limit the requirement for fixed water-spray systems to the enclosed well-bay areas and to permit the use of chemicals in lieu of water-spray systems.

The last sentence of the second paragraph was revised by adding the following phrase: "unless an alternate firefighting system has been approved by the District Supervisor." This statement was added to be consistent with the third paragraph, which allows the use of a chemical system.

Comment. It was suggested that the proposed requirement for "at least 30 minutes of run time for fire pumps during platform shut-in" was inadequate and that the same should be increased to 12 hours.

Discussion. USGS disagrees. The present time requirement should provide enough time to control the fire or to take other actions.

Subparagraph 5.1.9a

Comments. Several commenters requested that the term "adequate ventilation" be defined.

Discussion. The definition of adequate ventilation, as defined in API RP 14C, was adopted.

Subparagraphs 5.1.9a (1), (2), and (3)

Comments. Several commenters found the definition of a high-hazard area vague and incomplete. One commenter also remarked that it is impractical to show the multiplicity of fusible plugs on a posted diagram.

Discussion. It is agreed that the definition of a high-hazard area, as presented, is inadequate and the posting of a schematic of detection points does not serve a useful purpose. The subparagraph was deleted.

Subparagraph 5.1.9b

Comments. Several commenters recommended to allow the low-level concentration gas detection devices to be automatic; whereas, the high-level concentration or hazardous gas detection devices would still be the manual-reset type.3Discussion. The main danger of explosion is in the high-level gas concentrations. It is in this area where a manual-reset alarm is important. On the other hand, in areas of low gas concentrations, it becomes burdensome to continuously have to manually reset alarms where an automatic device would suffice. The Order was revised.

Subparagraph 5.1.9c

Comments. Several commenters objected to the requirement for the use of both fuel gas odorant and an automatic gas-detection and alarm system.

Discussion. It was determined that in continuously manned areas of the platform, either an odorant or an automatic detection and alarm system would suffice.

Subparagraph 5.1.9d

Comments. One commenter recommended that this requirement should be deleted on the basis that it is ambiguous and subject to arbitrary interpretation and that the other subparagraphs provide adequate descriptions of gas detector and alarm requirements.

Discussion. This recommendation was not adopted. This subparagraph gives the District Supervisor the authority to make a decision in areas that are not readily discernible—grey areas. It is not an attempt to be arbitrary, but instead, to ensure safety.

Subparagraph 5.1.9e

Comments. One commenter suggested that fire and gas detection systems are not directly addressed by the 1978 National Electrical Code (NEC). Another commenter stated, "It may be preferable to refer to API RP 14F, First Edition, July 1978, * * *."

Discussion. The USGS agrees with these comments. Subparagraph 5.1.9e was rewritten to delete the reference to NEC, and to add the documents suggested by the commenters.

Subparagraphs 5.1.10

Comments. One commenter suggested that language be added granting authority to the Supervisor (DCM, Offshore Field Operations] to grant departures for the use of nonshielded secondary leads on certain 2-cycle engines.

Discussion. The DCM, Offshore Field Operations, has the authority without so stating in this subparagraph. The subparagraph was not revised.

Subparagraph 5.1.10d

Comments. Two commenters remarked that posting of an elementary schmatic would serve no useful purpose and the requirement should be deleted.

Discussion. Ths posting of a schematic does not serve a worthwhile purpose. However, the schematic should be available for those in charge of maintaining the system in operational order. The subparagraph was revised.

Subparagraph 5.1.10e

Comments. One commenter requested that the term "qualified" be defined.

Discussion. Language was added to specify that qualified persons are those "personnel who are familiar with the construction and operation of the equipment and the hazards involved."

Subparagraph 5.2

Comments. No comments received.

Discussion. For clarity, language was added to subparagraph 5.2c that explicitly exempts atmospheric and pressure vessels, when taken out of service, from compliance with safety device requirements, provided the vessels are securely isolated from production facilities and with the intention that they remain isolated for an extended period.

Subparagraph 5.3

Comments. Several commenters requested that the requirement be qualified to cover only those operations which are significantly different from those in the General Plan. This is intended to avoid duplicate paperwork and submittals.

Discussion. This suggestion was adopted. If not reworded, it would impose an unnecessary paper burden on the operator if a supplemental plan should be required each time wireline, workover, or other activities were performed simultaneously with production operations.

Subparagraphs 5.4 and 5.4d

Comments. One commenter noted that subparagraph 5.4d "* * * rules out hot tapping as an accepted practice." The commenter also noted that "Eliminating

hot taps will result in significant production losses."

Discussion. It is agreed that hot tapping should not be "ruled out." It is recognized that welding, burning, and hot tapping operations should be provided for in subparagraph 5.4. Therefore, the phrase "and Burning" was added to the title of this subparagraph. Additionally, in order to clarify and emphasize the safety aspects and intent of subparagraph 5.4, it was reorganized to include the following subparagraphs:

5.4.1 *General Welding, Burning, and Hot Tapping Plan.*

5.4.2 *Designated Safe-Welding and Burning Areas.*

5.4.3 *Undesignated Welding and Burning Areas.*

New subparagraph 5.4 contains requirements "a" through "d," and includes a paragraph to define "welding" and "burning." The final paragraph in subparagraph 5.4 reads as follows: "All offshore welding and burning shall be minimized by onshore fabrication, when feasible." This is not a new requirement; it appeared as the last sentence of the third paragraph of former subparagraph 5.4. All of the remainder of the requirements under former subparagraph 5.4 are now contained in new subparagraphs 5.4.1, 5.4.2, and 5.4.3.

The following revisions were made:

In subparagraph 5.4.1 (formerly contained in the third paragraph under 5.4), the sentence, "The plan shall be filed within 90 days after the effective date of this Order * * *" was deleted, since the clause is not necessary for the Arctic Order because there are no existing platforms or operating drilling rigs. Therefore, compliance is required prior to conducting welding and burning operations.

Subparagraph 5.4.3 (formerly contained in the second item "b" in 5.4), the third sentence read, "The fire watch shall not be a member of the welding crew," was deleted. This sentence is considered redundant, since the preceding sentence requires that the fire watch "* * * shall have no other duties while actual welding or burning operations are in progress."

Comments. One commenter stated that when proper precautions are taken, welding can be safely performed on a platform without installing a "Safe-Welding Area."

Discussion. When a safe-welding area cannot be established under the National Fire Protection Association Bulletin No. 51B, the Order provides under subparagraph 5.4.3 for procedures which will ensure safe welding.

Subparagraph 5.4.3e (formerly 5.4e)

Comments. One commenter maintained that drilling, workover, or wireline operations could be carried on simultaneously with welding if proper safety practices are enforced.

Discussion. This compromise in levels of safety was not adopted.

Subparagraph 5.4.3f (formerly 5.4f)

Comments. One commenter maintained that well production and welding in the well-bay area can safely occur simultaneously if proper procedures are followed.

Discussion. This compromise in levels of safety was not adopted.

Subparagraph 5.5h

Comments. No comments received.

Discussion. The wording in this subparagraph was revised in order to clarify the intent.

Subparagraph 5.51

Comments. One commenter suggested that this subparagraph should be deleted, since it could cause extensive shut-ins and create some safety hazards.

Discussion. It is agreed that subparagraph 5.51 is too general; the subparagraph was rewritten as follows: "1. All TSH devices on fired components shall be tested at least once every 12 months."

It is considered essential that the ESD system be periodically tested; therefore, a new subparagraph 5.5m was added as follows: "m. The ESD system shall be tested for operation at least once each calendar month, but at no time shall more than 6 weeks elapse between tests. The test may be conducted by closing at least one SSV from each of the ESD stations."

Subparagraph 5.6

Comments. One commenter stated that the quality assurance program provides the only 5-year record retention requirement, and under the FIRS program, the USGS will receive inventory and failure reports on all safety devices; therefore, the lessee should not be required to maintain duplicate records for the many devices not subject to the quality assurance program for more than 1 year at the offshore field office.

Discussion. It is required that some safety devices be tested at least once a year and the results recorded. In order to verify compliance, it is necessary that records be kept for longer than 1 year.

The following sentence was added to this subparagraph: "If the lessee has no such offshore field office, then the records shall be kept in the nearest onshore field office." This revision was made for the same reason as discussed in subparagraph 3.11.

The last sentence in this subparagraph was deleted; it is considered redundant, since this subject is covered in subparagraph 6.2.

Subparagraph 5.7

Comments. One commenter noted that the third paragraph in subparagraph 5.7 is deficient in that (1) It does not require that the manufacturer's representatives be at least qualified by the manufacturer to service, install, or repair the safety system or device, and (2) it does not require that the supervisory person qualified in accordance with API RP T-2, who is supervising the manufacturer's representative, be familiar with or knowledgeable of the manufacturer's specific safety system or device.

The commenter further noted that the above deficiencies may create a situation where neither the manufacturer's representative nor the supervisor [DCM, Offshore Field Operations] is familiar with the specific system or device to be installed, serviced, or repaired.

Discussion. This comment is valid. The revised paragraph requires the person servicing the equipment and the DCM, Offshore Field Operations be qualified. Furthermore, as a result of this comment, items "b" through "g" were added.

Paragraph 6

Comments. It was suggested that the FIRS program be voluntary and not be required by those who see no practical benefit from the program.

Discussion. The purpose of the safety device FIRS program is for the USGS to identify potential problem areas, rather than having to experience an expensive and dangerous series of replacements. Implementation of a program on a voluntary basis would not provide sufficient meaningful information with regard to the various operating conditions, uses, and corrective actions taken.

Comments. It was commented that the FIRS system is a valuable tool for use by offshore operations, but that the decision to use specific equipment should be left to the lessee, taking into account the lessee's specific operating conditions and economics.

Discussion. It is not the intent of the FIRS program to tell lessees which equipment to buy, but to report what failure trends are occurring on individual pieces of equipment covered by the program. It could serve as a tool for lessees to identify which pieces of equipment should perform best in different operating conditions.

Subparagraph 6.1.1

Comments. It was suggested that provisions for a name or signature of the person completing or approving the failure data report submitted to the USGS, be included in the FIRS program. The commenters believed this would provide the safety equipment manufacturers with a point of contact for determining actual failure cause, contributing circumstances, and assist them in identifying the most appropriate corrective action.

Discussion. The USGS concurs with this recommendation and expanded the paragraph to include a signature of the person initiating and/or approving the data submitted. This signature will provide the equipment manufacturer with a point of contact for obtaining additional information required in the performance of their failure analysis.

It was recognized that subparagraph 6c which was included in the Appendix of the EA (45 FR 83905) should be included in subparagraph 6.1.1a for editorial clarity. Therefore, the following sentence was added to subparagraph 6.1.1a, "The lessee shall submit the originals of the forms to the USGS and retain the two copies." Subparagraph 6c was deleted. This revision is consistent with the FIRS Instruction booklet.

Subparagraph 6.1.2

Comments. It was suggested that the pneumatic or hydraulic fast-bleed relay used as a 3-way or 4-way fast block-and-bleed device with SSV or SDV actuators, be included in the listing of the required inventory and failure reporting.

Discussion. These relays are under consideration. The USGS plans to implement the FIRS program as it now stands and, based on the data gathered, decide on whether these relays should be added in the next revision of the FIRS program.

Subparagraph 6.1.3.1

Comments. One commenter suggested that it be made clear that only active devices and not those which have not yet been placed in service, are to be included in the reports.

Discussion. The devices to be included in the required reports were qualified as the active devices in the revised subparagraphs.

Subparagraph 6.1.4.1

Comments. One commenter suggested that the time frame be extended to at least 60 days to allow proper handling of the failure reports and to combine the malfunction and failure reports required by SPPE–1 and 2, and API RP 14B.

Discussion. The time frame allowed by subparagraph 6.1.4.1 is between 30 and 60 days (depending on the time of failure). In most cases, this time will be sufficient. In the event it is not, the USGS has provided a procedure in which a failure report with incomplete data may be submitted to the USGS and updated at some later date (see page F–13, column 73 and page F–15 in the FIRS Instruction Booklet).

Subparagraph 6.1.4.2

Comments. One commenter remarked that 30 days is insufficient time to reply and requested a change to 60 days.

Discussion. The 30-day time period was increased to 6 weeks. This is considered a reasonable response time.

Subparagraph 6.1.4.3

Comments. Several commenters suggested that the USGS differentiate by definition between failure and malfunction. They felt this was needed because failure and malfunction are defined in applicable API documents. Their concern was that the only time a failure occurs is when a piece of equipment fails to perform its designed function.

Discussion. With regard to defining failure and malfunction, the USGS believes there is no need to differentiate between the two. However, the report the USGS develops will contain a "critical" failure mode (failure) and an "other" mode (malfunction). This will, in essence, differentiate between equipment that did not perform with regard to its designed function (critical mode). The following sentence was added to provide additional information: "Examples of device failures are included in the FIRS Instruction Booklet."

Subparagraph 6.2

Comments. No comments received.

Discussion. Subparagraph 6.2, *Records*, was added to this Order. The proposed Order did not specify how long or where FIRS data records should be maintained by the lessee.

Paragraph 7

Comment. No comment received.

Discussion. In accordance with the "Memorandum of Understanding Between the United States Geological Survey of the Department of the Interior and the United States Coast Guard of the Department of Transportation concerning Regulation of Activities and Facilities on the Outer Continental Shelf of the United States" which was signed on December 18, 1980, and published in the on January 8, 1981 (45 FR 2199), paragraph 7 of the proposed order published on June 13, 1979 (44 FR 34073) was deleted. The proposed Order which was presented in the appendix of the EA on December 19, 1980 (45 FR 83906) contained the following version of this paragraph: 7. *Crane Operations.* Cranes shall be operated and maintained in accordance with U.S. Coast Guard regulations.

Since the U.S. Coast Guard has not published their new regulations governing crane operations, paragraph 7 has been revised as indicated below. This requirement will be revised to reference the final U.S. Coast Guard regulations when they are published.

7. *Crane Operations.* Cranes shall be operated and maintained to ensure the safety of facility operations in accordance with the provisions of "API Recommended Practice for Operation and Maintenance of Offshore Cranes," API RP 2D, October 1972, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation has approved for use. Records of inspection, testing, maintenance, and crane operators qualified in accordance with the provisions of API RP 2D shall be kept in the field area for a period of 2 years.

"API Specification of Offshore Cranes," API Specification 2C, February 1972, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation has approved for use shall be used as a guidelines for the selection of cranes.

OCS Order No. 7

Subparagraphs 1.1.1, 1.1.4, and 1.2.1

Comments. Two commenters believed that the disposal of muds, cuttings, or produced water into the ocean should be prohibited, especially in the Arctic areas. The concern was how this disposal affected the quality of the water and the organisms depending upon it.

Discussion. This suggestion was not adopted. USGS believes that these products can be disposed of properly through stringent Environmental Protection Agency disposal standards. Proposed lease stipulations prohibit disposal in water depths less than 10 meters due to inadequate circulation. In deeper waters, each lease is considered separately, and disposal practices are closely monitored to insure that sensitive areas will not be damaged. It should be noted that the words "Artificial Islands" were added to the title of subparagraph 1.1.4 in response to comments received on the EA. Refer to Section II of this Notice.

Subparagraph 1.1.3

Comments. Several commenters objected to the requirement for a closed sump on platforms and structures, since modern technology has produced many types of open-ended sumps that will adequately prevent the discharge of oil.

Discussion. The USGS agrees that properly designed open sumps will prevent oil discharge and has changed the subparagraph to allow for the use of all properly designed and maintained sumps. This subparagraph was revised further in response to comments received on the EA. Refer to Section II of this Notice.

Comments. One commenter recommended that the offshore disposal of contaminants from sumps should be prohibited.

Discussion. The Order prohibits disposal of any substance that will cause pollution. Contaminants from sumps will be treated as provided in lease stipulations and the authority of the District Supervisor.

Subparagraph 1.1.4

Comment. One commenter questioned why offshore islands (natural and artificial) were omitted from the heading, "Discharge from Fixed Platforms, Structures, and Mobile Drilling Units." This resulted in inconsistency with the heading in Section 1.1.3.

Discussion. The title of this subparagraph was revised to read, "Discharges from Fixed Platforms, Structures, Artificial Islands, and Mobile Drilling Units."

Subparagraph 1.2.3

Comments. Several commenters thought that reporting requirements of equipment disposed into the ocean should be limited to those that may pose a hazard to navigation and fishing.

Discussion. The limitations for the reporting of submerged objects are contained in the revision of paragraph 4 of OCS Order No. 1. The word "any" and the phrase "District Supervisor and to the" were deleted from subparagraph 1.2.3 of Order No. 7 for consistency with the revision of paragraph 4 of OCS Order No. 1.

Subparagraph 2.2.1

Comments. One commenter thought that a daily inspection of lease areas was not adequate for pollution detection. The suggestion was to provide for a systematic continuous monitoring system to detect spills and discharges.

Discussion. This suggestion was not adopted. The USGS believes that daily inspection procedures are adequate, especially when employing air surveillance. Special sensors that shutdown production operations in the event of malfunction are required in accordance with Order No. 5. No effective equipmen tthat is economically feasible has been developed for monitoring pollution around platforms.

Subparagraph 2.2.2

Comments. Several commenters objected to the daily inspection requirement for unattended platforms. It was suggested that these facilities should be inspected weekly and that the subparagraph should provide an exception in the event of prohibitive weather.

Discussion. The USGS does not agree with the suggestion of weekly inspections. Early detection of a leak or equipment malfunction is the key to pollution prevention. The phrase "or at intervals prescribed by the District Supervisor" provides latitude to waive the daily inspection requirement for those unmanned facilities which have a consistent record of pollution-free operation. In order to provide relief in the event of adverse weather conditions, the following sentence was added: "Daily inspections may be postponed in the event of adverse weather conditions."

Subparagraph 3.1

Comments. Several commenters were concerned with the adequacy of pollution-control equipment for arctic conditions.

Discussion. The USGS realizes the need for special pollution-control equipment in ice and snow areas and has revised this section to include appropriate equipment for the existing climatic conditions.

Comments. One commenter was uncertain whether this section allowed for the use of organized pollution-control companies.

Discussion. The intent of this subparagraph does allow for these companies, since the equipment "shall be available to each lessee * * * at a location approved by the Deputy Conservation Manager (DCM), Offshore Field Operations."

Subparagraph 3.2

Comments. No comments received.

Discussion. The first sentence was rewritten to permit the lessee to submit an Oil Spill Contingency Plan at an optional time.

Subparagraph 4.1

Comments. One commenter suggested that the language should provide for drills to be conducted by pollution-control equipment contractors. This procedure would avoid unnecessary repetitive training for each rig and would combine efforts in a more economical manner.

Discussion. The USGS agrees with this rational and adopted language that allows the contractor to conduct drills. The lessee retains responsibility for the drills.

The subparagraph did not specify any requirement for the frequency of the drills; therefore, language was added to require drills to be conducted at least once every 12 months.

Comments. One commenter suggested that the time schedule of drills should be contingent upon weather and drilling activities.

Discussion. Application may be made for time flexibility due to unforeseen events in the schedule submitted to the DCM, Offshore Field Operations.

Paragraph 5

Comments. It was questioned whether the USGS has the authority to approve the use of chemical agents or other activities, instead of the U.S. Coast Guard.

Discussion. The USGS has authority under the Memorandum of Understanding between the USGS and the U.S. Coast Guard, dated August 16, 1971.

OCS Order No. 8

Title and Preamble

Comments. No comments received.

Discussion. The title of Outer Continental Shelf (OCS) Order No. 8 was revised by deleting the words "and Associated Equipment" to be consistent with the content of the Order. Provisions for associated production equipment and operations are now contained in OCS Order No. 5.

General Comments

Comments. Two commenters contended that the Department of the Interior or USGS had not complied with the provisions of Executive Order (E.O.) 12044 concerning the analysis of the potential economic impact of the Platform Verification Program.

Discussion. E.O. 12044 was effective on March 23, 1978, and was not retroactively applicable to rules under revision at that time. OCS Order No. 8 was published for revision on August 25, 1977 (42 FR 42912), and on June 17, 1977 (42 FR 30917), the USGS published notice of intent to develop Platform Structural Verification Standards. When this proposed Standard was published for comment on December 5, 1978 (43 FR 56945), the Department of the Interior

determined that a regulatory analysis under E.O. 12044 was not required.

Comments. Four commenters objected to being asked to comment on OCS Order No. 8 without copies of three companion documents referenced in the Order, and one stated that without the complete package "the impact of the program is impractical to quantify."

Discussion. The USGS considers that the public was afforded appropriate opportunity to review and comment on all aspects of the Platform Verification Program and on OCS Order No. 8. The three companion documents were published for comment on December 5, 1978 (43 FR 56945), and the period for submittal of comments was extended to March 1, 1979. The various comments received were evaluated, and the first edition of these documents was printed at that time. There was little change in the basic content of these documents, except that the materials-requirements section was changed as a result of detailed input from industry technical representatives.

Comments. Three commenters expressed strong opposition to the Platform Verification Program and revised OCS Order No. 8 because it "will certainly result in increasing the cost * * * due to over-restrictive requirements," "* * * stifling industry growth," "* * * collectively, these items start to become quite burdensome," "* * * an unnecessary duplication of effort and expense and an unnecessary cost burden * * *."

Discussion. Numerous industry representatives stated that third-parties are commonly hired for design review, fabrication inspection, and installation monitoring. In addition, a National Research Council Marine Board panel, staffed by a broad cross section of experienced industry, government, and academic representatives, concluded that "the proposed third-party verification program for new offshore platforms will enhance the orderly extension of OCS oil and gas activities in an expeditious and efficient way by assuring the public and the Congress of the integrity of the fixed offshore platforms. A secondary benefit will be a more uniform application of current technology." The USGS believes that the revised Order and the Verification Program are vital, as our Nation's energy needs require extending the search for oil and gas into frontier OCS areas.

Comments. One commenter suggested a time limit of "10 days to two weeks" be placed on the Supervisor [DCM, Offshore Field Operations] to approve or disapprove plans.

Discussion. This may not be practical in all cases, but when possible, the expeditious handling of all applications, reports, and verification plans will continue to be the USGS policy. Legislative constraints and regulatory directives influence such matters and must be followed.

Comments. Two commenters emphasized the importance of minimizing delay and strongly urged that fabrication be allowed to commence prior to final design approval.

Discussion. The USGA agrees, and appropriate changes were made in the revised Order.

Comments. One commenter stated that "* * * operators should be permitted to make repairs on a structure without approval being required * * *."

Discussion. The Order requires approval be obtained for *major* modifications and repairs. Furthermore, if certain damage requires immediate repair to assure structural integrity, the Order will in no way jeopardize such a situation while the DCM, Offshore Field Operations, approval is pending. Prudent action should be taken under emergency conditions.

Comments. One commenter suggested that on the effective date of the Order the USGS should specify what structures are to be included or excluded from the new requirements.

Discussion. The provisions of this Order are not retroactive. It applies to all new platform applications and major modifications or repairs received in the office of the DCM, Offshore Field Operations, on or after the effective date of the Order. If the Plan of Development and Production was received, subject to submittal of platform design details, the revised Order does not apply.

Subparagraph 1.1

Comments. One commenter considered subparagraph 1.1 to be a major change in scope of the Verification Program; that the Requirements should be restricted to verification only and not to design, fabrication, and installation; and that the Gulf of Mexico is a mature region with no need for these requirements.

Discussion. The USGS does not agree with these comments. The primary thrust of the Platform Verification Program was for platforms to be installed in frontier areas and in deepwater locations, and for platforms of unique design. This remains a basic program concept to be accomplished by the two major elements: substantive (Requirements document) and procedural (OCS Order No. 8). These procedural requirements have been and are now contained in OCS Order No. 8. There is no major change in scope, nor can these requirements be limited to the verification function. The performance standards must be applied to the design, fabrication, and installation activities if the verification process is to be expedited. The proposed Order recognizes the maturity and successful past history of platform operations in the Gulf of Mexico Region. Subparagraph 1.3 requires the application of the Verification Program to only certain platforms that meet specified conditions intended to consistently apply the primary thrust of the program to the Gulf of Mexico.

Comments. It was pointed out that the words "the design fabrication and installation" should be deleted from the second and third lines of subparagraph 1.1.

Discussion. The correction was made to clarify the intent of the subparagraph.

Comments. One commenter recommended that single-pile caissons be removed from the "other structure" category.

Discussion. This recommendation was not adopted because a primary USGS responsibility for platform or other structure approval is consideration of and protection of the environment. Therefore, no exceptions can be permitted, particularly to exploratory well structures.

Subparagraph 1.2

Comments. A number of commenters objected to the inclusion of "repairs of damage" under the approval provisions of the Order in subparagraph 1.2. There is concern that delays in obtaining approval may pose risks and unsafe conditions to equipment, personnel, and the environment.

Discussion. It appears that the significant concern expressed by various commenters was possibly a misunderstanding of the intent of the subparagraph. It was intended to cover *major* repairs of damage to structural members affecting the structural integrity of the platform or other structure. In addition, the last sentence of subparagraph 1.2 was intended to provide for those situations where there was some question as to how to proceed, where a verbal approval may be appropriate for emergency repairs in a timely manner, or whether the condition is or is not determined to be a *major* modification or repair. Minor repairs, such as replacing damaged decking, handrails, stairways, or boat landings, are not intended to be subject to approval by the DCM, Offshore Field Operations.

Subparagraph 1.2 was modified to clarify the intent, adopting some of the suggested changes, but retaining the requirement for approval by the DCM, Offshore Field Operations, of major modifications and repairs. In addition, the subparagraph provides for the possibility of emergency repairs proceeding expeditiously with subsequent notification to and approval by the DCM, Offshore Field Operations.

Subparagraph 1.3

Comments. Two commenters suggested the deletion of the words "or repairs of damage" from subparagraph 1.3 to remove such operations from the requirements of the Verification Program.

Discussion. We agree with the suggestion and believe that appropriate review can be accomplished under subparagraph 1.2 prior to approval by the DCM, Offshore Field Operations, of major repairs of damage. The subparagraph was modified.

Comments. Three commenters expressed concern, confusion, or disagreement with the term "frontier area," especially in the Gulf of Mexico, as used in subparagraph 1.3.

Discussion. A "frontier area" on the OCS is one in which there have been little, if any, oil and gas exploratory and development operations, e.g., the entire Atlantic OCS Region, the Beaufort Sea, and all deepwater areas. For the Gulf of Mexico, the Mississippi, Alabama, Florida areas, and South Texas areas, all areas involving 400 feet or greater water depths, are considered frontier areas, as well.

Subparagraphs 1.4.1, 1.4.2, 1.4.3, and 1.4.4

Comments. One commenter stated that: "The documents listed in subparagraphs 1.4.1, 1.4.2, 1.4.3, and 1.4.4 are show as First Edition. These first editions should include any changes that are accepted from the comments made by interested parties on the draft documents," and another asked if the documents have been modified to include industry comments.

Discussion. We agree. All comments on these referenced documents were analyzed, and the documents were changed as required.

Subparagraph 2.1

Comments. Four commenters expressed disagreement with the words "prior to commencing any such work," due to the possible delays involved and apparently are willing to assume the risk that proposed changes will be approved. They suggested deletion of these words from subparagraph 2.1.

Discussion. The USGS is willing to accept this suggestion in order to minimize delays in the fabrication or installation process; however, the following sentence was added: "The lessee assumes the risk of making changes or modifications without prior approval of the DCM, Offshore Field Operations."

Subparagraph 2.2

Comments. One commenter questioned the certification requirement by a registered professional structural engineer or civil engineer specializing in structural design and suggested that "a certified or recognized naval architect-marine engineering firm would be able to qualify."

Discussion. The USGS insists upon certification by qualified professional personnel experienced in the structural design of offshore platforms and other structures covered by this Order. Any naval architect-marine engineering firm having such qualified personnel and experience will be acceptable, but all architect-marine engineering firms, certified or recognized, do not meet this requirement. Therefore, no change has been made to paragraph 2.

Subparagraphs 2.3, 2.4 (2.5), and 3.1

Comment. Two commenters suggested removing the words "or repairs" from subparagraphs 2.3, 2.5, and 3.1.

Discussion. We agree with the suggestion, and the subparagraphs were modified. In addition, the title of subparagraph 2.5 was changed from "Commencement" to "Approval" to better identify the intent of the subparagraph. Also, for editorial clarity, the order of subparagraphs 2.4 and 2.5 was reversed and subparagraph 2.4 became 2.5 and subparagraph 2.5 became 2.4.

Subparagraph 2.4 (2.5)

Comments. Numerous commenters expressed concern about the possible delays that may result from the provision in subparagraph 2.5, which requires design approval "prior to commencing the fabrication."

Discussion. We agree, and the words "prior to commencing the fabrication and obtain approval for the" were deleted. The wording was revised to read ". . . obtain approval for the design and fabrication from the DCM, Offshore Field Operations, prior to. . . ."

Subparagraph 3.2

Comments. One commenter questioned the required design documentation for approval of "major platforms" as compared to "single-pile caissons and other small well protectors."

Discussion. We agree that less design documentation will be necessary for a single-pile caisson than for a major platform; however, the exact details will be determined on a case-by-case basis with the concurrence of the DCM, Offshore Field Operations.

Subparagraph 3.2.1

Comment. One commenter recommended replacing the word "approval" with the word "submittal" in subparagraph 3.2.1 in order to expedite the overall verification process.

Discussion. We agree with the recommendation and subparagraph 3.2.1 was modified.

Comments. Four commenters pointed out that "finalized construction drawings" may not be available to be included with the submittal of design documentation.

Discussion. Subparagraph 3.2.1 was revised to require submittal of design drawings and material specifications for primary load-bearing structural members. The submittal of construction drawings and specifications will be required as a part of the Fabrication Verification Plan (Subparagraph 3.3), and finalized as-built drawings are to be retained and made available by the lessee for the functional life of the platform or other structure (paragraph 4, *Records*).

Comments. One commenter suggested that material specifications need not be submitted if the platform is designed in accordance with the requirements.

Discussion. We disagree with this suggestion. The characteristics of the materials of construction are a very pertinent design consideration, and their documentation is necessary for a meaningful design review.

Comments. One commenter inquired as to what information is contained in the Plan of Development and Production and if platform design data is included in the Plan.

Discussion. The complete details on submittal of Plans of Development/Production are contained in 30 CFR 250.34 of the OCS Operating Regulations. Platform design documentation is a necessary part of the Plan. This documentation must at least present a preliminary design sufficient to assess the approach proposed and its applicability.

Subparagraph 3.2.1.1

Comments. One commenter strongly questioned "the need for and the advisability of adding" the Universal Transverse Mercator grid system coordinates for platform location data in

subpargraph 3.2.1.1 as "an unjustified increase in paperwork and * * * source of confusion."

Discussion. Concern seems to be unfounded as conversion tables and techniques are readily available, and these are generally accepted methods of accurately describing a location. The USGS receives public requests for coordinates of a platform location on each of the systems.

Subparagraphs 3.2.1.1c and 3.2.1.1d

Comments. Two commenters pointed out that complete details may not be available to comply with the requirements of subparagraphs 3.2.1.1c and 3.2.1.1d at the time design documentation is submitted.

Discussion. The *General Platform Information* requirements need not all be submitted with the design documentation, and it will be permissible to supplement the application when these details are available.

Former Subparagraphs 3.2.1.1g and 3.2.1.1h

Comments. Two commenters suggested omitting items "g" and "h" in subparagraph 3.2.1.1 because "g" is redundant and "h" is unclear.

Discussion. We agree that item "g" is redundant, as Material Specifications are required by subparagraph 3.2.1.4c; therefore, it was deleted from subparagraph 3.2.1.1.

We do not think item "h" (Design Standard) is unclear; however, we feel that the objective is obtained by receipt of the documentation required by subparagraph 3.2.1 and the verification process. Therefore, item "h" was also deleted.

Subparagraph 3.2.1.2 and 3.2.1.3

Comments. One commenter suggested that the level of detail and the methodologies to be used regarding information required in the environmental reports which accompany the Plan of Development and Production be clarified and, further, that an explanation be provided as to the relationship of this information to the environmental information required under OCS Order No. 8.

Furthermore, the commenter recommended that the following requirements be included in the environmental information to be submitted in accordance with OCS Order No. 8:

1. Tests should be conducted to determine the concentration of light hydrocarbons in the seabed and subsurface soils and sediments.

2. Side-scan sonar profiles should be conducted over the sites proposed for structures to determine if geologic (e.g., sand waves) or manmade hazards are present.

Discussion. discussion of the details and methodologies to be used for information required by 30 CFR 250.34 is beyond the scope of OCS Order No. 8. However, 30 CFR 250.34 requires "a narrative description of the existing environment, with an emphasis on those environmental values that maybe affected by the proposed action"; whereas, the requirement for submittal of environmental information under OCS Order No. 8 is for determination of the effects of the environment on the structural integrity of platforms to be installed in OCS waters.

Concerning item 1, subparagraph 3.2.1.3a requires the type of data submittal which will indicate any existence of light hydrocarbons. Concerning item 2, whereas the use of side-scan sonar is not specifically called for, the identification of sea floor hazards is required by subparagraphs 3.2.1.3a, c, and e.

Comments. One commenter suggested that the phrase "* * * wind and gust velocities with relative heights * * *" be replaced with "* * * vertical distribution of wind and gust velocities * * *" in subparagraph 3.2.1.2a.

Discussion. We agree with this suggestion, and the wording was modified.

Comments. One commenter suggested that the word "data" used in subparagraphs 3.2.1.2a and 3.2.1.2c be replaced by the word "criteria."

Discussion. The USGS disagrees with this suggestion. The use of the word "data" in 3.2.1.2a is considered to be appropriate and corresponds to its use (with accompanying description) in subparagraph 2.1.2 of the Requirements. However, we do agree that the term "loading data"; used in subparagraph 3.2.1.2c should be replaced by the term "derived loads," and that wording was modified.

Comments. Two commenters suggested that subparagraph 3.2.1.2b be deleted in view of the fact that the subject matter is also contained in subparagraph 3.2.1.3.

Discussion. We agree with this suggestion, and the appropriate modification was made.

Comments. One commenter suggested that the USGS obtain geophysical and soil-boring information directly from the seismic and drilling contractors.

Discussion. We disagree with this suggestion. The USGS requires the submittal of such information from the lessees.

Subparagraph 3.2.1.3b

Comments. One commenter suggested that subparagraph 3.2.1.3b should be stated in more general terms by ending the sentence after the word "foundation."

Discussion. We agree with this suggestion, and the appropriate modification was made.

Subparagraph 3.2.1.3c

Comments. One commenter suggested that a soil stability analysis will not be necessary in areas where repeated analysis and soil-boring data indicate stable bottom conditions.

Discussion. We agree that the present wording should be clarified to reflect this fact, and subparagraph 3.2.1.3c was modified.

Subparagraph 3.2.1.4d

Comments. Two commenters suggested that subparagraph 3.2.1.4d is unclear and should be clarified or deleted.

Discussion. We agree, and the subparagraph was modified.

Subparagraphs 3.2.1.4e and 3.2.2b

Comments. One commenter suggested that the discussion regarding structural fatigue be relocated from subparagraph 3.2.2b to 3.2.1.4e.

Discussion. We agree with this suggestion, and the discussion on fatigue was moved to subparagraph 3.2.1.4e.

Comments. Two commenters questioned the necessity of performing a fatigue analysis of platforms for which the use of high-strength steel is limited to only a small percentage of the total structural members.

Discussion. In general, if primary load-bearing structural members are fabricated of high-strength steel for the purpose of using higher allowable cyclic stress level (higher than those allowed for mild steel), a fatigue analysis will be required for those members.

Subparagraph 3.2.2

Comments. One commenter recommended replacing the word "approval" with the word "submittal" in subparagraph 3.2.2 in order to expedite the overal verification process.

Discussion. We agree with this suggestion, and the subparagraph was modified.

Comments. One commenter suggested removal of the words "or repairs" from subparagraph 3.2.2 in order to remove such operations from the requirements of the Verification Program.

Discussion. We agree with the suggestion, and the subparagraph was modified.

Comments. One commenter suggested deletion of the words "as a part of the plan" in subparagraph 3.2.2.

Discussion. We disagree with this suggestion as this information should be available at the time of submission of the Design Verfication Plan. It is believed that partial submissions of this type could lead to confusion, unnecessary disputes, and unnecessary delays.

Comments. One commenter suggested that whenever the word "plan" is used in subparagraph 3.2.2., an identification be made as to which "plan" is being referred.

Discussion. We agree with this suggestion, and the appropriate identification was added.

Comments. One commenter questioned the uniformity of the level of involvement of the CVA's [certified verification agent] in various projects.

Discussion. The USGS will ensure that a minimum required level of involvement be maintained by the certified verification agent (CVA).

Comments. One commenter suggested that it will be a duplication of effort for the lessee to furnish the qualifications of the CVA, as this information will be obtained and maintained by the Platform Verification Section.

Discussion. A CVA's qualifications may be initially submitted to the USGS, either by CVA directly or through the lessee. The requirement for submission of qualifications addressed by this comment is to ensure that the appropriate personnel on the staff of the CVA will be used and that the qualifications of the CVA have not changed.

Comments. One commenter suggested that the USGS should not require resubmittal of the Verification Plan(s) in the event the CVA changes.

Discussion. The USGS does not agree with this suggestion. We believe that if such drastic situation should occur, i.e. a CVA change, a change in the way that verification will be carried out will also occur.

Subparagraph 3.3

Comments. One commenter suggested the deletion of the words "or repairs" from subparagraph 3.3 to remove such operations from the requirements of the Verification Program.

Discussion. We agree with the suggestion, and the subparagraph was modified.

Comments. Numerous commenters expressed concern about the possible delays that may result from the provision in subparagraph 3.3 requiring the lessee to submit a Fabrication Verfication Plan subsequent to approval of the design.

Discussion. We agree, and the word "approval" was deleted and the word "submittal" inserted in subparagraph 3.3.

Comments. One commenter suggested that we should specify what information is required when submitting the Fabrication Plan.

Discussion. We agree with this suggestion, and subparagraph 3.3 was modified to incorporate the following: "* * * fabrication drawings and materials specifications of all the primary load-bearing members included in the space-frame analysis * * *."

Subparagraph 3.4

Comments. One commenter suggested the deletion of the words "or repairs" from subparagraph 3.4, to remove such operations from the requirements of the Verification Program.

Discussion. We agree with the suggestion, and the subparagraph was modified.

Comments. One commenter suggested the deletion of the words "subsequent to the approval of the fabrication" from subparagraph 3.4.

Discussion. We agree with this suggestion, and the subparagraph was modified to require submittal of the Installation Verification Plan subsequent to the submittal of the Fabrication Verification Plan.

Paragraph 4

Comments. One commenter suggested "* * * it may be desirable to maintain design records for the life of the platform, maintenance of all other records should be limited to 5 years."

Discussion. We do not agree with this suggestion because this type of information is useful and necessary for consideration during future modifications and repairs during the useful life of the structure, which is normally 20 years or more. However, the subparagraph was modified to incorporate the following: "the as-built structural drawings, the design assumptions and analysis, and a summary of the NDE [Nondestructive Examinations] records."

OCS Order No. 12

Paragraph 1

Comments. One commenter believed that the new requirement to identify all public information is confusing and not consistent with the current practice of only identifying confidential information. It was suggested that the current system be retained.

Discussion. This suggestion was not adopted. In order to maintain confidentiality of certain information, this new system will insure that only those items marked "Public Information" will be made available. All other information will be held confidential.

Paragraph 2

Comments. One commenter questioned the words, "It has been determined" and asked on what basis the USGS made such a determination. There was concern as to the operator's competitiveness after release of certain information.

Discussion. The basis for such a determination that certain data shall be made available is in accordance with the Freedom of Information Act, the OCSLA, and the Department of the Interior regulations contained in 30 CFR Part 250. Definitions of confidential and public information are found in 30 CFR 250.2, "Definitions," and 250.3, "Data and information to be made available to the public."

The USGS believes that the term, "It has been determined" is vague and subject to interpretation, and in order to avoid confusion, the words were deleted from the introductory sentence of paragraph 2 and subparagraph 2.10.

Subparagraph 2.1

Comments. No comments received.

Discussion. Nonproprietary well status information must be reported in accordance with 30 CFR 250.93, *Monthly report of operations.* The remarks column is often used to make proprietary explanatory statements. The subparagraph was revised to require the lessee to delete such proprietary information from the public information copy.

Subparagraphs 2.2.2 and 2.2.3

Comments. It was suggested that "Item 26, Type Electric and Other Logs Run" should be exempt from public inspection after commencement of production, since certain geological and geophysical data are exempt from disclosure under the Freedom of Information Act.

Discussion. This suggestion was not adopted. It is the policy of the Department of the Interior to make records available to the greatest extent possible according to 43 CFR 2.13(d), which implements the Freedom of Information Act, and in accordance with 30 CFR 250.2 and .3 which implement the OCSLA.

In addition, lease stipulations require that certain geological and geophysical information are subject to public inspection according to 30 CFR 250.3.

"Data and information to be made available to the public."

Comments. One commenter was concerned that the release of shallow seismic data for public inspection would destroy the operator's competitiveness since this information can have significance for geology at greater depths.

Discussion. The USGS beleives that shallow seismic data will not harm the operator's competitiveness, since the information is extremely theoretical and, without deeper seismic work, is virtually useless for deep stratigraphic interpretation. In the event of reasonable claim of certain confidential information, the DCM, Offshore Field Operations, may grant exemptions from public scrutiny, as stated in this subparagraph.

Subparagraph 2.11

Comments. One commenter suggested that confidential and proprietary information should not be made available upon the expiration of the lease if "there is unleased federal or state owned acreage in the immediate vicinity of the expired lease." This could result in competitors' access to information acquired at lessee's expense.

Discussion. The request is contrary to the language of 30 CFR 250.3, "Data and information to be made available to the public." This regulation requires release of all information in a certain length of time or as long as the lease remains in effect, *whichever is less.* This means all information is available at least by the expiration of the lease. Subparagraph 2.11 reflects this thought.

Paragraph 3

Comments. No comments received.

Discussion. The introduction to paragraph 3 was revised to include the caveat "Except as provided in 30 CFR 250.3, 250.4, and 252.7, the release of this data is subject to the following restrictions." This caveat is necessary to reflect revisions in the 30 CFR 250 and 252 regulations which were published in the Federal Register, on August 7, 1979 (44 FR 46404) and on October 26, 1979 (44 FR 61886).

Subparagraph 3.2

Comments. No comments received.

Discussion. In order to be consistent with 30 CFR 250.3, "Data and information to be made available to the public," the USGS adopted the language of the regulation regarding geological and geophysical data in sections 3.2(a) and 3.2(b).

II. Summaries and Discussions of Comments Received in Response to Federal Register Notice (45 FR 83868) on the Environmental Assessment

General Comments

Comment. Some commenters believe the adoption of these Orders is a major Federal action requiring the preparation of an Environmental Impact Statement (EIS). They cite a passage from *Alaska v. Andrus* 580 F. 2d 465,478 (D.C. Cir. 1978), which suggests that the USGS must prepare an EIS.

Discussion. We have summarized the Orders, considered their effect, and considered the effect of alternative Orders. We followed the Court of Appeals' suggestion. See 580 F.2d 480. We find that the adoption of these Orders is not a major Federal action. We think the Court was correct to observe that:

> While the Orders may have considerable impact on environment, the impact can arise only after a lease sale has been held and drilling operations have commenced under the terms of the Orders. The promulgation of the Orders cannot, by itself, affect the environment in any way.

Before a lessee can drill a well, the lessee must first have a lease and an approved exploration plan. An EIS is always prepared before leasing, and an EA is always prepared before an exploration plan is approved. These documents will analyze the effects of oil and gas drilling. We can see little benefit in preparing an EIS that repeats the analysis of the EIS for the Beaufort Sea Sale BF.

Operating Orders are restrictions on lessees. Like lease stipulations, they are mitigating measures, helping to reduce the risk that oil and gas operations will harm the environment. They do not permit the lessee to drill; the lease and plan do that. The District of Columbia Court of Appeals recognizes that this is an important distinction.

"[Lease stipulations] constitute *restrictive* instructions to the lessee which can only inhibit the scope of the lessees' operations. As the stipulations are in no way *permissive* it is underly speculative how else the Secretary might have thought to discipline the lessee." *North Slope Borough v. Andrus,* slip. op. at 27.

The Court of Appeals concluded that the lease sale EIS did not have to present a "full-blown explication of alternative lease stipulations." Id. at 26. By analogous reasoning, we think that the issuance of the Arctic OCS Orders does not require an EIS.

Comment. A few commenters remarked that our 31-day period for comments on the assessment was too short.

Discussion. Everyone had earlier opportunities to comment upon the proposed Orders. As for commenting on the assessment, we are not required by the Council on Environmental Quality to circulate an EA for comment. We also note that when an agency initially decides not to prepare an EIS in a situation when it normally would, the Council requires only a 30-day period between the announcement of the decision and the final decision. See 40 CFR 1501.4(e)(2). If 30 days is reasonable there, we think it is reasonable here. We believe we allowed a fair amount of time for comments.

Comment. One commenter stated that the Orders should be expanded to all Arctic waters off the Alaska coast, including the Bering Sea.

Discussion. We have reviewed this comment carefully, and from an operational standpoint, we disagree. Climatic conditions in the Beaufort Sea and the Chukchi Sea may have many similarities with the Bering Sea, but environmentally, there are considerable differences that require different operational approaches. Different ice and permafrost conditions occur in each area. We believe a set of Orders that tried to encompass both areas would be difficult to write and organize, as well as cumbersome to use. We favor splitting the two areas—north of the Bering Straits to be known as the Arctic Area and south of the Bering Straits to be known as the Bering Sea Area.

Part I of EA

Comment. One respondent was not in agreement with the statement contained in Part I.A. that oil and gas exploration activities will not cause significant harm to the arctic environment if they are conducted properly. The commenter cited the potential for oilspills associated with ice override as a threat that compliance with the Arctic OCS Orders will not effectively mitigate.

Discussion. In response, the USGS reaffirms the belief that arctic OCS oil and gas activities can be conducted in a manner that will prevent significant impacts on the environment. With respect to the specific concerns expressed about ice override, these Orders provide that ice movements be continuously monitored. Ice override can be avoided by using special island design and construction techniques and by digging trenches around the island. Trenching is a routine measure taken around existing operations conducted from islands in the arctic.

Comment. Many commenters objected to our interpretation of the restriction on

drilling from manmade islands seaward of the barrier islands. See 45 FR 83870.

Discussion. The commenter's objections were well taken. The EA stated that *each* artificial island built in water depths deeper than 13 meters had to be left in place for two winters before drilling could begin. The position announced in the Notice of Sale was this: "Drilling from platforms or structures located beyond the barrier islands in water depths in excess of 13 meters will be prohibited *until such time as a test platform or structure of the same type to be drilled from has been in existence in the sale area at a depth in excess of 13 meters for a period of two winter seasons.* Certification of the test structure by an independent engineering firm will be required prior to approving drilling operations from the structure.

The Director will determine the adequacy of the test structure after consultation with designated representatives of the North Slope Borough and the Regional Technical Working Group of the National Outer Continental Shelf Advisory Board, prior to approving drilling operations from the test structure or from platforms or structures of the same type in water depths in excess of 13 meters."

The EA has been corrected to reflect these provisions.

Comment. Two respondents commented on the possibility that gravel islands might have to be removed at abandonment, as provided by Federal Lease Stipulation Nos. 1 and 3. One recommended that these structures be removed in every case to reduce the potential for chronic siltation, structure proliferation, and interference with circulation and to promote the reuse of gravel. The other commented that the net effect of removing an island would be to more than double the environmental impact.

Discussion. The provisions of the Federal lease stipulations were developed by representatives from various agencies in the Department, including the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service, Heritage Conservation and Recreation Service, and USGS and representatives of the National Marine Fisheries Service of National Oceanographic and Atmospheric Administration (NOAA), Environmental Protection Agency and the State of Alaska. In developing these stipulations, due consideration was given to comments that were received on the proposed stipulations included in the Draft Environmental Impact Statement for the Beaufort Sea Lease Sale. The Federal lease stipulations currently in effect on active OCS leases will control.

Comment. A commenter recommended that the Department prepare its EIS on a development and production plan before the plan is filed. "[T]he EIS process [should be] carried out concurrently with delineation of the productive limits of the new field."

Discussion. Section 25(e)(1) of the OCSLA Amendments of 1978 requires the USGS to prepare the EIS on the plan itself. We will work to reduce delay when assessing these plans.

Comment. Several respondents made comments similar to the following comments on the EA:

"The statement that artificial methods of oil and gas recovery will be employed after perhaps 10 to 20 years when the natural reservoir pressure has dropped significantly is not in keeping with state-of-the-art petroleum engineering practice. Under normal operating conditions, reservoir pressure would not be allowed to decline significantly over a period of 10 to 20 years before initiating some form of pressure maintenance program. Artificial lift methods may be required in some wells early in the producing life of the field. These will vary according to the depth, pressure, and type of fluids being produced. Pressure maintenance programs are also initiated relatively early to prevent the reservoir pressure from dropping significantly. Depending upon the type, enhanced recovery methods could be applied at any time during the life of the reservoir. In addition, the EA implies that water flooding or artificial lift operations are 'enhanced recovery' methods, which is inconsistent with the accepted usage of these terms."

Discussion. We agree. In response, the first sentence of the subject paragraph in the EA has been modified as follows: "When a field is developed, pressure maintenance programs are initiated relatively early to prevent reservoir pressure from dropping significantly. Enhanced recovery methods can be applied at any time during the life of the reservoir, subject to reservoir conditions encountered."

Comment. Several commenters addressed Part I.D. of the EA (Summary of Potential Environmental Effects of Exploration Activities in the Beaufort Sea). Comments on this part were both general and specific in nature and ranged from concerns that potential effects of exploration activities were understated and incomplete to concerns that the manner in which potential impacts were presented did not make it clear that a potential effect does not necessarily mean a probable effect.

Discussion. We respond to those comments collectively, as follows: It is noted in the first paragraph of Part I.D. of the EA that the discussion of potential effects of exploration activities represents a brief and general summary of the exploration related impacts detailed in the EIS prepared by the BLM for the Beaufort Sea Lease Sale. We believe that Part I.D. accurately summarizes the related information contained in the Beaufort Sea EIS, but we do acknowledge that it was subject to varied interpretation. It is noted in Part I.B. of the EA that a separate EA will be prepared by the USGS for each exploration plan prior to approving or disapproving the conduct of specific exploration activities. The exploration plan EA will describe the potential site-specific impacts of activities proposed. This will include any new or additional information gathered by the USGS not found in the Beaufort Sea EIS. We believe that a review of the plan-specific EA and Beaufort Sea EIS must be undertaken before an objective judgment can be made regarding the potential effects of a particular exploration proposal.

With respect to exploration well blowout potentials, several respondents commented that our use of USGS blowout statistics for the Gulf of Mexico is misleading. Some commenters felt that these statistics underestimate blowout potentials for the Arctic Area because the operating environment is unusually hostile, and others felt that blowout potentials would probably be reduced in the Arctic Area because gravel islands and land-type drilling rigs will be used instead of classical offshore drilling equipment. We cautioned in the EA that forecasting arctic blowout probabilities based on statistics from other areas could be misleading. These statistics were included for the purpose of providing a general frame of reference for those persons unfamiliar with the blowout experience in other OCS areas.

In response to comments received stating that the summary did not consider the environmental impact potentials of development activities, we reiterate a statement made in Part I.C. of the EA. At some point in the development phase of Beaufort Sea leases an EIS will be prepared for at least one development and production plan to examine the effects of development activities on the environment.

Finally, one respondent was concerned that the discussion in the EA does not consider the potential environmental effects of seismic exploration conducted in the lease sale area. The activities referred to in this comment may include both prelease and

postlease geological and geophysical activities. The postlease activities provide information necessary for developing an exploration plan. They were not considered in the EA, because they do not constitute activities that are conducted under an approved exploration plan. However, an analysis of environmental effects of these activities will be conducted by the USGS. Proposals to conduct prelease and certain other types of geological and geophysical survey activities are evaluated in accordance with the provisions of the Department's regulations found in 30 CFR 251. In addition, for Beaufort Sea OCS leases, lessees will be required to notify the USGS of their intentions to conduct postlease "preliminary activities" (30 CFR 250.34–1) as provided by the notice to Beaufort Sea bidders published at 44 FR 70238 on December 6, 1979. An analysis of the effects of these activities will be conducted prior to commencement of preliminary activities in order to identify potentially significant adverse impacts on the natural resources of the arctic OCS.

Environmental Effects of the Proposed Arctic OCS Orders and Alternatives

Comment. One respondent commented that the discussion of the proposed operating orders was inadequate. "The scope of the analysis of alternatives in the environmental analysis is too narrow. As a general matter, we believe that the analysis of alternatives must include operating restrictions imposed in areas as comparable as possible to the Arctic Sea, particularly in other areas with severe weather conditions. However, the Environmental Analysis bases its consideration of alternatives only on the operating orders adopted for the Gulf of Mexico. The Gulf is obviously not even remotely comparable to the Arctic Sea. We urge that the Department consider the restrictions adopted for the following areas in analysis of alternatives. First, it should consider the types of operating restrictions which foreign nations have imposed upon OCS operations in other extremely hazardous areas, such as the Canadian Beaufort Sea and the North Sea. Those areas also face extreme climatic problems. While they may not include ice and permafrost, the harsh conditions demand that exceptional precautions be taken to prevent accidents. Moreover, several accidents, including a major blowout, have occurred in recent years at offshore operations in the North Sea. Studies of the causes of those accidents and of the action necessary to stop blowouts and remedy their adverse consequences may have resulted both in significant changes in operating procedures and in requirements which are applicable to Arctic operation as well.

In addition, the Environmental Analysis does not adequately analyze the possibly harmful environmental impacts of the requirements in these orders. For example, while there is a definite need for good lighting of work areas during drilling, as the Arctic Operating Orders require, strong lights in an otherwise dark environment could attract birds and other species and wildlife. These wildlife could be killed or seriously harmed through collision with the drilling rigs or other structures. Therefore, it is important to assess the effects of having strongly lighted spots in the winter darkness.

The proposed Orders introduce some specific requirements as to the quality and quantity of equipment and materials which must be used and kept in storage during various operations. The Orders also require the lessee to perform various activities such as monitoring, surveillance, inspection, testing and reporting. While a prudent lessee might have implemented many of these requirements, some others, particularly those regarding equipment, materials and testing activities, would presumably not have been implemented voluntarily by the lessee. Consequently, these requirements will result in additional needs for manpower, logistics and space and such additional needs will aslo have environmental effects. Since these effects have not been addressed in the analysis, we recommend that a detailed consideration of these matters be made."

Discussion. USGS does not agree with this statement. In developing the Arctic Orders we searched for areas where comparable operations were being carried on. We examined North Sea operations. The North Sea has harsh weather conditions but they are not similar to the Arctic. More importantly, the character of operations are different. In the Alaskan Beaufort Sea most operations will be conducted from gravel or ice islands. In the North Sea all exploratory drilling operations are conducted from mobile drilling units. Canadian operations were also examined but were found to be dissimilar in some respects. In the Mouth of the MacKenzie River Delta, gravel islands are being built and used, while in the Canadian Beaufort and in the vicinity of the High Arctic Islands, some operations are accomplished using mobile drilling units. The Prudhoe Bay Field in Alaska, adjoining the Beaufort Sea lease area, was the only area that had comparable weather and operating conditions and a sufficient operating history for the USGS to use as a base for comparison. This field operates under the State of Alaska regulations. These regulations have evolved from the rules and procedures that governed Federal leases for years. Many of the State's requirements and procedures were adopted from the USGS operating manual. We believe that we could best accomplish our purpose by using a set of sound operating orders and changing them to meet specific arctic weather and environmental conditions. Many of the requirements of our Orders are refinements of the Canadian requirements written for operations under arctic conditions. We believe the statements about lighted areas being hazardous to birds is unsound. The seasonal drilling restriction allows only winter oprations for at least the first two years. Birds do not inhabit the area of operations during the winter season. If, at the end of the two-year period, the USGS determines that year-round activities will have unacceptable adverse effects on birds, the seasonal drilling restriction can be extended or other mitigating measures can be adopted. Additional personnel will not be required to implement Order requirements such as monitoring, surveillance, testing, and reporting, since these activities are common everyday practices of competent operators in the petroleum industry. Our inspection system will ensure that these activities are safely carried out. Furthermore, the impacts of personnel required for specific exploration activities will be addressed in the EA for each exploration plan.

Comment. One respondent objected to the manner in which the USGS treated the environmental impacts of the proposed Orders. The commenter believes that the USGS must determine the effectiveness of the Order provisions in reducing the potential for harm to the arctic environment.

Discussion. The USGS believes that it is not possible to make a quantitative assessment of effectiveness of the Order provisions in reducing the potential for environmental impact. Oil and gas activities on the U.S. OCS have long been subject to the provisions of operating restrictions. We have no data that accurately demonstrate the adverse effects of operating without OCS Orders. A comparative study could be conducted in an OCS area, such as the arctic, by allowing activities in part of the area to be conducted without regard to OCS Orders. Over a period of time,

the differences in observed environmental effects might then provide an objective measure of the effectiveness of the Orders. This approach to determining incremental benefits of OCS Orders is not acceptable for obvious reasons.

We should have included a statement in the EA pointing out that a quantitative assessment of impacts is not possible for the Arctic OCS Orders. In response to the comment, such a statement was added to the introductory paragraphs of Part II of the EA which contain the analysis of the environmental effects of the proposed Orders.

Comment. Several commenters responded to the requirements for marking of equipment in paragraph 5 of Order No. 1, as presented in the EA.

Discussion. Refer to the discussion of paragraph 5 of OCS Order No. 1 in section I of this Notice.

Comment. One commenter on the EA recommended we modify the Orders as follows: "Require the lessee to send USGS a copy of its notification to the Coast Guard of the location of each marine structure before the structure is emplaced."

Discussion. We believe it is unnecessary to adopt this recommendation. The USGS sends a copy of each exploration plan to the U.S. Coast Guard for review. The plan identifies the proposed location of each structure to be placed on the OCS. In reviewing the plan the U.S. Coast Guard will be made aware of the lessee's proposal to emplace a structure on the lease. Lessees should be aware of their obligations to notify each of the various involved Federal agencies concerning their operations.

Comment. One commenter believes that it is improper for the EA not to analyze Orders 6, 9, 11, 13, and 14. "The fact that Arctic Operating Orders for these activities have not yet been prepared makes it impossible to do a complete assessment of the environmental effects of the future oil and gas activities associated with the Arctic OCS Orders."

Discussion. These five Orders are currently being developed. We realize that the assessment does not have the scope that this commenter wishes, but we have assessed the currently proposed Orders thoroughly. The reasons for not proposing Orders Nos. 6, 9, 11, 13, and 14 were briefly identified in the introductory paragraphs of Part III.B of the EA. The Lease Sale EIS and the future EIS on a development and production plan will present a full review of these activities.

Comment. It was commented that the EA occasionally refers to the requirement that lessees show in their emergency plans that they will be prepared to drill one or more relief wells, whereas, the requirement in OCS Order No. 2 calls for the plan to show that the lessee will be prepared to drill a relief well.

Discussion. The intent here was to ensure that the lessees will do what is necessary to control a blowout, should one occur. In most cases when other efforts fail, this would entail the drilling of one relief well, which is the requirement of OCS Order No. 2, subparagraph 1.1a. If the first relief well is unsuccessful, a subsequent well(s) may need to be drilled, and the planning for drilling would be made at that time.

Comment. Some commenters felt that the EA did not cover the subject of blowouts in sufficient detail. In their view, the EA did not analyze sufficiently the importance of relief wells in controlling the amount of oil spilled from a probable blowout.

Discussion. The EA stresses the backup systems that prevent the occurrence of a blowout, the remote likelihood of an oil blowout in exploratory drilling, the success of other methods in controlling blowouts should one occur, and the use of relief wells only as a last resort. Further, the discussion highlighted that the time required to prepare a drilling pad for a relief well amounted to only a fraction of the total time required for the achievement of blowout control.

We believe that the subject has been amply discussed.

Comment. One commenter suggested that the OCS Orders should require the applicant to identify an alternate drilling platform which could be used to drill a relief well in the event of a loss of well control. It was stated, "This is desirable because it could significantly reduce the time to drill a relief well and the amount of oil spilled during a pollution incident. The applicant would not be expected to build redundant islands, etc., but would be expected to design his facilities such that a drilling pad could be rapidly constructed on the slope of the artificial island, or on bottom fast ice."

Discussion. Lessees' proposed plans with respect to relief wells will be examined to ensure that they are adequate from a timing and technical standpoint.

Comment. Another commenter stated that in order to assure that BAST is achieved, each general rig design should be subjected to a systematic risk analysis by identifying chains of failure that could lead to critical events, and that components which warrant redesign or redundancy can be identified and technology brought up to standard.

Discussion. Lessees are required to use the best available and safest technologies (BAST). As stated in the USGS document entitled, "The Use of Best available and Safest Technologies (BAST) During Oil And Gas Drilling And Producing Operations On The Outer Continental Shelf". "BAST is a broad concept, and like all broad concepts, requires careful consideration before specific applications. The modifiers 'best,' 'available,' and 'safest' are imprecise, especially when they are combined in the phrase 'best available and safest.' In addition, the other considerations specified in section 21(b) of OCS Lands Act amendments—'economically feasible,' 'significant effect,' and 'incremental costs v. incremental benefits'—further complicate interpretation of the requirement. The Marine Board Panel, in attempting to bring specificity to the meaning of these general terms, reviewed the legislative history and the experience the Environmental Protection Agency has had in interpreting technology mandates under the Federal Water Pollution Control Act, developed broad parameters for how these terms might be applied to OCS oil and gas operations." That discussion is abstracted in the following sections:

"Best"

There may be more than one "best" way to achieve a particular objective or do a particular job. It may be expected that "best" means that which would most completely fulfill the composite purpose of the legislation, not necessarily the most expensive or sophisticated.

"Available"

The House Committee was impressed with the technological advances made by the industry on its own and indicated its desire to have those advances (as actually used on at least some operation) applied universally. The Committee also wanted to encourage the development of new and improved technology to minimize risks to the environment. Discussion concerning the term "available control technology" found in the Federal Water Pollution Control Act Amendments of 1977 indicates that the technology does not have to be in actual use somewhere, but the technology must be available at a cost and at a time which the EPA Administrator determines to be reasonable.

The foregoing comments about the terms "best" also apply to the term

"safest". The legislative history of Federal Water Pollution Control Act Amendment of 1977 indicates that it means something more than "safe". The exact meaning would be left to administrative discretion.

"Technology" (and "Technologies")

In contrast, the meaning of "technology" (and "technologies") was extensively debated by the Congress. It was emphasized that more than one technology may be applicable as the best way to achieve a particular objective or to do a particular job. Hence, the word "technologies" was inserted. There was substantial concern about the anticompetitive and innovation-stifling impacts of designating single technology, technique, or product as "best" and banning the use of any other.

"Existing"

BAST is required for all new operations, but is required for existing operations only where practicable. It is clear that "existing" is at the time of the introduction of better or safer technologies and not at the time of the passage of the Act.

"Economically Feasible"

BAST is not required if not economically feasible. If the incremental benefits are clearly insufficient to justify the incremental cost it is not economically bearible. The choice of language was patterned after the terminology in existing environmental laws.

"Significant Effect on Safety, Health, or the Environment"

Congress provided little guidance as to when the incremental benefits are clearly insufficient to justify the incremental cost of utilizing BAST. The Secretary of the Interior urged that language be incorporated into the OCSLA Amendments of 1978 law that would prevent standards being imposed that were so costly as to prohibit the extraction of oil and gas. While not specifically adopting the approach recommended by the Secretary, the Conference Report states that "language provides for economic feasibility to be a balance of cost against benefits."

"Application of BAST"

Testimony and questioning at hearings which addressed the OCSLA Amendments of 1978 indicated that small, individual elements of an OCS operation were not the object of a BAST specification. BAST was not to be applied installation-by-installation, company-by-company, or lessee-by-lessee. Instead, the Department was to implement the requirement in a reasonable manner on an industrywide basis or with respect to classes or categories of operations. By requiring the use of BAST, Congress sought to assure the "highest degree" of safety in OCS operations, using an economic balancing process to prevent the possibility of unreasonable application. The OCS Lands Act Amendments clearly require that existing technologies be reviewed and the best available of those technologies be applied when practicable. The Amendments could also be interpreted to mean that new technologies should be developed if the existing technologies are proven to be inadequate. The BAST requirement is limited to technologies and is not designed to mitigate human errors.

The Marine Board findings lead to certain general principles:

- Technologies used during OCS drilling and producing activities should provide the safest and most reliable cost-effective operations.
- The BAST requirements should be applied in an efficient manner that recognizes the availability of the specific technology and the consequences of requiring or not requiring its use. The BAST program must encourage continuing improvement of the technological capability of the petroleum industry.
- Technologies in question are limited to equipment.
- When a gap in technology is discovered, the Government should take the lead in seeing that new technologies are developed.
- The BAST Program should provide for public participation in the development of requirements."

Comment. Some industry commenters are unhappy with 30 CFR 250.35. They want the 90-day rule increased to a 180-day rule in the arctic.

Discussion. A regulation, not the proposed Orders, governs this point.

Comment. One commenter recommended the following concerning the EA: "Monitoring of performance data should explicitly include monitoring of the rig for structural integrity by diver inspection, etc."

Discussion. We agree. Steps have been taken to develop a monitoring program for structural integrity. By notice on October 16, 1980 Federal Register (45 FR 68665), the USGS served notice of the intent to develop requirements for periodic inspection of fixed offshore oil and gas platforms for stuctural integrity.

Comment. On commenter stated, referring to the EA: "Evaluation of the operation of safety equipment in subfreezing conditions should explicitly include the effects of ice encrustations."

Discussion. We agree and believe the Arctic OCS Orders adequately cover this area. The Orders state repeatedly that all equipment used must function properly under subfreezing arctic conditions. The term subfreezing arctic conditions is an all-inclusive statement and covers ice encrustation.

Comment. Several commenters suggested that the requirement for the cement placed across permafrost zones to have a low heat of hydration so as not to thaw frozen formations be deleted. This recommendation is based on current experience which indicates that the heating effect of cements having high heats of hydration may not be be significant.

Another commenter recommended, "Instead of adopting an arbitrary standard such as 25 Btu/lb, it is recommended that some degree of certainty should be introduced by stating as acceptable cement (gypsum-base with heat of hydration of 15–18 Btu/lb) and allowing alternatives if they, too, have appropriate qualities. These might be (1) minimizing permafrost melt, (2) good set-up and strength characteristics in subfreezing conditions, and (3) long life under arctic drilling conditions. Cementing in hydrate zones (which can occur in regions even significantly below the permafrost) may require special techniques, with even lower heat of hydration than now in use in permafrost [zones] free of hydrates. Special cements may be required to seal to the hydrate-rich zones. It is difficult to conceive of a perfect cement bond in a hydrate-rich zone if the cement produces heat in setting. This is *not* a trivial problem, but a serious technological challenge which should be met so that unexpected pressure changes at lower levels can be contained."

Discussion. Desirable characteristics for cements used against permafrost zones include short waiting-on-cement time, ability to set at existing borehole temperature, ample placement (thickening) time, sufficient strength development for well operations, and ability to set with low heat of hydration to prevent additional permafrost melting. Specific cement blends proposed for use in each Application for Permit to Drill shall be reviewed for their overall effectiveness. USGS believes that use of cements with low heat of hydration could only contribute toward the enhancement of the quality of a cement job. Also, a specific requirement for the cements used, to have heat of hydration of 15/18 Btu/lb, is no considered necessary. The present

requirement allows the lessees to improve the evolving technology of cementing in permafrost zones within broad acceptable guidelines.

Comments. Several respondents suggested that the requirement of the penultimate paragraph of subparagraph 3.3.1 of OCS Order No. 2, limiting the setting depth of conductor or surface casing in permafrost area, to less than 150 meters (492 feet) below the base of the permafrost, be deleted until such time as sufficient OCS wells have been drilled to determine the requirements needed to provide reasonable protection.

It was stated that experience from drilling in State waters of the Beaufort Sea indicated a discontinuous and much thinner permafrost thickness than onshore, and that as a result the freezeback and possible subsidence problems should be minimal in the OCS areas. It was suggested that in order to prevent imposition of irrevelant orders, those provisions of the OCS Orders dealing with permafrost "protection" be deleted until sufficient data are available from future arctic OCS wells to establish the necessity of such Orders.

Another commenter suggested that the first sentence of this subparagraph be changed to read, "In areas containing permafrost, the conductor or surface casing shall be set and cemented after drilling a maximum of 150 meters (492 feet) below the base of the permafrost, but at a depth that ensures good anchoring of the casing."

Discussion. In the Beaufort Sea OCS the depths to the base of the permafrost zone can only be ascertained by actual drilling. At the present time analyses of the data obtained from all available information points to a high probability of the existence of permafrost zones in the Beaufort Sea OCS and that these permafrost zones will be at shallower depths than in the adjacent onshore areas. Therefore, the USGS disagees with the suggestion that the OCS Orders provisions for dealing with permafrost "protection" should be deleted at this time.

However, the concerns expressed about the setting depth requirements for conductor and surface casing in permafrost whose depth may vary from site-to-site, have some merit, and the requirement was modified as follows: "In areas containing permafrost, lessees shall submit with their Application for Permit to Drill, casing programs that incorporate setting depths for conductor and surface casing based on anticipated depth of the permafrost at the proposed well location, and which utilize the current state-of-the-art methods to safely drill and set casing through the permafrost zones. The casing programs must provide for protection from thaw subsidence and freezeback effect, proper anchorage, and well control until the next string of casing is set. Minor deviations for the setting depths of conductor and surface casings in permafrost areas from those prescribed for permafrost-free areas in the preceding paragraph, may be permitted by the District Supervisor."

Comment. One commenter observed that some sections of the EA referred to "directional" surveys; however, the proposed Order No. 2 required only inclination survey on vertical wells. Order No. 2 defines vertical wells as those wells where inclination does not exceed 3 degrees from the vertical.

Discussion. This omission has been corrected in the EA.

Comment. One respondent commented on subparagraph 2.1.1 of Order No. 2 which requires the lessees to submit six types of specification/information. It was suggested that the following requirement be added to ensure that the proposed drilling unit will be capable of performing the planned drilling operations under arctic conditions.

"f. Plans, design drawings, and diagrams showing how systems under b, c, and d will be protected from subfreezing conditions, or the manufacturer's certification that equipment and safety systems will operate under subfreezing conditions."

Discussion. As required in subparagraph 2.1.5, *Subfreezing Operations*, lessees shall furnish evidence that the drilling equipment, drilling safety systems, and other associated equipment, and materials are suitable for operations under subfreezing conditions.

Also, paragraph 11 of OCS Order No. 2 requires the lessees to use the best available and safest technologies (BAST). For all equipment, procedures, or systems to be used, the lessee shall submit such information necessary to indicate the use of BAST, the alternatives considered to the specific equipment or procedures, and the rationale why one alternative technology was selected in place of another. In view of the foregoing, the USGS had determined that the suggested addition will serve no useful purpose.

Comments. One commenter proposed that Arctic Operating Order No. 2 adopt the same requirement for surveys every 30 meters that is imposed by the State of Alaska. It was also proposed that the second paragraph of this section be amended to read as follows: "Continuous directional surveys giving both inclination and azimuth, shall be obtained on all directional wells at intervals not exceeding 30 meters (90 feet)."

Another commenter questioned the justification for increasing the number of surveys to improve the operator's ability to drill a successful relief well. It was stated, "This is false reasoning. Frequent surveys will result in a more detailed projection of a well's course. It does not necessarily follow that there will be significant improvement in the accuracy of the calculated versus actual well course. The well survey instruments are not 100% accurate and the calculation procedure to determine the well's course does not give results that are without some degree of error. The idea that more is better does not always apply and this implication of an increased chance of a successful relief well due to more frequent surveys does not consider the complexity and uncertainty inherent in relief well scenario."

Discussion. For vertical wells, the State of Alaska requires surveys every 500 feet. The requirement for surveys every 100 feet is applicable only when the surface location of a well is less than 660 feet from a lease line where ownership changes, or from any other vertical deviated well.

For all intentionally deviated wells, the State requires surveys at intervals not more than 100 feet apart.

However, all these requirements apply to production wells. The current requirements of OCS Order No. 2 permit collection of sufficient data to track the well course. Should a commercial discovery be made, the frequency of these surveys will be reviewed for the highly deviated production wells.

Comment. Another commenter suggested that the requirement for filing of a composite dipmeter directional survey on every well drilled could be very costly, and will increase the risk of blowouts/hole problems due to the additional time that the well will have open hole exposed to the wellbore.

Discussion. The requirements of Arctic OCS Order No. 2 apply only to exploratory and development wells. Should a commercial discovery be made, several provisions of this Order could be superseded or modified by the issuance of field drilling rules.

Comment. Several commenters suggested that the use of a directional tool which allows the operator to run a continuous survey while drilling be made a requirement.

Discussion. The present requirements permit the gathering of the needed data for an accurate tracking of the wellbore. USGS believes that the suggested

change would impose unwarranted economic burden on the lessee, considering the minimal benefits that would be obtained from the additional information. This suggestion was not adopted.

Comments. One respondent stated, "The analysis states that in order to protect against ice scouring of subsea blowout preventers, it is necessary to excavate deep depressions in the sea floor for the emplacement of such blowout preventers. We agree, but do not believe that this requirement is specified in Operating Order No. 2. Therefore, we recommend that it be specified in that Order."

Discussion. The USGS agrees with this recommendation and has added the following requirement to subparagraph 5.3:

"When a subsea blowout-preventer stack is to be used in an area which is subject to ice scour, the blowout-preventer stack shall be placed in an excavation (glory hole) with the top of the blowout-preventer stack below the deepest possible ice scour depth."

Comments. One commenter suggested that the requirement, "Mud temperatures shall be controlled to minimize heat loss to the permafrost and to mimimize thawing of the permafrost which can result in serious well problems while drilling through the permafrost," be deleted. It was argued, "Taken literally the proposed rule would require that mud systems be equipped with a means of maintaining mud temperatures at or below permafrost temperature. This would perhaps not require anything but a heat exchanger during the winter drilling activities, while in summer, elaborate refrigeration systems may be required. In either case, mixing and maintaining quality drilling mud is difficult at or near 0°C. Theories have been advanced on the effectiveness of various elaborate precautions to prevent thawing of the permafrost from drilling activities; however, experience in Prudhoe Bay Field and elsewhere has shown these precautions are largely unnecessary."

Another commenter stated, "the temperature of offshore permafrost is much closer to +32°F than is the temperature of onshore permafrost." It should be specified that, "the drilling fluid temperature be controlled to be below 32°F, to ensure that the melting is minimal. Heat generated by drilling may cause some melting, but mud temperature below +32°F will minimize this. The colder mud will also reduce the rate of conversion of gas hydrates into gaseous form, thus assisting in well control in hydrates zones."

Discussion. USGS rules do not require cooling of muds down to 32°F, only controlling of mud temperatures and use of mud systems that keep permafrost thaw to a minimum and conform to the current state-of-the-art in drilling through permafrost zones.

We agree that mixing and maintaining the quality of drilling mud is difficult at 32°F.

Neither of the suggested changes were considered necessary.

Comment. In comments on the EA, one respondent recommended that mud discharges should not be allowed into the marine environment.

Discussion. We disagree in part with the comment. The question of mud discharge was thoroughly studied in the preparation of the Beaufort Sea Joint Federal and State Lease Sale EIS and resulted in a lease stipulation which prohibits mud and cuttings discharge in areas with less than 10 meters water depth. Order No. 7 states the District Supervisor must give approval of mud discharge on a case-by-case basis. This gives the District Supervisor an opportunity to review the site-specific data before giving approval or disapproval on the application for mud discharge.

Comment. One respondent made the following comment: "The subsection on the mud program notes that approval of the District Supervisor is required prior to drilling activities. Since this is an environmental assessment, we believe it would have been worthwhile to consider a requirement for the use of less toxic mud components. We recommend that the USGS consider whether such a requirement may be feasible in the final Arctic OCS Orders."

Discussion. We do not accept this suggestion. Mud programs are designed with specific objectives in mind and unfortunately in order for the muds to have certain desired qualities toxic materials may have to be introduced into the mud program. This is the reason why Order No. 7 requires the District Supervisor's approval for mud disposal on a case-by-case basis. Where toxic materials are contained in the mud, the District Supervisor can require onshore disposal in an acceptable disposal area.

Comment. One respondent commented that the discussion of gas hydrates as a blowout cause is misleading, because there is no mention of routine monitoring and remedial measures that would serve to reduce this threat.

Discussion. In response to this comment we must first point out that there is a rather significant typographical error in this part of the Notice (45 FR 83875). The statement published which related to this comment read, "A rapid decomposition of gas hydrates caused by a drilling fluid that is too warm *would* cause a blowout by * * *." This statement should read, "* * * *could* cause a blowout by * * *."

With respect to the concern over the lack of discussion about monitoring and remedial measures, we refer the commenter to the EA section on the same page of the notice entitled "Blowout Preventer Equipment Requirements," and the paragraph that precedes the discussion which generated the comment. It is acknowledged that the purpose of the BOP is to provide a means for controlling a well when primary control has been lost due to insufficient mud hydrostatic pressure. The discussion of the use of drilling muds also acknowledges their critical well control function. We feel, therefore, that there is no need to repeat that discussion when discussing gas hydrates.

Comment. One commenter observed: "EA describes that enclosed mud-handling areas must be maintained at a negative (relative) pressure to prevent discharges from an adjacent area. It seems that the purpose is to prevent a discharge to, rather that from, an adjacent area."

Discussion. This is due to a typographical error. The requirement under subparagraph 6.4b Arctic OCS Order No. 2 on page 83896 of the **Federal Register** Notice does correctly require prevention of discharge from enclosed mud-handling areas to enclosed adjacent areas.

Comment. It was commented that the requirements of Order No. 2 conflict with those U.S. Coast Guard regulations. "The proposal requires enclosed mud-handling areas to have ventilation systems (1) capable of changing the air once each 2 minutes automatically on signal indicating the presence of gas, (2) that they will maintain a negative pressure relative to surrounding spaces, and (3) have pressure sensors, gas detectors, and explosion proof or ventilated electric equipment. Existing U.S. Coast Guard regulations for Mobile Offshore Drilling Units, 46 CFR Part 108.185(d), require that "Each ventilation system for enclosed classified locations must provide complete change of air every five minutes." Both requirements are designed to prevent the concentration of flammable gas reaching the lower explosive limit (LEL) of about five (5) percent. It is believed that the U.S. Coast Guard requirement applying to all mobile drilling units is practical and provides an adequate safety factor. The proposed requirement is a dual standard requiring unnecessary

expenditure, and it is not justified by the USGS."

Discussion. After review, the USGS agrees that subparagraph 6.4 of Order No. 2 should be modified. The requirement for changing the air every 2 minutes has been increased to 5 minutes to conform with U.S. Coast Guard requirements. This also conforms with the American Petroleum Institute Recommended Practices 14 C, First Edition, June 1974, Appendix C, Section C 1.3b.

Comments. Another comment received regarding the "enclosed mud-handling area" subparagraph of Order No. 2 stated:

"Requiring that the air in enclosed mud-handling areas be changed every two minutes instead of every five minutes as the U.S. Coast Guard requires would result in an unnecessarily high air heating load. Further, such high rates of ventilation may result in freezing of mud and instruments."

Discussion. The USGS does not agree with this statement, but has changed the ventilation rate to conform to U.S. Coast Guard requirements.

Comments. One commenter suggested that rather than relying on a potentially unreliable mechanical device to turn on the ventilation system, a manual system should be allowed.

Discussion. The suggestion for allowing the use of manual system to turn on the ventilation system was not adopted. We believe that properly maintained automatic systems are reliable. Manual systems rely on the presence of personnel. If the personnel are not present when the alarms are triggered, the ventilation system will not be activated. This would defeat the purpose of the requirement that combustible gases not be allowed to accumulate in enclosed mud-handling areas.

Comments. One respondent commented that our requirement in subparagraph 6.4 of Order No. 2 that ventilation systems be activated by detectors indicating "the presence of gas" is arbitrary. It was suggested that the requirement be revised so that ventilation system be activated by detectors indicating the presence of gas in concentrations of about 20 percent of the lower explosive limit.

Discussion. In response to this comment, we have revised subsection 6.4a. to require that gas detectors activate the ventilation system, when gas concentrations reach one percent of the total volume of air. This represents approximately 20 percent of the lower explosive limits for methane.

Comment. One commenter stated that the Arctic Orders should provide some standard level of protection to marine mammals for all potential arctic lease sale areas, suggesting that sighting of whales in the vicinity of drilling operations should be considered a criterion for curtailment of critical operations.

Discussion. The USGS disagrees. The USGS must wait until NOAA assembles some definitive information concerning the impacts of drilling operations on the whales. We do not anticipate significant problems during the two-year period. We believe that at the end of the two-year period, should a decision be made to allow year-around drilling, any mitigating measures can be addressed through a notice to lessees. In this way, NOAA can make recommendations site-specific, and the USGS can tackle the problems more effectively than by placing requirements in the OCS Orders.

Comment. One commenter stated, "The Arctic Order No. 2, Section 9 does not explicitly specify the monitoring of ice conditions during critical operations. But the commentary of Arctic Order No. 2, Sec. 9 (45 FR page 83876) says that continuous monitoring is required by the Order No. 2. We suggest that the Order No. 2, Section 9, be made to specify explicity that monitoring of ice conditions be done during critical operations."

Discussion. We agree. Subparagraph 2.1.4 of Order No. 2 states that lessees shall monitor ice conditions during operations. This is an overall requirement and applies to critical operations as well as normal operations.

Comment. One commenter states, "Critical drilling operation No. 7 [listed in OCS Order No. 2] describes moving the drilling vessel off location in an emergency. Remotely controlled anchor releases have been used with success in the Canadian Arctic. We should require systems of similar flexibility and responsiveness off Alaska. Used in conjunction with riser buoys, these could also aid in repositioning a rig."

Discussion. We believe the use of remote-controlled anchor releases has merit, but we do not believe we can require the use of such equipment in all cases. Our Orders require the operator to use BAST in all oil and gas operations. We can review and recommend, but we cannot force an operator to use a particular system or equipment as long as the operator is using equipment which conforms to the requirements of BAST.

Comment. One respondent commented on the discussion in the EA, stating that the lessees will burn off the produced oil or gas in a hot flame. It was suggested that an additional statement should be added to the EA discussion of Order No. 4 to the effect that the lessee may elect to burn off only the gas and use other means to dispose of the liquids. This option would provide more flexibility and would mitigate the environmental effect of "some air pollution."

Discussion. In response to that suggestion, we have added a statement to the EA acknowledging that the lessee may elect to burn off only the gas and dispose of the liquids at an approved onshore site.

Comment. It was commented that, "the requirement for the installation of subsurface safety devices seems to be more restrictive in some cases by requiring "approval of a setting depth . . . *so that it can be set below permafrost,*" (emphasis added). The need to set the SSV [subsurface safety valve] below the permafrost is based on outdated concepts. The proposed field rules for the Kuparuk will recommend that the SSV be set close to the surface within the permafrost zone. The setting depth for the SSV should not be arbitrarily restrictive, but should be based on the best available and safest technologies."

Discussion. The requirement in its present form specifies that "In permafrost areas, the setting depth of the subsurface-safety device shall be approved by the District Supervisor on a case-by-case basis." This provision allows the lessee to demonstrate the effective use of devices that function properly and efficiently in permafrost zones, even when the wells are shut in over prolonged periods. Such devices conform to BAST criteria. In the absence of such evidence, the placement of such devices below the permafrost will only be prudent. The suggested deletion was not adopted.

Comment. One commenter suggested that a requirement concerning a firewater system should be protected from subfreezing conditions and should be added to subparagraph 5.1.8 of Order No. 5.

Discussion. This suggestion was adopted in a modified form. The requirement quoted below is applicable to all production equipment, production systems, and other associated equipment and was added as 1.1, *Subfreezing Operations*, in Order No. 5. Also, requirements pertaining to operations under subfreezing conditions in subparagraph 3.4 and paragraph 4 of Order No. 5 were removed as the following applies to all production systems, equipment, materials and operations.

1.1 *Subfreezing Operations.* Lessees shall furnish evidence that the production equipment, production safety systems, and other associated equipment and materials are suitable for operations under subfreezing conditions and that all equipment and operating procedures take into account floating ice, icing, and other extreme environmental conditions that may occur in the area.

Comment. It was suggested that the proposed requirement for "at least 30 minutes of run time for fire pumps during platform shut-in" was inadequate and that the same should be increased to 12 hours.

Discussion. We believe the present time requirement should provide enough time to control the fire or time to take other actions.

Comment. One commenter suggested that owing to the especially difficult operating conditions present in the Arctic, the USGS should impose strict controls over simutaneous operations, given the higher risks of accidents in these situations.

Discussion. The plans submitted by the lessees for simultaneous platform operations will be throughly reviewed for adequacy at the time they are submitted. Full consideration will be given to the environmental concerns. We feel that the present requirements of subparagraph 5.3 of OCS Order No. 5 adequately address the subject.

Comment. One commenter suggested that, based on frequent testing and calibration required in the North Sea, the USGS requirement of testing and recalibrating the gas detection systems every 6 months be changed to 3-month intervals.

Discussion. Since this suggestion should contribute toward enhancement of safety of arctic OCS operations in enclosed areas, the suggestion was adopted.

Comment. In response to the EA discussion of Order No. 7, one respondent stated that commercial fishing may not have reached its potential in the Chukchi Sea and Beaufort Sea but subsistence fishing was important and that we should change the phrase "commercial fishing" to "fishing" or "commercial and subsistence fishing."

Discussion. We agree. We have changed references from "commercial fishing" to "fishing" in Arctic OCS Orders Nos. 1 and 7 and in the EA.

Comment. One commenter suggests that we amend Order No. 7 to add a method for assessing and remedying damage from oil spills. The elements of the proposed method would include an evaluation program whereby the injured party may affix a value to those resources which are at risk as a result of the proposed development, and an administrative procedure and a fund formed or bond issued which may be held liable for the damage which may occur to the resource.

Discussion. The OCSLA has created an Offshore Oil Pollution Compensation Fund. U.S. Coast Guard regulations create the procedure for filing claims. See 33 CFR Parts 135 and 136. The Alaska Beaufort Sea Oilspill Response Body (ABSORB) organization is currently preparing a Coastline Sensitivity Atlas which will show locations and rankings of sensitive areas, along with specific methods to protect each area from an oil spill. This atlas should be ready by the end of 1981. We see no need to amend Order No. 7.

Comment. One commenter stated, "The disposal of solid chemical wastes on artificial gravel islands should be prohibited. The Orders only prohibit marine disposal, but do not address this issue. Because of the erosion of artificial islands, any wastes incorporated in the island will eventually end up in the water. This has been a serious problem in Canada and is prohibited by State Lease Stipulation No. 8."

Discussion. We feel that Federal Stipulation No. 4, which is identical to State Stipulation No. 8 and paragraph 1 and subparagraphs 1.1.1, 1.1.3a and b, 1.1.4, 1.2., 1.2.1, and 1.2.2 of Order No. 7, adequately address this subject.

Comment. One commenter stated, "It is unclear if the berm on an artifical island is likely to be constructed of gravel and, therefore, subject to redispersal in the environment either through natural erosion or intentional dismantling by man, it cannot be allowed to absorb oil. Therefore, it should be explicitly stated that the berm is to be lined with an impervious material which can be removed at abandonment without losing any remaining oil."

Another respondent recommended impervious barriers in drainage ditches as well.

Discussion. In response to these suggestions, subparagraph 1.1.3.2 of OCS Order No. 7 was revised to read: "On artifical islands, all vessels containing hydrocarbons shall be placed inside a berm lined with an impervious material. The volume enclosed by the berm shall be in excess of the volume of the vessels containing hydrocarbons. In addition, all drainage ditches shall be directed away from the drilling rig to a sump. The rig mat, the drainage ditches, and the sump will be lined with impervious material."

Comment. One commenter maintained "the requirement for a sump system which 'automatically' maintains the level in subparagraph 1.1.3 of Order No. 7, is unnecessary. There is no need for an automatic sump system for land drilling rigs, and this requirement will probably lead to inoperable systems being installed. Automatic systems around drilling rigs in the Arctic have a tendency to freeze and malfunction. We believe a system that is manually maintained reliable when used in conjunction with a land drilling rig on an artifical island."

Discussion. It was recognized that the first paragraph of the original subparagraph 1.1.3a is applicable to fixed platforms and structures and that the second paragraph was applicable to artificial islands. Therefore, subparagraph 1.1.3 was retitled and reorganized as set forth below. Revisions to the requirement for artificial islands are indicated in italics.

1.1.3 *Curbs, Gutters, and Drains*

1.1.3.1 *Fixed Platforms and Structures.* Curbs, gutters, drip pans, and drains shall be installed in all deck areas in a manner necessary to collect all contaminants and piped to a properly designed, operated, and maintained sump system which will automatically maintain the oil at a level sufficient to prevent discharge of oil into OCS waters. Sump piles shall not be used as processing devices to treat or skim liquids, but shall be used to collect treated produced water, treated sand, liquids from drip pans and deck drains, and as a final trap for hydrocarbon liquids in event of equipment upsets.

1.1.3.2 *Artificial Islands. On artificial islands, all vessels containing hydrocarbons shall be placed inside a berm lined with an impervious material. The volume enclosed by the berm shall be in excess of the volume of vessels containing hydrocarbons. In addition, all drainage ditches shall be directed away from the drilling rig to a sump. The rig mat, the drainage ditches and the sumps shall be lined with impervious material.*

1.1.3.3 *Mobile Drilling Units.* Curbs, gutters and drains which collect contaminants associated with the drilling operation on a mobile drilling unit shall be installed as required by subparagraph 1.1.3.1. Curbs, gutters, and drains which collect contaminants not associated with the drilling operation are subject to regulation by the U.S. Coast Guard.

Comment. One commenter recommended that a requirement be added to the proposed Orders that would provide for an unbiased review

by a qualified party of oil spill contingency plans submitted with exploration and development plans.

Discussion. The USGS recognizes the need to identify objective criteria by which to judge the adequacy of an oil spill contingency plan. In response to this need the USGS and the U.S. Coast Guard have developed a memorandum of understanding (MOU) which provides for an ongoing review by both agencies of oil spill contingency plans. This MOU is discussed in Part III.C.2.b. of the EA. Further, the oil spill contingency plan for any exploration or development proposal will be made available for review by interested parties. Timely comments or recommendations received on the contingency plans will be considered prior to approval or disapproval of the accompanying exploration or development plan.

Comment. One commenter stated,

"the ABSORB plan is widely available, and is a joint industry response for the Beaufort Joint Sale Area. Yet, the Arctic area OCS Orders apply to the entire Chukchi Sea and Beaufort Sea areas. (It is not yet clear that they will or will not be applied in the Bering Sea; this would depend upon the lease sale terms and conditions.) In any case, there is no method known to be effective for oil spill cleanup in the moving ice during breakup or during freezeup; this fact seems to not be mentioned in the environmental assessment. It is a serious deficiency insofar as it relates to the decision on whether to allow year-around drilling, a decision which must eventually be faced. On page 83873, one finds "* * * must anticipate ice conditions * * * during the execution of contingency plan * * *." Presumably this will require the offshore operator to continue an oil spill cleanup method in any ice conditions if he proposed to operate year-around.

Another commenters stated that the existing technology is inadequate to successfully contain and clean-up oil.

Discussion. After each sale area has been leased, it is anticipated that industry will either have ABSORB take in the additional area and modify the plan as needed or form another cooperative group to cover the new lease sale area.

We do not believe that effective oil spill cleanup methods in moving ice are unknown. Oil spill cleanup technology is constantly improving, and new techniques are being developed to cleanup spills under adverse arctic conditions. For the immediate future, Beaufort Sea Sale area operations are limited to a seasonal drilling period which is from November 1 to March 31. This seasonal drilling period will be in place for the first two years the lease is in effect. If, at the end of the two-year period, the resource agencies recommend that seasonal operations should be retained, the problem of cleanup during breakup or freezeup would really not be applicable. If year-round operations seem to be feasible at the end of the two-year period, cleanup capability would be reviewed again relative to the state-of-the-art of such technologies, before year-round operations would be permitted.

Comment. One commenter suggested that a new requirement be added for all drilling structures, i.e., ice islands and barges, which allow the escape of oil to the water column in the event of a loss of well control. "These drilling structures should to be surrounded by an impermeable barrier or be capable of being surrounded in a timely manner, if the need arises." It was argued that existing oil spill containment and cleanup technology are inadequate to contain or cleanup oil under arctic conditions, and in particular, oil under ice, oil in broken ice, and during breakup and freezeup. "An impermeable barrier would prevent severe environmental damage in the event of large oil spills, such as the Ixtoc I blowout in Mexico, and would facilitate cleanup."

Discussion. Oil spill contingency plans will be examined to ensure that they are adequate to control spills at the time proposed operations will be carried out. A blanket requirement that all drilling structures be surrounded by an impermeable barrier would be unnecessary and could be dangerous, because in the unlikely event of an oil blowout, collected oil (which could also be burning) could make the wellhead inaccessible for well control efforts. The primary objective should be to effectively contain and retrieve oil from marine environment, and this will be thoroughly examined at the time plans are submitted for review.

Comment. It was also suggested that exploratory drilling operations with a high probability of oil spills, i.e., well completions and testing, should not be scheduled during breakup or freezeup when access to the platform are severely restricted. This would significantly reduce the probability of severe environmental damage from large oil spills.

Discussion. For the first 2 years of the Beaufort Sea lease term, the drilling activities are already restricted to the period November 1 to March 31. The status of the developing oil spill containment and cleanup technology will be continuously monitored. Only when the oil spill contingency plans or their updates show that technology exists for containment and cleanup during breakup or freezeup, will such operations be permitted during those periods.

Comment. One commenter made the recommendation that "NOAA routinely reviews the listed areas of biological sensitivity to ensure that habitat NOAA is mandated to protect is included in the oil spill contingency plan."

Discussion. We agree. We believe NOAA should advise the USGS and the operator of in areas of biological sensitivity so that appropriate measures can be addressed in the annual review of the oil spill contingency plan.

Comment. One commenter suggested, "Order No. 8 should be expanded beyond engineering considerations to include biological habitat benefits that might help offset losses caused by construction. In particular, artificial islands can be sloped and surfaced to encourage use by local marine life, probably at relatively low cost."

Discussion. Artificial islands must be built according to engineering criteria subject to Platform Verification. If it is possible to construct these gravel islands so that the slopes and surfaces encourage the growth of marine biota, that secondary purpose will be encouraged. It is of primary importance that the islands be constructed according to sound engineering principles advocating structural integrity.

Comment. One commenter suggested, "the regulations should require that gravel islands be 'capable of withstanding the oceanographic, meteorological and ice conditions for the proposed area' and that this requirement should be further quantified. We further suggest that for any platform or structure, or any integral part of an installation where a collapse would have a major adverse effect on the environment and/or human safety, the environmental design load condition regarding wind, waves, currents, and ice should be taken as the environmental condition which has a defined probability of exceedance during the intended service life of the structure or installation."

Discussion. USGS feels that the existing requirements of OCS Order No. 8 adequately cover expressed concerns about the design, fabrication and verification of platforms and structures including artificial islands.

Subparagraph 1.1 of Arctic OCS Order No. 8 requires gravel islands to be designed, fabricated, and installed in accordance with the applicable provisions of the document entitled, "Requirements for Verifying the Structural Integrity of OCS Platforms," which identifies mandatory state-of-the-art performance standards. These

performance standards must be met in designing, fabricating, and installing gravel islands and any modification thereto. Environmental and loading information that have a bearing on design, installation and operation, such as wave heights and periods, current, vertical distribution of wind and gust velocities, water depth, storm and astronomical tide data, marine growth, snow and ice effects, and air and sea temperature, are already required to be submitted by the lessee in support of the design documentation of the gravel islands, by subparagraph 3.1.1.2 of Order No. 8. Also to be submitted is information on derived loads which consist of a listing of total design functional loads and loads due to wind, wave, ice and current force for longitudinal, transversal and diagonal approaches.

Comment. One respondent commented on subparagraph 1.4.2 of OCS Order No. 8, which requires all artificial islands, platforms, etc., to be under the provisions of the USGS document entitled, "Requirements for Verifying the Structural Integrity of OCS Platforms," which describes the third-party verification procedure for offshore structures. "There is no statement in the referenced document or in Proposed OCS Order 8 regarding the exemption of structures (such as gravel islands in shallow water inside the natural barrier islands) where design and construction are proven through experience. To remedy this, it is suggested that provisions be added to Proposed Arctic OCS Order 8 to make it clear that third party verification would only be required for advanced "state-of-the-art" structures and/or where a new extreme in environmental conditions is involved. This approach would make Proposed Arctic OCS Order 8 analogous to Gulf of Mexico OCS Order 8, which exempts all platforms, except those involving new design concepts and/or those to be installed in unusually hostile conditions."

Discussion. USGS disagrees with the suggested change. Design and construction of gravel islands are new to the Federal OCS in the arctic. Additionally, due to the extreme variation in environmental conditions in the area, no blanket exemption can be considered at this time. We fail to see any parallel between the maturity of the exploration/development/production activities in the arctic and the Gulf of Mexico.

Comment. One respondent commented that the provisions of OCS Order No. 8 do not adequately provide for an assessment of the environmental effects of new platforms which includes gravel islands.

Discussion. Arctic OCS Order No. 8 was not developed to address the environmental effects that gravel island construction would have on the environment. Rather, the proposed Order was developed to assure that structures placed on the OCS, including gravel islands, are designed in a manner that will withstand the forces of the natural environment.

The effects of gravel island construction on the environment and the effects of other activities described in an exploration plan will be analyzed in an EA required to be prepared for each exploration plan submitted for Beaufort Sea OCS leases. This fact is discussed in Part I.B. of the EA for the proposed Arctic OCS Orders.

III. Final Arctic OCS Orders

Alaska Region, Arctic OCS Orders, Contents

Order No. 1 Identification of wells, Platforms, Structures, Mobile Drilling Units, and Subsea Objects

1. Identificaiton of fixed platforms or structures
   - 1.1 Large Platforms and Structures
   - 1.2 Small Structures
   - 1.3 Artificial Islands
2. Identification of mobile drilling units
3. Identification of wells
4. Identification of subsea objects
5. Marking of equipment
6. Departures

Order No. 2 Drilling Operations

1. Plans and applications
   - 1.1 Exploration Plan and Development and Production Plan
   - 1.2 Application for Permit to Drill
2. Drilling from fixed platforms and mobile drilling units
   - 2.1 General Requirements
   - 2.1.1 Fitness of Drilling Unit
   - 2.1.2 Pre-Drilling Inspection
   - 2.1.3 Well-Site Surveys
   - 2.1.4 Oceanographic, Meteorological, and Performance Data
   - 2.1.5 Subfreezing Operations
   - 2.2 Mobile Drilling Units
   - 2.3 Fixed Drilling Platforms
3. Well casing and cementing
   - 3.1 General Requirements
   - 3.2 Drive or Structural Casing
   - 3.3 Conductor and Surface Casing Setting and Cementing Requirements
   - 3.3.1 Conductor and Surface Casing Setting Depths
   - 3.3.2 Conductor Casing Cementing Requirements
   - 3.3.2.1 Drilling from Artificial Islands
   - 3.3.2.2 Drilling from Floating Drilling Rigs
   - 3.3.3 Surface Casing Cementing Requirements
   - 3.4 Intermediate Casing Setting and Cementing Requirements
   - 3.5 Production Casing
   - 3.6 Pressure-Testing of Casing
4. Directional Surveys
5. Blowout-preventer (BOP) equipment requirements
   - 5.1 General Requirements
   - 5.1.1 BOP Equipment
   - 5.1.2 Auxiliary Equipment
   - 5.1.3 Subfreezing Operations
   - 5.2 Subsea BOP Requirements
   - 5.3 Surface BOP Requirements
   - 5.4 Drive Pipe or Structural Casing BOP Requirements
   - 5.4.1 Drilling Operations from Bottom-Supported Rigs
   - 5.4.2 Floating Drilling Operations
   - 5.5 Conductor Casing
   - 5.6 Surface and Intermediate Casing
   - 5.7 Testing of BOP Systems
   - 5.7.1 BOP Testing Frequency
   - 5.7.2 Pressure Testing Surface BOP Systems
   - 5.7.3 Pressure Testing Subea BOP Sytems
   - 5.7.4 Actuation of Auxiliary Well-Control Equipment
   - 5.8 Inspection and Maintenance
   - 5.9 Blowout-Preventer Drills
6. Mud program
   - 6.1 Mud Control
   - 6.2 Mud Testing and Monitoring Equipment
   - 6.3 Mud Quantities
   - 6.4 Safety Precautions in Enclosed Mud-Handling Areas
7. Supervision, surveillance, and training
   - 7.1 Supervision
   - 7.2 Surveillance
   - 7.3 Training
8. Hydrogen sulfide
9. Critical operations and curtailment plans
10. Field drilling rules
11. Use of best available and safest technologies (BAST)
12. Departures

Order No. 3 Plugging and Abandonment of Wells

1. Application of approval to abandon a well
   - 1.1 Notice of Intention to Abandon a Well
   - 1.2 Subsequent Report of Abandonment
2. Permanent abandonment
   - 2.1 Isolation of Zones in Open Hole
   - 2.2 Isolation of Open Hole
   - 2.3 Plugging or Isolating Perforated Intervals
   - 2.4 Plugging of Casing Stubs
   - 2.4.1 Stub Termination Inside Casing String
   - 2.4.2 Stub Termination Below Casing String
   - 2.5 Plugging of Annular Space
   - 2.6 Surface Plug
   - 2.7 Testing of Plugs
   - 2.8 Mud
   - 2.9 Clearance of Location
   - 2.10 Cement
3. Temporary abandonment
4. Departures

Order No. 4 Determination of Well Producibility

1. Application for determination of well producibility
2. Criteria for the determination of well producibility
   - 2.1 Production Tests
   - 2.2 Production Capability Determination
3. Departures

Order No. 5 Production Safety Systems

1. Use of best available and safest technologies (BAST)

1.1 Subfreezing Operations
2. Quality assurance and performance of safety and pollution-prevention equipment
3. Subsurface-safety devices
3.1 Installation
3.1.1 Subsurface-Safety Valves
3.2 Specification for Subsurface-Safety Valves
3.3 Design, Installation, and Operation
3.4 Surface-Controlled Subsurface-Safety Valves
3.4.1 Testing of Surface-Controlled Subsurface-Safety Valves
3.5 Subsurface-Controlled Subsurface-Safety Valves
3.5.1 Inspection and Maintenance of Subsurface-Controlled Subsurface-Safety Valves
3.6 Tubing Plugs in Shut-in Wells
3.7 Injection Wells
3.8 Temporary Removal for Routine Operations
3.9 Additional Safety Equipment
3.10. Emergency Action
3.11 Records
3.12 Reports
4. Design, installation, and operation of surface production safety systems
4.1 New Platforms
4.2 Specification for Wellhead Surface-Safety Valves
4.3 Submittal of Safety-System Design and Installation Features
5. Additional safety and pollution-controlled requirements
5.1 Design, Installation, and Operation
5.1.1 Pressure Vessels
5.1.2 Flowlines
5.1.3 Pressure Sensors
5.1.4 Emergency Shutdown System
5.1.5 Engine Exhausts
5.1.6 Glycol-Dehydration Units
5.1.7 Gas Compressors
5.1.8 Firefighting Systems
5.1.9 Fire and Gas Detection System
5.1.10 Electrical Equipment
5.1.11 Erosion
5.2 General Platform Operations
5.3 Simultaneous Platform Operations
5.3.1 General Plan
5.3.2 Supplemental Plan
5.4 Welding and Burning Practices and Procedures
5.4.1 General Welding, Burning, and Hot Tapping Plan
5.4.2 Designated Safe-Welding and Burning Areas
5.4.3 Undesignated Welding and Burning Areas
5.5 Safety Device Testing
5.6 Records
5.6.1 Surface-Safety Valve and Associated Actuator Records
5.7 Safety Device Training
6. Failure and inventory reporting system (FIRS)
6.1 Data and Reporting Requirements
6.1.1 Format
6.1.2 Device Coverage
6.1.3 Device Inventory Reporting
6.1.3.1 Initial Inventory
6.1.3.2 Inventory Updates
6.1.3.3 Inventory-Reporting Methods
6.1.3.4 Inventory Verification
6.1.3.5 Inventory-Reporting Deviation
6.1.4 Device Failure Reporting
6.1.4.1 Failure-Data Submittal
6.1.4.2 Failure-Data Verification
6.1.4.3 Failure Definition
6.2 Records
7. Crane operations
8. Employee orientation and motivation programs for personnel working offshore
9. Requirements for drilling rigs
9.1 Fixed Structures
9.2 Mobile Drilling Units
10. Departures

Order No. 6 Procedure for Completion of Oil and Gas Wells (Under Development)

Order No. 7 Pollution Prevention and Control

1. Pollution prevention
1.1 Liquid Disposal
1.1.1 Drilling-Mud Components
1.1.2 Hydrocarbon-Handling Equipment
1.1.3 Curbs, Gutters, and Drains
1.1.3.1 Fixed Platforms and Structures
1.1.3.2 Artificial Islands
1.1.3.3 Mobile Drilling Units
1.1.4 Discharges from Fixed Platforms, Structures, Artificial Islands, and Mobile Drilling Units
1.2 Solid Material Disposal
1.2.1 Well Solids
1.2.2 Containers
1.2.3 Equipment
2. Personnel, inspections, and reports
2.1 Personnel
2.2 Pollution Inspections
2.2.1 Manned Facilities
2.2.2 Unattended Facilities
2.3 Pollution Reports
2.3.1 Spills
2.3.2 Observed Malfunctions
3. Pollution-control equipment and materials and oil spill contingency plans
3.1 Equipment and Materials
3.2 Oil Spill contingency Plans
4. Drills and training
4.1 Drills
4.2 Training
5. Spill control and removal
6. Departures

Order No. 8 Platforms and Structures

1. Applicability
1.1 New Platforms
1.2 Major Modifications and Repairs
1.3 Platform Verification
1.4 References
1.4.1 Operating Procedures for the OCS Platform Verification Program
1.4.2 Requirements for Verifying the Structural Integrity of OCS Platforms
1.4.3 Appendices to Requirements for Verifying the Structural Integrity of OCS Platforms
1.4.4 Commentary on Requirements for Verifying the Structural Integrity of OCS Platforms
2. Responsibility
2.1 Submission
2.2 Certification
2.3 Verification
2.4 Approval
2.5 Notification
3. Submissions
3.1 General
3.2 Design
3.2.1 Design Documentation
3.2.1.1 General Platform Information
3.2.1.2 Environmental and Loading Information
3.2.1.3 Foundation Information
3.2.1.4 Structural Information
3.2.2 Design Verification Plan
3.3 Fabrication
3.4 Installation
4. Records
5. Departures

Order No. 9 Oil and Gas Pipelines (Under Development)

Order No. 10 (Title and Content Reserved)

Order No. 11 Oil and Gas Production Rates, Prevention of Waste, and Protection of Correlative Rights (Under Development)

Order No. 12 Public Inspection of Records

1. Filing of reports
2. Availability of records
2.1 Form 9-152—Monthly Report of Operations
2.2 Form 9-330—Well-Completion or Recompletion Report and Log
2.2.1 Prior to Commencement
2.2.2 After Commencement of Production
2.2.3 5 Years' Elapsed Time
2.3 Form 9-331—Sundry Notices and Reports on Wells
2.3.1 "Request for Approval to"
2.3.2 "Subsequent Report of"
2.4 Form 9-331 C—Application for Permit to Drill, Deepen, or Plug Back
2.5 Form 9-1869—Quarterly Oil Well Test Report
2.6 Form 9-1870—Semiannual Gas Well Test Report
2.7 Multipoint Back Pressure Test Report
2.8 Sales of Lease Production
2.9 Availability of Inspection Records
2.10 Availability of Data and Information Submitted by Lessees
2.11 Expired Leases
3. Information exempt from public inspection
3.1 Leases Issued Prior to June 11, 1976
3.2 Leases Issued After June 11, 1976
4. Departures

Order No. 13 Production Measurement and Commingling (Under Development)

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic, OCS Order No. 1—effective February 27, 1981

Identification of Wells, Platforms, Structures, Mobile Drilling Units, and Subsea Objects

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10, 250.11, and in accordance with 30 CFR 250.37 and 250.54.

1. *Identification of Fixed Platforms or Structures.*

1.1 *Large Platforms and Structures.* Platforms and structures which have helicopter landing facilities shall be identified at two diagonal corners by a sign with letters and figures not less than 30 centimeters (12 inches) in height with the following information:

a. The name of the lease operator.

b. The area designation based on OCS Official Protraction Diagrams.

c. The block number in which the platform or structure is located.

d. The platform or structure designation.

The information shall be abbreviated as in the following example:

The Blank Oil Company operates "C" platform on Block 999 of the Salisbury Area. The identifying sign on the platform would indicate: BOC–SAL–999–C.

1.2 *Small Structures.* Small structures, including single well structures which do not have helicopter landing facilities, shall be identified with one sign only, with letters and figures not less than 7.6 centimeters (3 inches) in height.

The information shall be abbreviated as in the following example:

The Blank Oil Company operates well No. 1 which is equipped with a protective structure in Block 68 in the East Cameron Area. The identifying sign on the protective structure would show: BOC–E.C.–68–No. 1.

1.3 *Artifical Islands.* Artificial islands, such as gravel islands and ice islands, shall be identified as required by subparagraph 1.1 of this Order, except that only one sign is required to be installed in a prominent location on the island.

2. *Identification of Mobile Drilling Units.* Floating platforms, bottom-setting mobile rigs, and drilling ships shall be identified by one sign with letters and figures not less than 30 centimeters (12 inches) in height affixed to the derrick or the heliport so as to be visible to approaching traffic and shall contain the following information:

a. The name of the lease operator.

b. The area designation based on OCS Official Protraction Diagrams.

c. The block number in which the drilling unit is located.

d. The OCS lease number.

e. The well number.

3. *Identification of Wells.* The OCS lease and well numbers shall be painted on the wellhead or on a sign affixed to the wellhead of each singly completed well. In multiply completed wells, each completion shall be individually identified at the wellhead. All identifying signs shall be maintained in a legible condition.

4. *Identification of Subsea Objects.* Prior to the installation of subsea equipment required for lease operations, or in the event of the accidental sinking of an object, the owner shall report the submerged equipment or object to the appropriate U.S. Coast Guard District Commander subject to the following limitations. Reports are not required for equipment or objects that:

a. Are submerged in water depths greater than 305 meters (1,000 feet); or

b. Weigh 18 kilograms (40 pounds) or less and are of such shape or configuration that they are unlikely to snag or damage fishing devices; or

c. Are determined to be located on the seafloor within 46 meters (150 feet) of fixed structures on which approved aids to navigation are maintained.

The report shall contain the object's description, weight, dimensions, location, and the depth of water in which it is located. The U.S. Coast Guard will determine if it is a hazard to navigation and will detrmine whether it requires marking in accordance with 33 CFR 64.

5. *Marking of Equipment.* Whenever practicable, all materials, equipment, tools, containers, and items used on the OCS are to be properly color-coded, stamped, or labled with the owner's identification prior to actual use. For oil and gas operations, this means the owner's identification, as approved or prescribed by the Director, is to be placed upon all materials, cable, equipment, tools, containers, and other objects which could be freed and lost overboard from rigs, platforms, or supply vessels, and are of sufficient size or are of such a nature that they could be expected to interfere with fishing gear if dropped overboard.

6. *Departures.* All departures from the requirements specified in this Order shall be subject to approval, pursuant to 30 CFR 250.11(b).

Approved:

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OCS Order No. 2—Effective February 27, 1981

Drilling Operations

This order is issued pursuant to the authority prescribed in 30 CFR 250.10 and 250.11. All exploratory and development wells drilled for oil and gas shall be drilled in accordance with 30 CFR 250.30, 250.34, 250.36, 240.38, 250.40, 240.41, and the provisions of this Order except for those provisions superseded by the issuance of field drilling rules.

This order requires the lessee to submit plans, applications, data, and other information. In all cases where the lessee(s) has(have) identified another party as designated lease operator in accordance with 30 CFR 250.31 and where the term "operator" is defined in accordance with 30 CFR 250.2(gg), the required information may be submitted by the designated lease operator.

In addition to the requirements of this Order, the lessee shall comply with the requirements of paragraph 9, *Requirements for Drilling Rigs,* of OCS Order No. 5.

1. *Plans and Applications.*

1.1 *Exploration Plan and Development and Production Plan.*

In accordance with 30 CFR 250.34, the lessee shall submit Exploration Plans and Development and Production Plans to the Deputy Conservation Manager (DCM), Offshore Field Operations, for approval. All wells drilled under the provision of this Order shall be included in the appropriate plan. In addition, the Exploration Plans and Devleopment and Production Plans shall include provisions to deal with emergency situations involving:

a. A means of drilling a relief well should a blowout occur.

b. Loss or disablement of a drilling unit or a drilling rig.

c. Loss of or damage to support craft.

d. Hazards unique to the site of the drilling operations, including conditions such as solid ice cover, freezeup and breakup.

1.2 *Application for Permit To Drill.* Prior to commencing drilling under an approved Exploration Plan or a Development and Production Plan, the lessee shall file, in triplicate, an Application for Permit to Drill (Form 9–331 C) with the District Supervisor for approval. Additionally, DCM, Offshore Field Operations, will prescribe the number of public information copies to be submitted.

2. *Drilling from Fixed Platforms and Mobile Drilling Units.*

2.1 *General Requirements.*

2.1.1 *Fitness of Drilling Unit.* All fixed and mobile drilling units shall be capable of withstanding the oceanographic, meteorological, and ice conditions for the proposed area of operations. The lessee shall submit with the Exploration Plan or Development and Production Plan evidence to the DCM, Offshore Field Operations, of the fitness of the drilling unit to perform the planned drilling operation.

This evidence shall include the following specifications or other information as requested by the District Supervisor:

a. The rated capacity of all major drilling equipment.

b. Drilling safety systems.

c. Firefighting equipment.

d. Pollution-prevention equipment associated with the drilling operation.

3. A schematic diagram of the drilling unit.

f. A "Critical Operations and Curtailmant Plan" as described in paragraph 9 of this Order.

After a drilling unit has been approved for use in an area, the information listed above need not be resubmitted unless required by the DCM, Offshore Field Operations, or there are changes in equipment which affect the rated capability of the unit.

2.1.2 *Pre-Drilling Inspection.* Prior to commencing operations in an OCS area, all fixed drilling platforms and mobile drilling units shall be made available for a complete inspection by the District Supervisor.

2.1.3 *Well-Site Surveys.* Lessees shall submit a shallow geologic hazards report, and conduct such shallow geologic hazard surveys or other surveys as required by the DCM, Offshore Field Operations. The results of these surveys and an analysis of the geologic hazards shall be furnished to the District Supervisor. All data obtained from the surveys and all geophysical data relating to shallow hazards shall be furnished upon request to the District Supervisor. When requested, this data shall include sediment and seabed data, e.g., seabed profiles, sediment consistency, allowable bearing and sliding loads, and nearby potential seabed hazards, i.e., sand waves, slumps, mud slides, permafrost, and deposits of frozen gas hydrates.

2.1.4 *Oceanographic, Meteorological, and Performance Data.* Where such information is not readily available, lessees shall collect and report oceanographic, meteorological, performance data, and monitor ice conditions during the period of operations. The type of information collected, method of collection, and report requirements will be as specified by the DCM, Offshore Field Operations.

2.1.5 *Subfreezing Operations.* Lessees shall furnish evidence that the drilling equipment, drilling safety systems, and other associated equipment and materials are suitable for operations under subfreezing conditions.

2.2 *Mobile Drilling Units.* Applications for drilling from mobile drilling units shall include the following:

a. A listing of the maximum environmental and operational conditions used for the design.

b. A listing of the regional maximum environmental conditions, including wave, wind, current, ice loading, icing, storm surges, and seismic motion, and of the unusual site-specific environmental conditions anticipated to be encountered at the drill site during the drilling operations.

c. Current American Bureau of Shipping Classification, U.S. Coast Guard Certificate of Inspection, or other appropriate classifications, with operational limitations.

2.3 *Fixed Drilling Platforms.* Applications for installation of fixed drilling platforms or structures, including artificial islands, shall be submitted in accordance with OCS Order No. 8. Mobile drilling units which have their jacking equipment removed, or have been otherwise immobilized, will be considered fixed drilling platforms, and applications shall also be submitted in accordance with OCS Order No. 8.

3. *Well Casing and Cementing.*

3.1 *General Requirements.* All wells shall be cased and cemented in accordance with the requirements of 30 CFR 250.41(a)(1). The Application for Permit to Drill shall include the casing design safety factors for collapse, tension, and burst. In addition, the Application for Permit to Drill must include a proposal to fill all annuli within permafrost zones with cement or a liquid with a freezing point below the minimum permafrost temperature to prevent internal freezeback. The cement used to cement through permafrost zones shall be designed to set before freezing and shall have a low heat of hydration so as not to thaw frozen formations. Wells drilled in areas which are underlain by freshwater aquifers shall have casing programs which are designed to protect the freshwater zones. In cases where cement has filled the annular space back to the ocean floor, upon approval by the District Supervisor, the cement may be washed out or displaced to a depth not exceeding the depth of the structural casing shoe to facilitate casing removal upon well abandonment. For the purpose of this Order, the several casing strings in order of normal installation are drive or structural, conductor, surface, intermediate, and production casing. If there are indication of inadequate cementing (such as lost returns, cement channeling, or mechanical failure of equipment on the surface, intermediate, and production casing strings), the lessee shall evaluate the adequacy of the cementing operations by pressure testing the casing shoe, running a cement bond log, running a temperature survey, or a combination thereof before continuing operations. If the evaluation indicated inadequate cementing, the lessee shall recement or take other actions as approved by the District Supervisor. The lessee shall verify the adequacy of the remedial cementing operations as required by the District Supervisor.

The design criteria considered for all wells shall be submitted with the Application for Permit to Drill. The criteria to be considered shall include all pertinent factors for well control, such as:

a. Formation fracture gradients.

b. Formation pressure.

c. Anticipated surface pressure.*

d. Casing setting depths.

e. Permafrost zones.

The lessee shall utilize appropriate drilling technolgy and state-of-the-art methods, such as drilling-rate evaluation, shale-density analysis, or other appropriate methods in order to enhance the evaluations of conditions of abnormal pressure and to minimize the potential for the well to flow or kick.

All casing, except drive pipe or structural casing, shall be new pipe which meets or exceeds American Petroleum Institute (API) standards, or reconditioned used pipe that has been tested to assure that it will meet or exceed API standards for new pipe. If casing to be used is not fabricated to API standards, the yield strengths of the casing shall be included on the Application for Permit to Drill (Form 9–331 C), provided these specifications are not on file with the USGS.

3.2 *Drive or Structural Casing.* This casing shall be set by driving, jetting, or drilling to a minimum depth of 30 meters (98 feet) below the ocean floor or to other depths, as may be required or approved by the District Supervisor, in order to support unconsolidated deposits and to provide hole stability for initial drilling operations. If this portion of the hole is drilled, the drilling fluid shall be of a type tthat is in compliance with the liquid disposal requirement of OCS order No. 7, and a quantity of cement sufficient fo fill the annular space of the drilled hole shall be used.

3.3 *Conductor and Surface Casing Setting and Cementing Requirements.*

3.3.1 *Conductor and Surface Casing Setting Depths.* Casing design and

* Anticipated surface pressure is defined as the surface well pressure which can reasonably be expected to be exerted upon a casing string and its related wellhead equipment. In the calculation of anticipated surface pressure, the lessee shall take into account the drilling, completion, and producing conditions. He shall consider mud densities to be used below various casing strings, fracture gradients of the exposed formations, casing setting depths, total well depth, formation fluid type, and other pertinent conditions. Considerations for calculating anticipated surface pressure may vary for each segment of the well. The lessee shall include as a part of the statement of anticipated surface pressure the calculations used to determine this pressure during the drilling phase and the completion phase, including the anticipated surface pressure used for production string design.

setting depths shall be based upon all engineering and geologic factors, including the presence or absence of hydrocargons, other potential hazards, and water depths. These strings of casing shall be set at the depths specified, subject to approved variation to permit the casing to be set in a competent bed, or through formations determined desirable to be isolated from the well by pipe for safer drilling operations; however, the conductor casing shall be set immediately prior to drilling into formations known to contain oil or gas, or, if unknown, upon encountering such formations. These casing strings shall be run and cemented prior to drilling below the specified setting depths. The District Supervisor may prescribe the setting depths for those wells which may encounter abnormal pressure conditions.

In permafrost-free areas, conductor casing setting depths shall be between 91 meters (298 feet) and 305 meters (1,000 feet) True Vertical Depth (TVD) below the ocean floor, and surface casing setting depths shall be between 305 meters (1,000 feet) and 1,400 meters (4,593 feet) TVD below the ocean floor.

In areas containing permafrost, lessees shall submit with their Applications for Permit to Drill, casing programs that incorporate setting depths for conductor and surface casing based on the anticipated depth of the permafrost at the proposed well location, and which utilize the current state-of-the-art methods to safely drill and set casing through the permafrost zones. The casing programs must provide protection from thaw subsidence and freezeback effect, proper anchorage, and well control until the next string of casing is set. Minor deviations for the setting depths of conductor and surface casings in permafrost areas from those prescribed for permafrost-free areas in the preceding paragraph, may be permitted by the District Supervisor.

Engineering, geophysical, and geologic data used to substantiate the proposed setting depths of the conductor and surface casings (such as estimated fracture gradients, pore pressures, shallow hazards, etc.) shall be furnished with the Application for Permit to Drill.

3.3.2 *Conductor Casing Cementing Requirements.*

3.3.2.1 *Drilling from Artificial Islands.* When drilling from artificial islands, conductor casing shall be cemented with a quantity of cement sufficient to fill the calculated annular space back to the surface. Cement fill to surface shall be verified by the observation of cement returns. Upon approval by the District Supervisor, the cement may be washed out of displaced to a depth not exceeding the depth of the structural casing shoe to facilitate casing removal upon well abandonment.

3.3.2.2. *Drilling from Floating Drilling Rigs.* When drilling from floating drilling rigs, conductor casing shall be cemented with a quantity of cement sufficient to fill the calculated annular space up to the top of the casing. Cement fill to the top of the casing shall be verified by the observation of cement returns. In the event that observation of cement returns is not feasible or possible, the method of verifying the cement fill shall be approved by the District Supervisor. Upon approval by the District Supervisor, the cement may be washed out or displaced to a depth not exceeding the depth of the structural casing shoe to facilitate casing removal upon well abandonment.

3.3.3 *Surface Casing Cementing Requirements.* Surface casing shall be cemented with a quantity of cement sufficient to protect all freshwater zones, to provide well control until the next string of casing is set, and with sufficient cement to fill the calculated annular space to the top of the permafrost zone, and with the cement fill at least 60 meters (197 feet) inside the conductor casing, or as approved by the District Supervisor. Any portion of the annulus opposite a permafrost zone which is not protected by cement shall be filled with a liquid with a freezing point below the minimum permafrost temperature to prevent internal freezeback.

For floating drilling operations that use a one-stack blowout-preventer (BOP) system, a lesser volume of cement is permissible to prevent sealing the annular space between the conductor casing and surface casing, when approved by the District Supervisor. Any annular space open to the drilled hole shall be sealed in accordance with the requirements in Order No. 3 upon abandonment.

After drilling a maximum of 15 meters (49 feet) of new hole, a pressure test shall be conducted to obtain data to be used in estimating the formation fracture gradient. Pressure data shall be obtained either by testing to formation leak-off or by testing to a predetermined equivalent mud weight as approved by the District Supervisor. The results of this test and any subsequent tests of the formation shall be recorded on the driller's report and used to determine the depth and maximum mud weight to be used in the intermediate hole.

3.4 *Intermediate Casing Setting and Cementing Requirements.* One or more strings of intermediate casing shall be set when required by anticipated abnormal pressure, mud weight, sediment, and other well conditions. The setting depth for intermediate casing shall be based on the pressure tests of the exposed formation below the surface casing shoe or on subsequent pressure tests. After drilling a maximum of 15 meters (49 feet) of new hole, a pressure test shall be conducted to obtain data to be used in estimating the formation fracture gradient. Pressure data shall be obtained either by testing to formation leak-off or by testing to a predetermined equivalent mud weight as approved by the District Supervisor. The results of this test and any subsequent tests of the formation shall be recorded on the driller's report and used to determine the depth and maximum mud weight to be used in the hole below the intermediate-casing string.

A quantity of cement sufficient to cover and isolate all hydrocarbon zones and to isolate abnormal pressure intervals from normal pressure intervals shall be used. This requirement for isolation may be satisfied by squeeze cementing prior to completion, suspension of operations, or abandonment, whichever occurs first. Sufficient cement shall be used to provide annular fill-up to a minimum of 150 meters (492 feet) above the zones to be isolated or 150 meters (492 feet) above the casing shoe in cases where zonal coverage is not required. Any portion of the annulus opposite a permafrost zone not protected by cement must be filled with a liquid which has a freezing point below the minimum permafrost temperature to prevent internal freezeback.

If a liner is used as an intermediate string, it shall be lapped a minimum of 30 meters (98 feet) into the previous casing string and cemented as required for intermediate casing. The liner shall be tested by a fluid entry or pressure test to determine whether a seal between the liner top and the next larger string has been achieved. The test shall be recorded on the driller's report. If the test indicates an improper seal, the top of the liner shall be squeeze cemented. When such liner is used as production casing, it shall be extended to the surface and cemented to avoid surface casing being used as production casing.

3.5 *Production Casing.* Production casing shall be set before completing the well for production. It shall be cemented in a manner necessary to cover or isolate all zones above the shoe which contain hydrocarbons; but in any case, a calculated volume sufficient to fill the annular space at least 150 meters (492 feet) above the uppermost hydrocarbon

zone must be used. Open-hold and slotted-liner completions are permitted when approved by the District Supervisor. Any portion of the annulus opposite a permafrost zone not protected by cement must be filled with a liquid which has a freezing point below the permafrost temperature to prevent internal freezeback.

When a liner is used as production casing below intermediate casing, it shall be lapped a minimum of 30 meters (98 feet) into the previous casing string and cemented as required for the production casing. Testing of the seal between the liner top and the next larger string shall be conducted as in the case of intermediate liners and recorded on the driller's report. If the test indicates an improper seal, the top of the liner shall be squeeze cemented.

3.6 *Pressure-Testing of Casing.* Prior to drilling the plug after cementing, all casing strings, except the drive or structural casing, shall be pressure-tested as shown in the table below. The test pressure shall not exceed 70 percent of the internal yield pressure of the casing. If the pressure declines more than 10 percent in 30 minutes or if there is another indication of a leak, the casing shall be recemented, repaired, or an additional casing string run, and the casing tested again. The above procedures shall be repeated until a satisfactory test is obtained.

Casing	Minimum surface pressure
Conductor	1,400 kilopascals (kPa) (203 psi).
Surface	6,900 kPa (1,000 psi)*.
Intermediate, Liner, and Production.	10,400 kPa (1,508 psi)* or 5 kPa/m (0.22 psi/ft.) whichever is greater.

*Must not exceed 70 percent of the minimum internal yield pressure. In the event of prolonged drill pipe operations which could cause damage to the casing, the casing shall be pressure-tested, calipered, or otherwise evaluated, as approved by the District Supervisor.

After cementing any of the above strings, drilling shall not be resumed until there has been a time lapse of 8 hours under pressure for the conductor casing string or 12 hours under pressure for all other strings. Cement is considered under pressure if one or more float valves are employed and are shown to be holding the cement in place or when other means of holding pressure is used. All casing pressure tests shall be recorded on the driller's report.

In addition to the time lapse stated above, sufficient time must elapse to allow the bottom 153 meters (502 feet) of annular cement fill, or total length of annular cement fill, if less, to attain a compressive strength of at least 3,448 kPa (500 psi), or, as approved by the District Supervisor, before drilling resumes.

The typical performance data for the particular cement mix used in the well shall be used to determine the time lapse required.

4. *Directional Surveys.* Wells are considered vertical if inclination does not exceed an average of 3 degrees from the vertical. Inclinational surveys shall be obtained on all vertical wells at intervals not exceeding 150 meters (492 feet) during the normal course of drilling.

Wells are considered directional if inclination exceeds an average of 3 degrees from the vertical. Directional surveys giving both inclination and azimuth shall be obtained on all directional wells at intervals not exceeding 150 meters (492 feet) during the normal course of drilling and at intervals not exceeding 30 meters (98 feet) in all planned angle-change portions of the hole.

On both vertical and directional wells, directional surveys giving both inclination and azimuth shall be obtained at intervals not exceeding 150 meters (492 feet) prior to, or upon, setting surface or intermediate casing, liners, and at total depth. Composite directional surveys shall be filed with the District Supervisor. The interval shown will be from the bottom of conductor casing or, in the absence of conductor casing, from the bottom of drive or structural casing to total depth. In calculating all surveys, a correction from true north to Universal Transverse Mercator Grid north or Lambert Grid north shall be made after making the magnetic-to-true-north correction. A composite dipmeter directional survey including a listing of the directionally computed inclinations and azimuths on a well classified as vertical will be acceptable as fulfilling the applicable requirements of this paragraph.

5. *Blowout-Preventer (BOP) Equipment Requirements.*

5.1 *General Requirements.* Blowout preventers and related well-control equipment shall be installed, used, maintained, and tested in a manner necessary to assure well control.

5.1.1 *BOP Equipment.* Blowout-preventer equipment shall consist of an annular preventer and the specified number of ram-type preventers. The pipe rams shall be of proper size to fit the drill pipe in use. The working pressure of any blowout preventer shall exceed the anticipated surface pressure to which it may be subjected, except that the working pressure of the annular preventer need not exceed 34,475 kPa (5,000 psi), unless a higher working pressure is required by the District Supervisor. When the anticipated surface pressure exceeds the rated working pressure of the annular preventer, the lessee shall submit with the Application for Permit to Drill a well-control procedure which indicates how the annular preventer will be utilized and the pressure limitations which will be applied during each mode of pressure control.

All blow-out preventer systems shall be equipped with:

a. A hydraulic actuating system that provides sufficient accumulator capacity to supply 1.5 times the volume necessary to close all BOP equipment units with a minumum pressure of 1,400 kPa (203 psi) above the precharge pressure. An accumulator backup system, supplied by a secondary power source independent from the primary power source, shall be provided with sufficient capacity to close all blowout preventers and hold them closed. Locking devices shall be provided on the ram-type preventers. The method of BOP actuation control, such as hydraulic, acoustic, or other methods, shall be described and included in the Application for Permit to Drill.

b. At least one operable remote blowout-preventer-control station, in addition to the one on the drilling floor. This control station shall be in a readily accessible location away from the drilling floor.

c. A drilling spool with side outlets, if side outlets are not provided in the BOP body, to provide for separate kill and choke lines.

d. A kill line equipped with 2 kill-line valves is required. The master valve shall be located adjacent to the BOP. This valve shall not normally be used for opening or closing on flowing fluid. The second valve shall be located adjacent to the master valve. This valve shall be used as the control valve.

e. A fill-up line above the uppermost preventer.

f. A choke manifold equipped in accordance with "API Recommended Practice for Blowout-Prevention Equipment Systems," API RP 53, First Edition, February 1976, reissued February 1978, Sections 3A and 3B, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use.

g. Valves, pipes, flexible steel hoses, and other fittings upstream of, and including, the choke manifold shall have a pressure rating at least equal to the anticipated surface pressure.

h. A wellhead assembly with a working pressure at least equal to the anticipated surface pressure.

5.1.2 *Auxiliary Equipment.* The following auxiliary equipment shall be provided and maintained in operable condition at all times:

a. A kelly cock shall be installed below the swivel, and an essentially full-opening valve of such design that it can be run through blowout preventers, shall be installed at the bottom of the kelly. A wrench to fit each valve shall be stored in a conspicuous location readily accessible to the drilling crew.

b. An inside blowout preventer and an essentially full-opening drill string safety valve in the open position shall be maintained on the rig floor at all times while drilling operations are being conducted. These valves shall be maintained on the rig floor to fit all connections that are in the drill string.

c. A safety valve shall be available on the rig floor assembled with the proper connection to fit the casing string that is being run in the hole at the time.

5.1.3 *Subfreezing Operations.* The blowout preventers and related control equipment shall be suitable for operations in those areas which are subject to subfreezing conditions.

5.2 *Subsea BOP Requirements.* The minimum requirements for drilling below the casing strings for subsea blowout-preventer stacks are tabulated below:

Drive or structural	See Notes 1 and 2.
Conductor	1—Annular. 1—Diverter System 3 and 4.
Surface	1—Annular. 2—Pipe Rams. 1—Blind Shear Ram.
Intermediate	1—Annular. 2—Pipe Rams 5. 1—Blind Shear Ram.

Notes

1. When drilling fluids are circulated to the drilling vessel, a diverter system as described in subparagraphs 5.4.1 shall be installed on top of the marine riser.

2. If returns to the surface cannot be established, refer to subparagraphs 5.4.2.

3. The choke and kill lines or equivalent vent lines, equipped with necessary connections and fittings, can be used for diversion, if approved by the District Supervisor, or an annular preventer or pressure-rotating, packoff-type head, equipped with suitable diversion lines, shall be installed on top of the marine riser.

4. To be installed on top of the marine riser. The diverter system shall provide, as a minimum, two 15-centimeter (6-inch) internal diameter lines and full-opening valves.

5. When a tapered drill string is in use, the BOP stack shall be equipped with one of the following pipe ram configurations:

a. Two (2) sets of pipe rams for the larger size string and one (1) set for the smaller size string of drill pipe.

b. Two (2) sets of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

c. Two (2) sets of variable bore pipe rams to fit both sizes of pipe.

d. One (1) set of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

e. One (1) set of pipe rams for the larger size string, one (1) set of pipe rams for the smaller pipe, and one (1) set of variable bore pipe rams to fit both sizes of pipe.

Subsea blowout-preventer stacks shall be equipped with blind shear rams. A subsea accumulator or a suitable alternate approved by the District Supervisor is required to provide fast closure of the preventers and to operate all critical functions in case of loss of power fluid connection to the surface. The blowout-preventer system shall include dual pod control systems in accordance with API RP 53, First Edition, February 1976, reissued February 1978, Subsection 5.B.13, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. Prior to the removal of the marine riser for installing casing, the riser shall be displaced with seawater. Sufficient hydrostatic head shall be maintained within the well bore to compensate for the reduction in head and to maintain a safe well condition. If repair or replacement of the blowout-preventer stack is necessary after installation, this work shall be accomplished after casing has been cemented prior to drilling out the casing shoe or by setting a cement or bridge plug or storm packer to assure safe well conditions.

When a subsea blowout-preventer stack is to be used in an area which is subject to ice scour, the blowout-preventer stack shall be placed in an excavation (glory hole) with the top of the blowout-preventer stack below the deepest possible ice scour depth.

5.3 *Surface BOP Requirements.* The minimum requirements for drilling below the casing strings for conventional surface blowout-preventer stacks are tabulated below:

Drive or Structural:
- 1—Annular
- 1—Diverter System [1]

Conductor:
- 1—Annular
- 1—Diverter System [1]

Surface:
- 1—Annular
- 2—Pipe Rams
- 1—Blind Ram

Intermediate:
- 1—Annular
- 2—Pipe Rams [2]
- 1—Blind Ram

5.4 *Drive Pipe or Structural Casing BOP Requirements.*

5.4.1 *Drilling Operations from Bottom-Supported Rigs.* Before drilling below this string with a bottom setting rig, a diverter system utilizing an annular-type preventer and related equipment shall be installed for circulating the drilling fluid to the drilling structure. The diverter system shall be equipped with remote-control valves in the main and diverter flow lines that can be operated from the control panel prior to shutting in the well. The diverter lines shall vent in different directions to permit downwind diversion. A schematic diagram and operational procedure for the diverter system shall be submitted with the Application for Permit to Drill (Form 9–331 C) to the District Supervisor for approval.

5.4.2 *Floating Drilling Operations.* In drilling operations where a floating or semisubmersible type of drilling vessel is used and formation competency at the structural casing setting depth is not adequate to permit circulation of drilling fluids to the vessel while drilling the conductor hole, a program which provides for safety in these operations shall be described and submitted to the District Supervisor for approval. This program shall include all known pertinent information, including seismic and geologic data, water depth, drilling-fluid hydrostatic pressure, a schematic diagram indicating the equipment to be installed from the rotary table to the proposed conductor-casing seat, and a contingency plan for moving off location.

5.5 *Conductor Casing.* Before drilling below this string, at least one remote-controlled, annular-type blowout preventer shall be installed. A diverter system and other equipment for circulating the drilling fluid to the drilling structure or vessel shall be installed as described in subparagraph 5.4.1.

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[1] The diverter system shall include a minimum of two 15-centimeter (6-inch) internal diameter lines and full-opening valves. The flowpath from the BOP to the branch point of diverter lines in new systems shall have a minimum internal diameter of 15 centimeters (6 inches).

[2] When a tapered drill string is in use, the BOP stack shall be equipped with one of the following pipe ram configurations:

a. Two (2) sets of pipe rams for the larger size string and one (1) set for the smaller size string of drill pipe.

b. Two (2) sets of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

c. Two (2) sets of variable bore pipe rams to fit both sizes of pipe.

d. Two (2) sets of pipe rams for the larger size string. The blind ram cavity shall be equipped with blind shear rams and the blind ram actuator shall be converted to operate the blind shear rams. A crossover sub to the larger size pipe shall be readily available on the rig floor.

e. One (1) set of pipe rams for the larger size string and one (1) set of variable bore pipe rams to fit both sizes of pipe.

f. One (1) set of pipe rams for the larger size string, one (1) set of pipe rams for the smaller pipe, and one (1) set of variable bore pipe rams to fit both sizes of pipe.

5.6 *Surface and Intermediate Casing.* Before drilling below these strings, the blowout-preventer system shall consist of at least four remote-controlled, hydraulically operated blowout preventers including at lease two equipped with pipe rams, one with blind rams, and one annular type. Subsea blowout-preventer stacks used with floating drilling vessels shall include one set of blind shear rams.

5.7 *Testing of BOP Systems.* Prior to conducting high-pressure tests, all BOPs shall be tested to a low pressure of 1,400 to 2,000 kPa (203 to 290 psi). All BOP tests shall be recorded in the driller's report.

5.7.1 *BOP Testing Frequency.* Surface and subsea BOP stacks shall be tested as follows:

a. When installed.

b. Before drilling out after each string of casing has been set.

c. At least once each week, but not exceeding 7 days between tests, alternating between control stations. If either control system is not functional, further drilling operations shall be suspended until that system becomes operable. A period of more than 7 days between blowout-preventer tests is allowed when well operations prevent testing and remedial efforts are being performed, provided the tests will be conducted as soon as possible before normal operations resume, and the reason for postponing testing is entered into the report. Well operations which prevent testing are stuck drill pipe and pressure-control operations. Testing shall be at staggered intervals to allow each drilling crew to operate the equipment.

The weekly test is not required for blind and blind shear rams. These rams need only be tested prior to drilling out after each casing string has been set.

d. Following repairs that require disconnecting a pressure seal in the assembly.

5.7.2 *Pressure Testing Surface BOP Systems.* Ram-type BOPs and related control equipment including the choke manifold shall be tested at the anticipated surface pressure or at 70 percent of the minimum internal yield pressure of the casing, whichever is the lesser. The annular-type BOP shall be tested at 70 percent of its rated working pressure or 70 percent of the minimum internal yield pressure of the casing, whichever is the lesser.

5.7.3 *Pressure Testing Subsea BOP Systems.* Subsea BOPs and all related well-control equipment shall be stump tested at the surface with water to the anticipated surface pressure, except that the annular-type BOP shall not be tested above 70 percent of its rated working pressure. After the installation of the BOP stack on the sea floor, the control equipment and ram-type BOPs shall be tested as required under subparagraph 5.7.2.

5.7.4 *Actuation of Auxiliary Well-Control Equipment.* In conjunction with the weekly pressure test of surface and subsea BOP systems, auxiliary well-control equipment such as choke manifold valves, kelly cocks, and drill pipe safety valves shall be actuated. Casing safety valves shall be actuated prior to running casing.

5.8 *Inspection and Maintenance.* All BOP systems, marine risers, and associated equipment shall be inspected and maintained to assure that the equipment will function properly. The manufacturers' recommended inspection and maintenance procedures are acceptable as guidelines in complying with this requirement. The BOP systems and marine risers shall be visually inspected at least once each day if the weather and sea conditions permit the inspection. Inspection of subsea installations may be accomplished by the use of television equipment.

5.9 *Blowout-Preventer Drills.* All drilling personnel shall be indoctrinated in blowout-preventer drills and be familiar with the blowout-preventer equipment before starting work on the well. A blowout-preventer drill shall be conducted for each drilling crew in accordance with the well-control drill requirements of the U.S. Geological Survey (USGS) Outer Continental Shelf Standard "Training and Qualifications of Personnel in Well-Control Equipment and Techniques for Drilling on Offshore Locations," No. T 1 (GSS–OCS–T 1), First Edition, December 1977, or subsequent revisions thereto. A BOP drill may be required by a USGS designated representative at any time during the drilling operation, after notifying and consulting with the lessee's senior representative present.

All BOP drills shall be recorded in the driller's report.

6. *Mud Program.* The characteristics, use, and testing of drilling mud and the implementation of related drilling procedures shall be designed to prevent the loss of well control. Sufficient quantities of mud materials shall be maintained readily accessible for use at all times to assure well control.

Mud temperatures shall be controlled to minimize heat loss to the permafrost and to minimize thawing of the permafrost which can result in serious well problems while drilling through the permafrost. To insure maximum safety, hydrate zones shall be anticipated and diagnosed quickly, and drilled using the latest state-of-the-art methods. Provided that the hydrate zones are adequately protected, drilling can continue of a site specific basis without the need to control the mud temperatures thereafter.

6.1 *Mud Control.* Before starting out of the hole with drill pipe, the mud shall be properly conditioned. Proper conditioning requires either circulation with the drill pipe just off bottom to the extent that the annular volume is displaced, or proper documentation in the driller's report prior to pulling the drill pipe as follows:

a. There is no indication of influx of formation fluids prior to starting to pull the drill pipe from the hole.

b. The weight of the returning mud is essentially the same as the weight of the mud entering the hole. In the event that the returning mud is lighter than the entering mud by a weight differential equal to or greater than 0.2 pound per gallon, the mud shall be circulated until the annular volume is displaced, and the mud properties shall be checked for the influx of gas or liquid.

c. Other mud properties recorded on the daily drilling report are within the specified ranges required by the mud program.

When the mud in the hole is circulated, the driller's report shall be so noted.

When coming out of the hole with drill pipe, the annulus shall be filled with mud before the change in mud level decreases the hydrostatic pressure 517 kPa (75 psi) or every 5 stands of drill pipe, whichever gives a lower decrease in hydrostatic pressure. The number of stands of drill pipe and drill collars that may be pulled prior to filling the hole and the equivalent mud volume shall be calculated and posted. A mechanical, volumetric, or electronic device for measuring the amount of mud required to fill the hole shall be utilized.

When there is an indication of swabbing or influx of formation fluids, the necessary safety devices and action shall be employed to control the well. The mud shall be circulated and conditioned, on or near bottom, unless well or mud conditions prevent running the drill pipe back to the bottom.

The maximum pressure which can be tolerated on each casing string shall be posted near the driller's console.

An operable gas separator shall be installed in the mud system prior to commencement of drilling operations. The separator shall be maintained for use throughout the drilling and completion of the well.

The mud in the hole shall be circulated or reverse-circulated prior to pulling the drill-stem test tools from the hole.

6.2 *Mud Testing and Monitoring Equipment.* Mud-testing equipment shall be maintained on the drilling rig at all times, and mud tests shall be performed once each tour, or more frequently, as conditions warrant. Such tests shall be conducted in accordance with procedures outlined in "API Recommended Practice for Standard Procedure for Testing Drilling Fluids," API RP 13B, Seventh Edition, April 1978, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. The results of the tests shall be recorded and maintained at the drill site.

The following mud-system monitoring equipment shall be installed with derrick floor indicators and used when mud returns are established and throughout subsequent drilling operations:

a. Recording mud pit level indicator to determine mud pit volume gains and losses. This indicator shall include both a visual and an audio warning device.

b. Mud-volume measuring device for accurately determining mud volumes required to fill the hole on trips.

c. Mud-return indicator to determine that returns essentially equal the pump discharge rate.

d. Gas-detecting equipment to monitor the drilling mud returns, with indictors located in the mud-logging compartment or on the derrick floor. If the indicators are in the mud-logging compartment, there shall be a means of immediate communications with the rig floor, and the equipment shall be continually manned.

6.3 *Mud-Quantities.* The lessee shall include, with his Application for Permit to Drill, a tabulation of well depth versus minimum quantities of mud material, including weighting material, to be maintained at the drill site to assure well control.

When the mud quantity required exceeds the storage capacity of the drilling facility, the lessee shall maintain maximum mud inventories and must receive approval from the District Supervisor of the lessee's plans to resupply mud inventories in the event of an emergency. The plan shall include an estimate of the time required for delivery of the mud supplies.

Daily inventories of mud materials, including weighting material, shall be recorded and maintained at the well site. Drilling operations shall be suspended in the absence of minimum quantities of mud material specified in the table or as modified in the approved plan.

6.4 *Safety Precautions in Enclosed Mud-Handling Areas.* All enclosed mud-handling areas where dangerous concentrations of combustible gases may accumulate shall be equipped with a ventilation system and with gas monitors. These enclosed areas shall be:

a. Ventilated with high-capacity, mechanical ventilation systems capable of changing the air once every 5 minutes on signal from a gas detector or gas detectors, that are operative at all times, indicating the presence of one percent of gas, by volume.

b. Maintained at a negative pressure relative to the surrounding areas where discharge to an adjacent enclosed area may be hazardous. The negative pressure areas are to be protected with a pressure sensitive alarm.

c. Fitted with gas detectors and alarms.

d. Equipped with electrical equipment of the "explosion proof" type. Alternatively, the equipment may be pressurized to prevent in ingress of explosive gases, and where air is used for pressurizing, the air intake shall be located outside of, and as far as practicable from, hazardous areas.

7. *Supervision, Surveillance, and Training.*

7.1 *Supervision.* A representative of the lessee shall provide onsite supervison of drilling operations on a 24-hour basis.

7.2 *Surveillance.* From the time drilling operations are initiated and until the well is completed or abandoned, a member of the drilling cew or the toolpusher shall maintain rig-floor surveillance continuously, unless the well is secured with blowout preventers, bridge plugs, storm packer, or cement plugs.

7.3 *Training.* Prior to conducting any drilling operations, lessee and drilling contractor personnel shall be trained and qualified in accordance with the provisions of the USGS Outer Continental Shelf Standard "Training and Qualifications of Personnel in Well-Control Equipment and Techniques for Drilling on Offshore Locations," No. T 1 (GSS–OCS–T 1), First Edition, December 1977, or subsequent revisions thereto.

In order to maintain qualification, any driller, toolpusher, or operator's representative, shall successfully complete a USGS-approved refresher course annually and repeat the basic well-control course every 4 years, as described in the provisions of GSS–OCS–T 1. Credit for these courses shalld be obtained from USGS-approved schools. The refresher course shall be completed within 45 days of the student's anniversary date. The anniversary date is established upon the student's successful completion of a basic course in well control.

Records shall be maintained at the drill site for the affected personnel, indicating the specific training and refresher courses successfully completed, the dates of completion, and the names and dates of the courses.

The lessee shall ensure that personnel responsible for maintenance of the blowout preventer stack, the associated-control equipment, and the hydraulic-control fluids shall be instructed in the proper procedures to prevent freezing of the hydraulic-control fluids in the control system and the fluids in the choke and kill lines.

8. *Hydrogen Sulfide.* When drilling operations are planned which will penetrate reservoirs known or expected to contain hydrogen sulfide (H_2S), or in those areas where the presence of H_2S is unknown, or upon encountering H_2S, the preventive measures and the operating practices set forth in USGS Outer Continential Shelf Standard "Safety Requirements for Drilling Operations in a Hydrogen Sulfide Environment," No. 1 (GSS–OCS–1), First Edition, February 1976, or subsequent revisions thereto, shall be followed.

9. *Critical Operations and Curtailment Plans.* Certain operations performed in drilling are mqre critical than others with respect to well control, and for the prevention of fire, explosion, oil spills, and other discharges or emissions. The lessee shall submit with the Exploration Plan or Development and Production Plan a Critical Operations and Curtailment Plan to be followed while conducting drilling operations on each lease. This plan shall include:

a. A list or description of the critical drilling operations that are, or are likely to be, conducted on the lease. This list or description shall specify the operations to be ceased, limited, or not to be commenced under given circumstances or conditions. This list shall include operations such as:

(1) Drilling in close proximity to another well.

(2) Drill-stem testing.

(3) Running and cementing casing.

(4) Cutting and recovering casing.

(5) Logging or wireline operations.

(6) Well-completion operations.

(7) Moving the drilling vessel off location in an emergency, repositioning the vessel on location, and reestablishing entry into the well.

b. A list or description of circumstances or conditions under which such critical operations shall be curtailed. This list or description shall be developed from all the factors and conditions relating to the conduct of operations on the lease, and shall

consider but not necessarily be limited to the following:

(1) Whether the drilling operations are to be conducted from mobile or fixed platforms.

(2) The availability and capability of containment and cleanup equipment and spill-control system response time.

(3) Abnormal or unusual conditions expected to be encountered during drilling operations.

(4) Known or anticipated meteorological, oceanographic, and ice conditions.

(5) Availability of personnel and equipment for particular operations to be conducted.

(6) Other factors peculiar to the particular lease under consideration.

c. The name of the person who has responsibility as the person-in-charge of overall drilling operations.

When any circumstance or condition listed or described in the plan occurs or other operational limits are encountered, the lessee shall notify the District Supervisor and shall curtail the critical operations as set forth under 9a.

Deviations from the plan shall require prior approval of the District Supervisor. If emergency action requires deviation from the plan, the District Supervisor shall be notified as soon as possible. The lessee shall review the plan at least annually. The lessee shall notify the District Supervisor of the results of this review. Any amendments or modifications of the plan are subject to the approval of the District Supervisor.

10. *Field Drilling Rules.* When sufficient geological and engineering information is obtained as a result of drilling operations, the lessee may make an application or the DCM, Offshore Field Operations, may require an application for the establishment of field drilling rules. After field drilling rules have been established by the DCM, Offshore Field Operations, development wells shall be drilled in accordance with these rules and the requirements of this Order which are not affected by such rules.

11. *Use of Best Available and Safest Technologies (BAST).* The lessee is encouraged to continue the development of safety-system technology. As research and product improvement results in increased effectiveness of existing safety equipment or the development of new equipment systems, such equipment may be used and, if such technologies provide a significant cost effective incremental benefit to safety, health, or the environment, shall be required to be used if determined to be BAST.

Conformance to the standards, codes, and practices referenced in this Order will be considered to be the application of BAST. Specific equipment and procedures or systems not covered by standards, codes, or practices will be analyzed to determine if the failure of such would have a significant effect on safety, health, or the environment. If such are identified and until specific performance standards or developed or endorsed by the U.S. Geological Survey (USGS), the lessee shall submit such information necessary to indicate the use of BAST, the alternatives considered to the specific equipment or procedures, and the rationale why one alternative technology was considered in place of another. This analysis shall include a discussion of the costs involved in the use of such technology and the incremental benefits gained.

12. *Departures.* All departures from the requirements specified in this Order shall be subject to approval, pursuant to 30 CFR 250.11(b).

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Approved:

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OCS Order No. 3—Effective February 27, 1981

Plugging and Abandonment of Wells

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10, 250.11, and in accordance with 30 CFR 250.15 and 250.92. The lessee shall comply with the following minimum plugging and abandonment procedures which have general application to all wells drilled for oil and gas. Plugging and abandonment operations shall not be commenced prior to obtaining approval from the appropriate District Supervisor. Oral or telegraphic approvals shall be in accordance with 30 CFR 250.13.

1. *Application for Approval to Abandon a Well.* In accordance with 30 CFR 250.92, the lessee shall submit for approval a Form 9–331, Sundry Notices and Reports on Wells, containing the following information:

1.1 *Notice of Intention to Abandon a Well.* A detailed statement of the proposed work for abandonment of any well. For all wells, the statement shall describe the proposed work (including, by depths, the kind, location, and length of plugs) and plans for mudding, cementing, shooting, testing, and removing casing, and other pertinent information. The statement as to a productible well shall set forth the reasons for abandonment, the amount and date of last production, and complete data from the last well test.

1.2 *Subsequent Report of Abandonment.* A detailed report of the manner in which the abandonment or plugging work was accomplished including the nature and quantities of materials used in the plugging and the location and extent, by depths, of casing left in the well, and the volume of mud fluid used. If an attempt was made to cut and pull any casing string, a description of the methods used and results obtained must be included.

2. *Permanent Abandonment.*

2.1 *Isolation of Zones in Open Hole.* In uncased portions of wells, cement plugs shall be spaced to extend 30 meters (98 feet) below the bottom to 30 meters (98 feet) above the top of any oil, gas, and freshwater zones so as to isolate them in the strata in which they are found and to prevent them from escaping into other strata or the surface. The placement of additional cement plugs to prevent the migration of formation fluids in the well bore may be required by the District Supervisor.

2.2 *Isolation of Open Hole.* Where there is open hole below the casing, a cement plug shall be placed in the deepest casing string in accordance with "a" or "b" below. In the event lost circulation conditions have been experienced or are anticipated, a permanent-type bridge plug may be placed in accordance with "c" below:

a. A cement plug set by the displacement method so as to extend a minimum of 30 meters (98 feet) above and 30 meters (98 feet) below the casing shoe.

b. A cement retainer with effective back-pressure control set not less than 15 meters (49 feet) nor more than 30 meters (98 feet) above the casing shoe, with a cement plug calculated to extend at least 30 meters (98 feet) below the casing shoe and 15 meters (49 feet) above the retainer.

c. A permanent-type bridge plug set within 45 meters (148 feet) above the casing shoe with 15 meters (49 feet) of cement on top of the bridge plug. This bridge plug shall be tested in accordance with subparagraph 2.7 prior to placing subsequent plugs.

2.3 *Plugging or Isolating Perforated Intervals.* A cement plug shall be set by the displacement method opposite all open perforations (perforations not squeezed with cement) extending a minimum of 30 meters (98 feet) above and 30 meters (98 feet) below the perforated interval or down to a casing plug, whichever is less. In lieu of setting a cement plug by the displacement method, the following two methods are

acceptable, provided the perforations are isolated from the hole below:

a. A cement retainer with effective back-pressure control set not less than 15 meters (49 feet) nor more than 30 meters (98 feet) above the top of the perforated interval with a cement plug calculated to extend at least 30 meters (98 feet) below the bottom of the perforated interval and 15 meters (49 feet) above the retainer.

b. A permanent-type bridge plug set within 45 meters (148 feet) above the top of the perforated interval with 15 meters (49 feet) of cement on top of the bridge plug.

2.4 *Plugging of Casing Stubs.* If casing is cut and recovered leaving a stub, one of the following methods shall be used to plug the casing stub:

2.4.1 *Stub Termination Inside Casing String.* A stub terminating inside a casing string shall be plugged by one of the following methods:

a. A cement plug set so as to extend 30 meters (98 feet) above and 30 meters (98 feet) below the stub.

b. A cement retainer set 15 meters (49 feet) above the stub with a volume of cement equivalent to 45 meters (148 feet) squeezed below the retainer and with an additional 15 meters (49 feet) placed above the retainer.

c. A permanent bridge plug set 15 meters (49 feet) above the stub and capped with 15 meters (49 feet) of cement.

2.4.2 *Stub Termination Below Casing String.* If the stub is below the next larger string, plugging shall be accomplished in accordance with either subparagraph 2.1 or 2.2.

2.5 *Plugging of Annular Space.* Any annular space communicating with any open hole and extending to the ocean floor shall be plugged with cement.

2.6 *Surface Plug.* A cement plug at least 45 meters (148 feet) in length, with the top of the plug 45 meters (148 feet) or less below the ocean floor, shall be placed in the smallest string of casing which extends to the ocean floor.

2.7 *Testing of Plugs.* The setting and location of the first plug below the surface plug shall be verified by one of the following methods:

a. by placing a minimum pipe weight of 6,800 kilograms (15,000 pounds) on the cement plug, cement retainer, or bridge plug. The cement placed above the bridge plug or retainer need not be tested.

b. By testing the plug with a minmum pump pressure of 6,900 kPa (1,000 psi) with no more than a 10-percent pressure drop during a 15-minute period.

2.8 *Mud.* Each of the respective intervals of the hole between the various plugs shall be filled with mud fluid of sufficient density to exert hydrostatic pressure exceeding the greatest formation pressure encountered while drilling the intervals between the plugs. Fluid left in the hole adjacent to the permafrost zone shall have a freezing point below the temperature of the permafrost zone and shall be treated to minimize corrosion of the casing. Any oil base fluid left in the hole will require prior approval of the District Supervisor.

2.9 *Clearance of Location.* All casing, wellhead equipment, and piling shall be removed to a depth of at least 5 meters (16 feet) below the ocean floor, or to a depth approved by the District Supervisor after a review of data on the ocean bottom conditions. The lessee shall verify that the location has been cleared of all obstructions.

2.10 *Cement.* The cement used for cement plugs placed across the permafrost zones shall be designed to set before freezing and to have a low heat of hydration.

3. *Temporary Abandonment.* Any drilling well which is to be temporarily abandoned shall be mudded and cemented as required for permanent abandonment except for the requirements in subparagraphs 2.6 and 2.9. When a drilling well is temporarily abandoned, a bridge plug or a cement plug shall be set at the base of the deepest casing string. If a cement plug is set, it is not necessary for the cement plug to extend below the casing shoe into the open hole.

The lessee shall set a retrievable or permanent bridge plug, or a cement plug at least 30 meters (98 feet) in length in the casing between 5 and 60 meters (16 and 197 feet) below the ocean floor.

When a casing stub extends above the ocean floor, the lessee shall comply with the requirements of OCS Order No. 1, paragraph 4, "Identification of Subsea Objects."

4. *Departures.* All departures from the requirements specified in this Order shall be subject to approval, pursuant to 30 CFR 250.11(b).

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Approved:

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OCS Order No. 4—Effective February 27, 1981

Determination of Well Producibility

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10, 250.11, and in accordance with 30 CFR 250.12. An OCS lease provides for extension beyond its primary term for as long as oil or gas may be produced from the lease in paying quantities. The term "paying quantities" as used herein means production of oil and gas in quantities sufficient to yield a return in excess of operating costs. An OCS lease may be maintained beyond the primary term, in the absence of actual production, when a suspension of production has been approved in accordance with 30 CFR 250.12.

1. *Application for Determination of Well Producibility.* An application shall be submitted to the District Supervisor for the determination of every new well's capability of producing until a well, drilled on the lease, has been determined to be capable of producing oil or gas in paying quantities. The application shall be submitted within 60 days after the drilling rig has been moved from the well.

2. *Criteria for the determination of Well Producibility.* The Deputy Conservation Manager (DCM), Offshore Field Operations, shall prescribe which of the following criteria is to be used to determine the capability of a well to produce in paying quantities.

2.1 *Production Tests.* All tests must be witnessed by an authorized representative of the U.S. Geological Survey. Test data accompanied by the lessee's affidavit, or third-party test data, may be accepted in lieu of a witnessed test, provided approval is obtained from the District Supervisor prior to the performance of the test. All tests must conform to the following minimum requirements:

a. A production test for oil wells of a least 2 hours' duration following stabilization of flow.

b. A deliverability test for gas wells of at least 2 hours' duration following stabilization of flow or a 4-point back-pressure test.

2.2 *Production Capability Determination.* When the District Supervisor determines that open hole evaluation data, such as wireline formation test, drill stem tests, core data, and logs, have been demonstrated as reliable in a geologic area, such data may be considered as acceptable evidence that a well is capable of producing in paying quantities.

3. *Departures.* All departures from the requirements specified in this Order

shall be subject to approval, pursuant to 30 CFR 250.11(b)

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Approved:

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OCS Order No. 5—Effective February 27, 1981

Production Safety Systems

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10 and 250.11 and in accordance with 30 CFR 250.30, 250.38, 250.45, and 250.46. The lessee shall be responsible for compliance with the requirements of this Order in the installation and operation of the production safety systems on all platforms and structures located on the leasehold including those facilities not operated or owned by the lessee. All applications for approval under the provisions of this Order shall be submitted to the District Supervisor.

This Order requires the lessee to submit plans, applications, reports, data, and other information. In all cases where the lessee(s) has(have) identified another party as designated lease operator in accordance with 30 CFR 250.31, and where the term "operator" is defined in accordance with 30 CFR 250.2(gg), the required information may be submitted by the designated lease operator.

1. *Use of Best Available and Safest Technologies (BAST).* The lessee is encouraged to continue the development of safety-system technology. As research and product improvement results in increased effectiveness of existing safety equipment or the development of new equipment systems, such equipment may be used and, if such technologies provide a significant cost effective incremental benefit to safety, health, or the environment, shall be required to be used if determined to be BAST.

Conformance to the standards, codes, and practices referenced in this Order will be considered to be the application of BAST. Specific equipment and procedures or systems not covered by standards, codes, or practices will be analyzed to determine if the failure of such would have a significant effect on safety, health, or the environment If such are identified and until specific performance standards are developed or endorsed by the U.S. Geological Survey (USGS), the lessee shall submit such information necessary to indicate the use of BAST, the alternatives considered to the specific equipment or procedures, and the rationale why one alternative technology was considered in place of another. This analysis shall include a discussion of the costs involved in the use of such technology and the incremental benefits gained.

1.1 *Subfreezing Operations.* Lessees shall furnish evidence that the production equipment, production safety systems, and other associated equipment and materials are suitable for operations under subfreezing conditions and that all equipment and operating procedures take into account floating ice, icing and other extreme environmental conditions that may occur in the area.

2. *Quality Assurance and Performance of Safety and Pollution-Prevention Equipment.* Safety and Pollution-Prevention Equipment (SPPE) shall conform to the following quality assurance standards:

a. American National Standards Institute/American Society of Mechanical Engineers Standard "Quality Assurance and Certification of Safety and Pollution Prevention Equipment Used in Offshore Oil and Gas Operations," ANSI/ASME SPPE-1, latest edition with all addenda.

b. American National Standards Institute/American Society of Mechanical Engineers Standard "Accreditation of Testing Laboratories for Safety and Pollution Prevention Equipment Used in Offshore Oil and Gas Operations," ANSI/ASME-SPPE-2, latest edition with all addenda.

The applicable SPPE components, and the applicable SPPE specifications are identified in subparagraph 3.2 and subparagraph 4.2.

3. *Subsurface-Safety Devices.*

3.1 *Installation.* All tubing installations open to hydrocarbon-bearing zones shall be equipped with a subsurface-safety device such as a Surface-Controlled Subsurface-Safety Valve (SCSSV), a Subsurface-Controlled Subsurface-Safety Valve (SCSSV), an injection valve, a tubing plug, or a tubular/annular subsurface-safety device, unless, after application and justification, the well is determined to be incapable of flowing. Criteria and procedural guidelines for the determination of the capability of a well to flow are established by and are available from the District Supervisor. The device shall be installed within 2 days after production is stabilized. The well shall be attended in the immediate vicinity of the well so that emergency actions may be taken, if necessary, while the well is open to flow from a hydrocarbon-bearing zone, until a subsurface-safety device is installed.

In non-permafrost areas, the device shall be installed at a depth of 30 meters (98 feet) or more below the ocean floor. In permafrost areas, the setting depth of the subsurface-safety device shall be approved by the District Supervisor on a case-by-case basis.

3.1.1 *Subsurface-Safety Valves.* All tubing installations shall be equipped with a surface-controlled, or other remotely controlled, subsurface-safety device. Alternatives to this requirement may be approved by the Deputy Conservation Manager (DCM), Offshore Field Operations, when greater reliability or safety can be demonstrated.

3.2 *Specification for Subsurface-Safety Valves.* Surface-controlled and subsurface-controlled subsurface-safety valves required by subparagraphs 3.4 and 3.5, which are installed or replaced, shall conform to "American Petroleum Institute (API) Specification for Subsurface-Safety Valves," API Spec 14A, Fourth Edition, November 1979, with the exception of section 6, Appendix A and Appendix J of this specification, except for specific provisions thereof that are required in sections 1 through 5 of this specification, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use at the time of installation. The API monogram is optional, whereas the requirement for the OCS symbol is mandatory. A valve qualified to a previous edition of API Spec 14A is acceptable provided that the valve enters inventory within 3 years of its qualifying performance test date.

For purposes of this requirement, the term "replacement" is defined as occurring when that portion of the valve assembly containing the serial number is removed from inventory and a new certified valve is placed in inventory.

3.3 *Design, Installation, and Operation.* Subsurface-safety devices shall be designed , adjusted, installed, and maintained to insure reliable operation. During testing and inspection procedures, the well shall not be left unattended while open to production unless a properly operating subsurface-safety device has been installed in the well.

3.4 *Surface-Controlled Subsurface-Safety Valves.* All tubing installations open to a hydrocarbon-bearing zone shall be equipped with a surface-controlled subsurface-safety valve, except as specified in subparagraphs 3.1, 3.5, and 3.6. The surface controls

may be located on the site or at a remote location.

3.4.1 *Testing of Surface-Controlled Subsurface-Safety Valves.* Each surface-controlled, or other remotely controlled, subsurface-safety device installed in a well shall be tested in place for proper operation when installed or reinstalled and thereafter at intervals not exceeding 6 months. If the device does not operate properly, it shall be removed, repaired, reinstalled or replaced, and tested to insure proper operation.

3.5 *Subsurface-Controlled Subsurface-Safety Valves.* Tubing installations in wells completed from single-well or multiwell satellite caissons or ocean floor completions may be equipped with a subsurface-controlled subsurface-safety valve in lieu of a surface-controlled, or other remotely controlled, or other remotely controlled, subsurface-safety valve.

3.5.1 *Inspection and Maintenance of Subsurface-Controlled Subsurface-Safety Valves.* Each subsurface-controlled subsurface-safety valve installed in a well shall be removed, inspected, and repaired or adjusted as necessary and reinstalled at intervals not exceeding:

(1) 6 months for those valves not installed in a landing nipple.

(2) 12 months for those valves installed in a landing nipple.

3.6 *Tubing Plugs in Shut-in Wells.* A tubing plug shall be installed in lieu of, or in addition to, other subsurface-safety devices if a well has been shut-in for a period of 6 months. In nonpermafrost areas, tubing plugs shall be set at a depth of 30 meters (98 feet) or more below the ocean floor. In permafrost areas, each tubing-plug installation shall be approved by the District Supervisor on a case-by-case basis. All tubing plugs installed shall be of the pump-through type. All wells perforated anc completed but not placed on production shall be equipped with a subsurface-safety valve or tubing plug within 2 days after completion. A surface-controlled subsurface-safety valve of the pump-through type may be used as a pump-through tubing plug for the purpose of this subparagraph, provided the surface control has been rendered inoperative. A shut-in well which is equipped with a tubing plug shall be inspected for leakage by opening the well to possible flow at intervals not exceeding 6 months. If a liquid leakage rate in excess of 400 cc/min or a gas leakage rate in excess of 7 dm^3 / sec (15 cubic ft/min) is observed, the plug shall be removed, repaired, and reinstalled, or an additional tubing plug may be installed in lieu of removal and repair.

3.7 *Injection Wells.* A surface-controlled subsurface-safety valve or an injection valve capable of preventing backflow shall be installed in all wells placed in injection service.

Surface-controlled subsurface-safety valves shall be tested in accordance with subparagraph 3.4.1. Injection valves shall be tested in the manner as outlined for testing tubing plugs in subparagraph 3.6.

These requirements are not applicable if the District Supervisor concurs that the well is incapable of flowing. The lessee shall verify the no-flow condition of the well annually and submit an annual report certifying the no-flow status of the well.

3.8 *Temporary Removal for Routine Operations.* Each wireline- or pumpdown-retrievable subsurface-safety device may be removed, without further authorization or notice, for a routine operation which does not require the approval of a Sundry Notice and Report on Wells (Form 9–331) for a period not to exceed 15 days. The well shall be identified by a sign on the wellhead stating that the subsurface-safety device has been removed. The removal of the subsurface-safety device shall be noted in the records as required by subparagraph 3.11g. The well shall be attended in the immediate vicinity of the well so that emergency actions may be taken, if necessary, while the well is open to flow from a hydrocarbon-bearing zone until the subsurface-safety device is reinstalled, unless attendance has been waived by the District Supervisor. The well shall not be open to flow while the subsurface-safety device is removed except when flowing the well is necessary for that particular operation.

The provisions of this paragraph are not applicable to the testing and inspection procedures in subparagraphs 3.4.1, 3.5.1, 3.6, and 3.7.

3.9 *Additional Safety Equipment.* All tubing installations in which a wireline- or pumpdown-retrievable subsurface-safety device is installed shall be equipped with a landing nipple, with flow couplings or other protective equipment above and below, to provide for the setting of the subsurface-safety valve. The control system for all surface-controlled subsurface-safety valves shall be an integral part of the platform Emergency Shutdown System (ESD) as defined in Appendix C, Section C1 of "API Recommended Practice for Analysis, Design, Installation, and Testing of Basic Surface-Safety Systems on Offshore Production Platforms," API RP 14C, Second Edition, January 1978, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. In addition to the activation of the ESD system by manual action on the platform, the system may be activated by a signal from a remote location. Surface-controlled subsurface-safety valves shall close in response to shut-in signals from the ESD system or the fire loop, or both.

3.10 *Emergency Action.* All tubing installations open to hydrocarbon-bearing zones and capable of flowing in which the subsurface-safety device has been removed, in accordance with the provisions of this Order, shall be identified by a sign on the wellhead stating that the subsurface-safety device has been removed. A subsurface-safety device shall be available for each well on the platform. In the event of an emergency such as an impending storm, this device shall be properly installed as soon as possible with due consideration being given to personnel safety.

3.11 *Records.* The lessee shall maintain records for a minimum period of 5 years for each subsurface-safety device installed. These records shall be maintained in the nearest offshore field office for a minimum period of 2 years. If the lessee has no such offshore field office, then the records shall be kept in the nearest onshore field office. The records may than be transferred to the onshore field office for the remaining 3 years of the 5-year retention period. These records shall be available for review by any authorized representative of the USGS. The records to be maintained shall contain verification of:

a. The manufacturer's design, including make, model, and type. For subsurface-controlled valves, number of the spacers, size of beams, springs, and the pressure settings.

b. The devices having been manufactured in accordance with the quality-assurance requirements of ANSI/ASME–SPPE–1 (formerly ANSI/ASME–OCS–1) as required by paragraph 2.

c. The completion and return of the receiving report to the manufacturer as required by ANSI/ASME–SPPE–1.

d. The record of all configuration modifications to the certified design.

e. Installation at the required setting depth and in accordance with the manufacturer's instructions.

f. The identity of the personnel qualified in accordance with subparagraph 5.7 who directed all installations and removals.

g. The results of tests required by this Order, the dates of removals and reinstallations, and the reasons for removals and reinstallations.

h. The completion and submission of all failure reports required by paragraph

6 and all investigation reports required by paragraphs OE-2529 and OE-2670 of ANSI/ASME-SPPE-1.

3.12 *Reports.* Well completion reports (Form 9-330) and any subsequent reports of workover (Form 9-331) shall include the manufacturer, the type, and the installed depth of the subsurface-safety devices.

4. *Design, Installation, and Operation of Surface Production Safety Systems.* All production facilities, including separators, treaters, compressors, headers, and flowlines, shall be designed, installed, and maintained in a manner which will facilitate an efficient, safe, and pollution-free operation.

4.1 *New Platforms.* New platform production facilities shall be protected with a basic and ancillary surface-safety system designed, analyzed, tested, and maintained in operating condition in accordance with the provisions of API RP 14C, except Section A9, "Pipelines," which will be covered under OCS Order No. 9, and the additional requirements of Order No. 5. For this application, the work "should" contained in API RP 14C shall be read "shall," except for those contained in explanatory statements, sections 3.4c and 4.3a(4)(a)-(f). If processing component are to be utilized, other than those for which Safety Analysis Checklists (SAC's) are included in API RP 14C, the analysis technique and documentation specified therein shall be utilized to determine the effects and requirements of these components upon the safety system.

4.2 *Specification for Wellhead Surface-Safety Valves.* All Wellhead Surface-Safety Valves (SSV's) required by subparagraph 4.1 shall conform to "API Specification for Wellhead Surface Safety Valves for Offshore Service," API Spec 14D, Third Edition, November 1980, with the exception of Appendix A and Appendix J of this specification, except for specific provisions thereof that are required in sections 1 through 5 of this specification, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use at the time of installation. The API monogram is optional, whereas the requirement for the OCS symbol is mandatory.

4.3 *Submittal of Safety-System Design and Installation Features.* Prior to installation, the lessee shall submit for approval to the District Supervisor, in duplicate, information relative to design and installation features, as indicated in subparagraphs "a" through "g." This information shall also be maintained at the lessee's onshore field engineering office. All approvals are subject to field verifications. This information shall include:

a. A schematic flow diagram showing size, capacity, and design working pressure of separators, treaters, storage tanks, compressors, pipeline pumps, and metering devices.

b. A schematic flow diagram (reference API RP 14C, example: figure E1) and the related Safety Analysis Function Evaluation (SAFE) chart (reference API RP 14C, Subsection 4.3c). These diagrams and charts shall be developed in accordance with the provisions of API RP 14C and the additional requirements of this Order.

c. A schematic piping diagram showing the size and maximum-allowable working pressure with reference to welding specification(s) or code(s) used. The maximum-allowable working pressures shall be determined in accordance with "API Recommended Practice for Design and Installation of Offshore Production Platform Piping Systems," API RP 14E, First Edition, August 1975, and Supplement 2, October 1977, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. The recommendations contained in API RP 14E are acceptable for the design and installation of the platform piping system.

d. A diagram of the firefighting system.

e. Electrical system information including the following:

(1) A plan of each platform deck outlining any nonrestricted area, i.e., areas which are unclassified with respect to electrical equipment installations and outlining areas in which potential ignition sources, other than electrical, are to be installed. The area outline shall include the following information:

(a) Any surrounding production or other hydrocarbon source and a description of the deck, overhead, and firewall.

(b) Location of generators, control rooms, panel boards, major cabling/conduit routes, and identification of the wiring method, including the identification of each wire and cable type that is utilized.

(2) Elementary electrical schematic of any platform safety-shutdown system with a functional legend.

(3) Classification of areas for electrical installations in accordance with the National Electrical Code, 1978 Edition, and with the "API Recommended Practice for Classification of Areas for Electrical Installations at Drilling Rigs and Production Facilities on Lands and on Marine Fixed and Mobile Platforms," API RP 500B, Second Edition, July 1973, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use.

f. The design and schematics of the installation and maintenance of all fire and gas detection systems shall include the following:

(1) Type, location, and number of detection heads.

(2) Type and kind of alarm, including emergency equipment to be activated.

(3) Method used for detection.

(4) Method and frequency of calibration.

(5) Name of organization to perform system inspection and calibration.

(6) A functional block diagram of the detection system, including the electric power supply.

g. Certification that the design for the mechanical and electrical systems to be installed was approved by registered professional engineers. After these systems are installed, the lessee shall submit a statement to the District Supervisor certifying that the new installations conform to the approved designs or the lessee shall request approval of the "As-Built" changes.

5. *Additional Safety and Pollution-Control Requirements.* The following requirements modify or are in addition to those contained in API RP 14C.

5.1 *Design, Installation, and Operation.*

5.1.1 *Pressure Vessels.* Unless otherwise qualified for use according to subparagraph 5.1.1d below, pressure vessels shall be designed, fabricated, stamped, and maintained in accordance with specific sections of the ASME Boiler and Pressure Vessel Code as listed below. The pressure vessels shall conform to the July 1, 1977, edition of the Code or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use.

a. Pressure-relief valves shall be designed, installed, and maintained in accordance with applicable provisions of sections I, IV, and VIII. The relief valves shall conform to the valve-sizing and pressure-relieving requirements specified in these documents; however, the relief valves shall be set no higher than the maximum-allowable working pressure of the vessel. All relief valves and vents shall be piped in such a way as to prevent fluid from striking personnel or ignition sources.

b. Steam generators shall be equipped with Level Safety Low Controls (LSL) in accordance with applicable provisions of sections I and IV.

c. The lessee shall determine, by the use of pressure recorders, the operating pressure ranges of all pressure-operated vessels in order to establish the

pressure-sensor settings. Current pressure-recorder charts shall be maintained at the nearest offshore field office. The high-pressure shut-in sensor shall be set no higher than 10 percent above the highest operating pressure of the vessel. This setting shall also be sufficiently below the relief valve's set pressure to assure that the pressure source is shut in before the relief valve starts relieving. The low-pressure shut-in pressure-sensor setting shall be no lower than 15 percent or 35 kilopascals (kPa) (5 psi), whichever is greater, below the lowest pressure in the operating range. The pressure-sensor setting of low-pressure sensors on pressure vessels which operate at less than 35 kilopascals (kPa) (5 psi) shall be approved by the District Supervisor on a case-by-case basis.

d. All pressure or fired vessels used in the production of oil or gas shall conform to the requirements stipulated in the edition of the ASME Boiler and Pressure Vessel Code, sections I, IV, and VIII, as appropriate, in effect at the time the vessel is ordered. Uncoded vessels shall the hydrostatically tested to a pressure 1.5 times their working pressures prior to placing in service. The test date, test pressure, and working pressure shall be marked in the vessel in a prominent place. A record of the test shall be maintained by the lessee in the field area.

5.1.2 *Flowlines.*

a. All flowlines from wells shall be equipped with high- and low-pressure shut-in sensors located in accordance with Section A1 and Figure A1 of API RP 14 C. The lessee shall determine, by the use of pressure recorders, the operating pressure ranges of flowlines in order to establish pressure-sensor settings. Current pressure-recorder charts shall be maintained at the nearest offshore field office.

The high-pressure shut-in sensor(s) shall be set no higher than 10 percent above the highest operating pressure of the line; but, in all cases, it shall be set sufficiently below the maximum shut-in wellhead pressure or the gas-lift supply pressure to assure actuation of the surface-safety valve. The low-pressure shut-in sensor(s) shall be set no lower than 10 percent or 35 kPa (5 psi), whichever is greater, below the lowest operating pressure of the line in which it is installed.

b. If a well flows directly to the pipeline before separation, the flowline and valves from the well located upstream of, and including the header inlet valve(s), shall have a working pressure equal to or greater than the maximum shut-in pressure of the well, unless the flowline is protected by one of the following:

(1) A relief valve which vents into the platform flare scrubber or some other location approved by the District Supervisor.

(2) An additional automatic shutdown valve controlled by an independent high/pressure sensor. The platform flare scrubber shall be designed to handle, without liquid-hydrocarbon carryover to the flare, the maximum-anticipated flow of liquid-hydrocarbons which may be relieved to the vessel.

5.1.3 *Pressure Sensors.* Pressure sensors may be of the automatic- or nonautomatic-reset type. When the automatic-reset types are used, a nonautomatic-reset relay shall be installed. All pressure sensors shall be equipped to permit testing with an external pressure source.

5.1.4 *Emergency Shutdown System.* The manually operated ESD valve shall be quick-opening and nonrestricted to enable the rapid actuation of the shutdown system. ESD stations may utilize a loop of breakable synthetic tubing in lieu of a valve only at the boat landing.

On an emergency shutdown, the Surface-Controlled Subsurface-Safety Valve (SCSSV) shall close in not more than 2 minutes after the shut-in signal has closed the surface safety valve (SSV). Design delayed closure time greater than 2 minutes shall be justified by the lessee based on the individual well's mechanical/production characteristics and approved by the District Supervisor.

Electro-pneumatic systems shall meet the corresponding design and functional requirements as those which apply to pneumatic systems.

A schematic of the ESD system which indicates the control functions of all safety devices shall be maintained on the platform or nearest offshore field office.

5.1.5 *Engine Exhausts.* Engine exhausts shall be equipped to comply with the insulation and personnel-protection requirements of API RP 14C, Section 4.2c(4). Exhaust piping from diesel engines shall be equipped with spark arrestors.

5.1.6 *Glycol-Dehydration Units.* A pressure-relief system or an adequate vent shall be installed on the glycol regenerator, or at a location approved by the District Supervisor, which will prevent overpressurization of all glycol-dehydration units. The set pressure of the pressure-relief system shall be determined by the lessee and approved by the District Supervisor. The discharge of the relief valve shall be vented in a nonhazardous manner. The glycol-dehydration unit shall be properly maintained to prevent overpressurization of the unit.

5.1.7 *Gas Compressors.* Each compressor shall be equipped with the following protective equipment:

(1) A PSH, a PSL, a PSV, and an LSH to protect each interstage and suction scrubber.

(2) An LSL to protect each interstage and suction scrubber, unless the fluid is dumped through a choke restriction to another pressure vessel. An LSL shut-in control(s) installed in interstage and suction scrubber(s) may be designed to actuate the automatic shutdown valve(s) (SDV's) installed in the scrubber dump line(s).

(3) A TSH on each compressor cylinder or other components as applicable.

(4) In addition to the provisions of API RP 14C, Subsection A8.3, PSH and PSL shut-in sensors and LSH shut-in controls protecting compressor suction and interstage scrubbers shall be designed to actuate automatic SDV's located in each compressor suction and fuel gas line so that the compressor unit and the associated vessels can be isolated from all input sources.

All automatic SDV's installed in compressor suction and fuel gas piping shall also be actuated by the shutdown of the prime mover.

Compressor installations of 745 kilowatts (1,000 horsepower) or less are excluded from those requirements of API RP 14C, A8.3d, which provide for installation of a blowdown valve (BDV) on the discharge line.

5.1.8 *Firefighting Systems.* Firefighting systems shall conform to Subsection 5.2, "Fire Water Systems," of "API Recommended Practice for Fire Prevention and Control on Open Type Offshore Production Platforms," API RP 14G, First Edition, September 1978, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use, and the additional requirements of this subparagraph.

A firewater system consisting of rigid pipe with firehose stations shall be installed. The firewater system shall be installed to provide needed protection in all areas where production-handling equipment is located. A fixed water-spray system shall be installed in enclosed well-bay areas where hydrocarbon vapors may accumulate.

Acceptable pump drivers include diesel engines, natural gas engines, and electric motors. Fuel or power shall be available for at least 30 minutes of run-time during platform shut-in time. If necessary, an alternate fuel supply shall be installed to provide for this pump-

operating time unless an alternate firefighting system has been approved by the District Supervisor.

A firefighting system using chemicals may be used or may be required in lieu of a water system if the District Supervisor determines that the use of a chemical system provides equivalent fire protection control. A diagram of the firefighting system showing the location of all firefighting equipment shall be posted in a prominent place on the platform or structure.

5.1.9 *Fire and Gas Detection System.*

a. Fire (flame, heat, or smoke) sensors shall be used in all enclosed high-hazard areas. Gas sensors shall be used in all inadequately ventilated, enclosed, high-hazard areas. Adequate ventilation is as defined in API RP 14C, Appendix C, paragraph C1.3b.

b. All detection systems shall be capable of continuous monitoring. Fire detection systems and portions of combustible gas detection systems related to the higher gas concentration levels shall be of the manual-reset type. Combustible gas detection systems related to the lower gas concentration level may be of the automatic-reset type.

c. A fuel gas odorant or an automatic gas-detection and alarm system are required in enclosed, continuously manned areas of the facility.

d. The District Supervisor may require a gas detector or alarm in any potentially hazardous area.

e. Fire detection systems shall be of an approved type, designed and installed in accordance with the National Fire Protection Association Standard for Automatic Fire Detectors, No. 72E, 1974, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. Gas detection systems shall be of an approved type, designed and installed in accordance with sections 9.1 and 9.2 of "API Recommended Practice For Design and Installation of Electrical Systems for Offshore Production Platforms," API RP 14F, First Edition, July 1978, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use.

5.1.10 *Electrical Equipment.* The following requirements shall be applicable to all electrical equipment and systems:

a. All engines with ignition systems shall be equipped with a low-tension ignition system of a low-fire hazard type and shall be designed and maintained to minimize the release of sufficient electrical energy to cause ignition of an external, combustible mixture.

b. All electrical generators, motors, and lighting systems shall be installed, protected, and maintained in accordance with the edition of the National Electrical Code and API RP 500B in effect at the time of approval.

c. At the time of approval, wiring methods shall conform to the National Electrical Code, 1978 Edition, or to the Institute of Electrical and Electronic Engineers (IEEE) "Recommended Practice for Electric Installation on Shipboard," IEEE Std. 45–1977, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. Each conductor of a wire, a cable, or a bus bar shall be made of copper on all installations.

d. The elementary electrical schematic of the platform safety-shutdown system required by subparagraph 4.3e(2) shall be maintained on the platform or structure. This schematic shall indicate the control functions of all electrically actuated safety devices.

e. Maintenance of these systems shall be by personnel who are familiar with the construction and operation of the equipment and the hazards involved.

f. An auxiliary power supply shall be installed to provide emergency power, capable of operating all electrical equipment required to maintain safety of operations, in the event of a failure in the primary electrical power supply. This requirement is not applicable to those systems, or portions of systems, which are designed to fail-safe.

5.1.11 *Erosion.* A program of erosion control shall be in effect for wells or fields having a history of sand production. The erosion-control program may include sand probes, X-ray, ultrasonic, or other satisfactory monitoring methods. An annual report, by lease, indicating the wells which have erosion-control programs in effect and the results of the programs shall be submitted by the first of December to the USGS Conservation Manager in the appropriate Regional Office.

5.2 *General Platform Operations.*

a. Surface- or subsurface-safety devices shall not be bypassed or blocked out of service unless they are temporarily out of service for startup, maintenance, or testing procedures. Only the minimum number of safety devices necessary for the operation shall be taken out of service. Personnel shall monitor the bypassed or blocked-out functions. Any surface- or subsurface-safety device which is temporarily out of service shall be flagged.

b. When wells are disconnected from producing facilities and blind-flanged or equipped with a tubing plug, compliance is not required with the provisions of API RP 14C or this Order concerning:

(1) Installation of automatic fail-close SSV on wellhead assemblies.

(2) Installation of the PSH and the PSL shut-in sensors downstream of the choke in flowlines from wells.

(3) Installation of flow safety valves (FSV's) in header individual flowlines.

c. When pressure or atmospheric vessels are positively isolated from production facilities (for example, inlet valve locked closed or inlet line blind-flanged) and are to remain isolated for an extended period of time, safety device compliance is not required with API RP 14C or this Order.

d. All open-ended lines connected to producing facilities shall be plugged or blind-flanged, except those lines designed to be open-ended, such as flare or vent lines.

5.3 *Simultaneous Platform Operations.* Prior to conducting activities simultaneously with production operations which could increase the possibility of occurrence of undesirable events, such as harm to personnel or to the environment or damage to equipment, a "General Plan for Conducting Simultaneous Operations" in a producing field shall be filed for approval with the District Supervisor. This plan shall be modified and updated by supplemental plans when actual simultaneous operations are scheduled which are significantly different from those covered in the General Plan. Activities requiring these plans are drilling, completion, workover, wireline, pumpdown, and major construction operations.

5.3.1 *General Plan.* The "General Plan for Conducting Simultaneous Operations" shall include:

a. A narrative description of operations.

b. Procedures for the mitigation of potentially undesirable events including:

(1) The guidelines the lessee will follow to assure coordination and control of simultaneous activities.

(2) The identity of the person having overall responsibility at the site for the safety of platform operations.

5.3.2 *Supplemental Plan.* The "Supplemental Plan for Conducting Simultaneous Operations" shall include:

a. A floor plan of each platform deck indicating critical areas of simultaneous activities.

b. An outline of any additional safety measures that are required for simultaneous operations.

c. Specification of any added or special equipment or procedural conditions imposed when simultaneous activities are in progress.

5.4 *Welding and Burning Practices and Procedures.* The following requirements are applicable to any welding or burning practice or procedure performed on:

a. An offshore mobile-drilling unit during the drilling mode.

b. A mobile workover unit during any drilling, completion, recompletion, remedial, repair, stimulation, or other workover activity.

c. A platform, structure, artificial island, or other installation during any drilling, completion, workover, or production operation.

d. A platform, structure, artificial island, or other installation which contains a well open to a hydrocarbon-bearing zone.

For the purpose of this Order, the terms "welding" and "burning" are defined to include arc or acetylene cutting and arc or acetylene welding.

All offshore welding and burning shall be minimized by onshore fabrication when feasible.

5.4.1 *General Welding, Burning, and Hot Tapping Plan.* Each lessee shall file for approval by the District Supervisor a "Welding, Burning, and Hot Tapping Safe Practices and Procedures Plan." The plan shall include the qualification standards or requirements for personnel and the methods by which the lessee will assure that only personnel meeting such standards or requirements are utilized. A copy of this plan shall be available in the field area. Any person designated as a welding supervisor shall be thoroughly familiar with this plan. An approved plan is required prior to the conduct of any welding, burning or hot tapping operation. All welding and burning equipment shall be inspected prior to beginning any welding or burning. Welding machines located on production or process platforms shall be equipped with spark arrestors and drip pans. Welding leads shall be completely insulated and in good condition; oxygen and acetylene bottles secured in a safe place; and hoses leak-free and equipped with proper fittings, gauges, and regulators.

5.4.2 *Designated Safe-Welding and Burning Areas.* The lessee shall establish, if feasible, and so designate areas on the platform determined to be safe-welding areas pursuant to the National Fire Protection Association Bulletin "Cutting and Welding Processes," No. 51 B, 1976, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. Approval for the use of such areas shall be obtained from the District Supervisor. These designated areas shall be identified in the General Plan and a drawing showing the location of these areas shall be maintained on the facility. Welding or burning performed in any other areas shall be performed in compliance with the procedures set forth in subparagraph 5.4.3.

5.4.3 *Undesignated Welding and Burning Areas.* All welding or burning which cannot be done in an approved safe-welding area shall be performed in compliance with the procedures outlined below:

a. Prior to the commencement of any welding or burning operation on a structure, the lessee's designated person-in-charge at the installation shall personally inspect the qualifications of the welder or welders to assure that they are properly qualified in accordance with the lessee-approved qualification standards or requirements for welders. The designated person-in-charge and the welders shall personally inspect the work area for potential fire and explosion hazards. After it has been determined that it is safe to proceed with the welding or burning operation, the designated person-in-charge shall issue a written authorization for the work.

b. During all welding and burning operations, one or more persons shall be designated as a Fire Watch. Persons assigned as a Fire Watch shall have no other duties while actual welding or burning operations are in progress. If welding is to be done in an area which is not equipped with a gas detector, the Fire Watch shall also maintain a continuous surveillance with a portable gas detector during welding.

c. Prior to any welding or burning operation, the Fire Watch shall have in his possession firefighting equipment in a usable condition. At the end of the welding operation, the equipment shall be returned to a usable condition.

d. No welding, other than approved hot tapping, shall be done on piping, containers, tanks, or other vessels which have contained a flammable substance unless the contents have been rendered inert and determined to be safe for welding or burning by the designated person-in-charge.

e. If drilling, workover, or wireline operations are in progress on the platform, welding operations in other than approved safe-welding areas shall not be conducted unless the well(s) where these operations are in progress contain noncombustible fluids and the entry of formation hydrocarbons into the wellbore is precluded. All other provisions of this section shall also be applicable.

f. If welding or burning operations are conducted in the well-bay or production area, all producing wells shall be shut in at the surface-safety valve.

5.5 *Safety Device Testing.* The safety-system devices which are required by this Order shall be tested by the lessee at the interval specified below or more frequently if operating conditions warrant. Testing shall be in accordance with API RP 14C, appendix D, and the following:

a. All PSV's shall be tested for operation at least once every 12 months. These valves shall be either bench-tested or equipped to permit testing with an external pressure source.

b. All Pressure Sensors-High/Low (PSHL) shall be tested at least once each calendar month, but at no time shall more than 6 weeks elapse between tests.

c. All SSV's shall be tested for operation and for leakage at least once each calendar month, but at not time shall more than 6 weeks elapse between tests. The SSV's shall be tested for operation in accordance with the test procedure specified in API RP 14C, appendix D, section D4, table D2, subsection L, and tested for leakage in accordance with subsection M. If the valve does not operate properly or any fluid flow is observed in step 3 of the leakage test, the valve shall be repaired or replaced.

d. All flowline FSV's shall be checked for leakage at least once each calendar month, but at no time shall more than 6 weeks elapse between tests. The FSV's shall be tested for leakage in accordance with the test procedure specified in API RP 14C, appendix D, section D4, table D2, subsection D. If the leakage measured in step 6 exceeds a liquid flow of 400 cc/min or a gas flow of 7 dm ^{3}/sec (15 cubic ft/min), the FSV's shall be repaired or replaced.

e. All LSH and LSL controls shall be tested at least once each calendar month, but at no time shall more than 6 weeks elapse between tests. These tests shall be conducted by raising and lowering the liquid level across the level-control detector.

f. All automatic inlet SDV's which are actuated by a sensor on a vessel or a compressor shall be tested for operation at least once each calendar month, but at no time shall more than 6 weeks elapse between tests.

g. All SDV's located in liquid-discharge lines and actuated by vessel low-level sensors shall be tested for operation once each calendar month, but at no time shall more than 6 weeks elaspse between tests.

h. The TSH shutdown controls installed on compressors in lieu of a PSH and PSL on interstage scrubbers shall be tested every 6 months and repaired or replaced as necessary.

i. All pumps for firewater systems shall be inspected and test-operated weekly.

j. All fire (flame, heat, or smoke) and gas detection systems shall be tested for operation and recalibrated every 3 months.

k. The lessee shall notify the District Supervisor when the lessee is ready to conduct a preproduction test and inspection of the integrated safety system. The lessee shall also notify the District Supervisor upon commencement of production in order that a post-production test and inspection of the integrated system may be conducted.

l. All TSH devices on fired components shall be tested at least once every 12 months.

m. The ESD system shall be tested for operation at least once each calendar month but at not time shall more than 6 weeks elapse between tests. The test may be conducted by closing at least one SSV from each of the ESD stations.

5.6 *Records.* The lessee shall maintain records for a minimum period of 5 years for each surface-safety device installed. These records shall be maintained in the nearest offshore field office for a minimum period of 2 years. If the lessee has no such offshore field office, then the records shall be kept in the nearest onshore field office. The records may then be transferred to the onshore field office for the remaining 3 years of the 5-year retention period. These records shall be available for review by any authorized representative of the USGS. The records shall show the present status and history of each device, including dates and details of installation, inspection, testing, repairing, adjustments, and reinstallation.

5.6.1 *Surface-Safety Valve and Assoicted Actuator Records.* Records for surface-safety valves and associated actuators which require compliance with paragraph 2 shall contain additional information showing vertification of:

a. The devices having been manufactured in accordance with the quality assurance requirements of ANSI/ASME–SPPE–1 (formerly ANSI/ASME–OCS–1) as required by paragraph 2.

b. The completion and return of the receiving report to the manufacturer as required by ANSI/ASME–SPPE–1.

c. The completion and submission of all failure reports required by paragraph 6 and all investigation reports required by paragraphs OE–2529 and OE–2670 of ANSI/ASME–SPPE–1.

5.7 *Safety Device Training.* Before January 1, 1982, the lessee shall ensure that all personnel engaged in installing, inspecting, testing, and maintaining these safety devices will have been qualified under a program as recommended by "API Recommended Practice for Qualification Programs for Offshore Production Personnel Who Work With Anti-Pollution Safety Devices," API RP T–2, revised October 1975, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use.

Documented evidence of the qualifications of individuals performing these functions shall be maintained in the field area.

Manufacturers' representatives need not be qualified in accordance with API RP T–2 if they are working on equipment supplied by their company, provided they have received training and are qualified by the manufacturer to install, service, or repair the specific safety device or safety system, and if they are directly supervised by an API RP T–2 qualified person who is cable of evaluating the impact of the work on the total system.

On-the-job trainees working with safety devices shall be directly supervised by a qualified person.

Before January 1, 1981, the lessee shall submit an application for approval to the Deputy Chief, Conservation Division—Offshore Minerals Regulation, describing the training to be conducted and the methods the lessee will utilize.

The application shall include:

a. A designation of the lessee's representative who is responsible for training and coordinating training matters with the USGS.

b. The categories of personnel to be qualified.

c. The training organizations and courses to be utilized.

d. The method for ensuring the qualification of third-party personnel.

e. The method for determining when additional training or requalification is required and the method for obtaining this training and requalification.

f. The method of monitoring operations to ensure that only qualified personnel perform certain functions.

g. The method of maintaining documented evidence of qualification at the work site.

6. *Failure and Inventory Reporting System (FIRS).* The USGS has established a safety and pollution-prevention device Failure and Inventory Reporting System (FIRS), to enhance the reliability and safety of operations in the OCS. This system applies to offshore structures, including satellites and jackets, which produce or process hydrocarbons and includes the attendant portions of hydrocarbon pipelines, when physically located on the structure.

When the devices specified herein are used as a part of the production safety and pollution-prevention system, the lessee shall:

a. Submit an initial inventory and periodic updates in accordance with the procedures described in subparagraph 6.1.3.

b. Report all device failures which occur. The report content and format shall be in accordance with the procedures described in subparagraph 6.1.4.

6.1 *Data and Reporting Requirements.*

6.1.1 *Format.* Inventory and failure data shall be submitted in a format containing the same information that is in the Safety Device Inventory Report (Form 9–1994) and the Safety Device Failure Report (Form 9–1995), and as outlined in the respective User's Instruction Booklets. Copies of the forms and booklets may be obtained from the USGS Conservation Manager in the appropriate Regional Office.

The specific method of submitting the required data may be selected from the following:

a. USGS Forms 9–1994 and 9–1995, using a standard coding convention (e.g., all letters capitalized, Z, I, letter O, number 0). The lessee shall submit the originals of the form to the USGS and retain the two copies.

b. ADP card decks of standard 80-column cards.

c. Magnetic tapes which are 9-track, 800 BPI, unlabeled, blocking cannot exceed, 1,040 characters, odd parity, single gap (i.e., compatible with IBM equipment EBCDIC).

Regardless of which method is used for submitting the inventory and failure data, a cover letter forwarding the data to the USGS shall contain the signature of the person initiating/approving the information contained therein.

When Form 9–1995 is used, the form shall contain in the lower right corner a signature of the person initiating/approving the report.

6.1.2 *Device Coverage.* Inventory and failure reports are to be submitted on the safety and pollution-prevention devices on offshore structures, including satellites and jackets, which produce or process hydrocarbons, and the hydrocarbon pipelines thereon. These reports shall be submitted on the following devices:

a. Blowdown Valves (BDV)
b. Burner Flame Detectors (BSL)
c. Check Valves (FSV)
d. Combustible Gas Detectors (ASH)
e. Emergency Shutdown Valves (ESD)

f. Level Sensors:
High (LSH)
Low (LSL)
Hi/Lo (LSHL)
g. Pressure Sensors:
High (PSH)
Low (PSL)
Hi/Lo (PSHL)
h. Relief Valves (PSV)
i. Shutdown Valves (SDV)
j. Subsurface-Safety Valves (SSSV)
k. Surface-Safety Valves (SSV)
l. Temperature Sensors:
High (TSH)
Low (TSL)
Hi/Lo (TSHL)
m. Valve Actuators on shutdown valves, blowdown valves, and surface-safety valves (VA)

6.1.3 *Device Inventory Reporting.*

6.1.3.1 *Initial Inventory.* A complete initial inventory of the active safety and pollution-prevention devices shall be submitted no later than 1 month after the initial platform production date.

6.1.3.2 *Inventory Updates.* An updating of or addition/deletion to the latest inventory shall be submitted on a monthly basis so as to maintain a current and accurate data base. The inventory will be updated by using the contents of the Safety Device Inventory Report (Form 9–1994) and the Safety Device Failure Report (Form 9–1995), as described in the FIRS Instruction Booklet.

Inventory updating due to the addition, deletion, or changeout of a device is accomplished *by the lessee* reporting all of the data required in the Safety Device Inventory Report (Form 9–1994). Whenever a device fails and is either replaced with a new device or "fixed" and put back into service, the inventory shall be updated to reflect this change. Inventory updating, due to the failure of a device, will be performed *by the USGS*, using the contents of the Safety Device Failure Report (Form 9–1995). Inventory updating information shall be received no later than 30 days following the month in which the device change was made.

6.1.3.3 *Inventory-Reporting Methods.* Inventory data shall be reported either on the Safety Device Inventory Reporting forms (Forms 9–1994), punched cards, or magnetic tapes. The reports shall contain all of the required information in the standard format as described in subparagraph 6.1.1.

6.1.3.4 *Inventory Verification.* The device inventory shall be verified by the lessee to ensure that the inventory data base is maintained on a current basis and that changes are being incorporated as they occur. The verification shall be accomplished no more frequently than once each 6-month period. When verification is required, the USGS will provide the lessee with a copy of the information on record, in the lessee's selected reporting format. The lessee shall review the information and either submit a letter stating that the information is correct, or make the appropriate corrections to the information provided by the USGS. The letter or appropriate corrections shall be received no later than 30 days following the month in which the inventory information which is to be verified was forwarded to the lessee.

6.1.3.5 *Inventory-Reporting Deviation.* A lessee may submit an inventory, update, or verification report differing from that described in subparagraph 6.1.3 when authorized by the USGS.

6.1.4 *Device Failure Reporting.*

6.1.4.1 *Failure-Data Submittal.* The failure data, as defined in subparagraph 6.1.4.3, shall be received no later than 30 days following the month in which the failure was detected. These data must contain all of the required information and be submitted in the standard format either on Safety Device Failure Report forms (Form 9–1995), punched cards, or magnetic tape, as previously described in subparagraph 6.1.1. Information on the failed device must match that previously submitted in inventory reporting. A formal failure analysis is not required by this Order, but each failed device shall undergo sufficient test/disassembly to establish the basic cause(s) of the failure.

6.1.4.2 *Failure-Data Verification.* After receipt of the complete failure data from the lessees, the USGS will make a printout of all failures by manufacturer, model, and reported cause. Each manufacturer listed will be furnished a copy of the printout containing the reported failures of his devices only. If he disagrees with the reported failure causes, he is invited to investigate the questioned causes in coordination with the reporting lessee and provide a coordinated reply within 6 weeks after receipt of the printout. If no reply is received within that time period, the originally reported causes will be considered to be correct, and the data will be evaluated accordingly.

6.1.4.3 *Failure Definition.* The safety and pollution-prevention device Failure and Inventory Reporting System does not differentiate between a malfunction and a failure. For the purpose of this program, a failure is defined as the inability of a device to perform its designed function within specified limits. A device is considered to have failed if it does not operate properly (perform its function) as required within the specified test tolerances. Examples of device failures are included in the FIRS Instruction Booklet.

A failure repot is not required for:

a. Adjustments made within specified tolerances.

b. Adjustments required due to changes in operating conditions.

6.2 *Records.* The lessee shall maintain FIRS data records for a minimum period of 5 years. Equipment failure records shall be maintained in the nearest offshore field office for a minimum period of 2 years. If the lessee has no such offshore field office, then the records shall be kept in the nearest onshore field office. The records may then be transferred to the onshore field office for the remaining 3 years of the 5-year retention period. The records shall be available for review by any authorized representative of the USGS.

7. *Crane Operations.* Cranes shall be operated and maintained to ensure the safety of facility operations in accordance with the provisions of "API Recommended Practice for Operation and Maintenance of Offshore Cranes," API RP 2D, October 1972, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. Records of inspection, testing, maintenance, and crane operators qualified in accordance with the provisions of API RP 2D shall be kept in the field area for a period of 2 years. "API Specification for Offshore Cranes," API Specification 2C, February 1972, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use shall be used as a guideline for the selection of cranes.

8. *Employee Orientation and Motivation Programs for Personnel Working Offshore.* The lessee shall make a planned, continuing effort to eliminate accidents due to human error. This effort shall include the training of personnel in their functions. A program to achieve safe and pollution-free operations shall be established. This program shall include instructions in the provision of "API Recommended Practice Orientation Program for Personnel Going Offshore for the First Time," API RP T–1, January 1974, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use. "API Employee Motivation Programs for Safety and Prevention of Pollution in Offshore Operations," API Bulletin T–5, September 1974, or subsequent revisions which the Deputy Chief, Conservation Division—Offshore Minerals Regulation, has approved for use shall be used as a guide in

developing employee safety and pollution-prevention motivation programs.

9. *Requirements for Drilling Rigs.*

9.1 *Fixed Structures.* The following requirements contained in this Order are applicable to drilling rigs on fixed structures:

a. Subparagraph 5.1.10, "Electrical Equipment."

b. Subparagraph 5.4, "Welding Practices and Procedures."

c. Paragraph 8, "Employee Orientation and Motivation Programs for Personnel Working Offshore."

9.2 *Mobile Drilling Units.* The following requirements contained in this Order are applicable to drilling rigs on mobile drilling units:

a. Subparagraph 5.4, "Welding Practices and Procedures."

b. Paragraph 8, "Employee Orientation and Motivation Programs for Personnel Working Offshore."

10. *Departures.* All departures from the requirements specified in this Order shall be subject to approval, pursuant to 30 CFR 250.11(b).

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Approved:

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OCS Order No. 7—Effective February 27, 1981

Pollution Prevention and Control

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10, 250.11, and in accordance with 30 CFR 250.43. The lessee shall comply with the following requirements:

1. *Pollution Prevention.* During the exploration, development, production, and transportation of oil and gas, the lessee shall prevent pollution of the ocean. Furthermore, by the disposal of waste materials into the ocean, the lessee shall not create conditions which will adversely affect the public health, life, property, aquatic life, wildlife, recreation, navigation, fishing, or other uses of the ocean.

1.1 *Liquid Disposal.*

1.1.1 *Drilling-Mud Components.* The lessee shall submit, as a part of the Application for Permit to Drill (Form 9–331 C), a detailed list of drilling-mud components including the common chemical or chemical trade name of each component, a list of the drilling-mud additives anticipated for use in meeting special drilling requirements, and the proposed method of drilling-mud disposal. The disposal of drilling mud is subject to the Environmental Protection Agency's permitting procedures, pursuant to the Federal Water Pollution Control Act, as amended. Approval of the method of drilling-mud disposal into the ocean shall be obtained from the District Supervisor; each request will be decided on a case-by-case basis.

1.1.2 *Hydrocarbon-Handling Equipment.* All hydrocarbon-handling equipment for testing and production such as separators, tanks, and treaters shall be designed and operated to prevent pollution. Maintenance or repairs which are necessary to prevent pollution of the ocean shall be undertaken immediately.

1.1.3 *Curbs, Gutters, and Drains.*

1.1.3.1 *Fixed Platforms, and Structure.* Curbs, gutters, drip pans, and drains shall be installed in all deck areas in a manner necessary to collect all contaminants and piped to a properly designed, operated, and maintained sump system which will automatically maintain the oil at a level sufficient to prevent discharge of oil into OCS waters. Sump piles shall not be used as processing devices to treat or skim liquids, but shall be used to collect treated produced water, treated sand, liquids from drip pans and deck drains, and as a final trap for hydrocarbon liquids in event of equipment upsets.

1.1.3.2 *Artifical Islands.* On artificial islands, all vessels containing hydrocarbons shall be placed inside a berm lined with an imprevious material. The volume enclosed by the berm shall be in excess of the volume of vessels containing hydrocarbons. In addition, all drainage ditches shall be directed away from the drilling rig to a sump. The rig mat, the drainage ditches, and sumps shall be lined with impervious material.

1.1.3.3 *Mobile Drilling Units.* Curbs, gutters, and drains which collect contaminants associated with the drilling operation on a mobile drilling unit shall be installed as required by subparagraph 1.1.3.1. Curbs, gutters, and drains which collect contaminants not associated with the drilling operation are subject to regulation by the U.S. Coast Guard.

1.1.4 *Discharges from Fixed Platforms, Structures, Artificial Islands, and Mobile Drilling Units.* Discharges from fixed platforms or structures and mobile drilling units, including sanitary waste, produced water, drilling mud, and deck drainage, are subject to the Environmental Protection Agency's permitting procedures, pursuant to the Federal Water Pollution Control Act, as amended.

1.2 *Solid Material Disposal.*

1.2.1 *Well Solids.* The disposal of drill cuttings, sand, and other well solids containing oil is subject to the Environmental Protection Agency's permitting procedures, pursuant to the Federal Water Pollution Control Act, as amended. Approval of the method of disposal of drill cuttings, sand, and other well solids shall be obtained from the District Supervisor.

1.2.2 *Containers.* Containers and other similar solid waste materials shall not be disposed of into the ocean.

1.2.3 *Equipment.* Disposal of equipment into the ocean is prohibited except under emergency conditions. The location and description of equipment disposed of into OCS waters shall be reported to the U.S. Coast Guard in accordance with paragraph 4 of OCS Order No. 1.

2. *Personnel, Inspections, and Reports.*

2.1 *Personnel.* The lessee's personnel shall be instructed in the techniques of equipment maintenance and operation for the prevention of pollution. Contractor personnel providing services offshore shall be informed in writing, prior to executing contracts, of the lessee's obligations to prevent pollution and of the provisions of this Order.

2.2 *Pollution Inspections.*

2.2.1 *Manned Facilities.* Manned drilling and production facilities shall be inspected daily to determine if pollution is occurring. Maintenance or repairs which are necessary to prevent pollution of the OCS waters shall be undertaken and performed immediately.

2.2.2 *Unattended Facilities.* Unattended facilities, including those equipped with remote control and monitoring systems, shall be inspected daily or at intervals prescribed by the District Supervisor to determine if pollution is occurring. Daily inspections may be postponed in the event of adverse weather conditions. Necessary maintenance or repairs shall be made immediately.

2.3 *Pollution Reports.* All spills of oil and liquid pollutants shall be reported orally to the District Supervisor and shall be confirmed in writing. All reports shall include the cause, location, volume of spill, and action taken. Reports of spills of more than 5.0 cubic meters (31.5 barrels) shall include information on the sea state, meteorological conditions, size, and appearance of slick. All spills of oil and liquid pollutants shall also be reported to the U.S. Coast Guard in accordance with the procedures contained in 33 CFR 135.305 and 135.307.

2.3.1 *Spills.* Spills shall be reported orally within the following time limits:

a. Within 12 hours, if spills are 1.0 cubic meters (6.3 barrels) or less.

b. Without delay, if spills are more than 1.0 cubic meters (6.3 barrels).

2.3.2 *Observed Malfunctions.* Lessees shall notify each other of observed pollution resulting from another's operation.

3. *Pollution-Control Equipment and Materials and Oil Spill Contingency Plans.* The lessee shall submit a description of procedures, personnel, and equipment that will be used in reporting, cleanup, and prevention of the spread of any pollution resulting from an oil spill which might occur during exploration or development activities. The following subparagraphs describe the minimum requirements for pollution-control equipment and procedures.

3.1 *Equipment and Materials.* Pollution-control equipment and materials shall be maintained by, or shall be available to, each lessee at an offshore location or at a location approved by the Deputy Conservation Manager (DCM), Offshore Field Operations. The equipment shall include containment booms, skimming apparatus, cleanup materials, chemical agents and other items needed for the existing climatic conditions, and shall be available prior to the commencement of drilling and production operations. The equipment and materials shall be inspected monthly and maintained in a state of readiness for use. The results of the inspections shall be recorded and maintained at the site.

3.2 *Oil Spill Contingency Plans.* The lessee shall submit an Oil Spill Contingency Plan for approval by the DCM, Offshore Field Operations, with or prior to submitting an Exploration Plan or a Development and Production Plan. Oil Spill Contingency Plans shall be reviewed annually. All modifications of the Oil Spill Contingency Plan and the results from the review of the plan shall be submitted to the DCM, Offshore Field Operations, for approval. The Oil Spill Contingency Plan shall contain the following:

a. Provisions to assure that full resource capability is known and can be committed during an oil spill, including the identification and inventory of applicable equipment, materials, and supplies which are available locally and regionally, both committed and uncommitted, and the time required for deployment of the equipment.

b. Provisions for varying degrees of response effort depending on the severity of the oil spill.

c. Provisions for identifying and protecting areas of special biological sensitivity.

d. Establishment of procedures for the purpose of early detection and timely notification of an oil spill including a current list of names, telephone numbers, and addresses of the responsible persons and alternates on call to receive notification of an oil spill, and the names, telephone numbers, and addresses of regulatory organizations and agencies to be notified when an oil spill is discovered.

e. Provisions for well-defined and specific actions to be taken after discovery and notification of an oil spill, including:

(1) Specification of an oil spill response operating team consisting of trained, prepared, and available operating personnel.

(2) Predesignation of an oil spill response coordinator who is charged with the responsibility and is delegated commensurate authority for directing and coordinating response operations.

(3) A preplanned location for an oil spill response operations center and a reliable communications system for directing the coordinated overall response operations.

(4) Provisions for disposal of recovered spill materials.

4. *Drills and Training.*

4.1 *Drills.* Drills for familiarization with pollution-control equipment and operational procedures shall be the lessee's responsibility and shall be held at least once every 12 months by the lessee or a contractor serving the lessee. The personnel identified as the oil spill response operating team in the Contingency Plan shall participate in these drills. The drills shall be realistic and shall include deployment of equipment. A time schedule with a list of equipment to be deployed shall be submitted to the DCM, Offshore Field Operations, for approval. The drill schedule shall provide sufficient advance notice to allow U.S. Geological Survey personnel to witness any of the drills. Drills shall be recorded, and the records shall be made available to U.S. Geological Survey personnel. Where drill performance and results are deemed inadequate, the DCM, Offshore Field Operations, may require an increase in the frequency or a change in the location of the drills until satisfactory results are achieved.

4.2 *Training.* The lessee shall ensure that training classes for familiarization with pollution-control equipment and operational procedures are provided for the oil spill response operating team. The supervisory personnel responsible for directing the oil spill response operations shall receive oil spill control instruction suitable for all seasons. The lessee shall retain course completion certificates or attendance records issued by the organization where the instruction was provided. These records shall be available to any authorized representative of the U.S. Geological Survey upon request.

5. *Spill Control and Removal.* Immediate corrective action shall be taken in all cases where pollution has occurred. Corrective action taken under the lessee's Oil Spill Contingency Plan shall be subject to modification when directed by the DCM, Offshore Field Operations. The primary jurisdiction to require corrective action to abate the source of pollution shall remain with the DCM, Offshore Field Operations, pursuant to the provisions of this Order and the Memorandum of Understanding (MOU) between the Department of Transportation (U.S. Coast Guard) and the Department of the Interior (U.S. Geological Survey), dated August 16, 1971. The use of chemical agents or other additives shall be permitted only after approval by the DCM, Offshore Field Operations, in accordance with Annex X, National Oil and Hazardous Substances Pollution Contingency Plan, and in accordance with the previously mentioned MOU.

6. *Departures.* All departures from the requirements specified in this Order shall be subject to approval, pursuant to 30 CFR 250.11(b).

Rodney A. Smith,
Deputy Conservation Manager, Offshore Field Operations.

Approved:
Robert L. Rioux,
Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OSC Order No. 8—Effective February 27, 1981

Platforms and Structures

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10 and 30 CFR 250.11 and in accordance with 30 CFR 250.18.

1. *Applicability.*

1. *New Platforms.* Subsequent to the effective date of this Order, all new fixed or bottom-founded platforms or other structures (e.g., single-pile caissons, ice islands, and gravel islands) shall be designed, fabricated, and installed in accordance with the applicable provisions of the document, entitled "Requirements for Verifying the Structural Integrity of OCS Platforms," and shall require approval under the provisions of this Order.

Where doubt exists as to the applicability of this Order, questions shall be referred to the Deputy Conservation Manager (DCM), Offshore Field Operations.

1.2 *Major Modifications and Repairs.* Subsequent to the effective date of this Order, major modifications and repairs of damage to all fixed or bottom-founded platforms or other structures shall require approval by the DCM, Offshore Field Operations. Major modifications are defined as any structural change which materially alters the original plan or any major deviation from operations. Major repairs or damage are defined as operations involving members affecting the structural integrity of a portion of or all of the platform or other structure.

Repairs to primary structural elements may be made to restore an existing permitted condition without prior approval under emergency conditions. The DCM, Offshore Field Operations, shall be notified within 24 hours of the damage and subsequent repairs, and approval shall be obtained.

Where doubt exists as to the applicability of this Order, questions shall be referred to the DCM, Offshore Field Operations.

1.3 *Platform Verification.* All new platforms or other structures, and major modifications to platforms or other structures, shall be subject to review under the requirements of the Platform Verification Program and to the approval of the DCM, Offshore Field Operations.

1.4 *References.* Other aspects of the Platform Verification Program are described in more detail in the following documents, and these documents shall be considered as references for this Order.

1.4.1 *Operating Procedures for the OCS Platform Verification Program.* The document, entitled "Operating Procedures for the OCS Platform Verification Program," October 1979, describes the elements of the Platform Verification Program, the verification steps, the function of the Platform Verification Section, and the procedures for resolution of disputes, defines standards which shall be met by individuals or organizations in order to be approved as Certified Verification Agents (CVA); and provides instructions to the CVA.

1.4.2 *Requirements for Verifying the Structural Integrity of OCS Platforms.* The document, entitled "Requirements for Verifying the Structural Integrity of OCS Platforms," October 1979, is identified in this Order as "Requirements." It identifies mandatory state-of-the-art performance standards which shall be met in designing, fabricating, and installing platforms or other structures and major modifications to platforms or other structures.

1.4.3 *Appendices to Requirements for Verifying the Structural Integrity of OCS Platforms.* The document, entitled "Appendices to Requirements for Verifying the Structural Integrity of OCS Platforms," October 1979, is identified in this Order as "Appendices." It identifies alternative engineering design procedures which may be utilized, where applicable to conform to the "Requirements."

1.4.4 *Commentary on Requirements for Verifying the Structural Integrity of OCS Platforms.* The document, entitled "Commentary on Requirements for Verifying the Structural Integrity of OCS Platforms," October 1979, is identified in this Order as "Commentary." It provides an explanation of the basic intent of the "Requirements" and also discusses the "Requirements," the "Appendices," and the current relative development of the state of practice for pertinent parts of both.

2. *Responsibility.*

2.1 *Submission.* All applications for approval under the provisions of this Order shall be submitted to the DCM, Offshore Field Operations. All significant changes or modifications (i.e., any structural change which materially alters the original plan or any major deviation from operations) to approved applications shall be submitted for approval to the DCM, Offshore Field Operations. The lessee assumes risk of making changes or modifications without prior approval of the DCM, Offshore Field Operations. Where doubt exists as to whether a change is significant, questions shall be referred to the DCM, Offshore Field Operations.

2.2 *Certification.* The lessee shall have detailed structural plans and specifications for new platforms or other structures and major modifications certified by a registered professional structural engineer or civil engineer specializing in structural design. The lessee shall also sign and date the following certification:

(Lessee) _____ certifies that the design of the *(structure/modification)* has been certified by a registered professional structural engineer or a civil engineer specializing in structural design, and the *(structure/modification)* will be fabricated, installed, and maintained as described in the application and any approved modification thereto. Certified design and as-built plans and specifications will be on file at _____.

2.3 *Verification.* The lessee shall nominate a CVA(s) in the verification plan and have the design, fabrication, and installation of all platforms or other structures and modifications to platforms or other structures which are subject to review under the requirements of the Platform Verification Program, verified by a CVA(s).

2.4 *Approval.* For new platforms or other structures and major modifications thereto subject to review under the requirments of the Platform Verification Program, the lessee shall obtain approval for the design and fabrication from the DCM, Offshore Field Operations, prior to transporting the platform or other structure to the installation site.

2.5 *Notification.* The lessee shall be responsible for notifying the DCM, Offshore Field Operations, at least 1 week prior to transporting the platform or other structure to the installation site.

3. *Submissions.*

3.1 *General.* The lessee shall submit to the DCM, Offshore Field Operations, in triplicate, all documentation necessary for approval of new platforms or other structures and major modifications in accordance with the provisions of this Order. Listed hereafter is the documentation which shall be submitted, however, more detailed information and data may be required on a case-by-case basis and upon specific request by the DCM, Offshore Field Operations.

3.2 *Design.*

3.2.1 *Design Documentation.* The lessee shall submit design documentation with or subsequent to the submittal of the Exploration Plan or the Development and Production Plan. The design documentation shall include design drawings and material specifications for primary load-bearing members included in the space frame analysis, the certification by the lessee, and the name of the registered professional engineer. In addition, the design documentation shall incorporate the following:

a. General platform information.

b. Environmental and loading information.

c. Foundation information.

d. Structural information.

3.2.1.1 *General Platform Information.* The general platform information shall include the following:

a. Identification data including the platform or structure designation, the lease number, the area name, the block number, and the lessee's name.

b. Location data consisting of longitude and latitude coordinates, Universal Transverse Mercator grid system coordinates, state plane coordinates in the Lambert or Transverse Mercator Projection system, and a plat drawn to a scale of 1 centimeter = 240 meters (1 inch = 2,000 feet) showing surface location and distance from the nearest lease lines.

c. Intended primary use and other intended functions such as planned drilling, production, processing, well protection, compression, pumping or storage facility, or other operations.

d. Personnel facilities, personnel access to living quarters, number and location of boat landings, heliports, cranes, and evacuation routes.

e. Platform or structure details which consist of drawings, plats, front and side elevations of the entire structure, and plan views that clearly illustrate the following: essential parts (i.e., equipment arrangement, number and location of well slots); design loading of each deck; water depth; nominal size and thickness of all primary load-bearing jacket and deck structural members; nominal size, makeup, thickness, and design penetration of piling.

f. Corrosion protection or durability details which consist of the corrosion-protection method; expected life; and durability criteria for the submerged, splash, and atmospheric zones.

3.2.1.2 *Environmental and Loading Information.* The environmental and loading information shall include the following:

a. Environmental data, which consist of a summary listing of data, as addressed in the "Requirements," that have a bearing on the design, installation, and operation (e.g., wave heights and periods, current, vertical distribution of wind and gust velocities, water depth, storm and astronomical tide data, marine growth, snow and ice effects, and air and sea temperatures).

b. Derived loads which consist of a listing of total design functional loads and loads due to wind, wave, ice, and current forces for longitudinal, transversal, and diagonal approaches.

3.2.1.3 *Foundation Information.* The foundation information shall include the following:

a. Seabed testing results which consist of a brief summary of the major strata encountered at the location of the boring(s) presented in tabular form, a detailed subsurface profile illustrating results of field and laboratory testing, a listing of field and laboratory investigations and tests with a basis summary of resultant determinations, the identification of properties and conditions of the seabed and the subsoil, and the identification of any manmade hazards or obstructions.

b. Load effects which consist of a description of the effect of the environmental and functional loads on the foundation.

c. A soil stability report including a determination, with supporting information, of the susceptibility or non-susceptibility of the area to soil movement and, if susceptible to soil movement, an analysis of slope and soil stability.

d. Foundation design criteria which consist of a summary of the design criteria as specified in the "Requirements."

e. Seafloor survey results which consist of a summary of the survey specified in the "Requirements."

3.2.1.4 *Structural Information.* The structural information shall include the following:

a. Design life criteria which consist of the identification of the basis of the design life of the structure.

b. Design loading and criteria which consist of a summary description of the design load conditions and design load combinations taking into consideration the worst environmental and operational conditions anticipated over the service life of the platform or structure.

c. Material specifications which consist of a listing and description of the appropriate specifications.

d. Design strength criteria which consist of a description of the method(s) used in design (i.e., elastic, plastic ductility, ultimate).

e. Fatigue assessment details which consist of a summary of the fatigue analysis as specified in the "Requirements." The requirement for fatigue analysis shall be determined on a case-by-case basis. Where doubt exists concerning the requirement for this analysis, questions shall be referred to the DCM, Offshore Field Operations.

3.2.2 *Design Verification Plan.* For new platforms or other structures, and for modifications which are subject to review under the requirements of the Platform Verification Program, the lessee shall submit a design verification plan with or subsequent to the submittal of the Development and Production Plan. The verification plan shall include a short summary which nominates the CVA, states the qualifications of the CVA, describes how the lessee intends to use the CVA, identifies the level of work to be performed by the CVA, and identifies the documents which will be furnished with the platform application. Furthermore, the documentation listed under 3.2.1, as well as computer program descriptions which consist of abstracts of the computer programs used or to be used in various phases of the design process, shall be submitted as a part of the design verification plan.

The design verification plan shall be resubmitted for approval if the CVA changes, if the CVA's qualifications change, or if the level of work to be performed by the CVA changes. However, the summary of technical details need not be resubmitted unless changes are made in the technical details.

3.3 *Fabrication.* For new platforms or other structures and for modifications which are subject to review under the requirements of the Platform Verification Program, the lessee shall submit a fabrication verification plan subsequent to the submittal of the design. The plan shall include a short summary which nominates the CVA, states the qualifications of the CVA, describes how the lessee intends to use the CVA, identifies the level of work to be performed by the CVA, and identifies the documents which will be furnished to the CVA. The plan shall include fabrication drawings and material specifications of all the primary load-bearing members included in the space-frame analysis and a summary description of the following:

a. Structural tolerances.

b. Welding procedures.

c. Fabrication standards.

d. Material quality-control procedures.

e. Methods and extent of Nondestructive Examinations (NDE) for welds and materials.

f. Quality assurance procedures.

The fabrication verification plan shall be resubmitted for approval if the CVA changes, if the CVA's qualifications change, or if the level of work to be performed by the CVA changes. However, the summary of technical details need not be resubmitted unless changes are made in the technical details.

3.4 *Installation.* For new platforms or other structures and for modifications subject to review under the requirements of the Platform Verification Program, the lessee shall submit an installation verification plan subsequent to the submittal of the fabrication verification plan. The plan shall include a short summary which nominates the CVA, states the qualifications of the CVA, describes how the lessee intends to use the CVA, identifies the level of work to be performed by the CVA, and identifies the documents which will be furnished to the CVA. The plan shall also include a summary description of the planned marine operations, contingencies considered, alternate courses of action, and a summary description of the inspections to be performed during marine operations, including a graphical identification of areas to be inspected and acceptance/rejection criterion. The installation verification plan shall be resubmitted for approval if the CVA changes, if the CVA's qualifications change, or if the level of work to be

performed by the CVA changes. However, the summary of technical details need not be resubmitted unless changes are made in the technical details.

For structures fabricated and installed in place (e.g., ice islands and gravel islands), the fabrication and installation verification plans may be combined.

4. *Records.* The lessee shall compile, retain, and make available for review for the functional life of the platform or other structure that is subject to the provisions of this Order, the as-built structural drawings, the design assumptions and analysis, and a summary of the NDE records.

5. *Departures.* All departures from the requirements specified in this Order shall be subject to approval pursuant to 30 CFR 250.11(b).

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Approved:

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

United States Department of the Interior, Geological Survey, Conservation Division, Alaska Region, Arctic OCS Order No. 12—Effective February 27, 1981

Public Inspection of Records

This Order is issued pursuant to the authority prescribed in 30 CFR 250.10, 250.11, and in accordance with 30 CFR 250.3, 250.34, 252.6, and 43 CFR Part 2. Requests for information made under the Freedom of Information Act, 5 U.S.C. 552, will be governed by the provisions of 43 CFR Part 2 (40 FR 7304, February 19, 1975).

1. *Filing of Reports.* All reports on Forms 9–152, 9–330, 9–331, 9–331 C, 9–1869, 9–1870, and the forms used to report the results of multipoint back-pressure tests shall be filed by the lessee in accordance with the following:

a. All reports submitted on these forms shall include a copy with the words "Public Information" shown on the lower right-hand corner. This copy of the form shall be made available for public inspection.

b. All items on the form not marked "Public Information" shall be completed in full, and such forms and all attachments thereto shall not be available for public inspection.

c. The copy marked "Public Information" shall be completed in full except that the items described in subparagraphs 2.1 through 2.4 below, and the attachments relating to such items, may be excluded.

2. *Availability of Records.* The following records pertaining to leases and wells in the Outer Continental Shelf (OCS) and submitted under 30 CFR 250 shall be made available for public inspection, as specified below, in the Regional Office:

2.1 *Form 9–152—Monthly Report of Operations.* All information contained on this form shall be available except proprietary information which may be included in the remarks column. The lessee shall delete such proprietary data from the public information copy.

2.2 *Form 9–330—Well-Completion or Recompletion Report and Log.*

2.2.1 *Prior to Commencement.* Prior to commencement of production, all information contained on this form shall be available except:

a. Item 1a, Type of Well.

b. Item 4, Location of Well, at top production interval and at total depth.

c. Item 22, If Multiple Completion, how many.

d. Item 24, Producing Interval.

e. Item 26, Type Electric and Other Logs Run.

f. Item 28, Casing Record.

g. Item 29, Liner Record.

h. Item 30, Tubing Record.

i. Item 31, Perforation Record.

j. Item 32, Acid, Shot, Fracture, Cement Squeeze, Etc.

k. Item 33, Production.

l. Item 37, Summary of Porous Zones.

m. Item 38, Geological Markers.

2.2.2 *After Commencement of Production.* After commencement of production, all information shall be available except Item 37, Summary of Porous Zones, and Item 38, Geologic Markers.

2.2.3 *5 Years' Elapsed Time.* If production has not commences after an elapsed time of 5 years from the date of filing form 9–330 as required in 30 CFR 250.38(b), excluding the total time that operations and production are suspended by direction of the Secretary of the Interior, or his duly authorized representative, and further excluding the total time that operations and production are stopped or prohibited by Court Order, all information contained on this form shall be available except Item 37, Summary of Porous Zones, and Item 38, Geologic Markers. Within 90 days prior to the end of the 5-year period, exclusive of exceptions noted above, the lessee shall file a Form 9–330 containing all information requested on the form except Item 37, Summary of Porous Zones, and Item 38, Geologic Markers, to be made available for public inspection. Objections to the release of such information may be submitted with the completed Form 9–330.

2.3 *Form 9–331—Sundry Notices and Reports on Wells.*

2.3.1 *"Request for Approval to."* When used as a "Request for Approval to" conduct operations, all information contained on this form shall be available except Item 4, Location of Well, at top production interval and at total depth, and Item 17, Described Proposed or Completed Operations.

2.3.2 *"Subsequent Report of."* When used as a "Subsequent Report of" operations, and after commencement of production, all information contained in this form shall be available, except information contained in Item 17 pertaining to subsurface locations and measured and true vertical depths for all markers and zones not placed on production.

2.4 *Form 9–331 C—Application for Permit to Drill, Deepen, or Plug Back.* All information contained on this form and the location plat attached thereto shall be available except Item 4, Location of Well at Proposed Production Zone, and Item 23, Proposed Casing and Cementing Program.

2.5 *Form 9–1869—Quarterly Oil Well Test Report.* All information contained on this form shall be available.

2.6 *Form 9–1870—Semiannual Gas Well Test Report.* All information contained on this form shall be available.

2.7 *Multipoint Back Pressure Test Report.* All information contained on this form shall be available.

2.8 *Sales of Lease Production.* All information contained on the monthly U.S. Geological Survey computer printout showing sales volumes, value, and royalty on production of oil, condensate, gas, and liquid products by lease shall be available.

2.9 *Availability of Inspection Records.* All accident-investigation reports, pollution-incident reports, facilities-inspection data, and records of enforcement actions are also available for public inspection.

2.10 *Availability of Data and Information Submitted by Lessees.* Certain information submitted by lessees, as a result of OCS Orders and OCS Notices to Lessees and Operators, is nonproprietary in nature, or release of such information is necessary for the proper development of the lease. This information will be made available for public inspection, except for those portions which the lessee shall designate, with the approval of the Deputy Conservation Manager (DCM), Offshore Field Operations, as trade secrets and commercial for financial information which is privileged or

confidential. The available information will include:

a. Notices of support activity.

b. Oceanographic and meteorological data collected from drilling units and production facilities during the period of operations.

c. Results of site surveys required prior to drilling or placement of platforms or structures, such as shallow geologic hazards surveys, archaeological/cultural resource surveys, or other surveys related to the placement of platforms or structures.

d. Drawings, maximum environmental design criteria, and rated capability data of mobile drilling units and structures.

e. Oil Spill Contingency Plans.

f. Critical Operations and Curtailment Plans.

g. Other data required under 30 CFR 250.34.

2.11 *Expired Leases.* All information is available upon the expiration of a lease.

3. *Information Exempt from Public Inspection.* The information in subparagraphs 2.1 through 2.4 which has been restricted from public inspection is classified as geological and geophysical data. Except as provided in 30 CFR 250.3, 250.4, and 252.7, the release of this data is subject to the following restrictions:

3.1 *Leases Issued Prior to June 11, 1976.* For leases issued prior to June 11, 1976, the classified data is exempt from disclossure under exemption No. (9) of the Freedom of Information Act [5 U.S.C. § 552(b)(9) and 43 CFR 2.13 subsection (c), *Statutory Exemptions,* (9)].

3.2 *Leases Issued After June 11, 1976.* For leases issued after June 11, 1976, the classified data is available in accordance with 30 CFR 250.3, *Data and information to be made available to the public,* as follows:

a. Geophysical data, processed geophysical information, and interpreted geological and geophysical information shall not be available for public inspection, except as provided in 2.10c, without consent of the lessee as long as the lease remains in effect or for a period of 10 years after the date of submission, whichever is less, unless the DCM, Offshore Field Operations, with the approval of the Director, determines that earlier release of this infromation is necessary for proper development of the field or area.

b. Geological data and analyzed geological information shall not be made available for public inspection without the consent of the lessee as long as the lease remains in effect or for a period of 2 years after the date of submssion, whichever is less, unless the DCM, Offshore Field Operations, with the approval of the Director, determines that earlier release of such information is necessary for the proper development of the field or area. In accordance with 30 CFR 250.38, *Well Records,* data and well records shall be transmitted to the DCM, Offshore Field Operations, upon request or, if not requested, within 30 days following completion of suspension of any well. For the purpose of orderly release of data, in all cases the date of submission will be considered to be 30 days following such completion or suspension.

4. *Departures.* All departures from the requirements specified in this Order shall be subject to approval, pursuant to 30 CFR 250.11(b).

Rodney A. Smith,

Deputy Conservation Manager, Offshore Field Operations.

Approved:

Robert L. Rioux,

Deputy Chief, Conservation Division—Offshore Minerals Regulation.

[FR Doc. 81-6539 Filed 2-26-81; 8:45 am]

BILLING CODE 4310-31-M

federal register

Friday
February 27, 1981

Part VI

Department of Energy

Economic Regulatory Administration

Enhanced Oil Recovery Projects; Proposed Decisions and Orders

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Aminoil USA, Inc.; Proposed Decision and Order Under the Tertiary Incentive Program

To: Aminoil USA, Inc. Houston, Texas.

Subject: Designation of Additional Allowed Expenses for the Huntington Beach (Zone AA) Field Enhanced Oil Recovery Project (Docket Number ERA–TA–81–04)

I. Introduction

On February 9, 1981, Aminoil USA, Inc. (Aminoil) of Houston, Texas, a subsidiary of R. J. Reynolds Industries, Inc., submitted an application pursuant to § 212.78(e)(3) of the Department of Energy's Tertiary Incentive Program for an Order which would permit Aminoil to recover expenses in addition to those otherwise recoupable under the Appendix section of 212.78 for conventional steam drive projects. The application concerns a conventional steam drive injection technique that Aminoil plans to undertake in the Huntington Beach Field (Zone AA) in Orange County, California. Aminoil is the major working interest owner and operator of the lease.

II. Background

On August 21, 1979, the 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 upon self-certification certain "allowed expenses" associated with such projects. An allowed expense is seventy-five percent of an environmental and/or 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

A. The Tertiary Incentive Application

Section 212.78(e)(3) permits a qualified producer with respect to a project to request ERA to issue an Order designating allowed expenses for the project in addition to those expenses listed in the Appendix to § 212.78 for the particular self-certifiable EOR technique used in that project. The conventional steam drive injection technique proposed by Aminoil for its Huntington Beach project is a self-certifiable technique as defined in § 212.78(c). Since Aminoil owns a working interest in the property on which the Huntington Beach project is located and will contribute to the cost of the project, it is a qualified producer with respect to the Huntington Beach project and may request the designation of allowed expenses in addition to those listed in the Appendix to § 212.78 for a conventional steam drive project.

Aminoil has requested ERA to designate several items as allowed expenses in addition to those items listed in the Appendix to 212.78 as allowed expenses for conventional steam drive projects. The items in question relate to Aminoil's plans to conduct the Huntington Beach project from an offshore platform. Some of these items, such as well costs, are included in the Appendix to 212.78 as allowed expenses for unconventional steam drive projects. Other items, such as the cost of a satellite platform for a steam generator, are not included in the Appendix to 212.78 as allowed expenses for any type of self-certifiable EOR technique.

In support of its application for additional allowed expenses, Aminoil has not demonstrated that the level of risk is higher in the Huntington Beach project than in a typical conventional steam drive project conducted onshore.

In the absence of such a showing, we are proposing to deny Aminoil's application for the designation of additional allowed expenses for the Huntington Beach project. However, prior to the issuance of a final Order concerning Aminoil's application, we will consider any additional comments by Aminoil concerning the level of risk associated with the Huntington Beach project and may determine to designate additional items as allowed expenses if Aminoil makes an adequate showing that the level of risk associated with the Huntington Beach project exceeds the level ordinarily associated with a conventional steam drive project.

IV. Comment Procedures

Title 10 CFR 205.98 requires that this Proposed Decision and Order be published in the **Federal Register** and sets forth the procedures for objection or comment. 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, SW., 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 Office of Public Information, 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).

V. Order

Aminoil's application for the designation of allowed expenses is hereby denied.

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

T. Wendell Butler,

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

[FR Doc. 81-6690 Filed 2-26-81; 11:55 am]
BILLING CODE 6450-01-M

[Docket Number ERA–TA–81–04]

Aminoil USA, Inc.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Aminoil USA, Inc. (Aminoil) a Proposed Decision and Order in response to Aminoil's request of February 9, 1981, to deny recovery of additional allowed expenses pursuant to 10 CFR 212.78(e)(3). The Decision and Order proposed would deny the request for Aminoil's enhanced oil recovery project located in the Huntington Beach Field (Zone AA) in Orange County, California.

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, we 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 Aminoil's application 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 26, 1981.

T. Wendell Butler,

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

[FR Doc. 81-6686 Filed 2-26-81; 11:55 am]

BILLING CODE 6450-01-M

Shell Oil Co.; Proposed Decision and Order Under the Tertiary Incentive Program

To: Shell Oil Company Houston, Texas.

Subject: Designation of Additional Allowed Expenses for Tatums Hefner and Dunbar Units Enhanced Oil Recovery Project (Docket Number ERA–TA–8103)

I. Interduction

On Januaray 10, 1980, Shell Oil Company (Shell) of Houston, Texas, submitted an application pursuant to § 212.78(e)(3) of the Department of Energy's Tertiary Incentive Revenue Program for an order which would permit Shell to recover expenses in addition to those otherwise recoupabale under the Appendix section of 212.78 for conventional steam drive projects. The application concerns a conventional steam drive injection technique that Shell plans to undertake on the Hefner and Dunbar Leases of the Tatums Field in Carter County, Oklahoma. Shell is the sole owner and operator of the leases. Additional data requested by the Economic Regulatory Administration (ERA) was provided by Shell on June 23, 1980, and again on August 29, 1980. Supplemental environmental data to comply with the National Environmental Policy Act (NEPA) was submitted by Shell on November 17, 1980.

II. Background

On August 21, 1979, the 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 percemt of an envoronmental and/or 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 a ERA order designating allowed expenses in addition to those designated in the Appendix to § 212.78 for self-certified projects.

III. Findings and Analysis

A. The Tertiary Incentive Application

Section 212.78(e)(3) permits a qualified producer with respect to a project to request ERA to issue an order designating allowed expenses for that project in addition to those expenses listed in the Appendix to § 212.78 for the particular self-certifiable EOR technique used in that project. The conventional steam drive injection technique proposed by Shell for its Tatums project is a self-certifiable technique as defined in § 212.78(c).

Since Shell owns the working interest in the Hefner and Dunbar property on which the Tatums project is located and will contribute to the cost of the project, it is a qualified producer with respect to the Tatums project and may request the designatioin of allowed expenses in addition to those listed in the Appendix to § 212.78 for a conventinal steam drive project.

In support of its application for additional allowed expenses, Shell has stated that the risk of failure is particularly high in the Tatums project. Three previous thermal projects in the Tatums NW field have ended in failure. Other unsuccessful efforts were made in this field to establish heat communications between wells, including steam soaks, fracturing, hot water injection and gas-steam soak. The basic problem has been the attainment of sufficient steam injection rates to maintain reservoir steam quality to overcome heat transfer losses. Therefore, there are great risks attendant to this project and the likelihood of success is maraginal.

Shell has requested ERA to designate several items as allowed expenses. Some of these items, such as well costs, are included in the Appendix to 212.78 as allowed expenses for unconventional steam drive projects. Other items, such as the full cost of oil-fueled boilers, are not included in the Appendix to 212.78 as allowed expenses for any type of self-certifiable EOR techniques.

In light of high level of risk involved in the use of a steam drive technique on the Tatums Field, we have determined additional items should be designated as allowed expenses for the Tatums Field project. Since the level of risk approximates the level of risk associated with projects in which we have defined the use of steam drive to be unconventional, we are proposing to treat the Tatums Field project as an unconventional steam drive project. We are proposing therefore to designate those items listed in the Appendix to § 212.78 as allowed expenses for the Tatums Field unconventional steam drive project. We are not proposing to designate as allowed expenses any items other than those listed in the Appendix to § 212.78 as allowed expenses for unconventional steam drive projects since Shell has not made a showing that the level of risk associated with the Tatums Field project exceeds the level of risk associated with an unconventional steam drive 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 objection or comment. 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 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. The Hefner and Dunbar units of the Tatums Field Conventional Steam Drive injection project undertaken by Shell Oil Company in the Tatums Field, Carter County, Oklahoma, is declared to be a qualified tertiary enhanced recovery project.

2. Except as otherwise indicated, the following expenses are declared to be allowed expenses for the Tatums conventional steam drive injection project undertaken by Shell Oil Company on the Hefner and Dunbar Leases in the Tatums Field, Carter County, Oklahoma:

Those items listed in the Appendix to § 212.78 as allowed expenses for unconventional steam drive projects.

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

3. This Order is based on the presumed validity of statements,

assertions, and documentary materials submitted by Shell. This Order may be revoked or modified upon a determination that the factual basis underlying the Order is incorrect.

4. Pursuant to this Order, any qualified producer with respect to the Tatums project may recover all allowed costs specified herein which were incurred and paid on or after August 22, 1979.

Issued in Washington, D.C. on February 26, 1981.

T. Wendell Butler,

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

[FR Doc. 81-6669 Filed 2-26-81; 11:55 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-81-03]

Shell Oil Co.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Shell Oil Company (Shell) a Proposed Decision and Order in response to Texaco's request of January 10, 1980, to permit recovery of additional allowed expenses pursuant to 10 CFR 212.78(e)(3). The Decision and Order proposed would allow the request for Shell's enhanced oil recovery projects located in the Tatums Hefner and Dunbar Units in Carter County, Oklahoma.

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, we 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 Shell's application 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, 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 26, 1981.

T. Wendell Butler,

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

[FR Doc. 81-6668 Filed 2-26-81; 11:55 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-81-05]

Texaco, Inc.; Proposed Decision and Order Under the Tertiary Incentive Program

To: Texaco, Incorporated, Los Angeles, California.

Subject: Designation of Additional allowed Expenses for the Wayside Canyon Unit Teritary Enhanced Recovery Project in Los Angeles County, California, (Docket Number ERA-TA-81-05).

I. Introduction

On February 12, 1981, Texaco, Incorporated (Texaco), of Los Angeles, California, 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 its self-certification of an enhanced oil recovery ("EOR") project located on the Wayside Canyon Field in Los Angeles County, California.

II. Background

On August 21, 1979, the Economic Regulatory Administration ("ERA") amended 10 CFR 212.78 to establish the Teriary 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 seventh-five percent of an environmental expense (as defined in § 212.78(c), seventh-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", 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 February 12, 1981, Texaco certified to the ERA that it had an interest in the properties on which the Wayside Cayon Project is located, and that it contributed to the operation on those properties of an EOR project which employs a conventional steam drive injection technique as defined in § 212.78(c). Thus, Texaco is a qualified producer with respect to the Wayside Cayon Project. As a result of its self-certification, Texaco is entitled to treat certain expenses, including the cost of downhole steam generators, as allowed expenses. Texaco has indicated, however, that the use of downhole steam generators involves costs (other than that of the generator itself) not ordinarily associated with a conventional steam drive injection project. Specifically, Texaco has indicated that in order to employ downhole steam generators effectively, it must enlarge the size of the injection well, install an air compressor of approximately 2650 mcfd capacity and rework some of the producing wells.

The use of downhole steam generators represents the type of technological innovation that we sought to encourage by adopting the provisions of the incentive program. On the basis of Texaco's application, it appears that its use of this innovation in the context of a convention steam drive project increases the costs associated with that project significantly beyond those ordinarily associated with a steam drive project. We believe that the use of innovative techniques should be encouraged. Since Texaco will incur greater costs than ordinarily associated with conventional steam drive projects because of its use of downhole generators, we believe that the items responsible for the additional costs should be treated as allowed expenses in order to encourage the use of innovative techniques. Accordingly, we are proposing to designate these items as allowed expenses.

IV. Comment Procedures

Pursuant to 10 CFR 205.98, this Proposed Decision and Order must be published in the Federal Register. 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 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 subparagraph below, the following expenses are declared to be allowed expenses for the Wayside Canyon Project undertaken by Texaco, Incorporated in Los Angeles County, California:

a. Costs of purchase and installation of a compressor of approximately 2650 mcfd;

b. Well costs for the single injection well to be used on the project; and

c. Well costs associated with the workover of four producing wells of the project.

In all other respects, Texaco'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 Texaco. 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 Texaco project may recover all allowed costs specified herein which were incurred and paid on or after August 22, 1979.

Issued in Washington, D.C. on February 26, 1981.

T. Wendell Butler,

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

[FR Doc. 81–6667 Filed 2–26–81; 11:55 am]

BILLING CODE 6450–01–M

[Docket Number ERA–TA–81–05]

Texaco, Inc.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Texaco Inc. (Texaco) a Proposed Decision and Order in response to Texaco's request of February 12, 1981, to permit recovery of additional allowed expenses pursuant to 10 CFR 212.78(e)(3). The Decision and Order proposed would allow the request for Texaco's enhanced oil recovery project located in the Wayside Canyon Unit in Los Angeles County, California.

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, we 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 Texaco's application 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 26, 1981.

T. Wendell Butler,

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

[FR Doc. 81–6665 Filed 2–26–81; 11:55 am]

BILLING CODE 6450–01–M

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Vol. 46, No. 39

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INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419 523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Public Inspection Desk	633-6930
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282 523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

Privacy Act Compilation	523-3517
United States Government Manual	523-5230

SERVICES

Agency services	523-3408
Automation	523-3408
Dial-a-Reg	
Chicago, Ill.	312-663-0884
Los Angeles, Calif.	213-688-6694
Washington, D.C.	202-523-5022
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public briefings: "The Federal Register—What It Is and How To Use It"	523-5235
Public Inspection Desk	633-6930
Regulations Writing Seminar	523-5240
Special Projects	523-4534
Subscription orders and problems (GPO)	783-3238
TTY for the deaf	523-5239

FEDERAL REGISTER PAGES AND DATES, FEBRUARY

10135-10450.....2
10451-10704.....3
10705-10894.....4
10895-11224.....5
11225-11500.....6
11501-11654.....9
11655-11800.....10
11801-11942.....11
11943-12190.....12
12191-12468.....13
12469-12690.....17
12691-12940.....18
12941-13198.....19
13199-13496.....20
13497-13680.....23
13681-13964.....24
13965-14110.....25
14111-14338.....26
14339-14726.....27

CFR PARTS AFFECTED DURING FEBRUARY

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Administrative Orders:

Presidential Determinations:
No. 81-2 of January 16, 1981.....11225

Memorandums:
January 29, 1981.....11227

Executive Orders:

9154 (Amended by EO 12292).....13967
9452 (Revoked by EO 12292).....13967
9799 (Revoked by EO 12292).....13967
9837 (Revoked by EO 12292).....13967
9932 (Revoked by EO 12292).....13967
10249 (Revoked by EO 12292).....13967
10471 (Amended by EO 12292).....13967
10477 (Revoked in part by EO 12292).....13967
10624 (Amended by EO 12292).....13967
10897 (Revoked by EO 12292).....13967
10903 (Amended by EO 12292).....13967
11034 (Amended by EO 12292).....13967
11219 (Amended by EO 12292).....13967
11264 (Revoked in part by EO 12292).....13967
11434 (Revoked in part by EO 12292).....13967
11636 (Revoked by EO 12292).....13967
12044 (Revoked by EO 12291).....13193
12066 (Revoked by EO 12292).....13967
12092 (Revoked by EO 12288).....10135
12137 (Amended by EO 12292).....13967
12145 (Revoked by EO 12292).....13967
12163 (Amended by EO 12292).....13967
12174 (Revoked by EO 12291).....13193
12188 (Revoked in part by EO 12292).....13967
12228 (Amended by EO 12292).....13967
12264 (Revoked by EO 12290).....12943
12278 (correction).....10895
12279 (correction).....10897
12288.....10135
12289.....12693
12290.....12943
12291.....13193
12292.....13967
12293.....13969
12294.....14111
12295.....14113

Proclamations:

4813 (Revoked by Proc. 4820).....12941
4818.....11801
4819.....12691
4820.....12941
4821.....13965

4 CFR

20.....10451

5 CFR

Ch. XIV.....11655
213.....11229
752.....12191
2424.....12191
351.....13199, 13200

Proposed Rules:

410.....13222
771.....13729

6 CFR

705.....11229
706.....11229
707.....11229

7 CFR

Ch. I.....11501
Ch. II.....11501
Ch. IX.....11501
Ch. XVIII.....11501
Ch. XXVIII.....11501
29.....10451
724.....11229
726.....11235
905.....10899, 11655, 11656, 14115
907.....10900, 11943, 12945, 14115
910.....11237, 12191, 13201, 14339
1421.....10137, 10900, 11803

Proposed Rules:

985.....12000
1007.....12709
1011.....12709
1030.....12709
1032.....12709
1046.....12709
1049.....12709
1050.....12709
1062.....12709
1064.....12709
1065.....12709

1068 12709
1071 12709
1073 12709
1076 ..... 12709, 13222
1094 12709
1096 12709
1097 12709
1098 12709
1099 12709
1102 12709
1104 12709
1106 12709
1108 12709
1120 12709
1126 12709
1131 12709
1132 12709
1138 12709
1701 ..... 10498, 11287
1747 10746
1941 11552
1962 11666
2851 10498

8 CFR

211 10901
214 ..... 10901, 11501

9 CFR

51 13670

Proposed Rules:

318 10500
381 10500

10 CFR

2 ..... 12192, 13681, 13971
11 13681
19 13971
20 13971
21 ..... 13202, 13971
30 ..... 11666, 13971
34 11804
40 ..... 11237, 11666, 13497, 13971
50 ..... 11666, 13681
51 13971
60 13971
70 ..... 11666, 12193, 12695, 13681, 13971
72 11666
73 ..... 12193, 12696
95 13203
205 ..... 11237, 12945, 14339
210 14339
211 11943
212 ..... 11804, 14339
456 ..... 11943, 14339
712 11943
1020 11943

Proposed Rules:

Ch. I 10747
30 14019
40 14021
50 ..... 10501, 11288
140 12750
211 11291
430 13517
477 13517
780 13519

12 CFR

203 11780
206 11237
217 10452
544 10705
545 ..... 10705, 13682
546 10705
552 11502
556 13682
561 13682
563 13682
570 13987
571 10705
700 13204
701 12948

Proposed Rules:

Ch. II 10747
1 12978
204 12981
217 12981

13 CFR

118 10455
119 10455

Proposed Rules:

120 ..... 12500, 14353
124 10501

14 CFR

39 ..... 10140, 11503–11506, 11944–11947, 12469–12474, 12950, 13497, 13498, 14116
43 ..... 10705, 10902, 10903
71 ..... 10903, 10904, 11507–11508, 11948–11951, 12475–12477, 12951, 12952, 13498
73 12952–12954
75 11952
91 ..... 10705, 10902, 10903
97 11509
121 ..... 10705, 10902, 10903
123 ..... 10705, 10902, 10903
125 ..... 10705, 10902, 10903
135 ..... 10705, 10902, 10903
145 ..... 10705, 10902, 10903
207 10455
208 10457
212 10457
214 10457
298 12477
324 11806
385 11807
398 13686
399 ..... 11808, 11809

Proposed Rules:

Ch. I 12981, 14132
39 ..... 10163, 11552
67 12001
71 ..... 10164, 11553–11555, 12001–12004, 12500, 12501, 12982–12985, 13524
75 12986
207 10164
208 10164
212 ..... 10164, 12753
214 10164
241 11827
252 11827
298 11555

15 CFR

19 11657
376 11809
379 11809
385 12955
399 12955
938 10141

16 CFR

13 ..... 12479, 13499, 13500, 13730
1212 10458
1500 11511
1700 13501

Proposed Rules:

Ch. I 10502, 12208
13 ..... 10921, 12753, 13235, 13730
423 10165
436 ..... 11830, 12005, 13525
457 10747
1306 11188

17 CFR

200 ..... 10904, 11810, 13505
210 12480
211 ..... 11513, 12698
229 ..... 11952, 12480, 13988
230 ..... 12195, 12480, 13505, 13988
239 11952
240 ..... 12480, 13205, 13988, 13992
241 ..... 11544, 11954
249 ..... 12480, 13205
250 ..... 12480, 13988
260 12480
270 13988

Proposed Rules:

1 ..... 11668, 13525
210 ..... 12756, 12760
229 ..... 12011, 12756
239 ..... 12756, 12760
240 ..... 12011, 14132
270 ..... 12756, 12760
274 ..... 12756, 12760
275 14353

18 CFR

4 ..... 10458, 11811
154 ..... 12198, 13687
270 12198
271 ..... 10141, 10460, 11811, 11812, 14117, 14118
273 12198
282 ..... 10148, 11812
292 11251
375 14119

Proposed Rules:

2 10165
4 10165
5 10165
16 10165
35 12208
131 10165
271 ..... 11839–11842, 12760

19 CFR

353 14006
355 ..... 10905, 12955, 13213

20 CFR

655 ..... 11253, 12205
676 ..... 11253, 12205
677 ..... 11253, 12205
678 ..... 11253, 12205
679 ..... 11253, 12205

21 CFR

Ch. 1 14340
14 ..... 12205, 13688
16 14340
20 14340
50 14340
56 14340
71 14340
131 13688
146 14340
171 14340
172 14341
178 ..... 10461, 13688
180 14340
193 12699
310 14340
312 14340
314 14340
320 14340
330 14340
361 14340
430 14340
431 14340
500 14341
510 ..... 10462, 10464, 13688
520 10463
522 ..... 10463, 13213, 13214
548 13215
558 10464
561 ..... 12700, 12956
601 14340
630 14340
812 14340
813 14340
1003 14340
1010 14340
1030 10465

Proposed Rules:

106 14355
161 13733
207 ..... 12211, 13237
210 ..... 12211, 13237
225 ..... 12211, 13237
226 ..... 12211, 13237
351 11292
452 14355
501 ..... 12211, 13237
510 ..... 12211, 13237
514 ..... 12211, 13237
558 ..... 12211, 13237
610 11672
814 12502
868 12212

22 CFR

18 12857
22 11968
41 10906
901 11180
902 11181
903 11181
904 11182
905 11183
906 11184
907 11184
908 11184
909 11184
1300 13508

23 CFR

140 ..... 10706, 10906
450 ..... 10706, 10906
630 ..... 10706, 10906
655 ..... 10706, 10906
656 ..... 10706, 10906
765 ..... 10706, 10906

Proposed Rules:

Ch. I 14132
Ch. II 14132
635 10177
1221 10922

24 CFR

42 11550
201 11550
215 11550
241 11550
300 11550
510 11550
570 13676
885 11550
3282 11550
3500 11550
3610 11550

Proposed Rules:

203 13237
207 13237
220 13237
868 10922

25 CFR

52 10707
53 10707

Proposed Rules:

700 13237

26 CFR

1 ..... 11255, 11971
5 11255
7 11255
10 11255
15A 10708, 13688
26a 10907
31 10148
53 11254
55 11255
150 ..... 11284, 13509
154 14341

Proposed Rules:

1 ..... 10510, 10749, 13241
26a 12502
48 10923
51 ..... 11292, 13525
601 13241

27 CFR

4 12493
9 12493
19 12205
211 12494
212 12494
240 12205
245 12205
250 12205
270 12205
275 12205

Proposed Rules:

181 10512

28 CFR

19 14120
61 14120

29 CFR

1 ..... 10465, 11253, 12205
2 10465
4 ..... 11284, 11971, 12206
5 ..... 10466, 11253, 12205
6 ..... 11253, 12205
207 12206
208 12206
209 12206
541 ..... 11972, 12206
1613 11284
1903 ..... 11253, 12205
1910 ..... 11253, 12205
1952 ..... 11253, 12205
1955 ..... 11253, 12205
1990 ..... 11253, 11286, 12205
2520 ..... 10465, 11253, 12205
2550 ..... 10465, 11253, 12205
2560 ..... 11253, 12205
2608 ..... 10720, 12970, 13689
2610 ..... 12970, 13689
2613 ..... 13689, 13690
2615 ..... 10720, 12970, 13690
2652 11658

Proposed Rules:

Ch. XIV 10177, 14358
29 12213
505 11672
1910 ..... 12020, 12213
2510 ..... 11292, 12214
2520 10512

30 CFR

71 10465
90 10465
211 10707
221 10707
231 10707
250 10707
270 10707
700 10707
716 10707
785 10707
948 10707
950 10707

Proposed Rules:

715 11672
731 11843
732 11843
816 11672
817 11672

31 CFR

51 10908
535 14330

32 CFR

59 10908
201 12494
369 13690
706 14341
826 10708
1292 13215
2200 11659

Proposed Rules:

299 13526
299a 13526
504 11672

33 CFR

117 ..... 10706, 10906
157 ..... 10706, 10906
161 ..... 10706, 10906
162 ..... 10706, 10906
209 11659

Proposed Rules:

Ch. I 14132
Ch. IV 14132
1 12987
92 12987
155 11556
161 12987
204 13733
207 10923

34 CFR

75 ..... 10153, 10721, 12495
76 10721
78 12495
104 ..... 12495, 13511
200 12495
201 12495
208 10153
211 12495
215 12495
220 10153
223 12495
230 12495
231 12495
300 ..... 12495, 13511
305 12495
307 12495
309 12495
315 12495
318 12495
322 12495
324 12495
332 12495
338 12495
361 12495
362 12495
365 12495
366 12495
369 12495
370 12495
371 12495
372 12495
373 12495
374 12495
375 12495
378 12495
379 12495
385 12495
386 12495
387 12495
388 12495
389 12495
390 12495
395 12495
408 12495
525 12495
526 12495
527 12495
605 11661
606 11661
624 12495
642 11661
643 ..... 11661, 12495
644 ..... 11661, 12495
645 ..... 11661, 12495
646 ..... 11661, 12495
649 12495
655 12495
656 12495
658 12495
660 12495
667 12495
668 ..... 11661, 12495
674 ..... 11661, 12495
675 ..... 11661, 12495
676 ..... 11661, 12495
682 ..... 11661, 12495
683 ..... 11661, 12495
690 ..... 11661, 12495
692 11661
726 12495
735 12495
740 12495
753 12495
757 12495
776 10721
778 10721

Proposed Rules:

100 10516
605 11678
606 11678
642 11678
643 11678
644 11678
645 11678
646 11678
668 11678
674 11678
675 11678
676 11678
682 11678
683 11678
690 11678
692 11678

35 CFR

103 12970

36 CFR

7 12496
219 11501
223 ..... 10497, 11501

Proposed Rules:

7 11556
13 14021

37 CFR

2 11548
201 12701
307 10466

38 CFR

3 11661

Proposed Rules:

3 12978

39 CFR

111 ..... 10154, 10721, 11548, 12971, 14342
601 14007

Proposed Rules:

10 11296
111 ..... 11301, 12991
776 10513

40 CFR

6 11972
7 ..... 11662, 14343
51 10910
52 ..... 10910, 11972, 14120
56 ..... 10911, 11972
81 ..... 11813, 12496
122 12414
123 ..... 10487, 14008-14012, 14123
162 ..... 11972, 13691
180 ..... 12972-12974, 14014, 14343, 14344
205 12975
230 11972
261 14125
262 12207
263 12207
264 10911
265 ..... 10911, 13492
267 12414
401 10723
403 11972
413 11972
429 11972
707 10912

Proposed Rules:

Ch. I 10177

52.....10750, 11309–11321, 11678, 11843, 12020, 12522, 12761, 13242, 13735, 14135
58.....12022
60.....10752, 11490, 11557, 12023, 14358
61.....12188
81.....12023
122.....11126, 11680, 13735
123.....13242, 13735, 13736
124.....13735
180.....11680, 11681, 12762–12764
230.....11323
260.....11126, 11680
264.....11126, 11680
410.....11322
420.....14135
465.....14136
466.....12765
610.....11322
720.....12991

41 CFR

Ch. 18 (Parts 3, 4, 5).....10489
Ch. 18 (Parts 3, 20, Appendix E).....10495
1–7.....13217
7–4.....10912
7–7.....10912
8–1.....14125
60–1.....11253, 12205
105–61.....14015

Proposed Rules:

1–4.....10924
9–1.....12646
9–3.....12646
9–4.....12646
9–7.....12646
9–9.....12646
9–16.....12646
9–23.....12646
9–50.....12646
12.....14132
29–15.....11323
101–43.....11845
101–47.....11845

42 CFR

110.....13511, 14015

43 CFR

9.....10707
35.....14128
2090.....10707
2091.....10707
2200.....10707
2210.....10707
2220.....10707
2250.....10707
2260.....10707
2270.....10707
2300.....10707
2310.....10707
2320.....10707
2340.....10707
2350.....10707
2920.....10707
4100.....10497, 12496

Proposed Rules:

3100.....11557
426.....12991, 12992
3500.....11557

Public Land Orders:

1109 (Revoked by PLO 5849).....11973
1258 (Revoked by PLO 5848).....11973
3869 (Revoked in part by PLO 5855).....11973
5778 (corrected by PLO 5856).....13217
5797.....10707
5798.....10707
5799.....10707
5802.....10707
5803.....10155
5804.....10707, 11973
5805.....10707
5806.....10707
5809.....10707
5811.....12207
5812.....10707
5814.....10707
5817.....10707
5818.....10707, 12207
5819.....10707
5820.....11973
5821.....10707
5824.....10707
5825.....10707, 12497
5826.....10707
5827.....10707
5828.....10707, 12497
5829.....12497
5830.....10707
5831.....10707
5832.....10707
5833.....10707, 12497
5834.....10707
5835.....12497
5836.....10707
5837.....10707
5838.....10707
5839.....10707, 12497
5840.....10707
5841.....10707
5842.....10707
5844.....10707
5845.....10707, 12207
5846.....10707
5848.....10707, 11973
5849.....10707, 11973
5850.....10707
5851.....10707
5852.....10707, 11973
5853.....10707
5854.....10707
5855.....10707, 11973
5856.....13217
5857.....14016
5858.....14016
5859.....14016

44 CFR

61.....13512
62.....13512
64.....11813, 11816, 11818, 11819, 13691, 13693, 14129
65.....13695, 13696
67.....13697–13721

Proposed Rules:

61.....13527
62.....13527
67.....10753–10763, 11682–11688, 13736–13738, 14136–14147
333.....13528

45 CFR

1012.....11973, 12498
1060.....13221, 13515
1067.....12499

Proposed Rules:

1070.....12522
1152.....11557

46 CFR

536.....12705, 13217

Proposed Rules:

Ch. I.....14132
Ch. III.....14132
12.....11565
13.....11565
30.....11565
31.....11565
35.....11565
50.....12524
54.....12524
56.....12524
58.....12524
61.....12524
70.....11565
90.....11565
98.....11565
105.....11565
151.....11565
153.....11565
157.....11565
381.....10515
520.....12524
524.....10178, 13243
549.....10767

47 CFR

0.....13888
2.....11974
17.....10915
73.....10724–10737, 10916, 11549, 11825, 11983, 12706, 13515, 13722–13727, 13888, 14017, 14131, 14344–14347
76.....12975
81.....10155, 12976
90.....11974
97.....10915

Proposed Rules:

Ch. I.....10924, 11846, 12024, 12032
2.....10768, 14358
22.....10768, 14358
73.....10177, 10772–10784, 10963–10968, 11846, 13738–13740, 14359, 14361
76.....12525
90.....11847
94.....10768, 14358

48 CFR

Proposed Rules:

7.....11324

49 CFR

1.....10919
173.....10706, 10906
179.....10706, 10906
192.....10157, 10706, 10906
195.....10157, 10706, 10906
460.....10706, 10906
613.....10706, 10906
635.....10706, 10906
639.....10706, 10906
640.....10706, 10906
642.....10706, 10906
1033.....10497, 10740–10743
1039.....14348
1048.....11286
1090.....14348
1100.....13727
1109.....10162
1131.....13727
1201.....10919
1206.....10919
1207.....10919
1248.....10745
1252.....14352
1254.....11662
1300.....14348
1331.....10920

Proposed Rules:

Ch. I.....14132
Ch. II.....14132
Ch. III.....14132
Ch. IV.....14132
Ch. V.....14132
Ch. VI.....14132
512.....10969
571.....10179, 10428, 10969, 12033
575.....10429
1002.....14362
1039.....12526, 14364, 14365
1043.....11566
1044.....10180
1084.....11566
1090.....12526
1100.....13741
1101.....13741
1109.....10181, 10182
1116.....14362
1131.....13741, 13749
1131a.....13741
1201.....13244
1206.....13244
1296.....13244
1300.....12526, 14364
1301.....14364
1310.....13751

50 CFR

17.....10707, 11665, 11999
260.....13220
285.....12207
611.....12977, 14352

Proposed Rules:

17.....11567, 12214, 14652
23.....12215
36.....14021
216.....10785
611.....10182, 13244
639.....10515
643.....10182, 13244
661.....10182

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
DOT/FHWA	USDA/REA		DOT/FHWA	USDA/REA
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/NHTSA	LABOR		DOT/NHTSA	LABOR
DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing February 19, 1981

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 2½ hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between Federal Register and the Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them, as part of the General Services Administration's efforts to encourage public participation in Government actions. There will be no discussion of specific agency regulations.

WHEN: March 13 and 27, April 10 and 24; at 9 a.m. (identical sessions).

WHERE: Office of the Federal Register, Room 9409, 1100 L Street NW., Washington, D.C.

RESERVATIONS: Call King Banks, Workshop Coordinator, 202-523-5235.



Advance Orders are now Being Accepted for Delivery in About 6 Weeks

Code of Federal Regulations

Revised as of October 1, 1980

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