

Federal Register

Monday
March 23, 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.

- 18013 National Day of Prayer** Presidential proclamation
- 18174 Budget Rescissions and Deferral** OMB issues report of 81 proposals rescinding a total of \$11.1 billion in budget authority previously provided by Congress (Part III of this issue)
- 18055 Legal Services** LSC proposes a comprehensive statement of grant and contract related civil rights obligations of corporation recipients in delivery of services and employment practices; comments by 4-22-81
- 18170 Nuclear Materials** DOE publishes criteria for determining eligibility for access to classified matter or special nuclear material; effective 4-22-81 (Part II of this issue)
- 18061 Natural Gas** ANGSTS seeks comments by 4-6-81 on final design cost estimate of the Eastern Leg "Prebuild" segment

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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.

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- 18026 Environmental Protection** CEQ publishes memorandum to agencies containing answers to 40 most asked questions on National Environmental Policy Act regulations (NEPA)
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- 18015 Banks and Banking** FRS amends Regulation K by removing ineligible bankers' acceptances from the limitation on the total amount of bankers' acceptances that foreign branches of member banks may issue; effective 3-16-81
- 18045 Nuclear Safety** NRC proposes to add to its power reactor safety regulations a set of licensing requirements, applicable only to construction permit and manufacturing license applications; comments by 4-13-81
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Title 3—

Proclamation 4826 of March 19, 1981

The President

National Day of Prayer, 1981

By the President of the United States of America

A Proclamation

Our Nation's motto—"In God We Trust"—was not chosen lightly. It reflects a basic recognition that there is a divine authority in the universe to which this Nation owes homage.

Throughout our history Americans have put their faith in God and no one can doubt that we have been blessed for it. The earliest settlers of this land came in search of religious freedom. Landing on a desolate shoreline, they established a spiritual foundation that has served us ever since.

It was the hard work of our people, the freedom they enjoyed and their faith in God that built this country and made it the envy of the world. In all of our great cities and towns evidence of the faith of our people is found: houses of worship of every denomination are among the oldest structures.

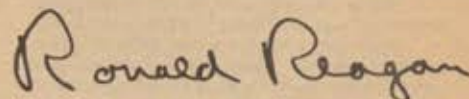
While never willing to bow to a tyrant, our forefathers were always willing to get to their knees before God. When catastrophe threatened, they turned to God for deliverance. When the harvest was bountiful the first thought was thanksgiving to God.

Prayer is today as powerful a force in our Nation as it has ever been. We as a Nation should never forget this source of strength. And while recognizing that the freedom to choose a Godly path is the essence of liberty, as a Nation we cannot but hope that more of our citizens would, through prayer, come into a closer relationship with their Maker.

Recognizing our great heritage, the Congress, by Joint Resolution approved April 17, 1952 (36 U.S.C. 169h; 66 Stat. 64), has called upon the President to set aside a suitable day each year as a National Day of Prayer.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim Thursday, May 7, 1981, National Day of Prayer. On that day I ask all who believe to join with me in giving thanks to Almighty God for the blessings He has bestowed on this land and the protection He affords us as a people. Let us as a Nation join together before God, fully aware of the trials that lie ahead and the need, yes, the necessity, for divine guidance. With unshakable faith in God and the liberty which is heritage, we as a free Nation will surely survive and prosper.

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



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Rules and Regulations

Federal Register

Vol. 46, No. 55

Monday, March 23, 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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

Change of Telephone Number for NRC Regional Office

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; change of telephone number.

SUMMARY: The Nuclear Regulatory Commission is amending its regulations to change a telephone number officially identified in its regulation 10 CFR Part 20, "Standards for Protection Against Radiation", as the telephone number for NRC's Region IV office located in Arlington, Texas.

EFFECTIVE DATE: March 23, 1981.

FOR FURTHER INFORMATION CONTACT:

John D. Phillips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC, 20555. Telephone (301) 492-7086.

SUPPLEMENTARY INFORMATION: Effective March 30, 1981, the telephone number for the Nuclear Regulatory Commission's Region IV office located in Arlington, Texas at 611 Ryan Plaza Drive, will be changed to 817-465-8100.

Since this amendment relates solely to a minor procedural matter, notice of proposed rulemaking and public procedure thereon are unnecessary, and good cause exists to make the amendments effective upon publication in the *Federal Register* (March 23, 1981).

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of Title 5 of the

United States Code, the following amendment to 10 CFR Part 20 is published as a document subject to codification.

Part 20—Appendix D [Amended]

1. In Appendix D, the telephone number for NRC's Region IV Office in Arlington, Texas is revised (for both Daytime and Nights and Holidays) to read as follows:

Appendix D—United States Nuclear Regulatory Commission Inspection And Enforcement Regional Offices

* * * * *
Region IV * * *
Telephone: (817) 465-8100.
* * * * *

(Sec. 161i, Pub. L. 83-703, 68 Stat. 948, Pub. L. 93-377, 42 U.S.C. 2801(i))

Dated at Bethesda, Maryland, this 13th day of March, 1981.

For the Nuclear Regulatory Commission,
William J. Dircks,

Executive Director for Operations.

(PR Doc. 81-6797 Filed 3-23-81; 8:45 am)

BILLING CODE 7590-01-M

FEDERAL RESERVE SYSTEM

12 CFR Part 211

[Regulation K; Docket No. R-0353]

International Banking Operations; Issuance of Ineligible Acceptances by Foreign Branches of Member Banks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board of Governors has amended Regulation K—International Banking Operations to remove ineligible bankers' acceptances from the limitation on the total amount of bankers' acceptances that foreign branches of member banks may issue. Removal of this restriction will assure that the regulatory treatment of bankers' acceptances issued by a foreign branch of a member bank is on the same basis as those issued by a member bank domestically.

EFFECTIVE DATE: March 16, 1981.

FOR FURTHER INFORMATION CONTACT: Gilbert T. Schwartz, Associate General

Counsel (202/452-3625), or Paul S. Pilecki, Attorney (202/452-3281), Legal Division, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

SUPPLEMENTARY INFORMATION: Under Regulation K—International Banking Operations (12 CFR Part 211), a foreign branch of a member bank is authorized to issue acceptances of drafts or bills of exchange drawn upon it ("bankers' acceptances"); however, all such acceptances, whether eligible¹ or ineligible, are subject to the amount limitations of paragraph 7 of section 13 of the Federal Reserve Act (12 U.S.C. 372) ("Act"). That provision of the Act limits the amount of eligible acceptances that a member bank may issue to 50 percent of its paid-up and unimpaired capital stock and surplus (100 percent upon approval by the Board). The Board has amended Regulation K to provide that only eligible acceptances issued by a member bank's foreign branches will count towards the aggregate limitation on bankers' acceptances in the Act. Ineligible acceptances also will not be subject to the per customer lending limitation of paragraph 7 of section 13.

In 1963, the Board authorized the foreign branches of member banks to issue acceptances as a means of liberalizing the powers of such branches. However, all acceptances, both eligible and ineligible, were to be counted as part of the aggregate limitation on eligible acceptances of the member bank. For those member banks that are at or near the statutory maximum, the limitation restricts the issuance of ineligible acceptances by foreign branches of member banks, particularly those denominated in

¹ An "eligible" acceptance generally is one that (1) grows out of a trade transaction involving exporting, importing, or storage or domestic shipment of goods, and (2) has a maturity of not more than six months' sight to run. Acceptances created to finance the domestic shipment of goods are eligible if they have attached at the time of acceptance shipping documents conveying or securing title to the goods; acceptances financing the domestic storage transactions are eligible if secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title involving readily marketable staples. In addition, certain dollar exchange transactions also may be eligible for discount (paragraph 12 of section 13 of the Act). All other acceptances are regarded as "ineligible."

foreign currencies which are readily marketable abroad. The competitive ability of foreign branches of some member banks is thereby impaired.

The Board believes that foreign branch ineligible acceptances are functionally equivalent to certificates of deposit issued by the foreign branches and therefore should be treated on the same basis. Consequently, it is appropriate to remove the restrictions on issuance of ineligible acceptances at this time. In this regard, ineligible acceptances and certificates of deposit issued by a foreign branch of a member bank or of any other depository institution are not now subject to reserve requirements if they are payable only outside the United States. However, were the Board to impose reserve requirements on any substantially similar instruments issued by foreign branches, such as Eurocurrency CDs, ineligible acceptances would likely be subject to the same reserve requirements.

The Board believes that this modification, which relieves a regulatory restriction, will enhance the competitive position of foreign branches of member banks. Consequently, the Board for good cause finds that the notice, public procedure, and deferral of effective date provisions of 5 U.S.C. 553 (b) and (d) with regard to this action are unnecessary and contrary to the public interest.

Effective March 16, 1981, pursuant to the Board's authority under section 25 of the Federal Reserve Act (12 U.S.C. 601), Regulation K (12 CFR Part 211) is amended by revising subparagraph (2) of § 211.3(b) to read as follows:

§ 211.3 Foreign branches of member banks.

* * * * *

(b) * * *

(2) accept drafts or bills of exchange drawn upon it; however, such acceptances that are of the type described in paragraph 7 of section 13 of the FRA (12 U.S.C. 372) shall be subject to the amount limitations provided therein and such acceptances that are of the type described in paragraph 12 of section 13 of the FRA shall be subject to the amount limitations provided therein;

* * * * *

By order of the Board of Governors, March 16, 1981.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-8765 Filed 3-20-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 80-NW-65-AD; Amdt. 39-4072]

Airworthiness Directives: Boeing Model 737 Series Airplanes Prior to Line No. 726

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule.

SUMMARY: On December 13, 1980, the FAA issued a telegraphic Airworthiness Directive, AD T80-26-51, to all known operators of Boeing Model 737 series airplanes, effective upon receipt, which required inspection of the bolt assembly installed in the inner and lower clevis of each elevator Power Control Unit (PCU) input rod on all 737 airplanes if the bolts had not previously been removed and reinstalled since manufacture. This action was necessary because bolt assemblies have been found displaced from the lower PCU input rod assembly or with stop nuts missing. Inspection will detect and result in correcting any loose or missing bolt assemblies which could cause loss of elevator control. The AD is hereby published in the **Federal Register** to make it effective to all persons.

DATES: Effective date April 1, 1981. This AD was effective earlier to all recipients of the telegraphic AD T80-26-51 dated December 13, 1980. Initial compliance is within 150 flight hours.

FOR FURTHER INFORMATION CONTACT:

Mr. Harold N. Wantiez, Airframe Branch, ANW-120S, Seattle Area Aircraft Certification Office, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, telephone (206) 767-2516.

SUPPLEMENTARY INFORMATION: During a preflight control check a pilot had difficulty in returning the control column to neutral and upon investigation a bolt assembly was found displaced from the lower PCU input rod assembly. An inspection was made of other aircraft in the operator's fleet and two stop nuts were found missing on one other airplane. Both airplanes were delivered during 1980.

The results of inspections to date indicate that the problem arose at the time of production, and therefore the inspection is not required for aircraft on which the bolts have been removed and reinstalled, or inspected in the manner specified in the AD, since manufacture. The rule affects only aircraft prior to production line number 726.

Since a situation existed that required immediate adoption of this regulation, it was found that notice and public procedure thereon were impracticable and good cause existed at the time of issuance, and still exists, for making this amendment effective in less than 30 days.

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

All persons affected by this directive who have not already received these documents from the manufacturer, may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington, 98124. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

Adoption of the Amendment

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

Boeing: Applies to Boeing Model 737 series airplanes, certified in all categories, prior to line number 726. To prevent control system jamming, accomplish the following within the next 150 hours time-in-service after the effective date unless already accomplished, or unless the affected bolt assemblies have been removed and reinstalled since manufacture:

1. Inspect the bolt assemblies installed at the upper and lower clevis of each elevator power control unit input rod assembly for proper installation in accordance with Boeing Alert Service Bulletin 27A1109, dated December 11, 1980, or later FAA-approved revisions. Bolt assemblies not properly installed must be reinstalled in accordance with the service bulletin.

2. Alternate methods of compliance with this Airworthiness Directive may be used when they are approved by the Chief, Seattle Area Aircraft Certification Office, FAA Northwest Region.

This amendment becomes effective April 1, 1981, and was effective earlier to those recipients of telegraphic AD T80-26-51 dated December 13, 1980.

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

Note.—The FAA has determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to

follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT."

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Wash., on March 12, 1981.
Jonathan Howe,
Deputy Director, Northwest Region.

The incorporation by reference provision in this document was approved by the Director of the Federal Register on June 19, 1987.

[FR Doc. 81-4708 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-NW-5-AD; Amdt. 39-4067]

Canadair Limited Model CL-44D4 and CL-44J Airplanes; Airworthiness Directive

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new Airworthiness Directive (AD) which requires inspections to detect cracks and corrosion on the nose landing gear crossbeam on Canadair CL-44D4 and CL-44J airplanes and repair and replacement of parts, when necessary. This AD is necessary because there have been reports of stress corrosion cracking along the horizontal parting plane on both the forward and aft external faces of the forging, and cracking in the pivot pin taper bores. Failure of the crossbeam could result in collapse of the nose landing gear.

DATES: Effective date March 31, 1981. Compliance schedule—as prescribed in the body of the AD.

ADDRESSES: The applicable service information may be obtained from: Canadair Limited, Post Office Box 6087, Montreal, Quebec, Canada H3C 3G9, Attention: Mr. W. Remington, Airworthiness Coordinator. Also, a copy

of the service information may be reviewed at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington, 98108; or FAA Eastern Region, Federal Building, JFK International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT:

Mr. D. C. Jacobsen, Acting Chief, Aircraft Certification Division, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, telephone (206) 767-2565, or Lester Lipsius, Aerospace Engineer, Airframe Branch, AEA-212, Engineering and Manufacturing Branch, FAA Eastern Region, Federal Building, JFK International Airport, Jamaica, New York 11430, telephone (212) 995-2875.

SUPPLEMENTARY INFORMATION: There have been at least seven occurrences of stress corrosion cracking of the nose landing gear crossbeam, P/N 44-85082, of which five were on British Britannia aircraft and two were on CL-44 aircraft in British registry. An earlier Airworthiness Directive 74-26-03, Amdt. 39-2045, 39 FR 43295 was issued to correct the problem by requiring an external inspection of the crossbeam. Since then, additional cracks have been found in the pivot pin taper bores. This rule which supersedes AD 74-26-03, requires an inspection of the internal bore for cracks which, if allowed to progress, will result in beam failure and gear collapse. Since this condition is likely to exist or develop in other airplanes of the same type design in U.S. registry, an Airworthiness Directive is being issued which requires inspection, rework, or replacement of the affected part in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region. Accomplishment of Canadair Service Information Circular (SIC) No. 431-CL44, dated June 11, 1980, has been FAA approved as a means of compliance with this Airworthiness Directive.

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

Adoption of Amendment

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

Canadair: Applies to all Canadair Models CL-44D4 and CL4J aircraft certificated in all categories with nose landing gear

crossbeam, P/N 44-85082 or P/N 44-85082-2.

Compliance required as indicated.

A. To prevent failure of the nose landing gear crossbeam, accomplish the following:

1. Within the next 30 days after the effective date of this AD, unless already accomplished within the last 60 days, conduct the following inspections for cracks and corrosion:

(a) Using dye penetrant and a 10-power glass, inspect the forward and aft external faces as detailed in paragraph 3.2 and shown in Figure 1 of Canadair Service Information Circular (SIC) No. 431-CL44, dated June 11, 1980, or an approved equivalent inspection.

(b) Using eddy current procedure, inspect the pivot pin taper bore as detailed in paragraph 3.3 and shown in Figure 2 of SIC No. 431-CL44, or an approval equivalent inspection.

2. Within the next 65 hours in service or 30 days, whichever occurs first, after the initial inspection specified in paragraph A1, conduct a visual inspection of the forward and aft external faces as detailed in paragraph 3.1 as shown in Figure 1 of SIC No. 431-CL44, or an approved equivalent inspection.

3. The inspection specified in paragraph A2 shall be repeated at intervals not to exceed 65 hours in service or 30 days, whichever occurs first, from the previous visual inspection. The inspection specified in paragraph A1(a) shall be repeated at intervals not to exceed 650 hours in service or 90 days, whichever occurs first. The inspection specified in paragraph A1(b) shall be repeated at intervals not to exceed 1300 hours in service or 180 days, whichever occurs first.

B. A cracked crossbeam must be replaced prior to further flight with a part of the same number or equivalent, or repaired by an approved method. An acceptable replacement part is a Britannia crossbeam, Messier P/N 200192-302, conforming to Aviation Traders (Engineering) Limited (ATL) Modification No. 44/094 and Drawing No. 78-41-039, in accordance with paragraph 5.3 of SIC No. 431-CL44.

C. Remove any corrosion found in the inspection areas and reprotect the surface in accordance with instructions in paragraph 6.0 on SIC No. 431-CL44, or equivalent.

D. All replacement or repaired crossbeams must be inspected for cracks immediately prior to installation, in accordance with paragraphs A1(a), A1(b), and A2, and at repetitive intervals in accordance with paragraph A3.

E. The aircraft may be flown, in accordance with FAR 21.197, to a base where the inspection or repair can be performed.

F. Equivalent means of accomplishing the repairs, equivalent inspections, and parts must be approved by the Chief, Aircraft Certification Division, FAA Northwest Region.

G. Upon submission of substantiating data by an owner or operator, through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the inspection intervals specified in this AD.

This AD supersedes AD 74-26-03.

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

All persons affected by this directive who have not already received these documents from the manufacturer, may obtain copies upon request to Canadair Limited, P.O. Box 6087, Montreal, Quebec, Canada H3C 3G9, Attention Mr. W. Remington, Airworthiness Coordinator. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

This amendment becomes effective March 31, 1981.

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

Note.—The FAA has determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in an aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT".

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Wash., on March 11, 1981.
Jonathan Howe,
Acting Director, Northwest Region.

The incorporation by reference provision in this document was approved by the Director of the Federal Register on June 9, 1987.

[FR Doc. 81-8711 Filed 3-30-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-NW-14-AD; Amdt. No. 39-4073]

Airworthiness Directives: Lockheed-California Co. Model L-1011 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new Airworthiness Directive (AD) which requires inspection of Lockheed Model L-1011 Series aircraft main landing gear wheels and the removal from service of all wheels found to have cracks. This AD is needed to insure that L-1011 main landing gear wheels are retired before cracks in the wheel bead seat radius area propagate to the extent to cause wheel flange separation in flight, resulting in structural damage and possible decompression.

DATES: Effective date April 15, 1981. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from: Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1. This information also may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 15000 Aviation Boulevard, Hawthorne, California 90261.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Bonanno, Aerospace Engineer, Systems and Equipment Branch, ANW-130L, Federal Aviation Administration, Northwest Region, Los Angeles Area Aircraft Certification Office, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009, telephone (213) 536-6387.

SUPPLEMENTARY INFORMATION: An accident occurred on December 23, 1980, involving a foreign air carrier Model L-1011 aircraft main landing gear wheel rim which disintegrated in flight causing two fatalities and damaging aircraft structure and portions of hydraulic, electrical, and flight control systems. It has been determined that the cause of the wheel failure was material fatigue, which initiated from a surface corrosion pit. An eddy current inspection has been developed which will detect wheel bead seat area cracks of the size that could possibly progress to wheel failure prior to the next inspection interval.

Since this condition is likely to exist or develop on other airplanes of the same type design, an airworthiness directive is being issued which requires inspections and replacement, as necessary, of Goodrich main landing gear wheels on Lockheed Model L-1011 series airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and

good cause exists for making this amendment effective in less than 30 days.

Adoption of the Amendment

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

Lockheed-California: Applies to Model L-1011 series airplanes certificated in all categories. Compliance required as indicated. To prevent possible failures of the main landing gear wheels, accomplish the following:

Inspect Goodrich main landing gear wheel assemblies for cracks, pits and corrosion in accordance with Lockheed Service Bulletin 093-32-184 dated February 5, 1981, and Goodrich Service Bulletin 393, Revision 1, dated February 20, 1981, in accordance with the following schedule:

A. All in service Goodrich wheel assembly part numbers 3-1311-3 and 3-1365 (wheel outboard half P/N 10-1323 below change G, and wheel inboard half P/N 10-1324 and 10-1324-1 below change G) must be inspected at the next tire change on a main landing gear wheel/tire assembly after the effective date of this AD, and thereafter reinspected at each subsequent tire change.

B. All in service Goodrich wheel assembly part numbers 3-1365 (wheel outboard half P/N 10-1323 change G and up, and wheel inboard half P/N 10-1324-1 change G and up), 3-1365-1, 3-1375, and 3-1375-1 must be inspected at the fourth tire change on a main landing gear wheel assembly after the effective date of this AD, and thereafter reinspected at each subsequent fourth tire change.

C. Wheel halves found to have confirmed defects shall be replaced with an appropriate wheel-half inspected and found to be satisfactory in accordance with this AD or with a new or unused wheel-half; except that if an inspected or new or unused wheel-half is not available, an uninspected wheel/tire assembly may be installed and the airplane operated to the next airport where the inspections can be accomplished, but in no event shall the uninspected wheel exceed ten landings. NOTE: Wheel half assemblies specified in paragraph B of this AD are considered new or unused until the fourth tire change.

D. If a tire change is required at a station where the inspections required by this AD cannot be accomplished, an uninspected wheel/tire assembly may be installed and the airplane may be operated to the next airport where the inspections can be accomplished, but in no event shall the uninspected wheel exceed ten landings.

E. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the inspection requirements of this AD.

F. Alternative means of compliance, or other actions which provide an equivalent level of safety, may be used when approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Region.

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

All persons affected by this directive who have not already received these documents may obtain copies upon request to Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 15000 Aviation Boulevard, Hawthorne, California 90261.

This amendment becomes effective April 15, 1981.

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

Note.—The FAA has determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impractical for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT".

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Wash., on March 13, 1981.

Jonathan Howe,
Acting Director, Northwest Region.

The incorporation by reference provision in the document was approved by the Director of the Federal Register on June 9, 1967.

[FR Doc. 81-8710 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 21523; Amdt. 39-4074]

Airworthiness Directives; Partenavia Costruzioni Aeronautiche S.p.A. Models P68 and P68B Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires an inspection, and adjustment if necessary, of the longitudinal trim tab position indicator to preclude the possibility of an incorrect trim tab position indication at the time of takeoff, and the installation of a new trim cable travel stop and keep plate and a metal indicator plate where necessary, on certain Partenavia Model P68 and P68B series airplanes. This AD is necessary to preclude inadvertent positioning of the longitudinal trim tab to an incorrect position for takeoff because of indicator error which could result in loss of control of the airplane.

DATES: Effective April 6, 1981.

Compliance schedule—as prescribed in body of AD.

ADDRESSES: The applicable service bulletin may be obtained from: Partenavia Costruzioni Aeronautiche S.p.A., Via Cava, Casoria—Napoli, Italy.

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

FOR FURTHER INFORMATION CONTACT: C. Christie, Chief, Aircraft Certification Staff, AEU-100, Europe, Africa and Middle East Office, Federal Aviation Administration, c/o American Embassy, Brussels, Belgium, Telephone: 513.38.30, or C. Chapman, Chief, Technical Standards Branch, AWS-110, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, Telephone: 202-426-8374.

SUPPLEMENTARY INFORMATION: The FAA has determined that the longitudinal trim tab position indicator, located on the control pedestal in the cockpit, can be inadvertently repositioned, thereby causing an incorrect setting of the longitudinal trim tab for takeoff, on certain Partenavia Model P68 and P68B series airplanes, which could result in loss of control of the airplane during the takeoff. Since this condition is likely to exist or develop on other airplanes of the same type design, an airworthiness directive is being issued which requires an inspection before each flight, and adjustment if necessary, to ensure that the longitudinal trim tab position agrees

with the cockpit indicator, until the airplane is modified by the installation of a metal indicator plate at the pedestal and, for specified serial number airplanes, a longitudinal trim tab cable guide and cable stop.

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

Adoption of the Amendment

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

Partenavia Costruzioni Aeronautiche S.p.A.:

Applies to Model P68 and P68B series airplanes, Serial Numbers 1 to 75 inclusive which do not have Partenavia Kit P/N 68-010 installed, and Serial Numbers 76 to 159 inclusive which do not have Partenavia Kit P/N 68-009 installed, certificated in all categories.

Compliance is required as indicated, unless already accomplished.

To prevent inadvertent positioning of the longitudinal trim tab to an incorrect position for takeoff, accomplish the following:

(a) Before each flight, until the airplane is modified in accordance with paragraph (e) of this AD—

(1) Set the longitudinal trim tab position indicator to the zero position.

(2) Position the leading edge of the stabilator to the zero reference point on the left, aft side of the fuselage, as described in Partenavia Service Bulletin No. 41, dated October 5, 1978 (hereinafter referred to as the Service Bulletin), or an FAA-approved equivalent.

(3) Check that the longitudinal trim tab is streamlined with the stabilator.

(b) If, as a result of the check in paragraph (a) of this AD, the longitudinal trim tab is streamlined, the longitudinal trim tab position indicator is positioned correctly.

(c) If, as a result of the check in paragraph (a) of this AD, the longitudinal trim tab is not streamlined with the stabilator:

(1) Reposition the longitudinal trim tab position indicator to read zero when the longitudinal trim tab and stabilator are streamlined with the stabilator leading edge set to its zero reference; or

(2) Set the stabilator leading edge to the zero reference as in paragraph (a)(2) of this AD, and rotate the trim wheel until the stabilator and the longitudinal trim tab are streamlined to obtain a new zero position for the trim tab position indicator. Note the amount and direction the new zero point varies from the originally marked zero point and install, adjacent to the longitudinal trim tab position indicator, a placard which shows the amount and direction of the correction

that must be used when setting the longitudinal trim tab for takeoff.

(d) The check required by paragraph (a) of this AD and the repositioning required by paragraph (c) of this AD may be performed by the pilot and an entry made in the airplane maintenance records in accordance with Part 43 of the Federal Aviation Regulations.

(e) Within 50 hours time in service after the effective date of this AD—

(1) For airplanes with Serial Numbers 1 to 75 inclusive, install Partenavia Kit P/N 68-010 in accordance with the kit manufacturer's instructions, or an FAA-approved equivalent.

(2) For airplanes with Serial Numbers 76 to 159 inclusive install Partenavia Kit P/N 68-009 in accordance with the kit manufacturer's instructions, or an FAA-approved equivalent.

(f) If an equivalent means of compliance is used in complying with this AD, that equivalent must be approved by the Chief, Aircraft Certification Staff, AEU-100, FAA, Europe, Africa and Middle East Office, c/o American Embassy, Brussels, Belgium.

This amendment becomes effective April 6, 1981.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Partenavia Costruzioni Aeronautiche S.p.A., Via Cava, Casoria—Napoli, Italy. These documents may be examined at FAA Headquarters, Room 916, 800 Independence Avenue, SW., Washington, DC 20591.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1855(c)); 14 CFR 11.89)

Note.—The FAA has determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT".

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As

such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Washington, D.C., on March 13, 1981.

George J. Pour,
Acting Director of Airworthiness.

The incorporation by reference provision in this document was approved by the Director of the Federal Register on June 19, 1967.

[FR Doc. 81-8541 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 21513; Amdt. No. 1186]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

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

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

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

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

FOR FURTHER INFORMATION CONTACT:

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

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

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

This amendment to Part 97 is effective March 23, 1981 and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require

making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

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

Adoption of the Amendment

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

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

* * * Effective May 14, 1981

Meridian, MS—Key Field, VOR-A, Amdt. 12
Memphis, TN—Memphis Intl, VOR Rwy 18R, Amdt. 1

* * * Effective April 30, 1981

West Memphis, AR—West Memphis Muni, VOR/DME-A, Amdt. 3
Avalon, CA—Catalina, VOR-A, Amdt. 3
Avalon, CA—Catalina, VOR/DME-B, Amdt. 1
Twentynine Palms, CA—Twentynine Palms, VOR Rwy 26, Original
Atlanta, GA—DeKalb-Peachtree, VOR Rwy 27, Amdt. 13
Bainbridge, GA—Commodore Decatur, VOR-C, Amdt. 1
Moultrie, GA—Moultrie Municipal, VOR Rwy 4, Amdt. 10
Marion, IN—Marion Muni, VOR Rwy 4, Amdt. 8
Marion, IN—Marion Muni, VOR Rwy 15, Amdt. 5
Marion, IN—Marion Muni, VOR Rwy 22, Amdt. 11
Parsons, KS—Tri-City, VOR Rwy 13, Original
Caribou, ME—Caribou Muni, VOR-A, Amdt. 6
Davison, MI—Davison Genova, VOR Rwy 8, Amdt. 1
Hillsdale, MI—Hillsdale Muni, VOR-A, Amdt. 4
Plymouth, MI—Mettetal, VOR-A, Amdt. 5
Salem, MI—Salem, VOR-A, Amdt. 3
Wixom, MI—Spencer Field, VOR-A, Amdt. 1
Minneapolis, MN—Flying Cloud, VOR Rwy 9L, Amdt. 10, cancelled
Minneapolis, MN—Flying Cloud, VOR Rwy 9R, Amdt. 2

Minneapolis, MN—Flying Cloud, VOR Rwy 36, Amdt. 7
Thief River Falls, MN—Thief River Falls Regional, VOR Rwy 13, Amdt. 6
Thief River Falls, MN—Thief River Falls Regional, VOR/DME Rwy 13, Amdt. 1
Thief River Falls, MN—Thief River Falls Regional, VOR Rwy 31, Amdt. 7
Thief River Falls, MN—Thief River Falls Regional, VOR/DME Rwy 31, Amdt. 2
Somerville, NJ—Somerset, VOR Rwy 8, Amdt. 9
Lexington, NC—Lexington Muni, VOR/DME Rwy 8, Original
Maxton, NC—Laurinburg-Maxton, VOR/DME-A, Amdt. 2
Coshocton, OH—Richard Downing, VOR-A, Amdt. 3
Connellsville, PA—Connellsville, VOR-A, Original
Norfolk, VA—Norfolk Intl, VOR Rwy 23, Amdt. 6
Everett, WA—Snohomish County (Paine Fld), VOR Rwy 16, Amdt. 3
Everett, WA—Snohomish County (Paine Fld), VOR Rwy 34, Amdt. 2
Silverdale, WA—Apex Airpark, VOR-A, Amdt. 1

* * * Effective April 16, 1981

Miami, FL—Miami Intl, VOR Rwy 12, Amdt. 25
Willmar, MN—Willmar Muni, VOR Rwy 10, Amdt. 9
Willmar, MN—Willmar Muni, VOR Rwy 28, Amdt. 4

* * * Effective March 5, 1981

Ontario, CA—Ontario Intl, VOR or TACAN Rwy 26R, Amdt. 7

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

* * * Effective April 30, 1981

Eagle, CO—Eagle County, LDA-A, Amdt. 1
Ft. Lauderdale, FL—Ft. Lauderdale-Executive, LOC Rwy 8, Amdt. 1
Champaign-Urbana, IL—University of Illinois-Willard, LOC BC Rwy 13, Amdt. 4
Chicago, IL—Chicago Midway, LOC Rwy 31L, Amdt. 9
Maxton, NC—Laurinburg-Maxton, SDF Rwy 5, Amdt. 2

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

* * * Effective May 14, 1981

Meridian, MS—Key Field, NDB Rwy 1, Amdt. 17
Washington, NC—Warrent Field NDB-A, Amdt. 2
Memphis, TN—Memphis Intl, NDB Rwy 36R, Amdt. 6

* * * Effective April 30, 1981

West Memphis, AR—West Memphis Muni, NDB Rwy 17, Amdt. 7
Chicago, IL—Chicago Midway, NDB Rwy 4R, Amdt. 10
Chicago, IL—Chicago Midway, NDB Rwy 13R, Amdt. 8
Chicago, IL—Chicago Midway, NDB Rwy 31L, Amdt. 8
Parsons, KS—Tri-City, NDB Rwy 17, Amdt. 4
Parsons, KS—Tri-City, NDB Rwy 35, Amdt. 2

Belfast, ME—Belfast Muni, NDB Rwy 15, Amdt. 1
Thief River Falls, MN—Thief River Falls Regional, NDB Rwy 31, Amdt. 1
Hastings, NE—Hastings Muni, NDB Rwy 14, Amdt. 9
Caldwell, NJ—Essex County, NDB-A, Amdt. 2
Caldwell, NJ—Essex County, NDB Rwy 22, Amdt. 3
Maxton, NC—Laurinburg-Maxton, NDB Rwy 5, Amdt. 4
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 5R/L, Amdt. 15
Port Angeles, WA—William R. Fairchild Intl, NDB-A, Original
Everett, WA—Snohomish County (Paine Fld), NDB Rwy 16, Amdt. 10

* * * Effective March 19, 1981

Miami, FL—Miami Intl, NDB Rwy 27L, Amdt. 15

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

* * * Effective May 14, 1981

Meridian, MS—Key Field, ILS Rwy 1, Amdt. 21
Memphis, TN—Memphis Intl, ILS Rwy 18L, Amdt. 6
Memphis, TN—Memphis Intl, ILS Rwy 18R, Amdt. 7
Memphis, TN—Memphis Intl, ILS Rwy 36L, Amdt. 8
Memphis, TN—Memphis Intl, ILS Rwy 36R, Amdt. 7

* * * Effective April 30, 1981

Chicago, IL—Chicago Midway, ILS Rwy 4R, Amdt. 7
Chicago, IL—Chicago Midway, ILS Rwy 13R, Amdt. 35
Marion, IN—Marion Muni, ILS Rwy 4, Amdt. 2
Minneapolis, MN—Flying Cloud, MLS Rwy 9R (Interim), Amdt. 1
Thief River Falls, MN—Thief River Falls Regional, MLS Rwy 31 (Interim), Amdt. 2
Monticello, NY—Sullivan County Intl, ILS Rwy 15, Amdt. 1
Cleveland, OH—Cleveland-Hopkins Intl, ILS Rwy 5R, Amdt. 9
Everett, WA—Snohomish County (Paine Fld), ILS Rwy 16, Amdt. 16
Wheeling, WV—Wheeling-Ohio County, ILS Rwy 3, Amdt. 13
Janesville, WI—Rock County, ILS Rwy 4, Amdt. 7

* * * Effective April 16, 1981

Cordova, AK—Cordova Mile 13, ILS/DME Rwy 27, Amdt. 4

* * * Effective March 19, 1981

Miami, FL—Miami Intl, ILS Rwy 9R, Amdt. 4
Miami, FL—Miami Intl, ILS Rwy 27L, Amdt. 20

* * * Effective March 5, 1981

Ontario, CA—Ontario Intl, ILS Rwy 8L, Amdt. 2
Ontario, CA—Ontario Intl, ILS Rwy 26R, Amdt. 32

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

* * * Effective May 14, 1981

Memphis, TN—Memphis International, RADAR-1, Amdt. 35

* * * Effective April 30, 1981

Champaign-Urbana, IL—University of Illinois-Willard, RADAR-1, Amdt. 3

Chicago, IL—Chicago-Midway, RADAR-1, Amdt. 23

Cleveland, OH—Cleveland-Hopkins Intl, RADAR-1, Amdt. 26

* * * Effective April 16, 1981

Miami, FL—Miami Intl, RADAR-1, Amdt. 19

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

* * * Effective May 14, 1981

Meridian, MS—Key Field, RNAV Rwy 19, Amdt. 2

* * * Effective April 30, 1981

Parsons, KS—Tri-City, RNAV Rwy 17, Amdt. 2

Parsons, KS—Tri-City, RNAV Rwy 35, Amdt. 2

Somerville, NJ—Somerset, RNAV Rwy 12, Amdt. 1

Spokane, WA—Spokane Intl, RNAV Rwy 21, Original

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

Note.—The FAA has determined that this document involves a regulation which is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation. The FAA has also determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not a major rule under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately in order to coincide with aeronautical charts which have either already been published or are in the process of publication. An unsafe flying environment would result if the effective rules are not accurately reflected in the charts used by pilots.

Issued in Washington, D.C., on March 13, 1981.

John S. Kern,

Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on December 31, 1980.

[FR Doc. 81-8542 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

INTERNATIONAL TRADE COMMISSION

19 CFR Part 207

Investigations To Review Outstanding Antidumping and Countervailing Duty Determinations and Outstanding Suspension Agreements

AGENCY: United States International Trade Commission.

ACTION: Final rule.

SUMMARY: Section 207.45 of the Commission's Rules of Practice and Procedure implements section 751 of the Tariff Act of 1930. This rule, as amended, sets forth procedures for the conduct of Commission investigations to review suspension agreements under sections 704 and 734 of the Tariff Act and determinations under sections 704(h)(2), 705(b), 734(h)(2), and 735(b) of the Tariff Act, under the Antidumping Act, 1921, and under the duty-free merchandise provisions of section 303(b) of the Tariff Act.

EFFECTIVE DATE: March 23, 1981.

FOR FURTHER INFORMATION CONTACT: Edward Easton, Esq., Office of the General Counsel, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0379.

SUPPLEMENTARY INFORMATION: An analysis of comments on the proposed amendments to the rule follows.

On August 14, 1980, a Notice of Proposed Rulemaking was published in the *Federal Register* (45 FR 54086) proposing to amend § 207.45 of title 19, chapter II, of the Code of Federal Regulations. The notice provided that comments concerning the proposed amendment were to be submitted on or before September 15, 1980. A submission was received from one interested person. That submission suggested that the Commission adopt procedures for publishing a notice in the *Federal Register* as soon as it receives a request to review an outstanding suspension agreement or an outstanding antidumping or countervailing duty determination and allow interested persons 30 days from the date of that publication in which to provide their views with regard to whether there are changed circumstances sufficient to warrant an investigation. This suggestion has been adopted. In the event that the Commission were to deny a petition on the basis that it failed to show sufficient changed circumstances, any subsequent petition for a review investigation would also have the burden of showing changed circumstances.

Another difference between the final rule and the proposed rule concerns the modification of outstanding antidumping and countervailing duty orders. The scope of § 207.45 as it was promulgated covered both the modification and revocation of outstanding orders. Given the possibility that an outstanding order may cover different merchandise in more than one market, the Commission can expect to receive requests for review investigations with a narrower product scope than the subject outstanding order. In such circumstances a request for modification of the coverage of the outstanding order would be more appropriate than a request to revoke it. The proposed rule published in the *Federal Register* of August 14, 1980, would have limited Commission action to the revocation of outstanding orders. The final rule covers both the revocation and modification situations.

The final rule contains a statement that in the case of an evenly divided vote as to whether a Commission determination should be affirmative or negative, the outstanding agreement or order shall remain unaffected. The final rule contains a reference to antidumping "orders" issued under the Antidumping Act, 1921, repealed January 1, 1980. The language in that act referred to "findings," not "orders." The term "order" is used in the antidumping provisions of title VII of the Tariff Act. The purpose of this reference to "orders" in the amended rule is to indicate that it considers these terms to be equivalent and that the Commission intends to continue to exercise review authority over the determinations issued under the Antidumping Act, 1921.

Section 207.45 is revised to read as follows:

§ 207.45 Investigation to review outstanding determination.

(a) **Purpose.** Upon the receipt of information concerning, or upon a request for a review of, a determination concerning a suspension agreement accepted under section 704 or 734 of the Act or an affirmative determination made under section 704(h)(2), 705(b), 734(h)(2), or 735(b) of the Act, or a determination which resulted in an order issued under the Antidumping Act, 1921, or section 303(b) of the Act, which shows changed circumstances sufficient to warrant a review of such determination, the Commission shall institute an investigation to determine, as the case may be, (1) whether, in light of the changed circumstances, the agreement continues to completely eliminate the injurious effect of imports

of the merchandise; or (2) whether an industry in the United States would be materially injured, or would be threatened with material injury, or the establishment of an industry in the United States would be materially retarded, by reason of imports of the merchandise covered by the countervailing duty order or the antidumping order if the order were to be modified or revoked. In the case of an evenly divided vote as to whether a Commission determination should be affirmative or negative, the outstanding agreement or order shall remain unaffected. In the absence of good cause shown, no investigation under this section shall be instituted within 24 months of the date of publication of the notice of the suspension or determination.

(b) *Procedures.* (1) *Commencement of proceedings.* (i) *Upon receipt of a request.* A proceeding is commenced upon the filing with the Commission of the original and nineteen (19) true copies of a request. Requests for a review investigation may be filed by any person. All requests shall set forth a description of changed circumstances sufficient to warrant the institution of a review investigation by the Commission under this section.

(ii) *Upon the initiative of the Commission.* Upon receipt of information concerning a suspension agreement accepted under section 704 or 734 of the Act or an affirmative determination made under 704(h)(2), 705(b), 734(h)(2), or 735(b) of the Act, or a determination which resulted in an order issued under the Antidumping Act, 1921, or section 303(b) of the Act, which shows changed circumstances sufficient to warrant a review of such determination, the Commission shall initiate an investigation to review such determination.

(2) *Notice of receipt of a request.* Upon the receipt of a properly filed request for a review investigation, the Commission shall publish a notice of having received such a request in the *Federal Register* inviting public comment on the question of whether the Commission should institute a review investigation. Interested persons shall have at least thirty (30) days from the date of publication in the *Federal Register* within which to submit comments to the Commission.

(3) *Institution of an investigation.* Within thirty (30) days after the close of the period for public comments following publication of the receipt of a request, the Commission shall determine whether the request shows changed circumstances sufficient to warrant a review and, if so, shall institute an

investigation. The investigation instituted by notice published in the *Federal Register* and shall be completed within 120 days of the date of such publication. If the Commission determines that a request does not show changed circumstances sufficient to warrant a review, the request will be dismissed and a notice of the dismissal published in the *Federal Register* stating the reasons therefor.

(4) *Procedures set forth in Subpart C of Part 207.* The procedures set forth in §§ 207.21 through 207.24 and § 207.28 of this Part shall apply to all investigations instituted under this section.

(Sec. 751 of the Tariff Act of 1930)

By order of the Commission.

Issued: March 19, 1981.

Kenneth R. Mason,

Secretary.

[FR Doc. 81-4622 Filed 3-20-81; 8:45 am]

BILLING CODE 7020-02-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 561

[PH-FRL 1756-3; FAP 9H5241/R75]

Thiophanate-Methyl; Tolerances for Pesticides in Animal Feeds Administered by the Environmental Protection Agency

Correction

In FR Doc. 81-5692 appearing on page 12956 in the issue of Thursday, February 19, 1981, make the following correction:

In the center column of page 12957, in the fourth line of § 561.387,

"* * * (iminocarbonothioyl)] * * *

should have read
"* * * (iminocarbonothioyl)] bis [carbamate]] * * *."

BILLING CODE 1505-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 700, 716 and 785

Surface Coal Mining and Reclamation Operations; Initial and Permanent Regulatory Programs

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Department of the Interior.

ACTION: Notice of suspension of certain rules in 30 CFR Chapter VII.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is suspending three final rules pending the outcome of rulemaking to modify those rules. This action is being taken as a result of preliminary review of the rules under Executive Order 12291. The

specific regulations affected by this action are listed below.

EFFECTIVE DATE: March 23, 1981.

FOR FURTHER INFORMATION CONTACT:

Andrew V. Bailey, Principal Deputy Director, Office of Surface Mining, U.S. Department of the Interior, Washington, D.C. 20240 (202) 343-4006.

SUPPLEMENTARY INFORMATION:

On February 4, 1981, the Department of the Interior, in accordance with the President's memorandum of January 29, 1981, extended until March 30, 1981, the effective dates of three final rules which had not yet become effective. The three rules deal with exemptions and definitions for the prime farmland rules of OSM's initial and permanent regulatory programs and an exemption for operations which affect two acres or less. As a result of a preliminary review of these rules undertaken pursuant to Executive Order No. 12291, 46 FR 13193, OSM has determined that it is in the public interest to consider modifications of these rules. The three rules are therefore suspended pending the outcome of further rulemaking which OSM will initiate in the near future. All appropriate procedures under Executive Order 12291, the Surface Mining Control and Reclamation Act of 1977 (SMCRA), the Administrative Procedure Act (APA), and other applicable laws and regulations will be followed.

As a result of this notice, these rules will not become effective on March 30, 1981, as was stated in the notice published in the *Federal Register* on February 4, 1981, 46 FR 10707. Because none of the rules has ever been in effect, this suspension will allow the prior versions of each rule to remain in effect until the completion of new rulemaking proceedings.

Justification for Postponement Followed by Suspension

Many states have recently received outright or conditional approval of their regulatory programs and are beginning the difficult task of implementing those programs. If these rules were allowed to become effective on March 30, 1981, those states would be required to begin the process of amending their state programs to meet the new federal rules. State resources would be needlessly expended in this effort, however, if the result of OSM's planned future rulemaking differs from the postponed rules. Imposition of such an unnecessary burden on States which are currently facing the difficult task of implementing their regulatory programs is not justifiable. Consequently, good cause exists for immediate suspension of these

rules without notice and public procedure thereon to prevent such a wasteful exercise and allow a careful reevaluation and revision of the prime farmland and two acre exemption rules. Good cause similarly exists for this suspension to take effect immediately. Because the prior rules will remain in effect, the suspension of these versions of the rules will have no adverse effect upon achieving the purposes of SMCRA pending completion of the rulemaking process.

Notice of Suspended Regulations

The following regulations are suspended:

A. 30 CFR 716.7(a) and (b). Prime Farmland Exemption.

The regulation as published on January 22, 1981 (46 FR 7212) is suspended. The regulation which was removed by that notice remains in effect.

B. 30 CFR 716.7 (a) and (b). Prime Farmlands Exemption.

This regulation as published on January 23, 1981 (46 FR 7900) is suspended. The regulation which was revised by that notice remains in effect.

C. 30 CFR 785.17. Prime Farmland Exemption.

This regulation as published on January 23, 1981 (46 FR 7900) is suspended. The regulation which was revised by that notice remains in effect.

D. 30 CFR 700.11(b). Extraction of Coal; Two acres or less.

This regulation as published on January 23, 1981 (46 FR 7904) is suspended. The regulation which was revised by that notice remains in effect.

Dated: March 18, 1981.

Perry Pendley,

Deputy Assistant Secretary of the Interior.

[FR Doc. 81-8001 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 242b

General Procedures and Delegations of the Board of Regents of the Uniformed Services University of the Health Sciences

AGENCY: Uniformed Services University of the Health Sciences.

ACTION: Final rule.

SUMMARY: This document amends the General Procedures and Delegations to realign certain functions of officers reporting to the Dean of the University (President). It revises titles and responsibilities to correspond to the realignment of functions.

EFFECTIVE DATE: March 2, 1981.

ADDRESS: Legal Counsel, Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Bethesda, Maryland 20014.

FOR FURTHER INFORMATION CONTACT: Merel Glaubiger, Legal Counsel, 202/295-3028.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-36169 published in the *Federal Register* on December 20, 1977 (42 FR 63775) the Uniformed Services University of the Health Sciences published General Procedures and Delegations of the Board of Regents of the Uniformed Services University of the Health Sciences. This was amended in FR Doc. 78-28367 published in the *Federal Register* on October 10, 1978 (43 FR 46531) to alter the number and responsibilities of officers reporting to the Dean of the University (President). The purpose of this amendment is to alter the responsibilities of these officers without changing their number and to reflect the changes in responsibility by changes in title. The rule establishes the offices of Associate Dean for Operations and Associate Dean for Academic Affairs in place of the Director of Resource Management and the Assistant Dean for Administration. The rule also makes technical changes in language.

Because these rules relate solely to matters of University organization and procedure, notice of proposed rulemaking and public participation in the rulemaking are not required by Section 553 of Title 5 of the United States Code.

Accordingly, pursuant to the Uniformed Services Health Professions Revitalization Act, Sections 552 and 553 of Title 5 of the United States Code, and Section 242b.8(a) of Title 32, Code of Federal Regulations, the Board of Regents of the Uniformed Services University of the Health Sciences, amends § 242b.7, Chapter I, Title 32, Code of Federal Regulations by revising § 242b.7(a)(7) and § 242b.7(b)(2)-(4) to read as follows:

PART 242b—GENERAL PROCEDURES AND DELEGATIONS OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

§ 242b.7 Officers of the University.

(a) * * *

(7) * * *

(iii) an Associate Dean for Operations; and

(iv) an Associate Dean for Academic Affairs.

* * * * *

(b) * * *

(2) Associate Dean of the School of Medicine.

(i) The Associate Dean shall assist the Dean of the School of Medicine in planning, developing, and directing the activities and functions of the School of Medicine.

(ii) In the absence of the Dean, he or she shall act for the Dean.

(3) Associate Dean for Operations.

(i) The Associate Dean for Operations shall be responsible for the support of the educational and research activities of the University including but not limited to:

(A) financial management;

(B) building support and materiel acquisition;

(C) laboratory animal medicine;

(D) personnel/manpower;

(E) instructional and research support; and

(F) learning resources center.

(ii) He or she shall be responsible for preparation of the University budget estimates and program submission presentations for the approval of the Board.

(iii) He or she shall make all books, records or vouchers available for the inspection of any member of the Board and shall report at each meeting of the Administrative Affairs Committee.

(4) Associate Dean for Academic Affairs

(i) The Associate Dean for Academic Affairs shall be responsible for the overall management and supervision of the University's Basic Sciences Departments, Clinical Sciences Departments, and the Academic Sections including but not limited to:

(A) Operational and Emergency Medicine; and

(B) Medical Education.

M. S. Healy,

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

March 18, 1981.

[FR Doc. 81-8774 Filed 3-20-81; 8:45 am]

BILLING CODE 3810-70-M

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 57**

[EN-FRL 1783-3]

Primary Nonferrous Smelter Orders**AGENCY:** United States Environmental
Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: In response to petitions for reconsideration, the Administrator, on December 24, 1980, proposed for public comment two amendments to the regulations concerning nonferrous smelter orders (NSOs). The one public comment received supported the proposal, and the Administrator is today promulgating the amendments as proposed. Their intended effect is to (1) allow an NSO to provide that certain emissions that occur during startup of an acid plant after scheduled maintenance are not excess emissions and (2) make a smelter owner's consent to liability inapplicable in criminal proceedings.

DATES: These amendments are effective April 22, 1981.

ADDRESS: Docket Number DSSE 78-1 contains all material relevant to this action and is located at the Central Docket Section, Gallery 1, West Tower, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. The docket may be inspected between 8:00 a.m. and 4:00 p.m. on weekdays. There may be a reasonable charge for copying.

FOR FURTHER INFORMATION CONTACT: David Rochlin, Division of Stationary Source Enforcement (EN-341), U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460; telephone 202-755-2542.

SUPPLEMENTARY INFORMATION: On June 24, 1980 (45 FR 42514), the Administrator promulgated regulations that established the minimum required contents of initial primary NSOs issued under Section 119 of the Clean Air Act and the criteria and procedures EPA will use in issuing NSOs and evaluating NSOs issued by States.

In response to a petition for

reconsideration from the State of Arizona, EPA on December 24, 1980 (45 FR 85084) proposed for public comment two amendments to the NSO regulations. The only public comment received supported the proposal and did not request a hearing. The reasons for these amendments, which the Administrator is today promulgating as proposed, are set out in the Administrator's response to the petitions for reconsideration of the NSO rules published December 24, 1980 (45 FR 85009, 85010-85011).

The Office of Management and Budget has exempted this regulation from the OMB review requirements of Executive Order 12291 pursuant to Section 8(b) of that Order.

(Secs. 110, 114, 119 and 301 of the Clean Air Act, 42 U.S.C. 7410, 7414, 7419 and 7601)

Dated: March 12, 1981.

Walter C. Barber,

Acting Administrator.

The Administrator hereby amends Part 57 in Title 40 of the Code of Federal Regulations as follows:

1. Subpart C—Constant Controls and Related Requirements is amended by revising the first sentence of paragraph (e) of § 57.304 to read as follows:

§ 57.304 Bypass, excess emissions and malfunctions.

(e) An NSO may provide that excess emissions which occur during acid plant start-up as the result of the cooling of acid plant catalyst due to the unavailability of process gas to an acid plant during a prolonged SCS curtailment or scheduled maintenance are not excess emissions. * * *

2. Subpart D—Supplementary Control System Requirements is amended by revising § 57.403 to read as follows:

§ 57.403 Written consent.

(a) *The consent.* The NSO shall include a written consent, signed by a corporate official empowered to do so, in the following form:

As a condition of receiving a Primary Nonferrous Smelter Order (NSO) under section 119 of the Clean Air Act for the smelter operated by (name of company) at (location), the undersigned official, being empowered to do so, consents for the company as follows:

(1) In any civil proceeding (judicial or administrative) to enforce the NSO, the company will not contest:

(a) Liability for any violation of the National Ambient Air Quality Standards for sulfur dioxide in the smelter's designated liability area (DLA), except on the ground that a determination under 40 CFR 57.402(c)(3) was clearly wrong; or

(b) The conclusive allocation of liability under NSO provisions satisfying 40 CFR 57.402(d)(1) between the company's smelter and any other smelter(s) for any violation of the National Ambient Air Quality Standards for sulfur dioxide in an area of overlapping DLAs.

(2) The issuing agency (as defined in 40 CFR 57.103) will be allowed unrestricted access at reasonable times to inspect, verify calibration of, and obtain data from ambient air quality monitors operated by the company under the requirements of the NSO.

(b) *Rights not waived by the consent.* This consent shall not be deemed to waive any right(s) to judicial review of any provisions of an NSO that are otherwise available to the smelter owner or operator under section 307(b) of the Clean Air Act.

[FR Doc. 81-8763 Filed 3-20-81; 8:45 am]

BILLING CODE 6560-33-M

40 CFR Parts 122, 264, and 265

[SWH-FRL 1673-7a]

**Standards Applicable to Owners and
Operators of Hazardous Waste
Treatment, Storage, and Disposal
Facilities; Consolidated Permit
Regulations***Correction*

In FR Doc. 81-463 appearing on page 2802, on Monday, January 12, 1981, make the following corrections:

(1) On page 2824, in the third column, in the second full paragraph, in the twenty-first line "post-closure period." should be corrected to read "post-closure trust fund since payments to the fund are not required in the post-closure period."

(2) On page 2857, in the first column, in the eighth paragraph, § 264.145(b), "guaranteed" should be corrected to read "guaranteeing".

(3) On page 2861, in the first column, in the third line, "§ 264.140" should be corrected to read "§ 264.149".

(4) In § 264.151(f), on page 2866, in the first column, under "Irrevocable Standby Letter of Credit", in the third line, "Irrevocable Letter" should be corrected to read "Irrevocable Standby Letter".

(5) In § 265.145(f), on page 2883, in the second column, in the third line, "post-closure of" should be corrected to read "post-closure care of".

BILLING CODE 1505-01-M

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508

Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations

March 17, 1981.

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Memorandum to Agencies Containing Answers to 40 Most Asked Questions on NEPA Regulations.

SUMMARY: The Council on Environmental Quality, as part of its oversight of implementation of the National Environmental Policy Act, held meetings in the ten Federal regions with Federal, State, and local officials to discuss administration of the implementing regulations. The forty most asked questions were compiled in a memorandum to agencies for the information of relevant officials. In order efficiently to respond to public inquiries this memorandum is reprinted in this issue of the *Federal Register*.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place NW., Washington, D.C. 20006; 202-395-5750.

March 16, 1981.

Memorandum for Federal NEPA Liaisons, Federal, State, and Local Officials and Other Persons Involved in the NEPA Process

Subject: Questions and Answers About the NEPA Regulations

During June and July of 1980 the Council on Environmental Quality, with the assistance and cooperation of EPA's EIS Coordinators from the ten EPA regions, held one-day meetings with federal, state and local officials in the ten EPA regional offices around the country. In addition, on July 10, 1980, CEQ conducted a similar meeting for the Washington, D.C. NEPA liaisons and persons involved in the NEPA process. At these meetings CEQ discussed (a) the results of its 1980 review of Draft EISs issued since the July 30, 1979 effective date of the NEPA regulations, (b) agency compliance with the Record of Decision requirements in Section 1505 of the NEPA regulations, and (c) CEQ's preliminary findings on how the scoping process is working. Participants at these meetings received copies of materials prepared by CEQ summarizing its oversight and findings.

These meetings also provided NEPA liaisons and other participants with an opportunity to ask questions about NEPA and the practical application of the NEPA regulations. A number of these questions were answered by CEQ representatives at the regional meetings. In response to the many requests from the agencies and other participants, CEQ has compiled forty of the most important or most frequently asked questions and their answers and reduced them to writing. The answers were prepared by the General Counsel of CEQ in consultation with the Office of Federal Activities of EPA. These answers, of course, do not impose any additional requirements beyond those of the NEPA regulations. This document does not represent new guidance under the NEPA regulations, but rather makes generally available to concerned agencies and private individuals the answers which CEQ has already given at the 1980 regional meetings. The answers also reflect the advice which the Council has given over the past two years to aid agency staff and consultants in their day-to-day application of NEPA and the regulations.

CEQ has also received numerous inquiries regarding the scoping process. CEQ hopes to issue written guidance on scoping later this year on the basis of its special study of scoping, which is nearing completion.

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Questions and Answers About the NEPA Regulations (1981)

1a. Q. What is meant by "range of alternatives" as referred to in Sec. 1505.1(e)?¹

A. The phrase "range of alternatives" refers to the alternatives discussed in environmental documents. It includes all reasonable alternatives, which must be rigorously explored and objectively evaluated, as well as those other alternatives, which are eliminated from detailed study with a brief discussion of the reasons for eliminating them. Section 1502.14. A decisionmaker must not consider alternatives beyond the range of alternatives discussed in the relevant environmental documents. Moreover, a decisionmaker must, in fact, consider all the alternatives discussed in an EIS. Section 1505.1(e).

1b. Q. How many alternatives have to be discussed when there is an infinite number of possible alternatives?

¹ References throughout the document are to the Council on Environmental Quality's Regulations For Implementing The Procedural Provisions of the National Environmental Policy Act. 40 CFR Parts 1500-1508.

A. For some proposals there may exist a very large or even an infinite number of possible reasonable alternatives. For example, a proposal to designate wilderness areas within a National Forest could be said to involve an infinite number of alternatives from 0 to 100 percent of the forest. When there are potentially a very large number of alternatives, only a reasonable number of examples, covering the *full spectrum* of alternatives, must be analyzed and compared in the EIS. An appropriate series of alternatives might include dedicating 0, 10, 30, 50, 70, 90, or 100 percent of the Forest to wilderness. What constitutes a reasonable range of alternatives depends on the nature of the proposal and the facts in each case.

2a. Q. If an EIS is prepared in connection with an application for a permit or other federal approval, must the EIS rigorously analyze and discuss alternatives that are outside the capability of the applicant or can it be limited to reasonable alternatives that can be carried out by the applicant?

A. Section 1502.14 requires the EIS to examine all reasonable alternatives to the proposal. In determining the scope of alternatives to be considered, the emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are *practical or feasible* from the technical and economic standpoint and using common sense, rather than simply *desirable* from the standpoint of the applicant.

2b. Q. Must the EIS analyze alternatives outside the jurisdiction or capability of the agency or beyond what Congress has authorized?

A. An alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable. A potential conflict with local or federal law does not necessarily render an alternative unreasonable, although such conflicts must be considered. Section 1506.2(d). Alternatives that are outside the scope of what Congress has approved or funded must still be evaluated in the EIS if they are reasonable, because the EIS may serve as the basis for modifying the Congressional approval or funding in light of NEPA's goals and policies. Section 1500.1(a).

3. Q. What does the "no action" alternative include? If an agency is under a court order or legislative command to act, must the EIS address the "no action" alternative?

A. Section 1502.14(d) requires the alternatives analysis in the EIS to "include the alternative of no action."

There are two distinct interpretations of "no action" that must be considered, depending on the nature of the proposal being evaluated. The first situation might involve an action such as updating a land management plan where ongoing programs initiated under existing legislation and regulations will continue, even as new plans are developed. In these cases "no action" is "no change" from current management direction or level of management intensity. To construct an alternative that is based on no management at all would be a useless academic exercise. Therefore, the "no action" alternative may be thought of in terms of continuing with the present course of action until that action is changed. Consequently, projected impacts of alternative management schemes would be compared in the EIS to those impacts projected for the existing plan. In this case, alternatives would include management plans of both greater and lesser intensity, especially greater and lesser levels of resource development.

The second interpretation of "no action" is illustrated in instances involving federal decisions on proposals for projects. "No action" in such cases would mean the proposed activity would not take place, and the resulting environmental effects from taking no action would be compared with the effects of permitting the proposed activity or an alternative activity to go forward.

Where a choice of "no action" by the agency would result in predictable actions by others, this consequence of the "no action" alternative should be included in the analysis. For example, if denial of permission to build a railroad to a facility would lead to construction of a road and increased truck traffic, the EIS should analyze this consequence of the "no action" alternative.

In light of the above, it is difficult to think of a situation where it would *not* be appropriate to address a "no action" alternative. Accordingly, the regulations require the analysis of the no action alternative even if the agency is under a court order or legislative command to act. This analysis provides a benchmark, enabling decisionmakers to compare the magnitude of environmental effects of the action alternatives. It is also an example of a reasonable alternative outside the jurisdiction of the agency which must be analyzed. Section 1502.14(c). See Question 2 above. Inclusion of such an analysis in the EIS is necessary to inform the Congress, the public, and the President as intended by NEPA. Section 1500.1(a).

4a. Q. What is the "agency's preferred alternative"?

A. The "agency's preferred alternative" is the alternative which the agency believes would fulfill its statutory mission and responsibilities, giving consideration to economic, environmental, technical and other factors. The concept of the "agency's preferred alternative" is different from the "environmentally preferable alternative," although in some cases one alternative may be both. See Question 6 below. It is identified so that agencies and the public can understand the lead agency's orientation.

4b. Q. Does the "preferred alternative" have to be identified in the Draft EIS and the Final EIS or just in the Final EIS?

A. Section 1502.14(e) requires the section of the EIS on alternatives to "identify the agency's preferred alternative if one or more exists, in the draft statement, and identify such alternative in the final statement" This means that if the agency has a preferred alternative at the Draft EIS stage, that alternative must be labeled or identified as such in the Draft EIS. If the responsible federal official in fact has no preferred alternative at the Draft EIS stage, a preferred alternative need not be identified there. By the time the Final EIS is filed, Section 1502.14(e) presumes the existence of a preferred alternative and requires its identification in the Final EIS "unless another law prohibits the expression of such a preference."

4c. Q. Who recommends or determines the "preferred alternative"?

A. The lead agency's official with line responsibility for preparing the EIS and assuring its adequacy is responsible for identifying the agency's preferred alternative(s). The NEPA regulations do not dictate which official in an agency shall be responsible for preparation of EISs, but agencies can identify this official in their implementing procedures, pursuant to Section 1507.3.

Even though the agency's preferred alternative is identified by the EIS preparer in the EIS, the statement must be objectively prepared and not slanted to support the choice of the agency's preferred alternative over the other reasonable and feasible alternatives.

5a. Q. Is the "proposed action" the same thing as the "preferred alternative"?

A. The "proposed action" may be, but is not necessarily, the agency's "preferred alternative." The proposed action may be a proposal in its initial form before undergoing analysis in the EIS process. If the proposed action is

internally generated, such as preparing a land management plan, the proposed action might end up as the agency's preferred alternative. On the other hand the proposed action may be granting an application to a non-federal entity for a permit. The agency may or may not have a "preferred alternative" at the Draft EIS stage (see Question 4 above). In that case the agency may decide at the Final EIS stage, on the basis of the Draft EIS and the public and agency comments, that an alternative other than the proposed action is the agency's "preferred alternative."

5b. Q. Is the analysis of the "proposed action" in an EIS to be treated differently from the analysis of alternatives?

A. The degree of analysis devoted to each alternative in the EIS is to be substantially similar to that devoted to the "proposed action." Section 1502.14 is titled "Alternatives including the proposed action" to reflect such comparable treatment. Section 1502.14(b) specifically requires "substantial treatment" in the EIS of each alternative including the proposed action. This regulation does not dictate an amount of information to be provided, but rather, prescribes a *level of treatment*, which may in turn require varying amounts of information, to enable a reviewer to evaluate and compare alternatives.

6a. Q. What is the meaning of the term "environmentally preferable alternative" as used in the regulations with reference to Records of Decision? How is the term "environment" used in the phrase?

A. Section 1505.2(b) requires that, in cases where an EIS has been prepared, the Record of Decision (ROD) must identify all alternatives that were considered, "... specifying the alternative or alternatives which were considered to be environmentally preferable." The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources.

The Council recognizes that the identification of the environmentally preferable alternative may involve difficult judgments, particularly when one environmental value must be balanced against another. The public and other agencies reviewing a Draft EIS can assist the lead agency to develop and determine environmentally

preferable alternatives by providing their views in comments on the Draft EIS. Through the identification of the environmentally preferable alternative, the decisionmaker is clearly faced with a choice between that alternative and others, and must consider whether the decision accords with the Congressionally declared policies of the Act.

6b. Q. Who recommends or determines what is environmentally preferable?

A. The agency EIS staff is encouraged to make recommendations of the environmentally preferable alternative(s) during EIS preparation. In any event the lead agency official responsible for the EIS is encouraged to identify the environmentally preferable alternative(s) in the EIS. In all cases, commentors from other agencies and the public are also encouraged to address this question. The agency must identify the environmentally preferable alternative in the ROD.

7. Q. What is the difference between the sections in the EIS on "alternatives" and "environmental consequences"? How do you avoid duplicating the discussion of alternatives in preparing these two sections?

A. The "alternatives" section is the heart of the EIS. This section rigorously explores and objectively evaluates all reasonable alternatives including the proposed action. Section 1502.14. It should include relevant comparisons on environmental and other grounds. The "environmental consequences" section of the EIS discusses the specific environmental impacts or effects of each of the alternatives including the proposed action. Section 1502.16. In order to avoid duplication between these two sections, most of the "alternatives" section should be devoted to describing and comparing the alternatives. Discussion of the environmental impacts of these alternatives should be limited to a concise descriptive summary of such impacts in a comparative form, including charts or tables, thus sharply defining the issues and providing a clear basis for choice among options. Section 1502.14. The "environmental consequences" section should be devoted largely to a scientific analysis of the direct and indirect environmental effects of the proposed action and of each of the alternatives. It forms the analytic basis for the concise comparison in the "alternatives" section.

8. Q. Section 1501.2(d) of the NEPA regulations requires agencies to provide for the early application of NEPA to cases where actions are planned by

private applicants or non-Federal entities and are, at some stage, subject to federal approval of permits, loans, loan guarantees, insurance or other actions. What must and can agencies do to apply NEPA early in these cases?

A. Section 1501.2(d) requires federal agencies to take steps toward ensuring that private parties and state and local entities initiate environmental studies as soon as federal involvement in their proposals can be foreseen. This section is intended to ensure that environmental factors are considered at an early stage in the planning process and to avoid the situation where the applicant for a federal permit or approval has completed planning and eliminated all alternatives to the proposed action by the time the EIS process commences or before the EIS process has been completed.

Through early consultation, business applicants and approving agencies may gain better appreciation of each other's needs and foster a decisionmaking process which avoids later unexpected confrontations.

Federal agencies are required by Section 1507.3(b) to develop procedures to carry out Section 1501.2(d). The procedures should include an "outreach program", such as a means for prospective applicants to conduct pre-application consultations with the lead and cooperating agencies. Applicants need to find out, in advance of project planning, what environmental studies or other information will be required, and what mitigation requirements are likely, in connection with the later federal NEPA process. Agencies should designate staff to advise potential applicants of the agency's NEPA information requirements and should publicize their pre-application procedures and information requirements in newsletters or other media used by potential applicants.

Complementing Section 1501.2(d), Section 1506.5(a) requires agencies to assist applicants by outlining the types of information required in those cases where the agency requires the applicant to submit environmental data for possible use by the agency in preparing an EIS.

Section 1506.5(b) allows agencies to authorize preparation of environmental assessments by applicants. Thus, the procedures should also include a means for anticipating and utilizing applicants' environmental studies or "early corporate environmental assessments" to fulfill some of the federal agency's NEPA obligations. However, in such cases the agency must still evaluate independently the environmental issues

and take responsibility for the environmental assessment.

These provisions are intended to encourage and enable private and other non-federal entities to build environmental considerations into their own planning processes in a way that facilitates the application of NEPA and avoids delay.

9. Q. To what extent must an agency inquire into whether an applicant for a federal permit, funding or other approval of a proposal will also need approval from another agency for the same proposal or some other related aspect of it?

A. Agencies must integrate the NEPA process into other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts. Specifically, the agency must "provide for cases where actions are planned by . . . applicants," so that designated staff are available to advise potential applicants of studies or other information that will foreseeably be required for the later federal action; the agency shall consult with the applicant if the agency foresees its own involvement in the proposal; and it shall insure that the NEPA process commences at the earliest possible time. Section 1501.2(d). (See Question 8.)

The regulations emphasize agency cooperation early in the NEPA process. Section 1501.6. Section 1501.7 on "scoping" also provides that all affected Federal agencies are to be invited to participate in scoping the environmental issues and to identify the various environmental review and consultation requirements that may apply to the proposed action. Further, Section 1502.25(b) requires that the draft EIS list all the federal permits, licenses and other entitlements that are needed to implement the proposal.

These provisions create an affirmative obligation on federal agencies to inquire early, and to the maximum degree possible, to ascertain whether an applicant is or will be seeking other federal assistance or approval, or whether the applicant is waiting until a proposal has been substantially developed before requesting federal aid or approval.

Thus, a federal agency receiving a request for approval or assistance should determine whether the applicant has filed separate requests for federal approval or assistance with other federal agencies. Other federal agencies that are likely to become involved should then be contacted, and the NEPA process coordinated, to insure an early and comprehensive analysis of the

direct and indirect effects of the proposal and any related actions. The agency should inform the applicant that action on its application may be delayed unless it submits all other federal applications (where feasible to do so), so that all the relevant agencies can work together on the scoping process and preparation of the EIS.

10a. Q. What actions by agencies and/or applicants are allowed during EIS preparation and during the 30-day review period after publication of a final EIS?

A. No federal decision on the proposed action shall be made or recorded until at least 30 days after the publication by EPA of notice that the particular EIS has been filed with EPA. Sections 1505.2 and 1506.10. Section 1505.2 requires this decision to be stated in a public Record of Decision.

Until the agency issues its Record of Decision, no action by an agency or an applicant concerning the proposal shall be taken which would have an adverse environmental impact or limit the choice of reasonable alternatives. Section 1506.1(a). But this does not preclude preliminary planning or design work which is needed to support an application for permits or assistance. Section 1506.1(d).

When the impact statement in question is a program EIS, no major action concerning the program may be taken which may significantly affect the quality of the human environment, unless the particular action is justified independently of the program, is accompanied by its own adequate environmental impact statement and will not prejudice the ultimate decision on the program. Section 1506.1(c).

10b. Q. Do these limitations on action (described in Question 10a) apply to state or local agencies that have statutorily delegated responsibility for preparation of environmental documents required by NEPA, for example, under the HUD Block Grant program?

A. Yes, these limitations do apply, without any variation from their application to federal agencies.

11. Q. What actions must a lead agency take during the NEPA process when it becomes aware that a non-federal applicant is about to take an action within the agency's jurisdiction that would either have an adverse environmental impact or limit the choice of reasonable alternatives (e.g., prematurely commit money or other resources towards the completion of the proposal)?

A. The federal agency must notify the applicant that the agency will take strong affirmative steps to insure that the objectives and procedures of NEPA

are fulfilled. Section 1506.1(b). These steps could include seeking injunctive measures under NEPA, or the use of sanctions available under either the agency's permitting authority or statutes setting forth the agency's statutory mission. For example, the agency might advise an applicant that if it takes such action the agency will not process its application.

12a. Q. What actions are subject to the Council's new regulations, and what actions are grandfathered under the old guidelines?

A. The effective date of the Council's regulations was July 30, 1979 (except for certain HUD programs under the Housing and Community Development Act, 42 U.S.C. 5304(h), and certain state highway programs that qualify under Section 102(2)(D) of NEPA for which the regulations became effective on November 30, 1979). All the provisions of the regulations are binding as of that date, including those covering decisionmaking, public participation, referrals, limitations on actions, EIS supplements, etc. For example, a Record of Decision would be prepared even for decisions where the draft EIS was filed before July 30, 1979.

But in determining whether or not the new regulations apply to the preparation of a particular environmental document, the relevant factor is the date of filing of the draft of that document. Thus, the new regulations do not require the redrafting of an EIS or supplement if the draft EIS or supplement was filed before July 30, 1979. However, a supplement prepared after the effective date of the regulations for an EIS issued in final before the effective date of the regulations would be controlled by the regulations.

Even though agencies are not required to apply the regulations to an EIS or other document for which the draft was filed prior to July 30, 1979, the regulations encourage agencies to follow the regulations "to the fullest extent practicable," i.e., if it is feasible to do so, in preparing the final document. Section 1506.12(a).

12b. Q. Are projects authorized by Congress before the effective date of the Council's regulations grandfathered?

A. No. The date of Congressional authorization for a project is not determinative of whether the Council's regulations or former Guidelines apply to the particular proposal. No incomplete projects or proposals of any kind are grandfathered in whole or in part. Only certain environmental documents, for which the draft was issued before the effective date of the regulations, are grandfathered and

subject to the Council's former Guidelines.

12c. Q. Can a violation of the regulations give rise to a cause of action?

A. While a trivial violation of the regulations would not give rise to an independent cause of action, such a cause of action would arise from a substantial violation of the regulations. Section 1500.3.

13. Q. Can the scoping process be used in connection with preparation of an environmental assessment, i.e., before both the decision to proceed with an EIS and publication of a notice of intent?

A. Yes. Scoping can be a useful tool for discovering alternatives to a proposal, or significant impacts that may have been overlooked. In cases where an environmental assessment is being prepared to help an agency decide whether to prepare an EIS, useful information might result from early participation by other agencies and the public in a scoping process.

The regulations state that the scoping process is to be preceded by a Notice of Intent (NOI) to prepare an EIS. But that is only the minimum requirement. Scoping may be initiated earlier, as long as there is appropriate public notice and enough information available on the proposal so that the public and relevant agencies can participate effectively.

However, scoping that is done before the assessment, and in aid of its preparation, cannot substitute for the normal scoping process after publication of the NOI, unless the earlier public notice stated clearly that this possibility was under consideration, and the NOI expressly provides that written comments on the scope of alternatives and impacts will still be considered.

14a. Q. What are the respective rights and responsibilities of lead and cooperating agencies? What letters and memoranda must be prepared?

A. After a lead agency has been designated (Sec. 1501.5), that agency has the responsibility to solicit cooperation from other federal agencies that have jurisdiction by law or special expertise on any environmental issue that should be addressed in the EIS being prepared. Where appropriate, the lead agency should seek the cooperation of state or local agencies of similar qualifications. When the proposal may affect an Indian reservation, the agency should consult with the Indian tribe. Section 1508.5. The request for cooperation should come at the earliest possible time in the NEPA process.

After discussions with the candidate cooperating agencies, the lead agency and the cooperating agencies are to

determine by letter or by memorandum which agencies will undertake cooperating responsibilities. To the extent possible at this stage, responsibilities for specific issues should be assigned. The allocation of responsibilities will be completed during scoping. Section 1501.7(a)(4).

Cooperating agencies must assume responsibility for the development of information and the preparation of environmental analyses at the request of the lead agency. Section 1501.6(b)(3). Cooperating agencies are now required by Section 1501.6 to devote staff resources that were normally primarily used to critique or comment on the Draft EIS after its preparation, much earlier in the NEPA process—primarily at the scoping and Draft EIS preparation stages. If a cooperating agency determines that its resource limitations preclude any involvement, or the degree of involvement (amount of work) requested by the lead agency, it must so inform the lead agency in writing and submit a copy of this correspondence to the Council. Section 1501.6(c).

In other words, the potential cooperating agency must decide early if it is able to devote any of its resources to a particular proposal. For this reason the regulation states that an agency may reply to a request for cooperation that "other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement." (Emphasis added). The regulation refers to the "action," rather than to the EIS, to clarify that the agency is taking itself out of all phases of the federal action, not just draft EIS preparation. This means that the agency has determined that it cannot be involved in the later stages of EIS review and comment, as well as decisionmaking on the proposed action. For this reason, cooperating agencies with jurisdiction by law (those which have permitting or other approval authority) cannot opt out entirely of the duty to cooperate on the EIS. See also Question 15, relating specifically to the responsibility of EPA.

14b. Q. How are disputes resolved between lead and cooperating agencies concerning the scope and level of detail of analysis and the quality of data in impact statements?

A. Such disputes are resolved by the agencies themselves. A lead agency, of course, has the ultimate responsibility for the content of an EIS. But it is supposed to use the environmental analysis and recommendations of cooperating agencies with jurisdiction by law or special expertise to the maximum extent possible, consistent

with its own responsibilities as lead agency. Section 1501.6(a)(2).

If the lead agency leaves out a significant issue or ignores the advice and expertise of the cooperating agency, the EIS may be found later to be inadequate. Similarly, where cooperating agencies have their own decisions to make and they intend to adopt the environmental impact statement and base their decisions on it, one document should include all of the information necessary for the decisions by the cooperating agencies. Otherwise they may be forced to duplicate the EIS process by issuing a new, more complete EIS or Supplemental EIS, even though the original EIS could have sufficed if it had been properly done at the outset. Thus, both lead and cooperating agencies have a stake in producing a document of good quality. Cooperating agencies also have a duty to participate fully in the scoping process to ensure that the appropriate range of issues is determined early in the EIS process.

Because the EIS is not the Record of Decision, but instead constitutes the information and analysis on which to base a decision, disagreements about conclusions to be drawn from the EIS need not inhibit agencies from issuing a joint document, or adopting another agency's EIS, if the analysis is adequate. Thus, if each agency has its own "preferred alternative," both can be identified in the EIS. Similarly, a cooperating agency with jurisdiction by law may determine in its own ROD that alternative A is the environmentally preferable action, even though the lead agency has decided in its separate ROD that Alternative B is environmentally preferable.

14c. Q. What are the specific responsibilities of federal and state cooperating agencies to review draft EISs?

A. Cooperating agencies (i.e., agencies with jurisdiction by law or special expertise) and agencies that are authorized to develop or enforce environmental standards, must comment on environmental impact statements within their jurisdiction, expertise or authority. Sections 1503.2, 1508.5. If a cooperating agency is satisfied that its views are adequately reflected in the environmental impact statement, it should simply comment accordingly. Conversely, if the cooperating agency determines that a draft EIS is incomplete, inadequate or inaccurate, or it has other comments, it should promptly make such comments, conforming to the requirements of specificity in section 1503.3.

14d. Q. How is the lead agency to treat the comments of another agency with jurisdiction by law or special expertise which has failed or refused to cooperate or participate in scoping or EIS preparation?

A. A lead agency has the responsibility to respond to all substantive comments raising significant issues regarding a draft EIS. Section 1503.4. However, cooperating agencies are generally under an obligation to raise issues or otherwise participate in the EIS process during scoping and EIS preparation if they reasonably can do so. In practical terms, if a cooperating agency fails to cooperate at the outset, such as during scoping, it will find that its comments at a later stage will not be as persuasive to the lead agency.

15. Q. Are EPA's responsibilities to review and comment on the environmental effects of agency proposals under Section 309 of the Clean Air Act independent of its responsibility as a cooperating agency?

A. Yes. EPA has an obligation under Section 309 of the Clean Air Act to review and comment in writing on the environmental impact of any matter relating to the authority of the Administrator contained in proposed legislation, federal construction projects, other federal actions requiring EISs, and new regulations. 42 U.S.C. Sec. 7609. This obligation is independent of its role as a cooperating agency under the NEPA regulations.

16. Q. What is meant by the term "third party contracts" in connection with the preparation of an EIS? See Section 1506.5(c). When can "third party contracts" be used?

A. As used by EPA and other agencies, the term "third party contract" refers to the preparation of EISs by contractors paid by the applicant. In the case of an EIS for a National Pollution Discharge Elimination System (NPDES) permit, the applicant, aware in the early planning stages of the proposed project of the need for an EIS, contracts directly with a consulting firm for its preparation. See 40 C.F.R. 6.004(g). The "third party" is EPA which, under Section 1506.5(c), must select the consulting firm, even though the applicant pays for the cost of preparing the EIS. The consulting firm is responsible to EPA for preparing an EIS that meets the requirements of the NEPA regulations and EPA's NEPA procedures. It is in the applicant's interest that the EIS comply with the law so that EPA can take prompt action on the NPDES permit application. The "third party contract" method under EPA's NEPA procedures is purely voluntary, though most applicants have

found it helpful in expediting compliance with NEPA.

If a federal agency uses "third party contracting," the applicant may undertake the necessary paperwork for the solicitation of a field of candidates under the agency's direction, so long as the agency complies with Section 1506.5(c). Federal procurement requirements do not apply to the agency because it incurs no obligations or costs under the contract, nor does the agency procure anything under the contract.

17a. Q. If an EIS is prepared with the assistance of a consulting firm, the firm must execute a disclosure statement. What criteria must the firm follow in determining whether it has any "financial or other interest in the outcome of the project" which would cause a conflict of interest?

A. Section 1506.5(c), which specifies that a consulting firm preparing an EIS must execute a disclosure statement, does not define "financial or other interest in the outcome of the project." The Council interprets this term broadly to cover any known benefits other than general enhancement of professional reputation. This includes any financial benefit such as a promise of future construction or design work on the project, as well as indirect benefits the consultant is aware of (e.g., if the project would aid proposals sponsored by the firm's other clients). For example, completion of a highway project may encourage construction of a shopping center or industrial park from which the consultant stands to benefit. If a consulting firm is aware that it has such an interest in the decision on the proposal, it should be disqualified from preparing the EIS, to preserve the objectivity and integrity of the NEPA process.

When a consulting firm has been involved in developing initial data and plans for the project, but does not have any financial or other interest in the outcome of the decision, it need not be disqualified from preparing the EIS. However, a disclosure statement in the draft EIS should clearly state the scope and extent of the firm's prior involvement to expose any potential conflicts of interest that may exist.

17b. Q. If the firm in fact has no promise of future work or other interest in the outcome of the proposal, may the firm later bid in competition with others for future work on the project if the proposed action is approved?

A. Yes.

18. Q. How should uncertainties about indirect effects of a proposal be addressed, for example, in cases of disposal of federal lands, when the

identity or plans of future landowners is unknown?

A. The EIS must identify all the indirect effects that are known, and make a good faith effort to explain the effects that are not known but are "reasonably foreseeable." Section 1508.8(b). In the example, if there is total uncertainty about the identity of future land owners or the nature of future land uses, then of course, the agency is not required to engage in speculation or contemplation about their future plans. But, in the ordinary course of business, people do make judgments based upon reasonably foreseeable occurrences. It will often be possible to consider the likely purchasers and the development trends in that area or similar areas in recent years; or the likelihood that the land will be used for an energy project, shopping center, subdivision, farm or factory. The agency has the responsibility to make an informed judgment, and to estimate future impacts on that basis, especially if trends are ascertainable or potential purchasers have made themselves known. The agency cannot ignore these uncertain, but probable, effects of its decisions.

19a. Q. What is the scope of mitigation measures that must be discussed?

A. The mitigation measures discussed in an EIS must cover the range of impacts of the proposal. The measures must include such things as design alternatives that would decrease pollution emissions, construction impacts, esthetic intrusion, as well as relocation assistance, possible land use controls that could be enacted, and other possible efforts. Mitigation measures must be considered even for impacts that by themselves would not be considered "significant." Once the proposal itself is considered as a whole to have significant effects, all of its specific effects on the environment (whether or not "significant") must be considered, and mitigation measures must be developed where it is feasible to do so. Sections 1502.14(f), 1502.16(h), 1508.14.

19b. Q. How should an EIS treat the subject of available mitigation measures that are (1) outside the jurisdiction of the lead or cooperating agencies, or (2) unlikely to be adopted or enforced by the responsible agency?

A. All relevant, reasonable mitigation measures that could improve the project are to be identified, even if they are outside the jurisdiction of the lead agency or the cooperating agencies, and thus would not be committed as part of the RODs of these agencies. Sections 1502.16(h), 1505.2(c). This will serve to

alert agencies or officials who can implement these extra measures, and will encourage them to do so. Because the EIS is the most comprehensive environmental document, it is an ideal vehicle in which to lay out not only the full range of environmental impacts but also the full spectrum of appropriate mitigation.

However, to ensure that environmental effects of a proposed action are fairly assessed, the probability of the mitigation measures being implemented must also be discussed. Thus the EIS and the Record of Decision should indicate the likelihood that such measures will be adopted or enforced by the responsible agencies. Sections 1502.16(h), 1505.2. If there is a history of nonenforcement or opposition to such measures, the EIS and Record of Decision should acknowledge such opposition or nonenforcement. If the necessary mitigation measures will not be ready for a long period of time, this fact, of course, should also be recognized.

20a. Q. When must a worst case analysis be included in an EIS?

A. If there are gaps in relevant information or scientific uncertainty pertaining to an agency's evaluation of significant adverse impacts on the human environment, an agency must make clear that such information is lacking or that the uncertainty exists. An agency must include a worst case analysis of the potential impacts of the proposal and an indication of the probability or improbability of their occurrence if (a) the information relevant to adverse impacts is essential to a reasoned choice among alternatives and the overall costs of obtaining the information are exorbitant, or (b) the information relevant to adverse impacts is important to the decision and the means to obtain it are not known.

NEPA requires that impact statements, at a minimum, contain information to alert the public and Congress to all known possible environmental consequences of agency action. Thus, one of the federal government's most important obligations is to present to the fullest extent possible the spectrum of consequences that may result from agency decisions, and the details of their potential consequences for the human environment.

20b. Q. What is the purpose of a worst case analysis? How is it formulated and what is the scope of the analysis?

A. The purpose of the analysis is to carry out NEPA's mandate for full disclosure to the public of the potential consequences of agency decisions, and

to cause agencies to consider those potential consequences when acting on the basis of scientific uncertainties or gaps in available information. The analysis is formulated on the basis of available information, using reasonable projections of the worst possible consequences of a proposed action.

For example, if there are scientific uncertainty and gaps in the available information concerning the numbers of juvenile fish that would be entrained in a cooling water facility, the responsible agency must disclose and consider the possibility of the loss of the commercial or sport fishery.

In addition to an analysis of a low probability/catastrophic impact event, the worst case analysis should also include a spectrum of events of higher probability but less drastic impact.

21. Q. Where an EIS or an EA is combined with another project planning document (sometimes called "piggybacking"), to what degree may the EIS or EA refer to and rely upon information in the project document to satisfy NEPA's requirements?

A. Section 1502.25 of the regulations requires that draft EISs be prepared concurrently and integrated with environmental analyses and related surveys and studies required by other federal statutes. In addition, Section 1506.4 allows any environmental document prepared in compliance with NEPA to be combined with any other agency document to reduce duplication and paperwork. However, these provisions were not intended to authorize the preparation of a short summary or outline EIS, attached to a detailed project report or land use plan containing the required environmental impact data. In such circumstances, the reader would have to refer constantly to the detailed report to understand the environmental impacts and alternatives which should have been found in the EIS itself.

The EIS must stand on its own as an analytical document which fully informs decisionmakers and the public of the environmental effects of the proposal and those of the reasonable alternatives. Section 1502.1. But, as long as the EIS is clearly identified and is self-supporting, it can be physically included in or attached to the project report or land use plan, and may use attached report material as technical backup.

Forest Service environmental impact statements for forest management plans are handled in this manner. The EIS identifies the agency's preferred alternative, which is developed in detail as the proposed management plan. The detailed proposed plan accompanies the EIS through the review process, and the

documents are appropriately cross-referenced. The proposed plan is useful for EIS readers as an example, to show how one choice of management options translates into effects on natural resources. This procedure permits initiation of the 90-day public review of proposed forest plans, which is required by the National Forest Management Act.

All the alternatives are discussed in the EIS, which can be read as an independent document. The details of the management plan are not repeated in the EIS, and vice versa. This is a reasonable functional separation of the documents: the EIS contains information relevant to the choice among alternatives; the plan is a detailed description of proposed management activities suitable for use by the land managers. This procedure provides for concurrent compliance with the public review requirements of both NEPA and the National Forest Management Act.

Under some circumstances, a project report or management plan may be totally merged with the EIS, and the one document labeled as both "EIS" and "management plan" or "project report." This may be reasonable where the documents are short, or where the EIS format and the regulations for clear, analytical EISs also satisfy the requirements for a project report.

22. Q. May state and federal agencies serve as joint lead agencies? If so, how do they resolve law, policy and resource conflicts under NEPA and the relevant state environmental policy act? How do they resolve differences in perspective where, for example, national and local needs may differ?

A. Under Section 1501.5(b), federal, state or local agencies, as long as they include at least one federal agency, may act as joint lead agencies to prepare an EIS. Section 1506.2 also strongly urges state and local agencies and the relevant federal agencies to cooperate fully with each other. This should cover joint research and studies, planning activities, public hearings, environmental assessments and the preparation of joint EISs under NEPA and the relevant "little NEPA" state laws, so that one document will satisfy both laws.

The regulations also recognize that certain inconsistencies may exist between the proposed federal action and any approved state or local plan or law. The joint document should discuss the extent to which the federal agency would reconcile its proposed action with such plan or law. Section 1506.2(d). (See Question 23).

Because there may be differences in perspective as well as conflicts among

federal, state and local goals for resources management, the Council has advised participating agencies to adopt a flexible, cooperative approach. The joint EIS should reflect all of their interests and missions, clearly identified as such. The final document would then indicate how state and local interests have been accommodated, or would identify conflicts in goals (e.g., how a hydroelectric project, which might induce second home development, would require new land use controls). The EIS must contain a complete discussion of scope and purpose of the proposal, alternatives, and impacts so that the discussion is adequate to meet the needs of local, state and federal decisionmakers.

23a. Q. How should an agency handle potential conflicts between a proposal and the objectives of Federal, state or local land use plans, policies and controls for the area concerned? See Sec. 1502.16(c).

A. The agency should first inquire of other agencies whether there are any potential conflicts. If there would be immediate conflicts, or if conflicts could arise in the future when the plans are finished (see Question 23(b) below), the EIS must acknowledge and describe the extent of those conflicts. If there are any possibilities of resolving the conflicts, these should be explained as well. The EIS should also evaluate the seriousness of the impact of the proposal on the land use plans and policies, and whether, or how much, the proposal will impair the effectiveness of land use control mechanisms for the area. Comments from officials of the affected area should be solicited early and should be carefully acknowledged and answered in the EIS.

23b. Q. What constitutes a "land use plan or policy" for purposes of this discussion?

A. The term "land use plans," includes all types of formally adopted documents for land use planning, zoning and related regulatory requirements. Local general plans are included, even though they are subject to future change. Proposed plans should also be addressed if they have been formally proposed by the appropriate government body in a written form, and are being actively pursued by officials of the jurisdiction. Staged plans, which must go through phases of development such as the Water Resources Council's Level A, B and C planning process should also be included even though they are incomplete.

The term "policies" includes formally adopted statements of land use policy as embodied in laws or regulations. It also includes proposals for action such as the

initiation of a planning process, or a formally adopted policy statement of the local, regional or state executive branch, even if it has not yet been formally adopted by the local, regional or state legislative body.

23c. Q. What options are available for the decisionmaker when conflicts with such plans or policies are identified?

A. After identifying any potential land use conflicts, the decisionmaker must weigh the significance of the conflicts, among all the other environmental and non-environmental factors that must be considered in reaching a rational and balanced decision. Unless precluded by other law from causing or contributing to any inconsistency with the land use plans, policies or controls, the decisionmaker retains the authority to go forward with the proposal, despite the potential conflict. In the Record of Decision, the decisionmaker must explain what the decision was, how it was made, and what mitigation measures are being imposed to lessen adverse environmental impacts of the proposal, among the other requirements of Section 1505.2. This provision would require the decisionmaker to explain any decision to override land use plans, policies or controls for the area.

24a. Q. When are EISs required on policies, plans or programs?

A. An EIS must be prepared if an agency proposes to implement a specific policy, to adopt a plan for a group of related actions, or to implement a specific statutory program or executive directive. Section 1508.18. In addition, the adoption of official policy in the form of rules, regulations and interpretations pursuant to the Administrative Procedure Act, treaties, conventions, or other formal documents establishing governmental or agency policy which will substantially alter agency programs, could require an EIS. Section 1508.18. In all cases, the policy, plan, or program must have the potential for significantly affecting the quality of the human environment in order to require an EIS. It should be noted that a proposal "may exist in fact as well as by agency declaration that one exists." Section 1508.23.

24b. Q. When is an area-wide or overview EIS appropriate?

A. The preparation of an area-wide or overview EIS may be particularly useful when similar actions, viewed with other reasonably foreseeable or proposed agency actions, share common timing or geography. For example, when a variety of energy projects may be located in a single watershed, or when a series of new energy technologies may be developed through federal funding, the overview or area-wide EIS would serve

as a valuable and necessary analysis of the affected environment and the potential cumulative impacts of the reasonably foreseeable actions under that program or within that geographical area.

24c. Q. What is the function of tiering in such cases?

A. Tiering is a procedure which allows an agency to avoid duplication of paperwork through the incorporation by reference of the general discussions and relevant specific discussions from an environmental impact statement of broader scope into one of lesser scope or vice versa. In the example given in Question 24b, this would mean that an overview EIS would be prepared for all of the energy activities reasonably foreseeable in a particular geographic area or resulting from a particular development program. This impact statement would be followed by site-specific or project-specific EISs. The tiering process would make each EIS of greater use and meaning to the public as the plan or program develops, without duplication of the analysis prepared for the previous impact statement.

25a. Q. When is it appropriate to use appendices instead of including information in the body of an EIS?

A. The body of the EIS should be a succinct statement of all the information on environmental impacts and alternatives that the decisionmaker and the public need, in order to make the decision and to ascertain that every significant factor has been examined. The EIS must explain or summarize methodologies of research and modeling, and the results of research that may have been conducted to analyze impacts and alternatives.

Lengthy technical discussions of modeling methodology, baseline studies, or other work are best reserved for the appendix. In other words, if only technically trained individuals are likely to understand a particular discussion then it should go in the appendix, and a plain language summary of the analysis and conclusions of that technical discussion should go in the text of the EIS.

The final statement must also contain the agency's responses to comments on the draft EIS. These responses will be primarily in the form of changes in the document itself, but specific answers to each significant comment should also be included. These specific responses may be placed in an appendix. If the comments are especially voluminous, summaries of the comments and responses will suffice. (See Question 29 regarding the level of detail required for responses to comments.)

25b. Q. How does an appendix differ from incorporation by reference?

A. First, if at all possible, the appendix accompanies the EIS, whereas the material which is incorporated by reference does not accompany the EIS. Thus the appendix should contain information that reviewers will be likely to want to examine. The appendix should include material that pertains to preparation of a particular EIS. Research papers directly relevant to the proposal, lists of affected species, discussion of the methodology of models used in the analysis of impacts, extremely detailed responses to comments, or other information, would be placed in the appendix.

The appendix must be complete and available at the time the EIS is filed. Five copies of the appendix must be sent to EPA with five copies of the EIS for filing. If the appendix is too bulky to be circulated, it instead must be placed in conveniently accessible locations or furnished directly to commentors upon request. If it is not circulated with the EIS, the Notice of Availability published by EPA must so state, giving a telephone number to enable potential commentors to locate or request copies of the appendix promptly.

Material that is not directly related to preparation of the EIS should be incorporated by reference. This would include other EISs, research papers in the general literature, technical background papers or other material that someone with technical training could use to evaluate the analysis of the proposal. These must be made available, either by citing the literature, furnishing copies to central locations, or sending copies directly to commentors upon request.

Care must be taken in all cases to ensure that material incorporated by reference, and the occasional appendix that does not accompany the EIS, are in fact available for the full minimum public comment period.

26a. Q. How detailed must an EIS index be?

A. The EIS index should have a level of detail sufficient to focus on areas of the EIS of reasonable interest to any reader. It cannot be restricted to the most important topics. On the other hand, it need not identify every conceivable term or phrase in the EIS. If an agency believes that the reader is reasonably likely to be interested in a topic, it should be included.

26b. Q. Is a keyword index required?

A. No. A keyword index is a relatively short list of descriptive terms that identifies the key concepts or subject areas in a document. For example it could consist of 20 terms which describe

the most significant aspects of an EIS that a future researcher would need: type of proposal, type of impacts, type of environment, geographical area, sampling or modelling methodologies used. This technique permits the compilation of EIS data banks, by facilitating quick and inexpensive access to stored materials. While a keyword index is not required by the regulations, it could be a useful addition for several reasons. First, it can be useful as a quick index for reviewers of the EIS, helping to focus on areas of interest. Second, if an agency keeps a listing of the keyword indexes of the EISs it produces, the EIS preparers themselves will have quick access to similar research data and methodologies to aid their future EIS work. Third, a keyword index will be needed to make an EIS available to future researchers using EIS data banks that are being developed. Preparation of such an index now when the document is produced will save a later effort when the data banks become operational.

27a. Q. If a consultant is used in preparing an EIS, must the list of preparers identify members of the consulting firm as well as the agency NEPA staff who were primarily responsible?

A. Section 1502.17 requires identification of the names and qualifications of persons who were primarily responsible for preparing the EIS or significant background papers, including basic components of the statement. This means that members of a consulting firm preparing material that is to become part of the EIS must be identified. The EIS should identify these individuals even though the consultant's contribution may have been modified by the agency.

27b. Q. Should agency staff involved in reviewing and editing the EIS also be included in the list of preparers?

A. Agency personnel who wrote basic components of the EIS or significant background papers must, of course, be identified. The EIS should also list the technical editors who reviewed or edited the statements.

27c. Q. How much information should be included on each person listed?

A. The list of preparers should normally not exceed two pages. Therefore, agencies must determine which individuals had *primary* responsibility and need not identify individuals with minor involvement. The list of preparers should include a very brief identification of the individuals involved, their qualifications (expertise, professional disciplines) and the specific portion of the EIS for which they are responsible. This may be done in tabular

form to cut down on length. A line or two for each person's qualifications should be sufficient.

28. Q. May an agency file xerox copies of an EIS with EPA pending the completion of printing the document?

A. Xerox copies of an EIS may be filed with EPA prior to printing only if the xerox copies are simultaneously made available to other agencies and the public. Section 1506.9 of the regulations, which governs EIS filing, specifically requires Federal agencies to file EISs with EPA no earlier than the EIS is distributed to the public. However, this section does not prohibit xeroxing as a form of reproduction and distribution. When an agency chooses xeroxing as the reproduction method, the EIS must be clear and legible to permit ease of reading and ultimate microficheing of the EIS. Where color graphs are important to the EIS, they should be reproduced and circulated with the xeroxed copy.

29a. Q. What response must an agency provide to a comment on a draft EIS which states that the EIS's methodology is inadequate or inadequately explained? For example, what level of detail must an agency include in its response to a simple postcard comment making such an allegation?

A. Appropriate responses to comments are described in Section 1503.4. Normally the responses should result in changes in the text of the EIS, not simply a separate answer at the back of the document. But, in addition, the agency must state what its response was, and if the agency decides that no substantive response to a comment is necessary, it must explain briefly why.

An agency is not under an obligation to issue a lengthy reiteration of its methodology for any portion of an EIS if the only comment addressing the methodology is a simple complaint that the EIS methodology is inadequate. But agencies must respond to comments, however brief, which are specific in their criticism of agency methodology. For example, if a commentor on an EIS said that an agency's air quality dispersion analysis or methodology was inadequate, and the agency had included a discussion of that analysis in the EIS, little if anything need be added in response to such a comment. However, if the commentor said that the dispersion analysis was inadequate because of its use of a certain computational technique, or that a dispersion analysis was inadequately explained because computational techniques were not included or referenced, then the agency would have to respond in a substantive and meaningful way to such a comment.

If a number of comments are identical or very similar, agencies may group the comments and prepare a single answer for each group. Comments may be summarized if they are especially voluminous. The comments or summaries must be attached to the EIS regardless of whether the agency believes they merit individual discussion in the body of the final EIS.

29b. Q. How must an agency respond to a comment on a draft EIS that raises a new alternative not previously considered in the draft EIS?

A. This question might arise in several possible situations. First, a commentator on a draft EIS may indicate that there is a possible alternative which, in the agency's view, is not a reasonable alternative. Section 1502.14(a). If that is the case, the agency must explain why the comment does not warrant further agency response, citing authorities or reasons that support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response. Section 1503.4(a). For example, a commentator on a draft EIS on a coal fired power plant may suggest the alternative of using synthetic fuel. The agency may reject the alternative with a brief discussion (with authorities) of the unavailability of synthetic fuel within the time frame necessary to meet the need and purpose of the proposed facility.

A second possibility is that an agency may receive a comment indicating that a particular alternative, while reasonable, should be modified somewhat, for example, to achieve certain mitigation benefits, or for other reasons. If the modification is reasonable, the agency should include a discussion of it in the final EIS. For example, a commentator on a draft EIS on a proposal for a pumped storage power facility might suggest that the applicant's proposed alternative should be enhanced by the addition of certain reasonable mitigation measures, including the purchase and setaside of a wildlife preserve to substitute for the tract to be destroyed by the project. The modified alternative including the additional mitigation measures should be discussed by the agency in the final EIS.

A third slightly different possibility is that a comment on a draft EIS will raise an alternative which is a minor variation of one of the alternatives discussed in the draft EIS, but this variation was not given any consideration by the agency. In such a case, the agency should develop and evaluate the new alternative, if it is reasonable, in the final EIS. If it is qualitatively within the spectrum of

alternatives that were discussed in the draft, a supplemental draft will not be needed. For example, a commentator on a draft EIS to designate a wilderness area within a National Forest might reasonably identify a specific tract of the forest, and urge that it be considered for designation. If the draft EIS considered designation of a range of alternative tracts which encompassed forest area of similar quality and quantity, no supplemental EIS would have to be prepared. The agency could fulfill its obligation by addressing that specific alternative in the final EIS.

As another example, an EIS on an urban housing project may analyze the alternatives of constructing 2,000, 4,000, or 6,000 units. A commentator on the draft EIS might urge the consideration of constructing 5,000 units utilizing a different configuration of buildings. This alternative is within the spectrum of alternatives already considered, and, therefore, could be addressed in the final EIS.

A fourth possibility is that a commentator points out an alternative which is not a variation of the proposal or of any alternative discussed in the draft impact statement, and is a reasonable alternative that warrants serious agency response. In such a case, the agency must issue a supplement to the draft EIS that discusses this new alternative. For example, a commentator on a draft EIS on a nuclear power plant might suggest that a reasonable alternative for meeting the projected need for power would be through peak load management and energy conservation programs. If the permitting agency has failed to consider that approach in the Draft EIS, and the approach cannot be dismissed by the agency as unreasonable, a supplement to the Draft EIS, which discusses that alternative, must be prepared. (If necessary, the same supplement should also discuss substantial changes in the proposed action or significant new circumstances or information, as required by Section 1502.9(c)(1) of the Council's regulations.)

If the new alternative was not raised by the commentator during scoping, but could have been, commentators may find that they are unpersuasive in their efforts to have their suggested alternative analyzed in detail by the agency. However, if the new alternative is discovered or developed later, and it could not reasonably have been raised during the scoping process, then the agency must address it in a supplemental draft EIS. The agency is, in any case, ultimately responsible for

preparing an adequate EIS that considers all alternatives.

30. Q. When a cooperating agency with jurisdiction by law intends to adopt a lead agency's EIS and it is not satisfied with the adequacy of the document, may the cooperating agency adopt only the part of the EIS with which it is satisfied? If so, would a cooperating agency with jurisdiction by law have to prepare a separate EIS or EIS supplement covering the areas of disagreement with the lead agency?

A. Generally, a cooperating agency may adopt a lead agency's EIS without recirculating it if it concludes that its NEPA requirements and its comments and suggestions have been satisfied. Section 1506.3(a), (c). If necessary, a cooperating agency may adopt only a portion of the lead agency's EIS and may reject that part of the EIS with which it disagrees, stating publicly why it did so. Section 1506.3(a).

A cooperating agency with jurisdiction by law (e.g., an agency with independent legal responsibilities with respect to the proposal) has an independent legal obligation to comply with NEPA. Therefore, if the cooperating agency determines that the EIS is wrong or inadequate, it must prepare a supplement to the EIS, replacing or adding any needed information, and must circulate the supplement as a draft for public and agency review and comment. A final supplemental EIS would be required before the agency could take action. The adopted portions of the lead agency EIS should be circulated with the supplement. Section 1506.3(b). A cooperating agency with jurisdiction by law will have to prepare its own Record of Decision for its action, in which it must explain how it reached its conclusions. Each agency should explain how and why its conclusions differ, if that is the case, from those of other agencies which issued their Records of Decision earlier.

An agency that did not cooperate in preparation of an EIS may also adopt an EIS or portion thereof. But this would arise only in rare instances, because an agency adopting an EIS for use in its own decision normally would have been a cooperating agency. If the proposed action for which the EIS was prepared is substantially the same as the proposed action of the adopting agency, the EIS may be adopted as long as it is recirculated as a final EIS and the agency announces what it is doing. This would be followed by the 30-day review period and issuance of a Record of Decision by the adopting agency. If the proposed action by the adopting agency is not substantially the same as that in

the EIS (i.e., if an EIS on one action is being adapted for use in a decision on another action), the EIS would be treated as a draft and circulated for the normal public comment period and other procedures. Section 1506.3(b).

31a. Q. Do the Council's NEPA regulations apply to independent regulatory agencies like the Federal Energy Regulatory Commission (FERC) and the Nuclear Regulatory Commission?

A. The statutory requirements of NEPA's Section 102 apply to "all agencies of the federal government." The NEPA regulations implement the procedural provisions of NEPA as set forth in NEPA's Section 102(2) for all agencies of the federal government. The NEPA regulations apply to independent regulatory agencies, however, they do not direct independent regulatory agencies or other agencies to make decisions in any particular way or in a way inconsistent with an agency's statutory charter. Sections 1500.3, 1500.6, 1507.1, and 1507.3.

31b. Q. Can an Executive Branch agency like the Department of the Interior adopt an EIS prepared by an independent regulatory agency such as FERC?

A. If an independent regulatory agency such as FERC has prepared an EIS in connection with its approval of a proposed project, an Executive Branch agency (e.g., the Bureau of Land Management in the Department of the Interior) may, in accordance with Section 1506.3, adopt the EIS or a portion thereof for its use in considering the same proposal. In such a case the EIS must, to the satisfaction of the adopting agency, meet the standards for an adequate statement under the NEPA regulations (including scope and quality of analysis of alternatives) and must satisfy the adopting agency's comments and suggestions. If the independent regulatory agency fails to comply with the NEPA regulations, the cooperating or adopting agency may find that it is unable to adopt the EIS, thus forcing the preparation of a new EIS or EIS Supplement for the same action. The NEPA regulations were made applicable to all federal agencies in order to avoid this result, and to achieve uniform application and efficiency of the NEPA process.

32. Q. Under what circumstances do old EISs have to be supplemented before taking action on a proposal?

A. As a rule of thumb, if the proposal has not yet been implemented, or if the EIS concerns an ongoing program, EISs that are more than 5 years old should be carefully reexamined to determine if the

criteria in Section 1502.9 compel preparation of an EIS supplement.

If an agency has made a substantial change in a proposed action that is relevant to environmental concerns, or if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts, a supplemental EIS must be prepared for an old EIS so that the agency has the best possible information to make any necessary substantive changes in its decisions regarding the proposal. Section 1502.9(c).

33a. Q. When must a referral of an interagency disagreement be made to the Council?

A. The Council's referral procedure is a *pre-decision* referral process for interagency disagreements. Hence, Section 1504.3 requires that a referring agency must deliver its referral to the Council not later than 25 days after publication by EPA of notice that the final EIS is available (unless the lead agency grants an extension of time under Section 1504.3(b)).

33b. Q. May a referral be made after this issuance of a Record of Decision?

A. No, except for cases where agencies provide an internal appeal procedure which permits simultaneous filing of the final EIS and the record of decision (ROD). Section 1506.10(b)(2). Otherwise, as stated above, the process is a *pre-decision* referral process. Referrals must be made within 25 days after the notice of availability of the final EIS, whereas the final decision (ROD) may not be made or filed until after 30 days from the notice of availability of the EIS. Sections 1504.3(b), 1506.10(b). If a lead agency has granted an extension of time for another agency to take action on a referral, the ROD may not be issued until the extension has expired.

34a. Q. Must Records of Decision (RODs) be made public? How should they be made available?

A. Under the regulations, agencies must prepare a "concise public record of decision," which contains the elements specified in Section 1505.2. This public record may be integrated into any other decision record prepared by the agency, or it may be separate if decision documents are not normally made public. The Record of Decision is intended by the Council to be an environmental document (even though it is not explicitly mentioned in the definition of "environmental document" in Section 1508.10). Therefore, it must be made available to the public through appropriate public notice as required by Section 1506.6(b). However, there is no specific requirement for publication of

the ROD itself, either in the **Federal Register** or elsewhere.

34b. Q. May the summary section in the final Environmental Impact Statement substitute for or constitute an agency's Record of Decision?

A. No. An environmental impact statement is supposed to inform the decisionmaker before the decision is made. Sections 1502.1, 1505.2. The Council's regulations provide for a 30-day period after notice is published that the final EIS has been filed with EPA before the agency may take final action. During that period, in addition to the agency's own internal final review, the public and other agencies can comment on the final EIS prior to the agency's final action on the proposal. In addition, the Council's regulations make clear that the requirements for the summary in an EIS are not the same as the requirements for a ROD. Sections 1502.12 and 1505.2.

34c. Q. What provisions should Records of Decision contain pertaining to mitigation and monitoring?

A. Lead agencies "shall include appropriate conditions [including mitigation measures and monitoring and enforcement programs] in grants, permits or other approvals" and shall "condition funding of actions on mitigation." Section 1505.3. Any such measures that are adopted must be explained and committed in the ROD.

The reasonable alternative mitigation measures and monitoring programs should have been addressed in the draft and final EIS. The discussion of mitigation and monitoring in a Record of Decision must be more detailed than a general statement that mitigation is being required, but not so detailed as to duplicate discussion of mitigation in the EIS. The Record of Decision should contain a concise summary identification of the mitigation measures which the agency has committed itself to adopt.

The Record of Decision must also state whether all practicable mitigation measures have been adopted, and if not, why not. Section 1505.2(c). The Record of Decision must identify the mitigation measures and monitoring and enforcement programs that have been selected and plainly indicate that they are adopted as part of the agency's decision. If the proposed action is the issuance of a permit or other approval, the specific details of the mitigation measures shall then be included as appropriate conditions in whatever grants, permits, funding or other approvals are being made by the federal agency. Section 1505.3 (a), (b). If the proposal is to be carried out by the

federal agency itself, the Record of Decision should delineate the mitigation and monitoring measures in sufficient detail to constitute an enforceable commitment, or incorporate by reference the portions of the EIS that do so.

34d. Q. What is the enforceability of a Record of Decision?

A. Pursuant to generally recognized principles of federal administrative law, agencies will be held accountable for preparing Records of Decision that conform to the decisions actually made and for carrying out the actions set forth in the Records of Decision. This is based on the principle that an agency must comply with its own decisions and regulations once they are adopted. Thus, the terms of a Record of Decision are enforceable by agencies and private parties. A Record of Decision can be used to compel compliance with or execution of the mitigation measures identified therein.

35. Q. How long should the NEPA process take to complete?

A. When an EIS is required, the process obviously will take longer than when an EA is the only document prepared. But the Council's NEPA regulations encourage streamlined review, adoption of deadlines, elimination of duplicative work, eliciting suggested alternatives and other comments early through scoping, cooperation among agencies, and consultation with applicants during project planning. The Council has advised agencies that under the new NEPA regulations even large complex energy projects would require only about 12 months for the completion of the entire EIS process. For most major actions, this period is well within the planning time that is needed in any event, apart from NEPA.

The time required for the preparation of program EISs may be greater. The Council also recognizes that some projects will entail difficult long-term planning and/or the acquisition of certain data which of necessity will require more time for the preparation of the EIS. Indeed, some proposals should be given more time for the thoughtful preparation of an EIS and development of a decision which fulfills NEPA's substantive goals.

For cases in which only an environmental assessment will be prepared, the NEPA process should take no more than 3 months, and in many cases substantially less, as part of the normal analysis and approval process for the action.

36a. Q. How long and detailed must an environmental assessment (EA) be?

A. The environmental assessment is a concise public document which has

three defined functions. (1) It briefly provides sufficient evidence and analysis for determining whether to prepare an EIS; (2) it aids an agency's compliance with NEPA when no EIS is necessary, i.e., it helps to identify better alternatives and mitigation measures; and (3) it facilitates preparation of an EIS when one is necessary. Section 1508.9(a).

Since the EA is a concise document, it should not contain long descriptions or detailed data which the agency may have gathered. Rather, it should contain a brief discussion of the need for the proposal, alternatives to the proposal, the environmental impacts of the proposed action and alternatives, and a list of agencies and persons consulted. Section 1508.9(b).

While the regulations do not contain page limits for EA's, the Council has generally advised agencies to keep the length of EAs to not more than approximately 10-15 pages. Some agencies expressly provide page guidelines (e.g., 10-15 pages in the case of the Army Corps). To avoid undue length, the EA may incorporate by reference background data to support its concise discussion of the proposal and relevant issues.

36b. Q. Under what circumstances is a lengthy EA appropriate?

A. Agencies should avoid preparing lengthy EAs except in unusual cases, where a proposal is so complex that a concise document cannot meet the goals of Section 1508.9 and where it is extremely difficult to determine whether the proposal could have significant environmental effects. In most cases, however, a lengthy EA indicates that an EIS is needed.

37a. Q. What is the level of detail of information that must be included in a finding of no significant impact (FONSI)?

A. The FONSI is a document in which the agency briefly explains the reasons why an action will not have a significant effect on the human environment and, therefore, why an EIS will not be prepared. Section 1508.13. The finding itself need not be detailed, but must succinctly state the reasons for deciding that the action will have no significant environmental effects, and, if relevant, must show which factors were weighted most heavily in the determination. In addition to this statement, the FONSI must include, summarize, or attach and incorporate by reference, the environmental assessment.

37b. Q. What are the criteria for deciding whether a FONSI should be made available for public review for 30 days before the agency's final

determination whether to prepare an EIS?

A. Public review is necessary, for example, (a) if the proposal is a borderline case, i.e., when there is a reasonable argument for preparation of an EIS; (b) if it is an unusual case, a new kind of action, or a precedent setting case such as a first intrusion of even a minor development into a pristine area; (c) when there is either scientific or public controversy over the proposal; or (d) when it involves a proposal which is or is closely similar to one which normally requires preparation of an EIS. Sections 1501.4(e)(2), 1508.27. Agencies also must allow a period of public review of the FONSI if the proposed action would be located in a floodplain or wetland. E.O. 11988, Sec. 2(a)(4); E.O. 11990, Sec. 2(b).

38. Q. Must (EAs) and FONSI be made public? If so, how should this be done?

A. Yes, they must be available to the public. Section 1506.6 requires agencies to involve the public in implementing their NEPA procedures, and this includes public involvement in the preparation of EAs and FONSI. These are public "environmental documents" under Section 1506.6(b), and, therefore, agencies must give public notice of their availability. A combination of methods may be used to give notice, and the methods should be tailored to the needs of particular cases. Thus, a Federal Register notice of availability of the documents, coupled with notices in national publications and mailed to interested national groups might be appropriate for proposals that are national in scope. Local newspaper notices may be more appropriate for regional or site-specific proposals.

The objective, however, is to notify all interested or affected parties. If this is not being achieved, then the methods should be reevaluated and changed. Repeated failure to reach the interested or affected public would be interpreted as a violation of the regulations.

39. Q. Can an EA and FONSI be used to impose enforceable mitigation measures, monitoring programs, or other requirements, even though there is no requirement in the regulations in such cases for a formal Record of Decision?

A. Yes. In cases where an environmental assessment is the appropriate environmental document, there still may be mitigation measures or alternatives that would be desirable to consider and adopt even though the impacts of the proposal will not be "significant." In such cases, the EA should include a discussion of these measures or alternatives to "assist

agency planning and decisionmaking" and to "aid an agency's compliance with [NEPA] when no environmental impact statement is necessary." Section 1501.3(b), 1508.9(a)(2). The appropriate mitigation measures can be imposed as enforceable permit conditions, or adopted as part of the agency final decision in the same manner mitigation measures are adopted in the formal Record of Decision that is required in EIS cases.

40. Q. If an environmental assessment indicates that the environmental effects of a proposal are significant but that, with mitigation, those effects may be reduced to less than significant levels, may the agency make a finding of no significant impact rather than prepare an EIS? Is that a legitimate function of an EA and scoping?

A. Mitigation measures may be relied upon to make a finding of no significant impact only if they are imposed by statute or regulation, or submitted by an applicant or agency as part of the original proposal. As a general rule, the regulations contemplate that agencies should use a broad approach in defining significance and should not rely on the possibility of mitigation as an excuse to avoid the EIS requirement. Sections 1508.8, 1508.27.

If a proposal appears to have adverse effects which would be significant, and certain mitigation measures are then developed during the scoping or EA stages, the existence of such possible mitigation does not obviate the need for an EIS. Therefore, if scoping or the EA identifies certain mitigation possibilities without altering the nature of the overall proposal itself, the agency should continue the EIS process and submit the proposal, and the potential mitigation, for public and agency review and comment. This is essential to ensure that the final decision is based on all the relevant factors and that the full NEPA process will result in enforceable mitigation measures through the Record of Decision.

In some instances, where the proposal itself so integrates mitigation from the beginning that it is impossible to define the proposal without including the mitigation, the agency may then rely on the mitigation measures in determining that the overall effects would not be significant (e.g., where an application for a permit for a small hydro dam is based on a binding commitment to build fish ladders, to permit adequate down stream flow, and to replace any lost wetlands, wildlife habitat and recreational potential). In those instances, agencies should make the FONSI and EA available for 30 days of

public comment before taking action. Section 1501.4(e)(2).

Similarly, scoping may result in a redefinition of the entire project, as a result of mitigation proposals. In that case, the agency may alter its previous decision to do an EIS, as long as the agency or applicant resubmits the entire proposal and the EA and FONSI are available for 30 days of review and comment. One example of this would be where the size and location of a proposed industrial park are changed to avoid affecting a nearby wetland area.

[FR Doc. 81-8734 Filed 3-20-81; 8:45 am]

BILLING CODE 3125-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 531

[Docket No. LVM 77-05; Notice 5]

Passenger Automobile Average Fuel Economy Standards; Exemption From Average Fuel Economy Standards

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

ACTION: Final decision to grant exemption from fuel economy standards.

SUMMARY: This notice exempts Excalibur Automobile Corporation (Excalibur) from the generally applicable average fuel economy standards of 19.0 miles per gallon (mpg) and 20.0 mpg for 1979 and 1980 model year passenger automobiles, respectively, and establishes alternative standards. The alternative standards are 11.5 mpg in the 1979 model year and 16.2 mpg in the 1980 model year.

DATES: The exemptions and alternative standards set forth in this notice apply in the 1979 and 1980 model years.

FOR FURTHER INFORMATION CONTACT: Robert Mercure, Office of Automotive Fuel Economy Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590 (202-755-9384).

SUPPLEMENTARY INFORMATION: The National Highway Traffic Safety Administration (NHTSA) is exempting Excalibur from the generally applicable average fuel economy standards for the 1979 and 1980 model year and establishing alternative standards applicable to that company in those model years. This exemption is issued under the authority of section 502(c) of the Motor Vehicle Information and Cost

Savings Act, as amended (the Act) (15 U.S.C. 2002(c)). Section 502(c) provides that a manufacturer of passenger automobiles that manufactures fewer than 10,000 passenger automobiles annually may be exempted from the generally applicable average fuel economy standard for a particular model year if that standard is greater than the low volume manufacturer's maximum feasible average fuel economy and if the NHTSA establishes an alternative standard applicable to that manufacturer at the low volume manufacturer's maximum feasible average fuel economy. Section 502(e) of the Act (15 U.S.C. 2002(e)) requires the NHTSA to consider:

- (1) Technological feasibility;
- (2) Economic practicability;
- (3) The effect of other Federal motor vehicle standards on fuel economy; and
- (4) The need of the Nation to conserve energy.

This final rule was preceded by a notice announcing the NHTSA's proposed decision to grant an exemption to Excalibur for the 1979 and 1980 model years (45 FR 50840, July 31, 1980). No comments were received during the 45-day comment period.

Based on its conclusions that it is not technologically feasible and economically practicable for Excalibur to improve the fuel economy of its 1979 and 1980 model year automobiles above an average of 11.5 and 16.2 mpg, respectively, that other Federal automobile standards did not affect achievable fuel economy beyond the extent considered in this analysis, and that the national effort to conserve energy will be negligibly affected by the granting of the requested exemptions, this agency concludes that the maximum feasible average fuel economy for Excalibur in the 1979 and 1980 model years is 11.5 mpg and 16.2 mpg, respectively. Therefore, NHTSA is exempting Excalibur from the generally applicable standards and is establishing alternative standards of 11.5 mpg for the 1979 model year and 16.2 mpg for the 1980 model year.

In consideration of the foregoing, 49 CFR Part 531 is amended by revising § 531.5(b)(5) to read as follows:

§ 531.5 Fuel economy standards.

(b) The following manufacturers shall comply with the fuel economy standards indicated below for the specified model years:

- (5) Excalibur Automobile Corporation.

Model year	Average ¹
1978	11.5
1979	11.5
1980	16.2

¹ Average fuel economy standard (miles per gallon).

* * * * *

The program official and attorney principally responsible for the development of this decision are Robert Mercure and Stephen Kratzke, respectively.

(Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 49 CFR 1.50)

Issued on March 13, 1981.

Diane Steed,

Acting Administrator.

[FR Doc. 81-8861 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-59-M

Proposed Rules

Federal Register

Vol. 46, No. 55

Monday, March 23, 1981

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 982

Filberts Grown in Oregon and Washington; Decision and Referendum Order on Proposed Further Amendment of the Marketing Agreement and Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This decision proposes an amendment of the filbert marketing agreement and order program, and provides filbert producers the opportunity to vote in a referendum on the proposed amendment. The proposed amendment would change the method for adopting and implementing the marketing policy and volume regulation. Other changes include a definition of the new term "marketing year," setting new beginning and ending dates for that year which would change some marketing order operations, and renaming the Board which works with AMS in administering the program. The main purpose of the proposed amendment is to improve the operation and effectiveness of the program.

DATE: The representative period for purposes of the referendum herein ordered is August 1, 1979, through July 31, 1980.

FOR FURTHER INFORMATION CONTACT: J. S. Miller, Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447-5697. An impact statement relative to this action is available on request from J. S. Miller.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding: Notice of Hearing—Issued June 18, 1980, and published June 24, 1980 (45 FR 42315).

Notice of Recommended Decision—Issued January 7, 1981, and published January 12, 1981 (46 FR 2622).

This administrative action is governed by the provisions of Sections 556 and 557 of Title 5 of the United States Code, and therefore, is excluded from the requirements of Executive Order 12291.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because it would result in only minimal costs being incurred by the regulated nine handlers.

Preliminary Statement. This proposed amendment was formulated on the record of a public hearing held at Portland, Oregon, July 9, 1980. Notice of the hearing was published in the June 24, 1980, issue of the *Federal Register* (45 FR 42315). The notice contained proposals submitted by the Filbert Control Board. The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice (7 CFR Part 900).

On the basis of the evidence introduced at the hearing and the record thereof, Deputy Administrator Manley, on January 7, 1981, filed with the Hearing Clerk, U.S. Department of Agriculture, a recommended decision which contained notice of the opportunity to file by January 30, 1981, written exceptions thereto. One exception was filed by Larry L. Holden, General Manager of the Oregon Division of the Robert L. Berner Company. The Berner Company is a handler under the filbert marketing agreement and order program.

Findings and Conclusions. The material issues, findings and conclusions, rulings, general findings, and regulatory provisions of the recommended decision published in the January 12, 1981, issue of the *Federal Register* (46 FR 2622) are hereby incorporated herein and made a part hereof subject to the following modifications and corrections:

In Material Issue (1)(a), 13 new paragraphs are added after the fourth paragraph as follows:

"The exceptor was against changing the marketing policy year to May 1 through April 30, and beginning the 1981-82 marketing policy year on May 1, 1981."

"The exceptor's main objection to beginning the 1981-82 marketing policy

year on May 1, 1981, was a matter of preparation. The exceptor stated that shortening the current 1980-81 marketing policy year by three months from July 31, 1981, to April 30, 1981, would not give handlers adequate notice to plan their processing, shelling, and marketing operations, and that Berner Company has been operating as if the current marketing year would end July 31, not April 30."

"The provisions of the proposed order amendment, including the proposed change in the marketing policy year, are well known to handlers of filberts grown in the production area. Considerable effort was made by the Department to bring the hearing to the attention of all handlers, producers, and others. The hearing on the proposed amendment began July 9, 1980, at Portland, Oregon. A pre-notice press release announcing the proposed order amendment and inviting public comment was released April 9, 1980. A notice of hearing was published in the *Federal Register* June 24, 1980, in accordance with the Department's Rules of Practice and Procedure Governing Proceedings to Formulate Marketing Agreements and Marketing Orders (7 CFR Part 900). A copy of this notice was mailed to all known handlers, producers, and to the Governors of the States of Oregon and Washington. Press releases concerning the proceeding were issued and made available to the media. The intent of the extensive notification process was to give all interested persons, including handlers, as much notice as possible, that the current 1980-81 marketing policy year might end April 30, not July 31, and afford them opportunity to respond."

"No opposition to changing the beginning of the marketing policy year to May 1 was presented as a result of the prenotice press release and at the hearing, and no briefs containing proposed findings and conclusions were submitted after the hearing opposing the proposed change in the marketing policy year. The result is a compilation of evidence which provides a basis to change the beginning of the marketing policy year to May 1."

"Up to the time of the exception, there appeared to be no opposition to changing the beginning of the marketing policy year from August 1 to May 1, and it appeared that all of the handlers were planning their operations accordingly."

However, as discussed in Material Issue (7), there could be some inequities as a result of this change with respect to the last date handlers can defer temporarily their 1980-81 marketing policy year withholding obligations. For the reasons discussed in that Material Issue, the last date for deferments during the current 1980-81 marketing policy year should continue to be April 30, 1981. Hence, the marketing policy year change should have no impact on handlers meeting their 1980-81 withholding obligations."

"The exceptor agreed with those findings and conclusions of the recommended decision that excessive supplies of inshell filberts carried over into the new marketing policy year have resulted in price weakness in that year but cautioned that beginning the marketing policy year May 1 would actually tend to increase the amount of inshell filberts carried over into the next year and thereby act contrary to the declared policy of the order. The purpose of the order is to establish and maintain orderly marketing conditions."

"The main cause of the excessive inshell filbert carryovers in the last few seasons has been ineffective marketing policies which caused market uncertainty. That is, buyers purchased only enough filberts to cover their immediate needs in anticipation of later price reductions. This action has been reinforced because handlers have in fact reduced prices following the peak shipping season in six of the last ten years in order to sell excessive supplies and avoid the high costs associated with carrying the supplies until August 1."

"As discussed in Material Issue (5), the recommended change in setting marketing policy is intended to provide filbert growers and handlers with a marketing policy mechanism which will reduce the risk of underestimated crops and overly optimistic trade demand estimates. In other words, a marketing policy which will contribute toward the establishment and maintenance of orderly marketing conditions and fair returns for growers, handlers, and reasonable prices to consumers."

"The change to a marketing policy year beginning May 1 is intended to reinforce the recommended change in the method of setting marketing policy. As indicated previously, the proposed marketing policy year change would encourage handlers to shell or export filberts not needed for the inshell market earlier and avoid the cost of carrying excessive inventory until August 1. It will also reduce the chances of excessive carryovers burdening the next crop."

"Under the current August 1-July 31 marketing policy year some handlers

have shelled or exported inshell filberts during the months of May, June, and July. These are outlets eligible for the disposition of restricted filberts. However, as the exceptor pointed out, these dispositions generally were in excess of any withholding obligation incurred by handlers during that year. Under the proposed marketing policy year, these dispositions would occur early in the year before the peak inshell shipping season and credit for the disposition in restricted outlets would be available for use if volume regulations were established later for that marketing policy year. Thus, the chances that some handlers would lower prices during January through April would be lessened as would late year inventory buildups which burden new crop sales."

"While changing the beginning date of the marketing policy year to May 1 will reflect current industry marketing operations, the fact that changes may occur which would necessitate a different period of operation has been recognized. Authority to make such a needed change by informal rulemaking has been retained, and any needed changes in the date could be made in a timely fashion."

"Also, a marketing policy year beginning May 1 gives handlers additional time to plan their marketing strategies for the new crop. Since inshell filberts have a limited domestic market of short duration, a well formulated marketing plan is very critical."

"In view of all the foregoing, the exceptor's request to retain the August 1-July 31 marketing policy year, is denied."

The first and second sentences of the fourth paragraph of Material Issue (1)(a) are removed and replaced with the following sentence: "May 1 should be selected initially for the beginning of the marketing policy year because handlers generally have completed processing by May 1, and most have satisfied their withholding obligations by then." The deleted sentences referred to an inventory tax which has been abolished.

In Material Issue (3), two new paragraphs are added after paragraph (4) as follows:

"The exceptor pointed out that because § 982.32(e) would require nominations for Board membership to be submitted at least 60 days prior to the beginning of the marketing year, the order would have to be amended by February 28, for this deadline to be met. Because of time limitations and equity considerations, the earliest the order can be amended is May 1, 1981. Therefore, the nominations of the members and alternate members whose

terms would begin May 1, 1981, should be submitted as soon as practicable following the beginning of the marketing year and paragraph (e) is revised accordingly."

"Moreover, it is not likely that the new Board will be selected and organized for some time after May 1. Therefore, § 982.32(f) should be revised so that the Board can submit its nominations for public and alternate public members for the term of office beginning May 1, 1981, as soon as practicable following the beginning of the marketing year. This change would give the newly selected Board the time it needs to find qualified persons interested in serving as public and alternate public members."

In Material Issue (7), a new paragraph is added after paragraph (2) as follows:

"The exceptor pointed out that a marketing year beginning May 1, 1981, would require handlers to meet their 1980-81 withholding obligations by February 28, 1981. For the 1980-81 marketing policy year, the deadline date should be April 30, 1981. Under the current order, handlers could have deferred temporarily their 1980-81 withholding obligations until April 30, 1981. Consequently, some handlers may have posted bonds maturing on April 30, 1981, as a surety that they will have satisfied fully their 1980-81 withholding obligations by that date. Thus, it would be inequitable to require handlers to satisfy their 1980-81 marketing policy year obligations earlier than April 30, 1981, especially since the earliest any order amendment resulting from the hearing could be effectuated would be May 1, 1981. Paragraph (a) is revised accordingly."

In addition, the following amendments correcting and clarifying the recommended decision and order are made:

Page	Column	Paragraph	Line	Correction
2622	2	9	1	Insert "in" after "specified".
2623	1	3	21	Change "revised" to "amended".
2623	2	3	10	Change "demonstrates" to "indicates".
2623	2	3	11	Change "purposes" to "purpose".
2624	3	2	21	Delete "and" and add a period after "prices".
2624	3	2	22	Change "the" to "The".
2625	2	3	10	Change "that" to "such".
2625	3	—	16	Change "carrying" to "carryin".
2626	2	1	22	Change "handles" to "hand-died".
2626	1	5	1	Insert "public" before "member".
2626	2	—	16	Change "presentation" to "representation".
2628	2	3	1	Change "any" to "no".
2628	2	3	2	Delete "not".
2628	2	3	3	Delete "direct".

Page	Column	Paragraph	Line	Correction
2628	3	3	5	Change "That" to "The".
2628	3	3	6	Delete "be" and "to".
2628	3	3	12	Insert "more representative" before "prior".
2629	1	6	4	Insert "to the Secretary", after "thereof".

Another correction is needed on page 2623, column 2, paragraph 5. That paragraph should be changed to read as follows: "So that the 'public member' would be truly representative of the public and represent its views, that member should not have any financial interest in the growing or handling of filberts. A 'public member' should not have any business dealing with any handler or grower and should not receive any remuneration directly from a grower or handler. For example, this would preclude a banker making loans to filbert growers or handlers from serving as a 'public member', but would not disqualify University personnel receiving grants for studies of agricultural products from serving in this capacity. This qualification should be added as a new paragraph (b) in § 982.34. Paragraph (b) should provide that no person nominated to serve as a public member or alternate shall have a financial interest in any filbert growing or handling operation."

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, the exception to the recommended decision was carefully and fully considered in conjunction with the record evidence. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with the exception, such exception is hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Filberts Grown in Oregon and Washington", and "Order Amending the Order, as Amended, Regulating the Handling of Filberts Grown in Oregon and Washington", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the annexed marketing agreement, be published in the **Federal Register**. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the

annexed order which is published with this decision.

Referendum order. It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR 900.400 *et seq.*), to determine whether the issuance of the annexed order as amended and as hereby proposed to be further amended, regulating the handling of filberts grown in Oregon and Washington, is approved or favored by producers, as defined under the terms of the order, who during the representative period were engaged in the production area in the production of the regulated commodity for market.

The representative period for the conduct of such referendum is hereby determined to be August 1, 1979, through July 31, 1980.

The agents of the Secretary to conduct such referendum are hereby designated to be Joseph C. Perrin, Dennis West, and J. S. Miller, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture.

Signed at Washington, D.C. on March 18, 1981.

C. W. McMillan,

Assistant Secretary for Marketing and Transportation Services.

ORDER AMENDING THE ORDER, AS AMENDED, REGULATING THE HANDLING OF FILBERTS GROWN IN OREGON AND WASHINGTON

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) **Findings upon the basis of the hearing record.** Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed amendment of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington.

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Upon the basis of the record it is found that:

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

(2) The order, as amended, and as hereby further amended, regulates the handling of filberts grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

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

(4) There are no differences in the production and marketing of filberts grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of filberts grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Order Relative to Handling

It is therefore ordered, That on and after the effective date hereof, the handling of filberts grown in Oregon and Washington shall be in conformity to and in compliance with the following terms and conditions of the order, as hereby amended.

Except for the previously noted corrections and modifications, the provisions of the proposed marketing agreement and order, amending the order, contained in the recommended decision issued by the Deputy Administrator on January 7, 1981, and published in the **Federal Register** on January 12, 1981 (46 FR 2622), shall be and are the terms and provisions of this order, amending the order, and are set forth in full herein.

1. The title of the order is revised to read as follows:

PART 982—FILBERTS/HAZELNUTS GROWN IN OREGON AND WASHINGTON

2. Section 982.17 is revised to read as follows:

§ 982.17 Marketing year.

"Marketing year" means the 12 months from May 1 to the following April 30, both inclusive, or such other period of time as may be recommended by the Board and established by the Secretary.

§§ 982.1-982.88 [Nomenclature change.]

3. The terms "marketing policy year" and "fiscal year" are changed in "marketing year" wherever they appear in §§ 982.1 through 982.88.

4. Section 982.18 is revised to read as follows:

§ 982.18 Board.

"Board" means the Filbert/Hazelnut Marketing Board established pursuant to § 982.30.

5. Section 982.19 is redesignated § 982.20 and a new § 982.19 is added to read as follows:

§ 982.19 Disappearance.

"Disappearance" means the difference between orchard-run production and the available supply of merchantable filberts and merchantable equivalent of shelled filberts.

§ 982.20 [Renumbered from § 982.19]

6. Section 982.30(g) is revised to read as follows:

§ 982.30 Establishment and membership.

(g) One public member who is neither a grower nor a handler.

7. Section 982.32 (e) and (f) are revised to read as follows:

§ 982.32 Nomination.

(e) All votes cast by cooperative handlers, independent handlers, or for cooperative growers, shall be weighted according to the tonnage of certified merchantable filberts and, when shelled filbert grade and size regulations are in effect, the inshell equivalent of certified shelled filberts (computed to the nearest whole ton) recorded by the Board as handled by each such handler or cooperative grower group during the preceding marketing year and if less than one ton is recorded for any such handler or cooperative grower group, the vote shall be weighted as one vote. All votes cast by independent growers shall be given equal weight. Nominations received in the foregoing manner by the Board shall be reported to the Secretary at least 60 days prior to the beginning of each marketing year, together with a certificate of all necessary data and other information deemed by the Board to be pertinent or requested by the Secretary: *Provided*, That the nominations of the persons who would

serve for terms beginning May 1, 1981, together with such certificate and other information, shall be reported as soon as practicable after May 1. If such nominations of any group are not submitted to the Secretary by that time, the Secretary may select the representatives of that group without nomination.

(f) Nominees for the public member and alternate member positions specified in § 982.30(g) shall be chosen by the other eight members who are to serve on the Board during the ensuing marketing year. If nominations for such member or alternate are not submitted within 30 days after the beginning of the marketing year, the Secretary may select such member or alternate without nomination: *Provided*, That the nominations for such member and alternate member whose terms would begin May 1, 1981, shall be submitted as soon as practicable after May 1.

8. Section 982.33(b)(1) is revised to read as follows:

§ 982.33 Selection and term of office.

(b) *Term of office.* (1) The term of office of each member and alternate member shall be two marketing years from the beginning of the marketing year, except that (i) the terms of office of one of the grower members and the member's alternate specified in § 982.30 (a) and (b) shall expire at the end of the first even numbered marketing year following the year of selection, and the terms of office of all other members and alternate members shall expire at the end of the first odd-numbered marketing year following the year of selection; (ii) if the representation on the Board in an ensuing marketing year will, by reason of change in representation pursuant to § 982.30 (c) and (f), be different from that in the current marketing year, the terms of office of all grower and handler members and alternate members shall expire at the end of the current marketing year and successor members and alternate members shall be nominated and selected in conformance with §§ 982.30 and 982.33; (iii) if the districts for independent grower representation in an ensuing marketing year will be different from that in the current marketing year, the terms of office of all independent grower members and alternate members specified in § 982.30 (e) and (f) shall expire at the end of the current marketing year, and persons nominated to succeed them shall be nominated and

selected so as to conform with such changed representation.

9. Section § 982.34 is revised to read as follows:

§ 982.34 Qualification.

(a) Any person selected to serve as a member or an alternate member of the Board shall qualify by filing with the Secretary a written acceptance of appointment. Any member or alternate member who at the time of selection was a member or employed by a member of the group which nominated that person shall, upon ceasing to be such a member or employee, become disqualified to serve further and that position on the Board shall be deemed vacant. In the event any member or alternate member of the Board qualified and selected, in accordance with the provisions of §§ 982.30 and 982.32, to represent independent growers should during that person's term of office handle filberts produced by other growers or become an employee of a handler, that position on the Board shall thereupon be deemed to be vacant.

(b) No person nominated to serve as a public member or alternate shall have a direct financial interest in any filbert growing or handling operation.

10. Section 982.39(f) is revised to read as follows:

§ 982.39 Duties.

(f) To cause the books of the Board to be audited by one or more public accountants approved by the Board at least once for each marketing year and at such other times as the Board deems necessary or as the Secretary may request, and to file with the Secretary reports of all audits made;

11. Section 982.40 is revised to read as follows:

§ 982.40 Marketing policy and volume regulation.

(a) *General.* As provided in this section, for each marketing year the Board may hold meetings for the purpose of computing its marketing policy for that year and shall do so for the purpose of submitting any recommendations on its policy to the Secretary. The Board may designate one of its employees to compute and announce the preliminary computed and final computed free and restricted percentages.

(b) *Trade demand.* Prior to August of a marketing year, the Board shall recommend establishment of an inshell trade demand for that year to the

Secretary. The inshell trade demand shall equal the average of the trade acquisitions of inshell filberts during the preceding three years. If the trade acquisitions during any one or all of those years was abnormally low because of crop conditions, the Board may use more representative prior year or years in determining the three-year average. If the Secretary finds, on the basis of the Board's recommendation or other information that limiting the quantity of merchantable filberts which may be handled during a marketing year through application of the free and restricted percentages to that trade demand as provided in paragraph (c) of this section would tend to effectuate the declared policy of the act, the Secretary shall establish that trade demand.

(c) *Inshell allocation*—(1) *Preliminary computed percentages*. Prior to September 20 of that marketing year, the Board shall compute and announce preliminary computed free and restricted percentages for that year, to release 70 percent of the inshell trade demand computed for that year. The preliminary computed free percentage shall be computed by multiplying that trade demand, adjusted by the declared carryin, by 70 percent and dividing by the most recent official estimate of orchard-run production less the average disappearance during the preceding three years, plus the undeclared carryin. The difference between 100 percent and the preliminary free percentage shall be the preliminary computed restricted percentage.

(2) *Final computed percentages*. The Board upon determining that a firm field price has been established for filberts for that marketing year shall compute and announce final computed free and restricted percentages for that year, to release 80 percent of the inshell trade demand computed for that year. The final computed free percentage shall be computed by multiplying that trade demand, adjusted by the declared carryin, by 80 percent and dividing by the most recent official estimate of orchard-run production less the average disappearance during the preceding three years plus the undeclared carryin. The difference between 100 percent and the final computed free percentage shall be the final computed restricted percentage.

(3) *Final percentages*. On or before November 15 the Board shall meet to recommend to the Secretary the final free and restricted percentages to release 100 percent or up to 110 percent if market conditions justify of the inshell

trade demand previously established by the Secretary for the marketing year. The recommendation shall include the following:

(i) The estimated tonnage of merchantable filberts expected to be produced during the marketing year.

(ii) The estimated tonnage of inshell filberts held by handlers on the first day of the marketing year which may be available for handling as inshell filberts thereafter.

(iii) Any other pertinent factors bearing on the marketing of filberts during the marketing year. Whenever the Secretary finds, on the basis of the recommendation of the Board or other available information that to establish the final free and restricted percentages would tend to effectuate the declared policy of the act, the Secretary shall establish such percentages.

(d) *Grade and size regulations*. Prior to September 20 the Board may consider grade and size regulations in effect and may recommend modifications thereof to the Secretary.

(e) *Revision of marketing policy*. At any time prior to February 15 of the marketing year the Board may recommend to the Secretary revisions in the marketing policy for that year. *Provided*, That in no event shall any revision result in free and restricted percentages which would release more than 110 percent of the inshell trade demand computed for that marketing year. At any time during the period December 1 through February 10 at the request of two or more handlers who during the preceding marketing year handled at least 10 percent of all filberts handled the Board shall meet to determine whether the marketing policy should be revised.

12. Section 982.41 is revised to read as follows:

982.41 Free and restricted percentages.

The free and restricted percentages computed by the Board or established by the Secretary pursuant to § 982.40, shall apply to all merchantable filberts handled during the current marketing year. Until the preliminary or final computed free and restricted percentages are computed by the Board for the current marketing year, the percentages in effect at the end of the previous marketing year shall be applicable.

§ 982.50 [Amended]

13. Sections 982.50(a)(1) and (d) are amended by adding the word "applicable" before the words "free

percentage" and "reserve percentage" wherever they appear.

14. Sections 982.54(a) and (c) are revised to read as follows:

§ 982.54. Deferment of restricted obligation.

(a) *Bonding*. Compliance by any handler with the requirements of § 982.50 as to the time when restricted filberts shall be withheld shall be temporarily deferred to any date required by the handler, but not later than 60 days prior to the end of the marketing year, upon the voluntary execution and delivery by such handler to the Board before handling any merchantable filberts of such marketing year of a written undertaking secured by a bond or bonds with a surety or sureties acceptable to the Board that on or prior to such date the handler will have fully satisfied the restricted obligation required by § 982.50: *Provided*, That for the marketing period August 1, 1980, through April 30, 1981, compliance with any restricted obligation may be deferred to April 30, 1981.

(c) *Bonding rate*. Said bonding rate for each pack shall be an amount per pound representing the season's domestic price for such pack net to handler f.o.b. shipping point which shall be computed at the opening price for such pack announced by the handler or handlers who during the preceding marketing year handled more than 50 percent of the total volume handled. If such opening prices involve different prices announced by two or more handlers for respective packs the price so announced shall be averaged on the basis of the quantity of such packs handled during the preceding marketing year by each such handler. Until bonding rates for a marketing year are fixed the rates in effect for the preceding marketing year shall continue in effect, and when such new rates are fixed necessary adjustments should be made.

15. Section 982.62(a) and (b) are revised to read as follows:

§ 982.62 Accounting.

(a) *Operating reserve*. The Board with the approval of the Secretary may establish and maintain an operating monetary reserve in an amount not to exceed approximately one marketing year's operational expenses or such lower limits as the Board with the approval of the Secretary may establish.

(b) *Refunds*. At the end of a marketing year funds in excess of the marketing

year's expenses and reserve requirements shall be refunded to handlers from whom collected and each handler's share of such excess funds shall be the amount of assessments the handler paid in excess of the handler's pro rata share of expenses of the Board. However, excess funds may be maintained and used by the Board until December 1 following the end of any such marketing year: *Provided*, That the Board shall refund to each handler upon request, or credit to the handler's account with the Board, the handler's share of such excess prior to January 1.

16. Section 982.65 is revised to read as follows:

§ 982.65 Carryover reports.

As of January 1, May 1, and August 1, or such other dates as the Board may recommend and the Secretary approve, each handler shall report within 10 days to the Board the handler's inventory of inshell and shelled filberts. Such reports shall be certified to the Board and the Secretary as to their accuracy and completeness and shall show, among other items, the following: (a) Certified merchantable filberts on which the restricted obligation has been met; (b) merchantable filberts on which the restricted obligation has not been met; (c) the merchantable equivalent of any filberts intended for handling as inshell filberts; and (d) restricted filberts withheld.

17. Section 982.86(b)(3) is revised to read as follows:

§ 982.86 Effective time, termination or suspension.

(b) *Suspension or termination.* * * *

(3) The Secretary shall terminate the provisions of this subpart at the end of any marketing year whenever the Secretary finds that such termination is favored by a majority of the producers of filberts who during the preceding marketing year have been engaged in the production for marketing of filberts in the States of Oregon and Washington: *Provided*, That such majority have during such period produced for market more than 50 percent of the volume of such filberts produced for market within said States; but such termination shall be effected only if announced 30 days or more before the end of the then current marketing year.

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Licensing Requirements for Pending Construction Permit and Manufacturing License Applications

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission is proposing to add to its power reactor safety regulations a set of licensing requirements applicable only to construction permit and manufacturing license applications pending at the effective date of the rule. The requirements stem from the Commission's ongoing effort to apply the lessons learned from the accident at Three Mile Island to power plant licensing. Each applicant covered by the rule would have to meet these requirements, together with the existing regulations, in order to obtain a permit or license. Comments are particularly sought on whether the rule should be applied to the pending manufacturing license application.

DATES: Comments must be received on or before April 13, 1981.

ADDRESSES: Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

FOR FURTHER INFORMATION CONTACT: Robert A. Purple, Deputy Director, Division of Licensing, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone: 301-492-7980.

SUPPLEMENTARY INFORMATION:

Background of the Rulemaking

The events leading up to the issuance of this proposed rule were discussed in detail in the Notice of Proposed Rulemaking, which appeared in the *Federal Register* on October 2, 1980, at pages 65247-65248. In that notice the Commission reviewed some of the actions it had already taken in response to the accident at Three Mile Island, and outlined the options it was considering in regard to the review of construction permit and manufacturing license applications. The Commission proposed to resume licensing using pre-TMI requirements augmented as necessary by selected new requirements from the Commission's TMI Action Plan, NUREG-0660. In connection with a request for public comments on these new requirements, the Commission noted that final rules might be issued on

some or all of the matters discussed in that notice.

The Commission held a series of meetings regarding this proposed rule in January, February, and March of 1981. At its March 12 meeting the Commission decided that a further brief period of public comment was desirable prior to promulgation of a final rule to ensure that all interested persons have an opportunity to review the contents of the proposed rule and, in particular, have the opportunity to comment on the applicability of the proposed rule to the pending manufacturing license application.

Justification of 20-day Comment Period

As stated above, a Notice of Proposed Rulemaking has already been published and comments have been received and analyzed. In addition, the Commission wishes to issue a final rule at the earliest possible date. The Commission has therefore concluded that a 20-day comment period is appropriate at this time. It is not expected that extensions will be granted since the Commission intends to act on a final rule soon after close of the comment period.

Comments on Inclusion of the Manufacturing License Application

While the Commission will review all aspects of comments received in response to this notice, the Commission particularly desires comment on whether or not the pending manufacturing license application, filed by Offshore Power Systems, Inc., should be covered by the proposed rule. At issue is whether the rule's requirements for the capacity of containments to withstand the effects of accident-generated hydrogen are sufficient when applied to floating nuclear power plants. (Refer to subsection (3)(v) of the proposed rule.)

Substance of the Rule

This rule, which has been drawn from NUREG-0718, Licensing Requirements for Pending Applications for Construction Permits and Manufacturing License, March 1981, imposes new safety requirements on pending construction permit and manufacturing license applications. The Commission has determined that these requirements must be met by all applicants for construction permits or manufacturing licenses whose applications are pending as of the effective date of the rule. It should be noted, however, that there are some elements in the TMI Action Plan (NUREG-0660), not included in NUREG-0718, that have not yet been acted upon by the Commission. These are items that

the Commission has directed be subject to further study before taking approval action. It is possible, therefore, that some of these items will be approved for implementation prior to completion of the licensing review of the pending construction permits or manufacturing license. In that event, such items might be added to this rule. The Commission is aware, however, that the applications covered by this rule have already been substantially delayed and the facility designs may be further advanced than normally expected at the construction permit and manufacturing license review stage. The Commission will take this into account as further requirements are considered. Full opportunity for public comment will be provided if additional requirements are contemplated which would apply to these applications.

While this rule contains the basic requirements set out in NUREG-0718, it does not incorporate the entirety of the document. In particular, the rule does not contain the detailed criteria contained in Appendix B to NUREG-0718, for satisfying many of the requirements. To have included such detail would have resulted in a rule that would be excessively detailed and restrictive. In addition, this rule does not identify, as does NUREG-0718, the items from the TMI-2 Action Plan, NUREG-0660, that are considered either not applicable to pending construction permit and manufacturing license applications, or to be requirements of the type customarily left for the operating license stage. However, the Commission has reviewed NUREG-0718, and has concluded that the list of TMI-related requirements contained therein can provide a basis for responding to the TMI-2 accident. Applicants may, of course, propose to satisfy the rule's requirements by a method other than that detailed in NUREG-0718, but in such cases must provide a basis for determining that the requirements of the rule have been met.

Based upon its extensive review and consideration of the issues arising as a result of the Three Mile Island accident, the Commission has decided that pending applications for a construction permit or manufacturing license should be measured by the NRC staff and Presiding Officers in adjudicatory proceedings against the existing regulations, as augmented by this rule. It is the Commission's view that this new rule, together with the existing regulations, form a set of regulations, conformance with which meets the requirements of the Commission for

issuance of a construction permit or manufacturing license.

Some of the proposed rule's provisions deal with studies to be conducted by the license applicants. The Commission intends to impose license conditions upon all permits and licenses covered by this rule which will require submittal of these studies to the NRC for review and appropriate action. The license conditions will specify due dates or may require that studies be submitted prior to hardware procurement or other construction events.

Regulatory Flexibility Statement

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission hereby certifies that this rule will not, if promulgated, have a significant impact on a substantial number of small entities. This proposed rule affects six applicants for construction permits and one applicant for a manufacturing license. These applications are for permits or a license for plants that do not fall within the scope of the definition of "small entities" set forth in the Regulatory Flexibility Act in the Small Business Size Standards set out in regulations issued by the Small Business Administration at 13 CFR Part 121.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and Section 552 and 553 of Title 5 of the United States Code, the Commission proposes to amend Part 50 of Chapter 1, Title 10 of the Code of Federal Regulations as follows:

1. A new paragraph (e) is added to § 50.34 to read as follows:

§ 50.34 Contents of applications; technical information.

* * *

(e) *Additional TMI-related requirements.* In addition to the requirements of paragraph (a) of this section, each applicant for a construction permit or manufacturing license whose application was pending as of (insert effective date of rule) shall meet the requirements in the following paragraphs (e) (1) through (3).

(1) To satisfy the following requirements, the application shall provide sufficient information to describe the nature of the studies, how they are to be conducted, estimated submittal dates, and a program to ensure that the results of such studies are factored into the final design:

(i) Perform a plant/site specific probabilistic risk assessment, the aim of which is to seek such improvements in the reliability of core and containment heat removal systems as are significant

and practical and do not impact excessively on the plant. (II.B.8)¹

(ii) Perform an evaluation of the proposed auxiliary feedwater system (AFWS), to include (applicable to PWR's only). (II.E.1.1)

(A) A simplified AFWS reliability analyses using event-tree and fault-tree logic techniques.

(B) A design review of AFWS.

(C) An evaluation of AFWS flow design bases and criteria.

(iii) Perform an evaluation of the potential for an impact of reactor coolant pump seal damage following small-break LOCA with loss of offsite power. If damage cannot be precluded, provide an analysis of the limiting small-break loss-of-coolant accident with subsequent reactor coolant pump seal damage. (II.K.2.16 and II.K.3.25)

(iv) Perform an analysis of the probability of a small-break loss-of-coolant accident (LOCA) caused by a stuck-open power-operated relief valve (PORV). If this probability is a significant contributor to small-break LOCA's from all causes, provide an evaluation of the effect of an automatic PORV isolation system that would operate when the reactor coolant system pressure falls after the PORV has opened (Applicable to PWR's only.) (II.K.3.2)

(v) Perform an evaluation of the safety effectiveness of providing for separation of high pressure coolant injection (HPCI) and reactor core isolation cooling (RCIC) system initiation levels so that the RCIC system initiates at a higher water level than the HPCI system, and of providing that both systems restart on low water level. (Applicable to BWR's only.) (II.K.3.13)

(vi) Perform a study to identify practicable system modifications that would reduce challenges and failures of relief valves, without compromising the performance of the valves or other systems. (Applicable to BWR's only.) (II.K.3.16)

(vii) Perform a feasibility and risk assessment study to determine the optimum automatic depressurization system (ADS) modifications that would eliminate the need for manual activation to ensure adequate core cooling. (Applicable to BWR's only.) (II.K.3.18)

(viii) Perform a study of the effect of designing the core spray and low pressure coolant injection systems so that they will automatically restart on loss of water level, after having been

¹Alphanumeric designations correspond to the related action plan items in NUREG 0718 and NUREG 0660. "NRC Action Plan Developed as a Result of the TMI-2 Accident." They are provided herein for information only.

manually stopped, if an initiation signal is still present. (Applicable to BWR's only.) (II.K.3.21)

(ix) Perform a study to determine the need for space cooling for the long-term operation of the reactor core isolation cooling (RCIC) and high-pressure coolant injection (HPCI) systems, to verify the acceptability of the consequences on these systems of a loss of alternating current power, and to demonstrate that the RCIC and HPCI systems can withstand a loss of off-site power to their support systems, including coolers, for at least two hours. (Applicable to BWR's only.) (II.K.3.24)

(x) Perform a study to ensure that the Automatic Depressurization System, valves, accumulators, and associated equipment and instrumentation will be capable of performing their intended functions during and following an accident situation, taking no credit for non-safety related equipment or instrumentation, and accounting for normal expected air (or nitrogen) leakage through valves. (Applicable to BWR's only.) (II.K.3.28)

(xi) Perform a study to demonstrate that, for anticipated transients combined with the worst single failure, and assuming proper operator actions, the core remains covered or no significant fuel damage results from core uncover. (Applicable to BWR's only.) (II.K.3.44)

(xii) Provide an evaluation of depressurization methods, other than by full actuation of the automatic depressurization system, that would reduce the possibility of exceeding vessel integrity limits during rapid cooldown. (Applicable to BWR's only.) (II.K.3.45)

(2) To satisfy the following requirements, the application shall provide sufficient information to demonstrate that the required actions will be satisfactorily completed by the operating license stage. This information is of the type customarily required to satisfy 10 CFR 50.35(a)(2) or to address unresolved generic safety issues.

(i) Provide simulator capability that correctly models the control room and includes the capability to stimulate small-break LOCA's. (Applicable to construction permit applicants only.) (I.A.4.2)

(ii) Establish a program, to begin during construction and follow into operation, for integrating and expanding current efforts to improve plant procedures. The scope of the program shall include emergency procedures, reliability analyses, human factors engineering, crisis management, operator training, and coordination with INPO and other industry efforts. (I.C.9)

(iii) Provide, for Commission approval, a control room design that applies state-of-the-art human factor principles prior to committing to fabrication or revision of fabricated control room panels and layouts. (I.D.1)

(iv) Provide a plant safety parameter display console that will display to operators a minimum set of parameters defining the safety status of the plant, capable of displaying a full range of important plant parameters and data trends on demand, and capable of indicating when process limits are being approached or exceeded. (I.D.2)

(v) Provide for automatic indication of the bypassed and operable status of safety systems. (I.D.3)

(vi) Provide the capability of venting noncondensable gases from the reactor coolant system, and other systems that may be required to maintain adequate core cooling. Systems to achieve this capability shall be capable of being operated from the control room and their operation shall not lead to an unacceptable increase in the probability of loss-of-coolant accident or an unacceptable challenge to containment integrity. (II.B.1)

(vii) Perform radiation and shielding design reviews of spaces around systems that may, as a result of an accident, contain highly radioactive fluids, and design as necessary to permit adequate access to important areas and to protect safety equipment from the radiation environment. (II.B.2)

(viii) Provide a capability to promptly obtain and analyze reactor coolant and containment atmosphere samples, without radiation exposures to any individual exceeding 5 rem to the whole-body or 75 rem to the extremities. Materials to be analyzed and quantified include certain radionuclides that are indicators of the degree of core damage (e.g., noble gases, iodines and cesiums, and non-volatile isotopes), hydrogen in the containment atmosphere, dissolved gases, chloride, and boron concentrations. (II.B.3)

(ix) Provide a system for hydrogen control capable of handling hydrogen generated by the equivalent of a 100% fuel-clad metal water reactor. (II.B.8)

(x) Provide a test program, and associated model development to qualify reactor coolant system relief and safety valves and, for PWR's, block valves, under expected operating conditions for design-basis transients and accidents, including anticipated-transient-without-scrum conditions. (II.D.1)

(xi) Provide direct indication of relief and safety valve position (open or closed) in the control room. (II.D.3)

(xii) Provide automatically and manually initiated safety-grade auxiliary feedwater (AFW) system initiation, provide for safety-grade auxiliary feedwater system flow indication in the control room, and provide an analysis of the effect on containment integrity and return to reactor power of automatic AFW system initiation with a postulated main steam line leak inside containment. (Applicable to PWR's only.) (II.E.1.2)

(xiii) Provide pressurizer heater power supply and associated motive and control power interfaces sufficient to establish and maintain natural circulation in hot standby conditions with only onsite power available. (Applicable to PWR's only.) (II.E.3.1)

(xiv) Provide containment isolation systems that: (II.E.4.2)

(A) Ensure all non-essential systems are isolated automatically by the containment isolation system,

(B) For each non-essential penetration (except instrument lines), have two isolation barriers in series,

(C) Do not result in reopening of the containment isolation valves on resetting of the isolation signal.

(D) Utilize a containment set point pressure for initiating containment isolation as low as is compatible with normal operation.

(E) Include automatic closing on a safety-grade high radiation signal for all systems that provide an open path to the environs.

(xv) Provide a capability for containment purging/venting designed to minimize purging time consistent with ALARA principles for occupational exposure. Provide and demonstrate high assurance that the purge system will reliably isolate under accident conditions. (II.E.4.4)

(xvi) Establish a design criterion for the allowable number of actuation cycles of the emergency core cooling system and reactor protection system consistent with the expected occurrence rates of severe overcooling events (considering both anticipated transients and accidents). (Applicable to B&W designs only.) (II.E.5.1)

(xvii) Design systems so as to reduce primary system sensitivity to transients. (Applicable to B&W designs only.) (II.E.5.2)

(xviii) Provide instrumentation to measure: (A) containment pressure, (B) containment water level, (C) containment hydrogen concentration, (D) containment radiation intensity (high level), and (E) noble gas effluents. Provide for continuous sampling of plant gaseous effluents for post-accident releases of radioactive iodines and

particulates, and for onsite capability to analyze and measure these samples. (II.F.1)

(xix) Provide instruments that provide an unambiguous indication of inadequate core cooling, such as primary coolant saturation meters in PWR's, coolant level in the reactor vessel, core exit thermocouples, and core coolant flow rate. (II.F.2)

(xx) Provide instrumentation adequate for monitoring plant conditions following an accident that includes core damage. (II.F.3)

(xxi) Provide power supplies for pressurizer relief valves, block valves, and level indicators such that: (A) level indicators are powered from vital buses; (B) motive and control components are designed to safety-grade criteria; and (C) electric power is provided from emergency power sources. (Applicable to PWR's only) (II.G.1)

(xxii) Design auxiliary heat removal systems such that necessary automatic and manual actions can be taken to ensure proper functioning when the main feedwater system is not operable. (Applicable to BWR's only) (II.K.1.2)

(xxiii) Perform a failure modes and effects analysis of the integrated control system (ICS) to include consideration of failures and effects of input and output signals to the ICS. (Applicable to B&W-designed plants only) (II.K.2.9)

(xxiv) Provide a hard-wired safety grade reactor trip that would be actuated on loss of main feedwater and/or on turbine trip. (Applicable to B&W-designed plants only) (II.K.2.10)

(xxv) Provide complete justification for the use of the type of pressure-operated relief valve (supplied by Control Components, Inc.) that failed during hot functional testing at the McGuire plant, if such use is planned. (Applicable to PWR's only) (II.K.3.11)

(xxvi) Provide capability to record, in one location, on recorders that meet normal post-accident recording requirements, reactor vessel water level over the range from the top of the vessel dome to the lowest pressure tap. (Applicable to BWR's only) (II.K.3.23)

(xxvii) Provide a Technical Support Center, an onsite Operational Support Center, and an Emergency Operations Facility. (III.A.1.2)

(xxviii) Design systems outside containment that contain (or might contain) radioactive material either during normal operations or following an accident so that exposure to workers and the public is maintained as low as reasonably achievable. (III.D.1.1)

(xxix) Provide for monitoring of inplant radiation and airborne radioactivity as appropriate for a broad

range of routine and emergency conditions. (III.D.3.3)

(xxx) Evaluate potential pathways for radioactivity and radiation that may lead to control room habitability problems, and make necessary design provisions to preclude such problems. (III.D.3.4)

(3) To satisfy the following requirements, the application shall provide sufficient information to demonstrate that the requirement has been met. This information is of the type customarily required to satisfy 10 CFR 50.34(a)(1) or to address the applicant's technical qualifications and management structure and competence.

(i) Provide administrative procedures for evaluating operating, design and construction experience and for ensuring that applicable important industry experiences will be provided in a timely manner to those designing and constructing the plant. (I.C.5)

(ii) Ensure that the quality assurance (QA) list required by Criterion II, App. B, 10 CFR Part 50 includes all structures, systems, and components important to safety. (I.F.1)

(iii) Establish a quality assurance (QA) program based on consideration of: (A) ensuring independence of the organization performing checking functions from the organization responsible for performing the functions; (B) performing the entire quality assurance/quality control function at construction sites; (C) including QA personnel in quality-related procedures associated with design, construction, and installation; (D) establishing criteria for determining QA requirements for specific classes of equipment; (E) establishing minimum qualification requirements for QA and QC personnel; (F) sizing the QA staff commensurate with its duties, responsibilities, and importance to safety; (G) establishing procedures for maintenance of "as-built" documentation; and (H) providing a QA role in design and analysis activities. (I.F.2)

(iv) Provide one or more dedicated containment penetrations, equivalent in size to a single 3-foot diameter opening, in order not to preclude future installation of systems to prevent containment failure, such as a filtered vented containment system. (II.B.8)

(v) Provide preliminary design information at a level of detail consistent with that normally required at the construction permit stage of review sufficient to demonstrate that: (II.B.8)

(A) Containment integrity will be maintained (i.e., for steel containments by meeting the requirements of the ASME Boiler and Pressure Vessel Code,

Section III, Division 1, Subsubarticle NE-3220, Service Level C Limits, except that evaluation of instability is not required, considering pressure and dead load alone. For concrete containments by meeting the requirements of the ASME Boiler and Pressure Vessel Code, Section III, Division 2, Subsubarticle CC-3720, Factored Load Category, considering pressure and dead load alone)² during an accident that releases hydrogen generated from 100% fuel clad metal-water reaction accompanied by either hydrogen burning or the added pressure from post-accident inerting assuming carbon dioxide is the inerting agent, depending upon which option is chosen for control of hydrogen. As a minimum, the specific code requirements set forth above appropriate for each type of containment will be met for a combination of dead load and an internal pressure of 45 psig. Modest deviations from these criteria will be considered by the staff, if good cause is shown by an applicant. Systems necessary to ensure containment integrity shall also be demonstrated to perform their function under these conditions.

(B) The containment and associated systems will provide reasonable assurance that uniformly-distributed hydrogen concentrations do not exceed 10% during and following an accident that releases an equivalent amount of hydrogen as would be generated from a 100% fuel clad metal-water reaction, or that the post-accident atmosphere will not support hydrogen combustion.

(C) The facility design will provide reasonable assurance that, based on a 100% fuel clad metal-water reaction, combustible concentrations of hydrogen will not collect in areas where unintended combustion or detonation could cause loss of containment integrity or less of appropriate mitigating features.

(D) If the option chosen for hydrogen control is post-accident inerting: (I) Containment structure loadings produced by an inadvertent full inerting (assuming carbon dioxide), but not including seismic or design basis accident loadings will not produce stresses in steel containments in excess of the limits set forth in the ASME Boiler and Pressure Vessel Code, Section III, Division 1, Subsubarticle NE-3220, Service Level A Limits, except that evaluation of instability is not required (for concrete containments the loadings

² Approval for the incorporation by reference provisions in Division 2 is being sought from the Director of the Federal Register.

specified above will not produce strains in the containment liner in excess of the limits set forth in the ASME Boiler and Pressure Vessel Code, Section III, Division 2, Subsubarticle CC-3720, Service Load Category).³ (2) A pressure test, which is required, of the containments, at 1.10 and 1.15 times (for steel and concrete containments, respectively) the pressure calculated to result from carbon dioxide inerting can be safely conducted, (3) Inadvertent full inerting of the containment can be safely accommodated during plant operation.

(E) If the option chosen for hydrogen control is a distributed ignition system, equipment necessary for achieving and maintaining safe shutdown of the plant shall be designed to perform its function during and after being exposed to the environmental conditions created by activation of the distributed ignition system.

(vi) For plant designs with external hydrogen recombiners, provide redundant dedicated containment penetrations so that the recombiner systems can be connected to the containment atmosphere without violating single-failure criteria. (II.E.4.1)

(vii) Provide a description of the management plan for design and construction activities, to include: (A) the organizational and management structure singularly responsible for direction of design and construction of the proposed plant; (B) technical resources directed by the applicant; (C) details of the interaction of design and construction within the applicant's organization and the manner by which the applicant will ensure close integration of the architect engineer and the nuclear steam supply vendor; (D) proposed procedures for handling the transition to operation; (E) the degree of top level management oversight and technical control to be exercised by the applicant during design and construction, including the preparation and implementation of procedures necessary to guide the effort. (II.J.3.1)

(Secs. 161b, 161i, Pub. L. 83-703, 68 Stat. 948, 42 U.S.C. 2201; Secs. 201, 204(b)(1), Pub. L. 93-438, 88 Stat. 1242, 1243, 1245, 42 U.S.C. 5841, 5844)

Dated at Washington, D.C., this 18th day of March 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,
Secretary of the Commission.

[FR Doc. 81-8733 Filed 3-20-81; 8:43 am]

BILLING CODE 7590-01-M

³ Approval for the incorporation by reference provisions in Division 2 is being sought from the Director of the Federal Register.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 81-SO-8]

Proposed Alteration of Transition Area, Greenville, South Carolina

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule will alter the Greenville, South Carolina, Transition Area by lowering the base of controlled airspace in the vicinity of the Donaldson Center Airport from 1200 to 700 feet AGL. A standard instrument approach procedure has been developed for the airport, and additional controlled airspace is required to protect aircraft Instrument Flight Rule (IFR) operations.

DATES: Comments must be received on or before: April 22, 1981.

ADDRESS: Send comments on the proposal to: Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

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

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Federal Aviation Administration, Attention: Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before April 17, 1981, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each public contact with FAA personnel concerned with this rulemaking will be filed in the public, regulatory docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of

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

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the Greenville, South Carolina, Transition Area. This Action will provide controlled airspace protection of IFR operations at the Donaldson Center Airport. The existing Donaldson Center Non-Directional Radio Beacon (non-federal) would support the NDB RWY 4 instrument approach procedure. The operating status of the NDB is being changed from VFR to IFR, and the airport is being changed from private use to public use.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend Subpart G, § 71.181 (46 FR 540), of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding the following:

Greenville, South Carolina

"* * * within an 8.5-mile radius of Donaldson Center Airport (lat. 34°45'29" N., long. 82°22'35" W.); within 3 miles each side of the 210° bearing from Donaldson Center RBN (lat. 34°44'35" N., long. 82°23'31" W.), extending from the 8.5-mile radius area to 8.5 miles south of the RBN * * *"

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

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

The FAA has also determined that this proposed regulation is not a major rule under Executive Order 12291 since the action only involves an established body of technical requirements for which frequent and routine

amendments are necessary to keep them operationally current.

Note.—It has been determined under the criteria of the Regulatory Flexibility Act that this proposed rule, at promulgation, will not have a significant impact on a substantial number of small entities.

Issued in East Point, Georgia, on February 20, 1981.

George R. LaCaille,

Acting Director, Southern Region.

[FR Doc. 81-6709 Filed 3-20-81; 8:45 am]

BILLING Code 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AWE-6]

Proposed Establishment of 700 Foot Transition Area, Twentynine Palms, California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rule making.

SUMMARY: This notice proposes to add a 700 foot transition area for the Twentynine Palms Airport, Twentynine Palms, California, to provide controlled airspace for aircraft executing an instrument approach procedure to the Twentynine Palms Airport utilizing the Twentynine Palms, California VORTAC. The need for the transition area will be created when VOR instrument approach procedure is established for the airport. **DATES:** Comments must be received on or before April 22, 1981.

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

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

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the Airspace Docket Number and be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation

Administration, 15000 Aviation Boulevard, Lawndale, California, 90261. All communications received on or before March 26, 1981, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Federal Aviation Administration, Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California, 90261, or by calling (213) 536-6180. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NURMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish a 700-foot transition area. This action will provide controlled airspace protection for IFR operations at the Twentynine Palms Airport.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend Subpart G, § 71.181 (46 FR 540) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding the following:

§ 71.181 Twentynine Palms, California [Amended]

Preceding "That airspace extending upward from 1200 feet . . ." insert "That airspace extending upward from 700 feet above the surface within a 4-mile radius of Twentynine Palms Airport (latitude 34°07'46"N, longitude 115°56'22"W) and within 4 miles each side of the Twentynine Palms VORTAC 279°T (265°M) radials extending from the 4-mile radius area to the VORTAC, and . . ."

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

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

regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate. The FAA has also determined that this proposed regulation is not a major rule under Executive Order 12291 and under the criteria of the Regulatory Flexibility act that this rule, at promulgation, will not have a significant impact on a substantial number of small entities since the action only involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current.

Issued in Los Angeles, California on February 9, 1981.

H. C. McClure,

Acting Director, Western Region.

[FR Doc. 81-6707 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Part 204

Danger Zone, Isle of Oahu, Hawaii

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

ACTION: Proposed rule.

SUMMARY: The Department of the Army is establishing danger zone regulations in navigable waters of the United States at the Marine Corps Air Station (MCAS) Kaneohe Bay, Island of Oahu, Hawaii. The danger zone is needed to outline the affected area and provide formal notice of potential hazards due to ricochet rounds and accidental firing from the existing Ulupau Crater Weapons Training Range at the MCAS.

DATE: Comments must be received on or before 30 April 1981.

ADDRESS: HQDA, DAEN-CWO-N, Washington, D.C. 20314.

FOR FURTHER INFORMATION CONTACT: Mr. Stanley T. Arakaki at (808) 438-9258 or Mr. Ralph T. Eppard at (202) 272-0199.

SUPPLEMENTARY INFORMATION: The Commanding Officer, Marine Corps Air Station Kaneohe Bay, Hawaii has requested that danger zone regulations be established to designate an area considered unsafe for boaters when firing is in progress and provide formal notice of potential hazards associated with the existing tactical weapons training range in Ulupau Crater. Tactical

military weapons are fired at fixed targets within Ulupau Crater; however, ricochet rounds and accidental firings have occasionally impacted in the adjacent waters. There have never been any injuries or damages, but two near misses have been reported in the past 18 months. Both incidents occurred within the existing 500 yard wide prohibited area contiguous to the shoreline of Mokapu Peninsula, but it is considered to be in the best interest of the general public and the Marine Corps to provide formal notice of these potential hazards.

These danger zone regulations allow unrestricted use of the area, except during hazardous weapons (machine guns) firing which would occur about two times a month, on non-consecutive weekdays for about 8 hours per day. Specific dates and hours for weapons firing and information on onshore warning signals will be published in the Coast Guard's Local Notice to Mariners and can also be obtained by calling the MCAS Officer in Charge of the Range Training Facility (telephone no. 257-2067).

For the reasons stated above, the Corps of Engineers proposes to add 33 CFR 204.224c as set forth below.

§ 204.224c Marine Corps Air Station, (MCAS) Kaneohe Bay, Island of Oahu, Hawaii—Ulupau Crater Weapons Training Range Danger Zone.

(a) *The Danger Zone.* The waters within a section extending seaward a distance of 3,900 yards between radial lines bearing 350° true and 61° true, respectively, from a point on Mokapu Peninsula at latitude 21°27'17"N, longitude 157°43'51"W, exclusive of the existing 500 yard wide prohibited area. The interface between the existing 500 yard prohibited area and this danger zone is defined by three points having the following coordinates:

Point A: Latitude 21°27'59"N Longitude 157°43'56"W

Point B: Latitude 21°27'52"N Longitude 157°43'02"W

Point C: Latitude 21°27'38"N Longitude 157°43'12"W

(b) *The Regulations.* (1) Weapons firing at the Ulupau Crater Weapons Training Range may occur at any time between 6:00 a.m. and 11:00 p.m., Monday through Friday, and between 6:00 a.m. and 6:00 p.m., Saturday and/or Sunday, when required. Specific dates and hours for weapons firing, along with information regarding onshore warning signals, will be promulgated by the U.S. Coast Guard's Local Notice to Mariners. Information on weapons firing schedules may also be obtained by calling the Officer in Charge of the Range Training Facility, Headquarters and

Headquarters Squadron MCAS (telephone no. 257-2067).

(2) Whenever hazardous weapons (machine guns) firing is scheduled and in progress during daylight hours, two large red triangular warning pennants will be flown at each of two highly visible and widely separated locations on the shore at Ulupau Crater.

(3) Whenever tactical weapons (exclusive of machine guns) firing is scheduled and in progress during daylight hours, a single large red rectangular warning flag will be flown at the two separate locations on the shore.

(4) Whenever any weapons firing is scheduled and in progress during periods of darkness, flashing red warning beacons will be displayed on the shore at Ulupau Crater.

(5) Boaters will have complete access to the proposed danger zone whenever there is no weapons firing scheduled, which will be indicated by the absence of any warning flags, pennants, or beacons displayed ashore.

(6) The danger zone is not considered safe for boaters whenever hazardous weapons (machine guns) firing is in progress. Hazardous weapons firing will usually be scheduled approximately twice per month, on non-consecutive weekdays, for about eight hours on each occasion. Boaters shall expeditiously vacate the danger zone at best speed and by the most direct route whenever hazardous weapons firing is scheduled. Passage of vessels through the danger zone when hazardous weapons firing is in progress will be permitted, but boaters shall proceed directly through the area at best speed. Hazardous weapons firing will be suspended as long as there is a vessel in the danger zone. Whenever a boater disregards the publicized warning signals that hazardous weapons firing is scheduled, the boater will be personally requested to expeditiously vacate the danger zone by MCAS Kaneohe Bay military personnel utilizing a bull-horn from either a Marine helicopter or Navy crash boat.

(7) The danger zone may be occupied for extended periods and with caution at individual risk whenever tactical weapons (exclusive of machine guns) firing is scheduled and in progress because of the remote possibility of a rifle round from an accidental discharge impacting outside the limits of the existing prohibited areas.

(8) Observation posts will be manned whenever any weapons firing is scheduled and in progress. Visibility will be sufficient to maintain visual surveillance of the entire danger zone and for an additional distance of 5 miles

in all directions whenever weapons firing is in progress.

(c) *The Enforcing Agency.* The foregoing regulations shall be enforced by the Commanding Officer, MCAS Kaneohe Bay and such agencies as he/she may designate.

(33 U.S.C. 183)

Note.—The Chief of Engineers has determined that this proposed rule is exempt from the general requirements of EO 12291 in accordance with the exception provided military functions. The Chief of Engineers has also determined that these regulations would not have a significant economic impact on a substantial number of small entities, as required by Pub. L. 96-354.

Dated: March 5, 1981.

John J. Quinn, Jr.,

Deputy Executive Director, Engineer Staff.

[FR Doc. 81-8715 Filed 3-20-81; 8:45 am]

BILLING CODE 3710-92-M

VETERANS ADMINISTRATION

38 CFR Part 17

Medical School and Health Manpower Assistance

AGENCY: Veterans Administration.

ACTION: Proposed rules.

SUMMARY: The Veterans Administration is proposing to amend its Medical School and Health Manpower Assistance regulations to implement two laws, the Veterans Health Programs Extension and Improvement Act of 1979, and the Veterans Administration Health Care Amendments of 1980. These laws (1) remove authority of the Administrator to enter into agreements supporting new State Medical Schools, (2) delete the requirement for enrollment increases in Medical School and Other Health Manpower Training Institution classes, and (3) extend the appropriations authorization to Fiscal Year 1982. In addition, the Veterans Administration proposes to remove the 7-year limitation for program periods of grants to Medical Schools and Other Health Manpower Training Institutions. This action would provide an easier terminal transition period for the grantee institution, and permit a smoother shift from Federal funding cycles to academic year funding cycles, particularly in this time of severe inflationary impact on higher education budgets.

DATE: Comments must be received on or before April 22, 1981. It is proposed to make these changes effective the date of final approval.

ADDRESS: Interested persons are invited to submit written comments, suggestions, or objections regarding this proposal to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420. All written comments received will be available for public inspection only at the Veterans Administration Central Office, Veterans Services Unit in room 132 of the above address between the hours of 8 am and 4:30 pm Monday through Friday (except holidays) until May 5, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. Chester W. DeLong, (202) 389-3072.

SUPPLEMENTARY INFORMATION: The Agency Head has determined that this proposed revision to VA regulations is non-major in accordance with the requirements of Executive Order 12291 on Federal Regulation. It has also been determined, as required by the Regulatory Flexibility Act (Pub. L. 96-354), that this revision poses no compliance costs or reporting burdens upon the public and has no effect on businesses or State and local government.

Approved: March 9, 1981.

Rufus H. Wilson,
Acting Administrator.

38 CFR Part 17 is amended as follows:

Grants and Assistance for Development, Expansion and Improvement of Medical and Allied Health Education

1. Section 17.400 is amended by adding four new citations after "Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972" so that the revised section reads as follows:

§ 17.400 Purpose and scope of the program.

The provisions of §§ 17.400 through 17.416 are applicable to a program of grants and other forms of assistance under the "Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972" as amended by the Veterans Omnibus Health Care Act of 1976 (Pub. L. 94-581), the Veterans Administration Programs Extension Act of 1978 (Pub. L. 95-520), the Veterans Health Programs Extension and Improvement Act of 1979 (Pub. L. 96-151), and the Veterans Administration Health Care Amendments of 1980 (Pub. L. 96-330) (38 U.S.C. Chapter 82). This Act authorizes the Administrator of Veterans Affairs to provide certain assistance in the establishment of new State medical schools and the improvement of existing medical schools affiliated with the Veterans Administration; to develop

cooperative arrangements between institutions of higher education, hospitals, and other nonprofit health service institutions affiliated with the Veterans Administration to coordinate, improve, and expand the training of professional and allied health and paramedical personnel; to develop and evaluate new health careers, interdisciplinary approaches and career advancement opportunities; to improve and expand allied and other health manpower utilization; and for other purposes.

2. In § 17.402, paragraph (c), paragraphs (f) (1), (2), and (3), and (g)(1) are revised to read as follows:

§ 17.402 Definitions.

For the purpose of §§ 17.400 through 17.416 the term:

(c) "Program period" means the time for which the grant assistance has been approved as specified in the agreement or grant document.

(f) For the purposes of 38 U.S.C. 5071-5074: (1) "Colleges" means nonprofit institutions of higher learning, which are primarily supported by the State, and are authorized to offer, and are offering, a formal program of college level studies leading to the baccalaureate degree and are accredited or approved by an accrediting body or bodies recognized for such purposes by the Secretary of the Department of Education.

(2) "Universities" means educational institutions, which are primarily supported by the State; which are comprised of one or more undergraduate colleges or professional schools, each appropriately accredited or approved by an accrediting body or bodies recognized for such purposes by the Secretary of the Department of Education; and which are authorized to confer degrees.

(3) "Medical school" means a nonprofit school of medicine or osteopathy which provides a complete course of study which culminates in a degree of doctor of medicine or doctor of osteopathy; and with regard to which there has been a finding made of reasonable assurance that such a school can proceed to full accreditation as determined by the body or bodies recognized for such purposes by the Secretary of the Department of Education.

(g) For the purposes of 38 U.S.C. 5081-5083: (1) "Medical school" means a nonprofit school of medicine or osteopathy which provides a course of study of not less than 2 years, which

forms a part or whole of the necessary requirements leading to a degree of doctor of medicine or doctor of osteopathy, and which has been reviewed and accredited for its stage of development by an appropriate accrediting agency recognized for such purpose by the Secretary of the Department of Education.

3. In § 17.403, paragraph (a)(3) is amended by changing the words "he may require" to read "as may be required" so the revised material reads as follows:

§ 17.403 Eligibility.

(a) To be eligible to receive assistance under 38 U.S.C. 5071-5074, the applicant must:

(3) Furnish the Administrator with such evidence as may be required that the college or university has prepared and presented a plan for the proposed new school of medicine or osteopathy; and that in a letter dated not earlier than October 24, 1972, has received reasonable assurance of accreditation of the new school as defined in § 17.402(f)(3).

4. In § 17.405, the introductory portions of (a)(1), (b)(1) and (c)(1) and paragraphs (a)(2) (ii) and (iii), (b)(2) and (c)(2) have been amended by changing the word "his" to "the Administrator's" wherever it appears and new paragraph (a)(4) has been added. In paragraph (b)(1)(iii) the words "including the accomplishment of the increased enrollment of full-time students" have been removed. In paragraph (c)(1)(iii) the words "including the increase in enrollment of students," have been removed and the title of the Commissioner of Education for the Department of Health, Education and Welfare has been revised. In paragraph (d)(1) the words "(not to exceed 7 years.)" have been removed. The revised and added material reads as follows:

§ 17.405 Agreements and grant awards.

(a) For the purposes of 38 U.S.C. 5071-5074: (1) Within the limits of funds available each year for such purposes, the Administrator, upon recommendation of the Chief Medical Director and after consultation with the Special Medical Advisory Group, may enter into, or continue with, agreements to provide assistance to a total of not more than eight applicants whose proposals in the Administrator's

judgment best achieve the purposes of 38 U.S.C. 5071, taking into consideration:

(2) The terms of any agreement and the amount of any funds to be awarded shall be determined by the Administrator on the basis of:

(ii) The Administrator's estimate of the sums necessary to accomplish the adequate extension, alteration, remodeling, improvement, or repair of the building or structures to be leased; and to adequately equip such buildings or structures for the purposes proposed; and

(iii) The Administrator's estimate to the amounts necessary to assist in the payment of the cost of the salaries of faculty, the proportion will not exceed 90 percent of the salaries for the first year of operation, and a like percentage for the second and third years; 80 percent for the fourth year; 70 percent for the fifth year; 60 percent for the sixth year; and 50 percent for the seventh year.

(4) Notwithstanding any other provision concerning this program set forth in §§ 17.400 through 17.416, the Administrator may not enter into any agreement under Subchapter I of Chapter 82, Title 38, United States Code, after September 30, 1979. This is not to be interpreted as interfering with the continued administration of existing agreements under Subchapter I.

(b) For the purposes of 38 U.S.C. 5081-5083: (1) Within the limits of funds available for such purposes, the Administrator, upon recommendation of the Chief Medical Director and after consultation with the Special Medical Advisory Group, may award grants and other assistance to those applicants whose projects or programs will in the Administrator's judgment best promote the purposes of 38 U.S.C. 5081, taking into consideration:

(iii) The capability of the applicant to carry out the proposed program or project, without threat to its accreditation as required in § 17.402(g)(1);

(2) The amount of any award shall be determined by the Administrator on the basis of the Administrator's estimate of the sum necessary for the cost of the applicant's approved program or project.

(c) For the purposes of 38 U.S.C. 5091-5093: (1) Within the limits of funds available for such purpose, the Administrator, upon recommendation of the Chief Medical Director and after consultation with the Special Medical

Advisory Group, may award grants to those applicants whose projects or programs will in the Administrator's judgment best promote the purposes of 38 U.S.C. 5091, taking into consideration:

(iii) The capability of the applicant to carry out the proposed program or project under circumstances which will not compromise the quality of education at the institution nor jeopardize the accreditation of the training program by the appropriate body or bodies recognized for such purposes by the Secretary of the Department of Education.

(2) The amount of any award shall be determined by the Administrator on the basis of the Administrator's estimate of the sum necessary for the cost of the applicant's approved program or project.

(d) For the purposes of any grant program of 38 U.S.C. Chapter 82: (1) All grant awards shall be in writing, shall set forth the total amount of assistance awarded and the total period for which it will be available for obligation by the grantee.

5. In § 17.407, paragraph (b) is amended by changing the word "and" which appears after the word "expansion" to "or", and by replacing the words "to increase the production" with "in the training" so that the revised paragraph reads as follows:

§ 17.407 Expenditure of grant funds.

(b) For the purposes of 38 U.S.C. 5081-5083, any funds granted shall be expended solely for the expansion or improvement of the training capacities of medical schools affiliated with the Veterans Administration and to permit such schools to cooperate with other public and nonprofit institutions of higher learning, hospitals and other health manpower institutions affiliated with the Veterans Administration in the training of professional and other health personnel in accordance with the applicable provisions of 38 U.S.C. Chapter 82, §§ 17.400 through 17.416, and the terms and conditions of the grant award.

6. In § 17.408, paragraph (a) is amended by updating the title of the Department of Health, Education and Welfare so that the revised paragraph reads as follows:

§ 17.408 Nondiscrimination.

(a) Grants made under 38 U.S.C. Chapter 82 shall be subject to Title IX of the "Education Amendments Act of

1972" (effective July 1, 1972) and regulations promulgated by the Department of Education. Such title prohibits sex discrimination in all federally assisted education programs.

7. In § 17.410, paragraph (c) is amended by adding the word "revised," after the words "No. A-87" so that the revised paragraph reads as follows:

§ 17.410 Accountability.

(c) For the purposes of 38 U.S.C. 5081-5083 and 5091-5093, indirect costs may be computed on a percentage basis or on the basis of a negotiated lump-sum allowance in accordance with the principles set forth in the Office of Management and Budget Circulars No. A-88, No. A-87 revised, and No. A-21. In the method of computation used, only indirect costs shall be included which bear a reasonable relationship to the program funded by the grant and shall not exceed a percentage greater than the total institutional indirect cost is of the total direct salaries and wages paid by the institution.

8. Sections 17.412, 17.413, and paragraph (a) of § 17.414 are amended by replacing the word "his" with the words "the Administrator's" wherever it appears. The revised sections read as follows:

§ 17.412 Additional conditions.

The Administrator may with respect to any grant award impose additional conditions prior to or at the time of any award when in the Administrator's judgment such conditions are necessary to assure or protect advancement of the grant purposes, the interest of the Veterans Administration or the conservation of grant funds. All construction, and alterations of buildings and structures, related to the award of a grant or other assistance will be subject to section 102(2)(C) of the National Environmental Policy Act.

§ 17.413 Early termination and withholding of payments.

Whenever the Administrator finds that a grantee has failed in a material respect to comply with the applicable provisions of 38 U.S.C. Chapter 82, §§ 17.400 through 17.416, or the terms of the grant, the Administrator may, on reasonable notice to the grantee withhold further payments and take such other action, including the termination of the grant, as he finds appropriate to carry out the purposes of 38 U.S.C. Chapter 82 and §§ 17.400 through 17.416. Non-cancellable obligations of the grantee properly

incurred prior to the receipt of the notice of termination will be honored. The grantee shall be promptly notified of such termination in writing and given the reasons therefor.

§ 17.414 Recapture provision.

(a) If the Administrator determines that any school established with assistance under §§ 17.400 through 17.416

(1) Is not accredited and fails to gain appropriate accreditation within a reasonable period of time;

(2) Is accredited but fails substantially to carry out the terms of the agreement entered into under 38 U.S.C. Chapter 82; or

(3) Is no longer operated for the purpose for which such assistance was granted,

the Administrator shall be entitled to recover from the recipient of assistance the facilities of such school which were established with assistance under §§ 17.400 through 17.416. In order to recover such facilities the Administrator may bring an action in the district court of the United States for the district in which such facilities are situated.

(38 U.S.C. 210(c))

[FR Doc. 81-8806 Filed 3-20-81; 8:45 am]

BILLING CODE 8320-01-M

POSTAL SERVICE

39 CFR Part 10

International Express Mail Rates; Rates to Kuwait

AGENCY: Postal Service.

ACTION: Proposed international express mail rates to Kuwait.

SUMMARY: Pursuant to its authority under 39 U.S.C. 407, the Postal Service proposes to begin International Express Mail Service with Kuwait at rates indicated in the table below. The proposed rates are scheduled to become effective on May 1, 1981.

DATE: Comments must be received on or before April 22, 1981.

ADDRESS: Written comments should be directed to the General Manager, Rate Resource Division, Rates and Classification Department, U.S. Postal Service, Washington, DC 20260. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m. Monday through Friday in Room 8606, 475 L'Enfant Plaza, West, SW, Washington, DC 20260.

FOR FURTHER INFORMATION CONTACT: Martin R. Anker (202) 245-4418.

SUPPLEMENTARY INFORMATION: Although 39 U.S.C. 407 does not require advance notice and opportunity for submission of comments and the Postal Service is exempted by 39 U.S.C. 410(a) from the Administrative Procedure Act regarding proposed rulemaking (5 U.S.C. 533), the Postal Service invites interested persons to submit written data, views, or arguments concerning the proposed rates of postage for International Express Mail set out in the following table (designated Table 18 for inclusion as a separate country entry in the International Mail Manual, incorporated by reference 39 CFR 10.1).

In consideration of the foregoing, the Postal Service proposes to add Table 18 to the International Mail Manual to read as follows:

(39 U.S.C. 401, 403, 404(2), 407, 410(a), Universal Postal Convention, Lausanne, 1974, TIAS No. 8231, Art. 6)

W. Allen Sanders,

Associate General Counsel, Office of General Law and Administration.

Table 18.—Kuwait—International Express Mail

Custom designed service ¹ *		On demand service ² *	
Up to and including (pounds)	Rate	Up to and including (pounds)	Rate
1	\$28.00	1	\$20.00
2	31.70	2	23.70
3	35.40	3	27.40
4	39.10	4	31.10
5	42.80	5	34.80
6	46.50	6	38.50
7	50.20	7	42.20
8	53.90	8	45.90
9	57.60	9	49.60
10	61.30	10	53.30
11	65.00	11	57.00
12	68.70	12	60.70
13	72.40	13	64.40
14	76.10	14	68.10
15	79.80	15	71.80
16	83.50	16	75.50
17	87.20	17	79.20
18	90.90	18	82.90
19	94.60	19	86.60
20	98.30	20	90.30
21	102.00	21	94.00
22	105.70	22	97.70
23	109.40	23	101.40
24	113.10	24	105.10
25	116.80	25	108.80
26	120.50	26	112.50
27	124.20	27	116.20
28	127.90	28	119.90
29	131.60	29	123.60
30	135.30	30	127.30
31	139.00	31	131.00
32	142.70	32	134.70
33	146.40	33	138.40

¹ Rates in this table are applicable to each piece of International Custom Designed Express Mail shipped under a Service Agreement providing for tender by the customer at a designated Post Office.

² Pickup is available under a Service Agreement for an added charge of \$5.60 for each pickup stop, regardless of the number of pieces picked up. Domestic and International Express Mail picked up together under the same Service Agreement incurs only one pickup charge.

[FR Doc. 81-8736 Filed 3-20-81; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 264

[SWH-FRL 1784-5]

Incinerator Standards for Owners and Operators of Hazardous Waste Management Facilities; Seminar Discussion

AGENCY: Environmental Protection Agency.

ACTION: Notice of technical panel discussion.

SUMMARY: This notice announces a meeting to obtain comments and advice from knowledgeable experts on the proposed additions to Regulations under RCRA, 40 CFR Part 264 Subpart O Incineration, proposed in the *Federal Register* January 23, 1981 [46 FR 7684]. Also, EPA is seeking comments on the potential approaches to regulation of the combustion of hazardous wastes in boilers and other high temperature combustion processes.

DATES: The discussion panels are scheduled for April 21, 1981, and April 22, 1981.

ADDRESS: Environmental Protection Agency, Industrial Environmental Research Laboratory, Auditorium, 26 West St. Clair Street, Cincinnati, Ohio.

FOR FURTHER INFORMATION CONTACT: Robert Olexsey, Incineration Research Branch, 26 West St. Clair Street, Cincinnati, Ohio, 45268, (513) 684-4417.

SUPPLEMENTARY INFORMATION: This meeting will be a series of group discussions and group work shops designed to obtain the technical community's reactions to the January 23, 1981 proposed incinerator performance standards. This meeting will encourage interchange and discussion between knowledgeable members of the scientific and technical community and EPA officials beyond that possible in the formal public hearing process.

The panels will also discuss the desirability of developing regulations for the burning of hazardous wastes in power boilers and industrial processes under either RCRA or the Clean Air Act. This practice is currently not regulated under the hazardous waste provisions of RCRA. The Agency is concerned that this practice, while being encouraged in order to recover energy resources, may also have an adverse impact on human health and the environment.

EPA is inviting selected technical experts and others known to be interested in these regulations. Other parties wishing to participate on these

panels should send a written summary of their proposed contributions to Robert Olexsey (address above). These descriptions should be received before April 14, 1981. The Agency may limit the participation in the work shop sessions to allow for meaningful interchange in small groups.

Dated: March 17, 1981.

Alfred W. Lindsey,

Acting Director, Hazardous and Industrial Waste Division.

[FR Doc. 81-8762 Filed 3-20-81; 9:45 am]

BILLING CODE 6560-30-M

40 CFR Parts 408

[WH-FRL 1784-3]

Canned and Preserved Seafood Processing Point; Source Category

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period and notice of availability of additional supporting information.

SUMMARY: On January 9, 1981, EPA published in the *Federal Register* a proposed response to a petition for modification and amendment of regulations governing wastewater discharges from certain seafood processors located in Alaska (46 FR 2544). The comment period was scheduled to expire March 10, 1981. The purpose of this notice is to extend until May 11, 1981, the period for comment on all aspects of the proposed response to petition for modification and amendment of regulations.

DATE: Comments on the proposed response to petition and amendments to BPT regulations for the "non-remote" Alaskan subcategories of the seafood processing industry must be submitted to EPA by May 11, 1981.

ADDRESS: Send comments in triplicate to: Mr. Daniel S. Lent, Effluent Guidelines Division, (WH-552), Environmental Protection Agency, 401 M St., S.W. Washington, D.C. 20460, Attention: EGD Docket Clerk—Seafood Processing Industry.

The supporting information and all public comments submitted in response to this proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (rear) PM-213 (EPA Library), 401 M St. S.W., Washington, D.C. 20460; EPA Region X, 1200 6th Avenue, Seattle, Washington 98101; and the EPA Alaska Operations Office, 701 "E" Street, Anchorage, Alaska. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel S. Lent at (202) 426-2707.

SUPPLEMENTARY INFORMATION: On January 9, 1981, EPA proposed a response to a petition for modification and amendment of regulations for portions of the Canned and Preserved Seafood Processing Industry (46 FR 2544). More specifically, the proposed regulation amended effluent limitations based on the best practicable control technology currently available (BPT) for the "non-remote" Alaskan subcategories of the seafood industry. Comments on the proposal were to be submitted on or before March 10, 1981. Attorneys for the industry have requested a 60 day extension of the comment period, until May 11, 1981. EPA has decided to extend the period for comment on all technical and economic aspects of the proposed response to petition and amendment of BPT regulations until May 11, 1981. Interested persons should be aware that subsequent to January 9, 1981, the Agency placed additional supporting information in the EPA Public Information Reference Unit, Washington, D.C., EPA Region X, and the EPA Alaska Operations Office. This information and the dates made available are listed below:

(1) *Market Feasibility Study of Seafood Waste Reduction in Alaska*, July 1980—3/2/81

(2) *Market Feasibility Study of Seafood Waste Reduction in Alaska*, November 1980—3/2/81

(3) Telephone Memo on Fish Hatchery Program dated 2/25/81—3/2/81

(4) Memo on Current Seafood Waste Recovery Systems Planned or Under Review in Alaska dated 12/11/80—3/2/81

(5) Telephone Memo on Waste Trucking Costs dated 5/14/80—3/13/81
In view of industry's familiarity with the pertinent issues from prior contacts with EPA, we believe that these actions will provide the petitioning seafood processors and other interested parties with sufficient opportunity to comment on the proposed response to petition and amendment of regulations.

Dated: March 17, 1981.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-8764 Filed 3-20-81; 9:45 am]

BILLING CODE 6560-29-M

LEGAL SERVICES CORPORATION

45 CFR Part 1624

Comprehensive Civil Rights Regulations

AGENCY: Legal Services Corporation.

ACTION: Proposed rules.

SUMMARY: This regulation is intended to be a comprehensive statement of all grant and contract related civil rights obligations of Corporation recipients in both the delivery of services and in their employment practices. The present Part 1624 would be incorporated into the proposed civil rights regulation. This regulation would now include the Corporation's 504 regulations, present part 1624, as well as all of the other civil rights obligations of Corporation fund recipients.

DATE: Comments due April 22, 1981.

ADDRESS: Legal Services Corporation, 733 Fifteenth Street NW., Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT: Linda Hanten, 202-272-4010.

SUPPLEMENTARY INFORMATION: While the proposed regulation seeks to guarantee the civil rights of a number of groups distinctions are made among the protected groups in the treatment required. For example, recipients are required to take affirmative action as to the employment of women and minorities and not as to the employment of members of other groups protected by the regulation. The regulation requires affirmative action to be taken only as to women and minorities because they are the groups traditionally given such protection. These groups have been afforded such protection because they, unlike the other groups protected by this part, historically have been unable to remedy discrimination against them through the political process.

An additional distinction made among the protected groups by the regulation is the provision of "special" services to persons with communication problems, e.g., language minorities, the hearing impaired and the blind. These services are provided because without them legal services would not be available to members of these groups. Additionally, Section 1006(b)(6) of the Act requires the Corporation to provide that the language of non-English speakers be used in the provision of services where they constitute a significant number of the client population.

As used in this part, minority language groups are defined as Asians, Native Americans, Alaskan Natives and persons of Spanish origin. This is the definition used in the Voting Rights Act, 42 U.S.C. 1973aa, which requires elections to be conducted in the appropriate minority language(s) as well as in English in political jurisdictions where members of a minority language group make up five or more percent of the population. This definition is used here, as it was in the Voting Rights Act.

because these groups and their number can be determined from census data. There is presently no nation or region-wide data base which can be used to identify persons who do not speak English or persons from other linguistic groups not listed in this definition. The use of this definition is not intended to preclude programs from offering services in other minority languages when the program has the desire to do so or the ability to make a reasonable determination that more than five percent of the residents of its service area belong to another linguistic group.

The Civil Rights Regulation, in particular the provisions governing anti-discrimination, is not intended to prevent the adoption of priorities which by their nature would have the effect of foreclosing services to one or more of the protected classes. The statute, 42 U.S.C. 2996f, clearly requires that there be priority-setting at the local level. The Civil Rights Regulation merely defines what purpose (discrimination against one of the protected classes) may not serve as a basis for establishing priorities.

For example, if a program picks Supplemental Security Income but not Aid to Families with Dependent Children practice as a priority, the fact that a particular age group, young adults, is not represented in connection with AFDC claims or that the program services primarily seniors does not itself create a prima facie case of discrimination. It merely reflects that the program has established priorities which, when complied with, result in the program serving clients in a particular age group. However, a program may not use the priority-setting process as a justification for failing to serve a particular protected group. The Corporation will monitor those programs having the greatest disparity in the delivery of legal services on any prohibited basis.

It is proposed to revise Part 1624 to read as follows:

PART 1624—COMPREHENSIVE CIVIL RIGHTS REGULATIONS

Subpart A—General

Sec.

- 1624.1 Purpose.
- 1624.2 Applicability.
- 1624.3 Definitions.

Subpart B—Discrimination

- 1624.4 General.
- 1624.5 Discrimination prohibited—in the provision of legal services.
- 1624.6 Discrimination prohibited—employment practices.

Subpart C—Required Recipient Civil Rights Program

- 1624.7 Assurance.
- 1624.8 Data and information requirements.
- 1624.9 Required recipient civil rights program—delivery of services.

- 1624.10 Required recipient civil rights program—employment.

Subpart D—Conduct of Investigation and Review

- 1624.11 Monitoring.
- 1624.12 Complaint process.

Subpart E—Procedure for Effecting Compliance

- 1624.12 Remedies.

Authority: Secs. 1005(b)(2), 1006(a), (b)(1)(A) and (b)(6) of the Legal Services Corporation Act, (42 U.S.C. 2996d(b)(2), 2996e(a), (b)(1)(A) and (b)(6)).

The proposed Regulation is as follows:

Subpart A—General

§ 1624.1 Purpose.

The purpose of this part is to prevent discrimination by legal services programs supported in whole or in part by Legal Services Corporation funds in the delivery of services or in employment on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation. Further, it is the purpose of this part to assist such programs in establishing policies and procedures to ensure equal opportunity in the delivery of services and employment and affirmative action in employment to end the underutilization of certain protected groups in their work forces. This part is adopted in accordance with Secs. 1005(b)(2), 1006(a), 1006(b)(1)(A), 1006(b)(6) of the Legal Services Corporation Act; 42 U.S.C. 2996d(b)(2), 2996e(a), 2996e(b)(1)(A), 2996e(b)(6).

§ 1624.2 Applicability.

This part applies to all recipients of Legal Services Corporation funds.

§ 1624.3 Definitions.

As used in this part, the term:

- (a) "Protected Groups" means those groups which have been historically subjected to discrimination on the basis of race, color, national origin, sex, religion, or sexual orientation;
- (b) "Affirmative Action" means specific steps, in recruiting, hiring, promotion and other areas, which are taken for the specific purpose of eliminating the present effects of past discrimination;
- (c) "Goals" means projected levels of achievement arrived at through analysis of employment utilization patterns and consideration of what may reasonably be done to remedy any apparent underutilization given labor force participation and unemployment rates of minorities and women in the labor market area and the expected rate of turnover and the projected number of

new positions in the employer's work force;

(d) "Underutilization" means having fewer minorities and/or women in the particular job category than would reasonably be expected given their availability in the relevant labor market area, or employing persons in jobs that do not adequately use their skills, training or capabilities;

(e) "Relevant labor market area" means the area from which an employer can reasonably expect to recruit or draw applicants for positions in a given job category;

(f) "Delivery of services" means providing or making legal services available to eligible clients of a recipient's service area;

(g) "Facility" means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real property or interest in such property;

(h)(1) "Handicapped person" means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment;

(2) As used in subparagraph (1) the phrase:

(i) "Physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; digestive; genitourinary, hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The phrase includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism;

(ii) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working;

(iii) "Has record of such impairment" means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities;

(iv) "Is regarded as having an impairment" means (A) has a physical or mental impairment that does not substantially limit major life activities but is treated by a legal services

program as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairments; or (C) has none of the impairments defined in paragraph (c)(2)(i) of this section but is treated by a recipient as having such an impairment;

(i) "Qualified handicapped person" means: (1) With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question; (2) with respect to other services, a handicapped person who meets the eligibility requirements for the receipt of such services from the recipient;

(j) "Employment test or criteria" means any performance measure used as a basis for an employment decision including all formal, scored, quantified or standardized techniques used to assess the suitability of an applicant for a particular job;

(k) "Minority language group" means persons who are American Indian, Asian American, Alaskan Native or of Spanish heritage;

(l) "Labor force characteristics" means the demographic, racial, ethnic, sex and educational characteristics of the population of an employer's relevant labor market area or areas; and

(m) "Terms, conditions and privileges of employment" means all aspects of the employment relationship including compensation, fringe benefits, physical environment, work-related rules, work assignments, training and education and opportunities to serve on committees and decision making bodies.

Subpart B—Discrimination

§ 1624.1 General.

No person shall be subjected by a recipient to discrimination in the provision of services, treatment, or employment practices on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

§ 1624.5 Discrimination prohibited—in the provision of legal services.

(a) No recipient to which this part applies shall directly or through contractual or other arrangements discriminate against an individual in the provision of services on the grounds of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

(b)(1) A recipient, in determining the type of services, aid or benefits which will be provided, or the manner in which such services, aid or benefits shall be

offered, may not directly or through contractual or other arrangements, utilize criteria or methods of administration with the purpose of subjecting individuals to discrimination on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation or which have the effect of substantially impairing accomplishment of the objectives of the program with respect to individuals on one of the bases outlined above.

(2)(i) An individual shall not be deemed subjected to discrimination if refused services by a recipient because his/her legal problem does not come within the recipient's priorities established pursuant to § 1620. Further, an individual shall not be deemed subject to discrimination by reasons of his/her exclusion from the benefits of a program limited by Federal law to individuals with a handicap or race, color, sex, national origin, or age group, not his/her own or from the benefits of a program specifically designed to address legal issues concerning a particular status not shared by the individual.

(ii) A recipient shall not be deemed to have discriminated in determining the site or location of facilities, unless selection was made with the purpose of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program on the grounds of race, color, sex, religion, national origin, political affiliation, sexual orientation, age or handicap or with the purpose of substantially impairing the accomplishment of the objectives of this part.

(c) A recipient shall conduct its programs and activities so that, when viewed in their entirety, they are readily accessible to and usable by handicapped persons. This paragraph does not necessarily require a recipient to make each of its existing facilities or every part of an existing facility accessible to and usable by handicapped persons, or require a recipient to make structural changes in existing facilities when other methods are effective in achieving compliance. In choosing among available methods for meeting the requirements of this paragraph, a recipient shall give priority to those methods that offer legal services to handicapped persons in the most integrated setting appropriate.

(d) A recipient shall, to the maximum extent feasible, insure that new facilities it rents or purchases are accessible to handicapped persons. Prior to entering into any lease or contract for the purchase of a building, a recipient shall submit a statement to the regional office

or other appropriate Corporation official certifying that the facilities covered by the lease or contract will be accessible to handicapped persons, or if the facilities will not be accessible, a detailed description of the efforts the program made to obtain accessible space, the reasons why the inaccessible facility was nevertheless selected, and the specific steps that will be taken by the recipient to insure that its services are accessible to handicapped persons who would otherwise use that facility. After a statement certifying facility accessibility has been submitted, additional statements need not be resubmitted with respect to the same facility, unless substantial changes have been made in the facility that affect its accessibility.

(e) A recipient shall ensure that new facilities designed or constructed for it are readily accessible to and usable by handicapped persons. Alterations to existing facilities shall, to the maximum extent feasible, be designed and constructed to make the altered facilities readily accessible to and usable by handicapped persons.

§ 1624.6 Discrimination prohibited—employment practices.

(a) No recipient to which this part applies shall directly or through contractual or other arrangements subject any person to discrimination in employment on the grounds of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

(b) A recipient shall make all decisions concerning employment in a manner insuring that discrimination on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation does not occur in the terms, conditions or privileges of employment.

(c) A recipient may not participate in any contractual or other relationship with persons, agencies, organizations or other entities, such as, but not limited to, employment and referral agencies, labor unions, organizations providing or administering fringe benefits to employees of the recipient, and organizations providing training and apprenticeship programs, if the practices of such person, agency, organization or other entity have the effect of subjecting qualified applicants or employees to discrimination on any of the bases enumerated in this subpart.

(d) A recipient program shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the

accommodation would impose an undue hardship on the operation of the program.

(1) For purposes of this paragraph (d), reasonable accommodation may include (i) making facilities used by employees readily accessible to and usable by handicapped persons, and (ii) job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions.

(2) In determining whether an accommodation would impose an undue hardship on the operation of a recipient, factors to be considered include, but are not limited to, the overall size of the recipient's program with respect to number of employees, number and type of facilities, and size of budget, and the nature and costs of the accommodation needed.

(3) A recipient may not deny any employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is a need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

(e) A recipient may not use employment tests or criteria that discriminate against handicapped persons, and shall insure that employment tests are adapted for use by persons who have handicaps that impair sensory, manual or speaking skills.

(f) A recipient may not conduct a pre-employment medical examination or make a pre-employment inquiry as to whether an applicant is a handicapped person or as to the nature or severity of a handicap except where the examination or inquiry is related to an essential job function.

(g) A recipient shall post a notice in a prominent place in each of its offices stating that it does not discriminate on any of the bases enumerated in this subpart.

(h) Any recruitment materials published or used by a recipient shall include a statement that the recipient does not discriminate.

Subpart C—Required Recipient Civil Rights Program

§ 1624.7 Assurance.

(a) Every application for financial assistance submitted under the Legal Services Corporation Act shall contain the assurance that the program will comply with this part.

§ 1624.8 Data and information requirements.

(a) Each recipient shall collect, maintain and, upon request of the

Corporation, submit the information set forth in this subpart. All information set forth in this subpart shall be collected unless the Director of the Corporation's Office of Equal Opportunity or his/her designee grants a written exemption to any information requirement for good cause shown by the recipient.

(b) Each recipient shall collect and maintain the following information:

(1) All information required by the Corporation in its instructions to recipients titled Application for Refunding;

(2) Data regarding employment including: (i) the number, race, sex and national origin of applicants for employment; (ii) relevant work force availability data by race, sex and national origin; (iii) staff composition by race, sex and national origin; (iv) the use or planned use of bilingual staff to provide equal access to legal services for members of minority language groups and (v) documentation of all recruitment efforts made in filling program vacancies; and

(3) A log of complaints under this part identifying the nature of the complaint, the date the complaint was filed, the date the recipient's investigation was completed and the disposition and date of the disposition.

(c) Each recipient shall permit access by the Corporation during normal business hours to its books, records, accounts, and other sources of information as may be pertinent to ascertain compliance with this part, except where such information would violate client confidentiality.

§ 1624.9 Required recipient civil rights program—delivery of services.

(a) Recipients shall provide equal access to legal services to eligible clients regardless of race, religion, color, sex, age, national origin, handicap, political affiliation or sexual orientation and shall adopt:

(1) a written policy of equal access to services and equal employment opportunity and

(2) a written procedure for the uniform handling of complaints of discrimination approved by the Regional Office or Research Institute.

(b) A recipient shall designate a person to be responsible for monitoring each aspect of its civil rights program and an employee to assist persons alleging discrimination who shall be someone not responsible for the recipient's personnel decisions.

(1) This employee shall (i) be available to provide aggrieved persons with assistance in processing claims of discrimination, (ii) have the authority to review the underlying facts of such

complaints and (iii) when requested by the complainant, shall seek to conciliate the complaint. This employee shall not be deemed to represent the complainant.

(2) In cases of claims of discrimination in the delivery of services where conciliation is not possible, the complainant shall be afforded all rights under the recipient's client grievance procedure adopted pursuant to § 1621.

(c) To insure that language minority persons have equal access to legal services, in any area where five percent of the eligible population are members of a minority language group, a recipient shall take the following steps:

(1) Employ persons who are bilingual in English and in the appropriate minority language in public contact positions in numbers sufficient to accommodate the needs of the client community;

(2) Place bilingual employees in job categories where necessary to promote equal access to legal services including but not limited to clerical positions where it is necessary to translate materials into a minority language, attorney positions, paralegal positions, investigator positions and other positions which involve client contact and the direct provision of services;

(3) Provide informational literature, forms, notices, letters and other materials available to English-speaking clients in appropriate minority language(s).

(4) Conspicuously post signs in the appropriate minority language(s) stating that clients may request and receive services in those languages.

(d) Where a recipient serves an area where members of minority language groups comprise less than five percent of the eligible population, the recipient shall take all steps necessary to develop an appropriate capability for communicating with minority language clients or potential clients and shall make reasonable effort to comply with (c)(1)-(4) of this subpart.

(e)(1) A recipient that employs a total of 15 or more persons, regardless of whether such persons are employed at one or more locations, shall provide, when necessary, appropriate auxiliary aids to persons with impaired sensory, manual or speaking skills, in order to afford such persons an equal opportunity to benefit from the recipient's services. A recipient is not required to maintain such aids at all times, provided they can be obtained on reasonable notice.

(2) The Corporation may require a recipient with fewer than 15 employees to provide auxiliary aids where the provision of such aids would not

significantly impair the ability of the recipient to provide its services.

(3) Auxiliary aids include, but are not limited to, brailled and taped material, interpreters, telecommunications equipment for the deaf, and other aids for persons with impaired hearing, speech or vision.

(f) A recipient shall take reasonable steps to insure that communications with its applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.

§ 1624.10 Required recipient civil rights program—employment.

(a) Recipients shall use the structure set out in § 1624.9(a) (1) and (2) and (b)(1) to ensure equal opportunity in employment regardless of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

(b) Recipients with 50 or more employees must implement an affirmative action plan approved by the Corporation's Director of Office of Equal Opportunity or his/her designee. All other recipients must develop an Equal Opportunity program in accordance with § 1624.9(a) (1) and (2) and (b)(1).

(c) Before developing an affirmative action plan or equal opportunity policy statement, a recipient shall determine if underutilization on the basis of race, national origin or sex occurs in any job category or unit of its work force by using an underutilization formula approved by the Corporation's Director of Office of Equal Opportunity or his/her designee.

(d) Written affirmative action plans required by this subpart must include at least the following elements:

(1) An Equal Opportunity policy statement;

(2) Specific data by race, national origin and sex concerning the recipient's current work force, applicant flow, hirings, promotions, training attendance, terminations and disciplinary actions;

(3) Appropriate labor force characteristics, including a breakdown by race, national origin and sex;

(4) A program of remedial or preventive action to correct employment disparities based on race, sex, or national origin;

(5) Goals and timetables to correct underutilization of women and minorities;

(6) A procedure for publicizing and disseminating the plan to all employees, applicants and the general public;

(7) A procedure for prompt and uniform handling of complaints of employment discrimination.

(e) The enumeration of specific requirements for an affirmative action

plan does not limit the authority of the Corporation to require other elements in Recipient's Affirmative Action Plans in the presence of a past history of noncompliance with this part.

Subpart D—Conduct of Investigation and Review

§ 1624.11 Monitoring.

(a) The Corporation shall monitor those recipients having the greatest disparity in the delivery of legal services on any basis prohibited by this part or appearing to have the most serious systematic employment problems.

(b) If the monitoring process finds noncompliance with this Part, the Corporation shall notify the recipient in writing of:

(1) Preliminary findings;

(2) Recommendations for achieving voluntary compliance, where appropriate; and

(3) The opportunity to engage in voluntary compliance negotiations, where appropriate.

(c) If voluntary compliance has not been secured within 30 days of the Corporation's recommendations, the Corporation shall make a formal written determination of noncompliance and the Corporation shall undertake the imposition of such sanctions as may be appropriate.

(d) All agreements to come into voluntary compliance shall be in writing, shall set forth the specific steps the recipient has agreed to take, and shall be signed by the Corporation's Director of Office of Equal Opportunity and an official of the recipient with authority to legally bind the recipient.

§ 1624.12 Complaint process.

(a) In addition to or in lieu of using the recipient's complaint process, a complainant may file a complaint directly with the Corporation's Office of Equal Opportunity alleging a pattern and practice of discrimination by the recipient in the delivery of services or employment.

(b) If a complainant files an allegation of a pattern and practice of discrimination with the Corporation prior to availing itself of the recipient's grievance procedure, the recipient shall immediately be advised of the complaint and given 30 days in which to investigate, hear and attempt to resolve the complaint. Upon completion of the grievance process, the recipient shall submit written findings to the appropriate Regional Office or the Research Institute and the Corporation's Office of Equal Opportunity.

(c) No recipient shall intimidate, threaten, coerce, retaliate or

discriminate against a person in order to interfere with any right secured by this part or applicable Federal or State law, or because he/she has made a complaint, testified, assisted or participated in any manner in any investigation, proceeding or hearing under this part.

Subpart E—Procedure for Effecting Compliance

§ 1624.13 Remedies.

(a) Failure to comply with this part shall be regarded by the Corporation in the same manner as the Corporation regards a recipient's failure to comply with any other section of the Act or implementing regulations. Accordingly, the procedures described in Part 1606 may be pursued in the presence of violation of this part by a recipient.

(b) A recipient found to have discriminated in the delivery of services on the basis of race, color, sex, national origin, age, or handicap may be required to take affirmative action to overcome the effects of prior discrimination. Even in the absence of such prior discrimination, a recipient, in administering a program, may take affirmative action to overcome effects or conditions which result in limiting participation by persons on the grounds of race, color, sex, national origin, age or handicap.

(c) Where a recipient is found to have a work force or segment of the work force not on parity with the relevant labor market, the Regional Office or Research Institute may require its approval prior to the filling of all vacancies in such segment(s) of the recipient's work force in order to assure maximum efforts of affirmative action.

Mario Lewis,

General Counsel, Legal Services Corporation.

[FR Doc. 81-8739 Filed 3-20-81; 8:45 am]

BILLING CODE 6820-35-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 583

[Docket No. 79-17; Notice 2]

Crashworthiness Ratings; Correction

AGENCY: National Highway Traffic Safety Administration.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This notice corrects inadvertent errors in the text of the National Highway Traffic Safety

Administration's (NHTSA) notice of proposed rulemaking proposing establishment of a new car crashworthiness performance ratings program.

FOR FURTHER INFORMATION CONTACT:

Mr. Steve Zaidman, Office of Automotive Ratings, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, 202-426-1740.

SUPPLEMENTARY INFORMATION: In FR Doc. 81-2257, appearing on page 7025, in the issue of Thursday, January 22, 1981, make the following corrections:

1. On page 7025, under the heading "FOR FURTHER INFORMATION CONTACT:" the telephone number should read "202-426-1740".

§ 583.6 [Corrected]

2. On page 7030, in § 583.6(d)(2) the words "S4 of" should be deleted in the second place they appear.

3. On page 7030, in § 583.6(d)(4) the designation reading "S6" should read "S5.6".

§ 583.7 [Corrected]

4. On page 7030, in § 583.7 the final designation reading "§ 583.6(a)" should read "§ 583.5(a)".

(Secs. 201, 203; Pub. L. 92-513, 80 Stat. 947 (15 U.S.C. 1941, 1944); secs. 112, 119, Pub. L. 89-503, 80 Stat. 718 (15 U.S.C. 1401, 1407), delegations of authority at 49 CFR 1.50 and 501.8)

Issued on March 16, 1981.

Michael M. Finkelstein,

Associate Administrator for Rulemaking.

[FR Doc. 81-2662 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-59-M

Notices

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

OFFICE OF THE FEDERAL INSPECTOR FOR THE ALASKA NATURAL GAS TRANSPORTATION SYSTEM

Final Design Cost Estimate

AGENCY: Office of the Federal Inspector for the Alaska Natural Gas Transportation System..

ACTION: Notice of Tentative Decision, and Request for Public Comments, on the Final Design Cost Estimate of the Eastern Leg "Prebuild" Segment of the Alaska Natural Gas Transportation System.

Take notice that on March 20, 1981, the Office of the Federal Inspector (OFI) made a tentative decision on the Final Design Cost Estimate (FDCE) submitted by the Northern Border Pipeline Company for the "prebuild" section of the Eastern Leg of the Alaska Natural Gas Transportation System. Copies of this tentative decision are available by writing or telephoning: Mr. Richard Berman, director, Audit and Cost Analysis, Office of the Federal Inspector, ANGTS, Room 2413, Post Office Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20044 (202) 275-1153.

Public comments on this tentative decision should be submitted in writing to the OFI, at the same address, by April 6, 1981.

As a first step to implement the Incentive Rate of Return (IROR) for the Eastern Leg "prebuild," the Federal Energy Regulatory Commission on April 28, 1980, set the Certification Cost and Schedule Estimate (CCSE) at \$1,061,581,000 (1979 dollars). Subsequently, Northern Border applied to the OFI for approval of changes to its certificated design. These engineering and schedule matters have already been analyzed and approved, where appropriate, by the OFI. As a related matter, Northern Border seeks OFI approval of an increase of about \$180 million from its CCSE to yield its FDCE,

upon which the IROR will operate during construction.

It is solely this \$180 million portion of the FDCE to which the OFI's tentative decision is, and public comments should be, addressed. How do these designs changes comport with Condition 9 of the FERC's Order Nos. 31 and 31-B?

Dated: March 18, 1981.

John T. Rhett,

Federal Inspector.

[FR Doc. 81-6813 Filed 3-20-81; 8:45 am]

BILLING CODE 6820-AW-M

CIVIL AERONAUTICS BOARD

[Docket 38230; Order 81-3-83]

Southern Air Transport, Inc.; Petition; Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 13th day of March, 1981.

By Order 80-7-147, July 24, 1980, the Director, Bureau of Domestic Aviation, acting under delegated authority, dismissed as moot the application of Southern Air Transport¹ for an emergency exemption from section 401 of the Federal Aviation Act to permit it to operate, during the period June 10-August 31, 1980, cargo charter flights on behalf of Bering Pacific between various points, all of which are within the State of Alaska.²

On August 7, 1980, Southern filed a petition for reconsideration and request

¹ Southern holds authority as a charter air carrier under section 401 for operations in interstate and overseas air transportation (Order 79-12-31) and foreign air transportation (Order 80-1-87) and as an all-cargo air carrier under section 418 (Order 78-5-120). These certificates do not, however, include authority to engage in interstate air transportation between points wholly within Alaska.

² King Salmon-Anchorage, King Salmon-Kenai, King Salmon-Homer, Bethel-Anchorage, Egegik-Anchorage, Egegik-King Salmon, Egegik-Homer, and Egegik-Kenai. Southern's application was acted on concurrently with a similar application filed by Rosenbalm Aviation, Inc. (Docket 38229). When Air Alaska, Inc. and Northern Air Cargo, Inc. filed an answer in opposition to Southern's application, Alaska International Air, Inc. and Great Northern Airlines, Inc. filed answers stating that all of these operations, except the Alaska-Canada flights and those flights within Alaska on which the cargo was shortly transshipped for carriage to Canada, were intrastate and, that we should dismiss them as beyond our jurisdiction and moot the balance of the pending applications. They also claimed that Rosenbalm and Southern concur in this "analysis and that their applications for exemption authority to operate intrastate movement were filed out of an abundance of caution."

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for formal investigation of the staff's handling of the application.³

Southern also stated that, although the 1980 salmon season in Alaska was coming to a close, the issues raised by its exemption application are not moot and should be resolved. Therefore, it urged us to review the action of the staff and grant its application on its merits.

We will deny Southern's request for a special investigation of the staff's handling of its application. This matter is now moot and no purpose would be served by a further consideration of it.

We have decided to grant all air carriers an exemption from the provisions of the Act and our own regulations to the extent necessary to permit them to engage in air transportation between any two points in Alaska, *subject to the condition that the carrier also hold authority from the Alaska Transportation Commission for all intra-Alaska operations.*

This decision, which essentially confers upon the State of Alaska the authority to decide whether to grant or deny requests for authority to operate by exemption between points in Alaska, is consistent both with the law, which reserves to the State of Alaska a unique position in the federal regulatory system, and with our intention to simplify and reduce the burdens of joint State and Federal economic regulation of air service within Alaska to the extent that we are able to do so.

The threshold issue raised by an application like Southern's in Docket 38230 is whether we have jurisdiction at all over transportation between two points that lie wholly within Alaska. Although some persons have suggested that there are provisions of the Deregulation Act which foreclose, or limit, our jurisdiction over air transportation between points in Alaska, we do not agree.⁴ In fact, we have consistently exercised control over air transportation between points that lie wholly within the same state if the carrier transports more than a *de minimis* volume of traffic moving as part of a continuous journey in interstate

³ Southern's petition is, in fact, a petition for Board review of staff action and, therefore, will be treated as such.

⁴ See answer of Alaska International Airlines, Inc. and Great Northern Airlines, Inc., June 3, 1980, in Docket 38230.

commerce.⁵ We conclude that no provision of the Airline Deregulation Act reduced our jurisdiction with respect to interstate air transportation between two points in the same state in a manner relevant here.⁶

We have also decided that it is in the public interest and consistent with efficient administration of both Alaskan and Federal regulatory policy to exempt all air carriers from the Federal laws and regulations that would otherwise prevent them from providing service between two points in Alaska but to condition this exemption so that it is ineffective unless the carrier also holds state authority for the intra-Alaska service.

Alaska is the one state not totally preempted by the Airline Deregulation Act from regulating carriers that hold federal authority. See Section 105(a)(2). Congress recognized the absolute dependence of some areas of the State on air transportation and in a number of provisions included specific limitations on our power to grant authority to serve intra-Alaska markets. For example, section 401(n)(3) specifically forbids us from issuing charter certificates between two points in Alaska unless we specifically authorize such charter air transportation after determining that it is required by the public convenience and necessity. Section 418(b)(3) prohibits us from including authority to engage in all-cargo air service between points located within Alaska or Hawaii in certificates issued under section 418.⁷ Section 416(b)(5) states:

The exemption from section 401 of this title or any other requirement of this Act shall not apply to any air transportation by any carrier between points both of which are in the State of Alaska, or one of which is in the State of Alaska and the other in Canada, unless such air carrier also holds authority to provide such air transportation from the State of Alaska.

See also sections 401(d)(5) (A) and (D) 419(f)(2).

A blanket Federal exemption of the kind that we propose here permits the State to determine, by its standards, whether a particular service within Alaska is needed and whether an

applicant should be permitted to provide it. It avoids the necessity for any class of carriers to deal with both Federal and State authorities in order to receive an intra-Alaskan exemption. Air service between many Alaskan communities is the only convenient form of transportation available, and its reliability is monitored closely by the State.⁸

Although we are granting the exemption as described above, we will accept comments on our action. Comments are due in 30 days; replies are due 15 days after that. Upon receipt of any comments, we will decide whether any modification to this decision is necessary.

Accordingly, 1. We grant Southern's petition for review of staff action in Docket 38230, and deny its request for an investigation of staff action;

2. We grant a blanket exemption to all U.S. certificated air carriers to engage in air transportation between any two points in Alaska provided that the carrier holds authority to operate from the Alaska Transportation Commission for its intra-Alaska service;

3. We direct interested persons to file comments no later than April 15, 1981;

4. Reply comments are due no later than April 30, 1981; and

5. We will serve a copy of this order on all parties in the attached service list.⁹

We will publish this order in the **Federal Register**.

By the Civil Aeronautics Board.
Phyllis T. Kaylor,
Secretary.

[FR Doc. 81-0781 Filed 3-20-81; 8:45 am]

BILLING CODE 6320-01-M

CIVIL RIGHTS COMMISSION

Illinois Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Illinois Advisory Committee to the Commission will convene at 10:00 a.m. and will end at

⁵ Under the present statutory scheme, carriers that hold a 401 certificate for scheduled service between any two Alaskan points are beyond the reach of the Alaska Transportation Commission since, as to these licensees, Alaska has been preempted. See section 105 of the Act. Therefore, this group of certificated carriers can operate between Alaskan points on their certificates without obtaining additional State approval. Carriers that seek intra-Alaska authority for service that is predominantly interstate in character, e.g., for direct service operated on a Fairbanks-Anchorage-Seattle routing, may apply for a specific exemption that does not require ATC approval.

⁶ Service List filed as part of the original document.

5:00 p.m., on April 10, 1981, at 230 South Dearborn Street, Chicago, Illinois 60604. The purpose of this meeting is for the Housing Subcommittee to develop project concept for FY 81-82; and organize Subcommittee for follow up on Chicago desegregation monitoring.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Miss Theresa F. Cummings, 2636 West Lawrence Avenue, Springfield, Illinois 62704, (217) 788-0751; or the Midwestern Regional Office, 230 South Dearborn Street, Chicago, Illinois 60604, (8) 353-7371.

The meeting will be conducted pursuant to the provisions of the rules and Regulations of the Commission.

Dated at Washington, D.C., March 16, 1981.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 81-8898 Filed 3-20-81; 8:45 am]

BILLING CODE 6335-01-M

Maryland Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Maryland Advisory Committee to the Commission will convene at 3:30 to 5:30 p.m. (Business Session), and 7:00 to 9:30 p.m. (Forum), on April 22, 1981, at the Government Office Building, Council Chambers, North Division Street and Route 50, Salisbury, Maryland 21801. The purpose of this meeting is—Business Session: release the Maryland Conference Report, discuss followup on Baltimore Police Complaint Evaluation Procedure Report, monitoring of hate groups, State Government's role in Federal antipoverty funding, and other new business; Eastern Shore Forum: equal opportunities in Somerset County educational systems and Wicomico County government, and police practices in the City of Salisbury.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Mr. Newton I. Steers, Jr., 6601 River Road, Bethesda, Maryland 20034, (301) 320-5820; or the Mid-Atlantic Regional Office, 2120 L Street, N.W., Room 510, Washington, D.C. 20037, (202) 254-6717.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

⁷ C.A.B. v. *Friedken Aviation*, 246 F.2d 473 (1957); *People of the State of Cal. v. C.A.B.*, 581 F.2d 954 (D.C. Cir. 1978); *People of the State of Cal., et al. v. C.A.B.* 587 F.2d 1 (D.C. Cir. 1977), aff'd *Orders* 78-5-77, May 12, 1978, 75-9-78, September 22, 1975, and 75-6-135, June 27, 1975. See also *Orders* 80-3-9, March 3, 1980, 79-6-187, June 26, 1979, 79-4-65, April 12, 1979, 78-11-82, November 16, 1978, 78-7-162, July 26, 1978; and 78-5-77, May 12, 1978.

⁸ Pub. L. 95-504, October 24, 1978.

⁹ There is a question of whether this section applies to all exemptions or only to air taxis. We need not decide that question here in view of our action here.

Dated at Washington, D.C., March 16, 1981.
John I. Binkley,
Advisory Committee Management Officer.
 [FR Doc. 81-8802 Filed 3-20-81; 8:45 am]
 BILLING CODE 5335-01-M

West Virginia Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the West Virginia Advisory Committee to the Commission will convene at 1:00 p.m. and will end at 5:00 p.m., on April 9, 1981, at the Federal District Court, Room 5110, 500 Quarrier Street, Charleston, West Virginia 25329. The purpose of this meeting is to release the Report *Achieving Change*, and plan activities for 1981-82.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Mr. James B. McIntyre, 611 Virginia Street East, Charleston, West Virginia 25301, (304) 344-3652; or the Mid-Atlantic Regional Office, 2120 L Street, N.W., Room 510, Washington, DC 20037, (202) 254-6717.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., March 16, 1981.
John I. Binkley,
Advisory Committee Management Officer.
 [FR Doc. 81-8807 Filed 3-20-81; 8:45 am]
 BILLING CODE 5335-01-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 172]

Approval for Expansion of Foreign-Trade Zone No. 33, Allegheny County, Pennsylvania, Within the Pittsburgh Customs Port of Entry

Pursuant to its authority under the Foreign-Trade Zone Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) adopts the following order:

Whereas, the Regional Industrial Development Corporation of Southwestern Pennsylvania (RIDC), Grantee of Foreign-Trade Zone No. 33, has applied to the Board for authority to expand its general-purpose zone located at RIDC's Park West facility, to include three additional sites within the facility in Allegheny County, near the Greater Pittsburgh International Airport and

within the Pittsburgh Customs port of entry;

Whereas, the application was accepted for filing on October 14, 1980, and notice inviting public comment was given in the Federal Register on October 21, 1980 (45 FR 69525);

Whereas, an examiners committee has investigated the application in accordance with the Board's regulations and recommends approval;

Whereas, the expansion is necessary to provide zone services to new tenants whose operations cannot be accommodated within existing zone space; and

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's Regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby orders:

That the Grantee is authorized to expand its zone in accordance with the application filed October 14, 1980. The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operations not mentioned in the application. The authority given in this Order is subject to settlement locally by the District Director of Customs and the District Army Engineer regarding compliance with their respective requirements relating to foreign-trade zones.

Signed at Washington, D.C. this 16th day of March 1981.

Malcolm Baldrige,

Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 81-8707 Filed 3-20-81; 8:45 am]
 BILLING CODE 3510-25-M

[Order No. 173]

Approval for Relocation of Foreign-Trade Zone No. 20, From Portsmouth to Suffolk, Va., Adjacent to the Norfolk-Newport News Customs Port of Entry

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) adopts the following order:

Whereas, the Virginia Port Authority, Grantee of Foreign-Trade Zone No. 20, has applied to the Board for authority to

relocate its general-purpose zone from Portsmouth to nearby Suffolk, Virginia, adjacent to the Norfolk-Newport News Customs port of entry;

Whereas, the application was accepted for filing on November 25, 1980, and notice inviting public comment was given in the Federal Register on December 2, 1980 (45 FR 79860);

Whereas, as examiners committee has investigated the application in accordance with the Board's regulations and recommends approval;

Whereas, the proposed relocation is necessary for effective and efficient zone operations in the area; and

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's Regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby orders:

That the Grantee is authorized to relocate its zone from Portsmouth to Suffolk, Virginia, in accordance with the application filed November 25, 1980. The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operation within the new site. The authority given in this Order is subject to settlement locally by the District Director of Customs and the District Army Engineer regarding compliance with their respective requirements relating to foreign-trade zones.

Signed at Washington, D.C. this 16th day of March 1981.

Malcolm Baldrige,

Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 81-8708 Filed 3-20-81; 8:45 am]
 BILLING CODE 3510-25-M

Maritime Administration

[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, as amended by

letter of February 6, 1981, have requested by letter of March 17, 1981, 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 and 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 and 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 IM, STM II, and STM III. HSI is, also, a Florida corporation wholly-owned by Hans J. Hvide.

On March 17, 1981 the Maritime Subsidy Board (Board) took the following action with respect to the September 23, 1980 applications as amended by letter of February 6, 1981:

I. Found and determined that the grant of written permission to the applicants, pursuant to section 805(a) of the Merchant Marine Act, 1936, as amended (Act), 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, with respect to the following operations of their associated companies: (1) for Hvide Shipping, Incorporated (HSI), an affiliate of the applicants, 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, petroleum or petroleum products in the domestic intercoastal and coastwise service; (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 liquid chemicals, petroleum or petroleum products in the domestic intercoastal and coastwise service; (3) for HSI to own the harbor tugs *Fort Lauderdale*, *Capt. Nelson* and *Everglades* which are operated exclusively at Port Everglades, Florida; and (4) for HSI to own the harbor tugs *Capt. Brinn* and *Hollywood* which are operated exclusively at Port Canaveral, Florida.

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.

III. Authorized amendment of Article I-12 of Operating-Differential Subsidy Agreement, Contract Nos. MA/MSB-440, MA/MSB-441 and MA/MSB-442 to reflect the above actions.

By letter of March 17, 1981, the applicants advised that the harbor tugs *Capt. Brinn* and *Hollywood* are bareboat chartered by Hvide Shipping, Incorporated (HSI) to Port Everglades Towing, Inc. (PET), a Florida corporation which is an affiliate of Seabulk Transmarine I, Inc., Seabulk Transmarine II, Inc. and Seabulk Transmarine III, Inc. through the common stock ownership in Hvide Marine International, Inc. and PET by J. Erik Hvide and Hans J. Hvide, as trustee.

PET has an operating agreement with HSI pursuant to which HSI operates and manages *Capt. Brinn* and *Hollywood*. PET has no employees or operating capability of its own. Its role in regard to *Capt. Brinn* and *Hollywood* is entirely passive and relates only to internal financial considerations.

At the time the application was filed, the applicants did not deem it necessary to request permission in regard to PET because it is not involved in the ownership or operation of *Capt. Brinn* and *Hollywood* or indeed, any other vessels and hence is not in a position to divert subsidy, which section 805(a) is intended to prevent. However, such permission is now requested.

The letter of February 6, 1981 also stated, in reference to the five harbor tugs, that "the aforesaid vessels are operated exclusively in the two respective ports." By letter of March 17,

1981, the applicants advised that this language was intended to indicate that all of the tugs were operated from time to time in both ports and no where else. In the written permission pursuant to section 805(a) it is stated that the tugs *Fort Lauderdale*, *Capt. Nelson* and *Everglades* are operated exclusively at Port Everglades, Florida, and the tugs *Capt. Brinn* and *Hollywood* are operated exclusively at Port Canaveral, Florida. The applicants request that this language be modified to reflect their intention.

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 26, 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: March 18, 1981.

Robert J. Patton, Jr.,
Secretary.

[FR Doc. 81-4736 Filed 3-20-81; 8:45 am]

BILLING CODE 3510-15-M

National Oceanic and Atmospheric Administration

Receipt of Application for Marine Mammal Permit; National Museum of Natural History

Notice is hereby given that an Applicant has applied in due form for a permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), and the National Marine Fisheries Service regulations governing endangered fish and wildlife permits (50 CFR Parts 217-222).

1. Applicant:

a. Name: National Museum of Natural History (P6E).

b. Address: Smithsonian Institution, Washington, D.C. 20560.

2. Type of Permit: Scientific research and scientific purposes.

3. Name and Number of Animals: Unspecified cetaceans, undetermined. Dugong (Dugong dugon), undetermined.

4. Type of Take: The applicant wishes to import scientific materials from opportunistically collected cetaceans and dugongs from beach cast and subsistence specimens in Indonesia.

5. Location of Activity: Indonesia.

6. Period of Activity: 1 year.

Concurrent with the publication of this notice in the *Federal Register* the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before April 22, 1981. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.; Director, Wildlife Permit Office,

Fish and Wildlife Service, Federal Wildlife Office, U.S. Department of the Interior, Washington, D.C. 20240; and Director, National Marine Fisheries Service, Northeast Region, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930.

Dated: March 13, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-8805 Filed 3-20-81; 8:45 am]

BILLING CODE 3510-22-M

Modification of Marine Mammal Permit; Washington State, Department of Game

Notice is hereby given that pursuant to the provisions of § 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), Permit No. 305 issued to the State of Washington, Department of Game, 53 Portway Street, Astoria, Oregon 97103 on October 10, 1980 (45 FR 69533) is modified as follows:

Section B-3 is modified by changing the allowable loss rate during the 1981 and 1982 field seasons from 10% to 33 1/3%. This makes Condition B-3 consistent with Condition A-1 which allows the striking of 150 animals in the attempt to collect 100 specimens.

Dated: March 16, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-8804 Filed 3-20-81; 8:45 am]

BILLING CODE 3510 3510-22-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

March 5, 1981.

The USAF Scientific Advisory Board Acquisition Logistics Division Advisory Group will meet at Wright-Patterson Air Force Base, Ohio on April 23 and 24, 1981. The meeting will convene at 8:30 a.m. and adjourn at 5:00 p.m. on both days.

The Committee will review the ALD mission, objectives, and major technical problems, and new technology having the promise for favorably impacting logistics problem areas. The briefings and discussions will be closed to the public in accordance with Section 552(b)(3), Title 5, United States Code, specifically subparagraph (1).

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-8845.

Carol M. Rost,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-8708 Filed 3-20-81; 8:45 am]

BILLING CODE 3910-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL 1783-6]

Region IV, Atlanta, Ga.; Intent To Prepare an Environmental Impact Statement

AGENCY: U.S. Environmental Protection Agency, Region IV, Atlanta, Georgia.

ACTION: Preparation of Environmental Impact Statement (EIS).

PURPOSE: In accordance with Section 102(2)(C) of the Environmental Policy Act, the EPA has identified a need to prepare an EIS and therefore publish this Notice of Intent pursuant to 40 CFR 1501.7.

FOR FURTHER INFORMATION CONTACT:

Mr. Ted Bisterfeld, EIS Branch Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365, Telephone (404) 881-7458.

SUMMARY:

1. Description of Proposed Action.—The EPA action is a decision on issuance of a new source NPDES permit for a 1200 MW coal-fired electric generating station at Jacksonville, Florida. Jacksonville, Electric Authority and Florida Power and Light Company propose joint ownership of the project. Applicant's preferred site is adjacent to the existing Northside Generating Station on the St. Johns River. Extensive additions to the transmission line network are now also proposed.

All feasible alternatives available to the Applicant will be considered in the EIS and all regulatory alternatives available to the Agency in its decision-making will be explored.

Major emphasis of the EIS is expected to be on the assessment of alternatives for reducing JEA dependence on foreign oil, plant siting alternatives, impacts to air quality, impacts from disposal of solid and liquid wastes and impacts to estuarine wetlands.

2. Public Participation Program.—Participation in the EIS process is invited from individuals, organizations, and government agencies.

3. Significant Issues.—Extent to which the proposed coal-fired plant will help the JEA reduce present electric rates.

—Siting of the power plant.

- Impacts to Jacksonville area air quality.
- Power plant wastes management.
- Construction and operational impacts to estuarine wetlands.

4. Scoping.—The EPA, Region IV and the Florida Department of Environmental Regulation will hold a joint public scoping meeting in Jacksonville on April 9, 1981. Local notice has been given for this meeting to be held at 7:30 p.m. in the Jacksonville City Health Department, First Floor Auditorium 515 West Sixth Street. EPA will request public comment in the meeting to help the Agency identify major issues which should be addressed in the EIS.

Input to the EIS may also be given by writing the Regional EPA Office.

5. Timing.—The EIS schedule has not been set; but EPA expects to have a draft EIS available in November or December of this year.

6. Requests for Copies of Draft EIS.—Persons wishing to be included on the EIS List should write to the Regional contact named above.

William N. Hedeman, Jr.,

Director, Office of Federal Activities,

March 17, 1981.

[FR Doc. 81-8782 Filed 3-20-81; 8:45 am]

BILLING CODE 6560-37-M

FEDERAL HOME LOAN BANK BOARD

[No. AC-118]

First Federal Savings and Loan Association of El Dorado, El Dorado, Ark.; Final Action; Approval of Conversion Application

Dated: March 18, 1981.

Notice is hereby given that on February 12, 1981, the Federal Home Loan Bank Board, as operating head of the Federal Savings and Loan Insurance Corporation ("Corporation"), by Resolution No. 81-88, approved the application of First Federal Savings and Loan Association of El Dorado, El Dorado, Arkansas, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat of said Corporation, 1700 G Street, N.W., Washington, D.C. 20552 and at the Office of the Supervisory Agent of said Corporation at the Federal Home Loan Bank of Little Rock, 1400 Tower Building, Little Rock, Arkansas 72201.

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 81-8787 Filed 3-20-81; 8:45 am]

BILLING CODE 6720-01-M

[No. AC-117]

Security Savings and Loan Association, Salina, Kansas; Final Action; Approval of Conversion Application

Dated: March 18, 1981.

Notice is hereby given that on February 12, 1981, the Federal Home Loan Bank Board, as operating head of the Federal Savings and Loan Insurance Corporation ("Corporation"), by Resolution No. 81-89, approved the application of Security Savings and Loan Association, Salina, Kansas, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat of said Corporation, 1700 G Street, N.W., Washington, D.C. 20552 and at the Office of the Supervisory Agent of said Corporation at the Federal Home Loan Bank of Topeka, 3 Townsite Plaza, 120 East 6th Street, Topeka, Kansas 66601.

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 81-8786 Filed 3-20-81; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL RESERVE SYSTEM

Midland Bank Limited; Formation of Bank Holding Company

Midland Bank Limited, London, England, 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 50 per cent or more of the voting shares of Crocker National Corporation, San Francisco, California, a bank holding company which owns Crocker National Bank, San Francisco, California. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Midland Bank Limited, London, England, has also applied to do business under section 25(a) of the Federal Reserve Act by acquiring indirectly the shares of three Edge Corporation subsidiaries owned by Crocker National Bank, Crocker Bank International (Chicago), Chicago, Illinois, Crocker Bank International (New York), New York, New York, and Crocker

International Investment Corporation, San Francisco, California. The factors that are considered in acting on these applications are set forth in § 211.4(a) of the Board's Regulation K (12 CFR 211.4(a)).

Midland Bank Limited has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire indirectly voting shares of the following subsidiaries of Crocker National Corporation: (1) Bishop Building Co., Inc., Honolulu, Hawaii, which owns and operates the Bishop Trust Building in Honolulu and leases it to subsidiaries of Crocker National Corporation and other tenants; (2) Bishop Trust Company, Ltd., Honolulu, Hawaii, which conducts a full-service trust business and provides limited data processing services to other Crocker National Corporation subsidiaries from an office in Honolulu, Hawaii, serving the State of Hawaii, and an office in Hilo, Hawaii, serving the Commonwealth of Guam; (3) Hawaii Finance Company Ltd., Honolulu, Hawaii which operates as an industrial loan company making secured and unsecured loans to individuals from offices in Honolulu and Hilo, Hawaii, serving the State of Hawaii; (4) Miles Crossing Ltd., Honolulu, Hawaii, which owns real estate mortgages and other real estate receivables, and serves the State of Hawaii from an office in Honolulu, Hawaii; (5) CNC Insurance Agency Inc., San Francisco, California, which engages in the activity of acting as agent for credit life and credit accident and health insurance directly related to extensions of credit by Crocker National Corporation's subsidiaries, and serves the State of California from its office in San Francisco, California; (6) Crocker Investment Management Corp., San Francisco, California, which engages in the activity of providing portfolio investment advice and general economic and financial information and advice, and serves customers throughout the United States from its offices in Los Angeles and San Francisco, California; (7) Crocker Mortgage Investment Company Inc., Los Angeles, California, which engages in the activities of originating, purchasing and servicing loans secured by real estate and servicing loans and other extensions of credit for any person throughout the United States from offices in Los Angeles, San Francisco, Century City, and Orange County, California; Phoenix, Arizona; Salt Lake City, Utah; Atlanta, Georgia; Indianapolis, Indiana; and

Chicago, Illinois; (8) Western Bradford Trust Company, San Francisco, California, a trust company which furnishes services to security holders, brokers, dealers and issuers; provides data processing services to Crocker National Corporation and its subsidiaries; and provides computer software services to Crocker National Corporation and its subsidiaries, throughout the western part of the United States from offices in San Francisco and Los Angeles, California; and (9) Crocker Holdings, Inc., Germantown, Tennessee, which holds real estate related assets of Crocker National Corporation that are in the process of liquidation, serves the southeastern part of the United States from its office in Germantown, Tennessee.

In addition, Midland Bank Limited, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain the following indirect subsidiaries: (1) Samuel Montagu (Metals), Inc., New York, New York, which engages in the activity of dealing in precious metals by buying and selling gold and silver on the spot and futures market for its own account, and deals with other precious metals dealers throughout the world from its New York, New York office; (2) Thomas Cook, Inc., New York, New York, a company that engages in the issuance and sale of travelers cheques and serves the United States from offices throughout the country; and (3) London American Finance Corporation, New York, New York, a holding company for Export Credit Corporation, New York, New York, a commercial finance company specializing in overseas trade financing of products manufactured in the United States from its New York office, and LAFCO (Western Hemisphere), Ltd., New York, New York, which markets in the western hemisphere the services of certain financing affiliates and extends credit to Latin American importers of United States products.

In addition, Midland Bank Limited, has applied, pursuant to section 4(c)(8) of the Banking Holding Company Act and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain indirect investments in the following subsidiaries of European American Bank, New York, New York, held by that company under the authority of section 4(c)(8): (1) European American Banking Corporation, New York, New York, a New York investment company that primarily provides wholesale financial services from its New York offices to

European corporations doing business in the United States; (2) Euram Realty Corporation, Jersey City, New Jersey, which engages in the activity of leasing real property; (3) Euramcor Realty Corporation, Jersey City, which also engages in the activity of leasing real property; and (4) Disk Pack Leasing Corporation, New York, New York, which engages in the activity of leasing personal property.

It appears that the activities applied for have either been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b) or have been authorized by order under section 4(c)(8) in particular cases.

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 interests, or unsound banking practices." Any comment on these applications that requests a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 11, 1981.

Board of Governors of the Federal Reserve System, March 12, 1981.

Jefferson A. Walker,
Assistant Secretary of the Board.

[FR Doc. 81-8740 Filed 3-20-81; 8:45 am]

BILLING CODE 6210-01-M

Notice Requesting Comment on the Acquisition of Thrift Institutions by Banks and Bank Holding Companies

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Request for comment.

SUMMARY: Congress has asked the Board to undertake a study of the

potential effects of the acquisition of thrift institutions by banks and bank holding companies. The Board is soliciting comment from the public on this issue to assist the Board in completing its study.

DATE: Comments must be received by April 30, 1981.

ADDRESS: Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551

FOR FURTHER INFORMATION CONTACT:

Michael E. Bleier, Assistant General Counsel (202-452-3721), Carl V. Howard, Senior Attorney (202-452-3786), Legal Division; or Joe M. Cleaver, Assistant Director (202-452-3905), Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

Section 4(c)(8) of the Bank Holding Company Act, 12 U.S.C. 1843(c)(8), provides that bank holding companies may acquire

* * * [S]hares of any company the activities of which the Board after due notice and opportunity for hearing has determined (by order or regulation) to be so closely related to banking or managing or controlling banks as to be a proper incident thereto. In determining whether a particular activity is a proper incident to banking or managing or controlling banks the Board shall consider whether its performance by an affiliate of a holding company 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 interests, or unsound banking practices.

The Board has previously found the operation of a savings and loan association to be "closely related" to banking, but has not determined this activity to be a "proper incident" to banking.¹ Accordingly, interested persons are invited to express their views on the "proper incident" question. The Board's study of the affiliation of banks and bank holding companies and thrift institutions is not limited to this issue, however, and interested persons are also invited to express their views on any potential effects of such affiliation.

The Board has advised the Senate Committee that the Board intends to complete this study by the early summer

¹ *D. H. Baldwin Company*, 63 Federal Reserve Bulletin 280 (1977). The Board recently received an application from National Detroit Corporation, Detroit, Michigan, to acquire Landmark Savings and Loan Association, Saginaw, Michigan. The Board has dismissed the application without prejudice to its resubmission following completion of the study.

of 1981. Accordingly, persons wishing to comment on the issues described above should submit their views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received by April 30, 1981.

Board of Governors of the Federal Reserve System, March 16, 1981.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-8741 Filed 3-20-81; 8:45 am]

BILLING CODE 6210-01-M

Consumer Advisory Council; Meeting of Consumer Advisory Council

The Consumer Advisory Council will meet on Wednesday, April 15, and Thursday, April 16. The meeting, which will be open to public observation, will take place in Terrace Room E of the Martin Building. The April 15 session is expected to begin at 1 p.m. and to continue until 5 p.m. The April 16 session is expected to begin at 9 a.m. and to conclude at 3 p.m. The Martin Building is located on C Street, Northwest, between 20th and 21st Streets in Washington, D.C.

The Council's function is to advise the Board on the exercise of the Board's responsibilities with regard to consumer credit legislation and regulation. Time permitting, the Council will consider the following topics:

1. *Revision of Regulation C (Home Mortgage Disclosure).* A discussion of (1) the Board proposed revision of Regulation C to implement recent statutory amendments to the Home Mortgage Disclosure Act and Certain simplifying regulatory changes, and (2) the impact of the Regulatory Flexibility Act on consumer regulations, considered in the context of the Board's current efforts to simplify Regulation C.

2. *Regulation B Enforcement Guidelines.* A discussion of issues raised in the proposed uniform guidelines for the administrative enforcement of Regulation B (Equal Credit Opportunity) and the Fair Housing Act. (The board and four other financial regulatory agencies published proposed guidelines in the summer of 1978. The Federal Financial Institutions Examination Council is currently considering the matter.)

Interstate Banking Activities. A discussion of the impact on consumer markets of current multi-state banking activities made possible by loan production offices, unmanned,

automated teller machines, and holding company and credit card subsidiaries.

4. *Costs and Benefits of Credit Scoring Proposals.* A general discussion of the costs and benefits to creditors and consumers if the Board adopts two proposed interpretations of Regulation B (Equal Credit Opportunity) regarding a creditor's consideration of applicant income and disclosure of reasons for adverse action.

5. *Truth in Lending Simplification and Reform.* A discussion of certain aspects of the Board's revised Regulation Z, such as (1) transition procedures, model forms, and the official staff commentary, and (2) implementation of the Truth in Lending preemption provisions, as well as (3) the implication of section 16 of the Federal Trade Commission Improvements Act of 1980 under which creditors subject to the FTC's enforcement jurisdiction may request Board interpretations.

6. *Consumer Leasing Act: Considerations for Simplification.* A discussion of the need for statutory changes to the Consumer Leasing Act, as a continuation of regulatory simplification.

7. *Relationship Between Truth in Lending and Electronic Fund Transfer Acts.* Status report on draft statutory amendments to integrate provisions of these two acts relating to error resolution and consumer liability for unauthorized use.

Other matters previously considered by the Council or initiated by Council members also may be discussed.

Persons wishing to submit to the Council their views regarding any of the above topics may do so by sending written statements to Ms. Kay Oliver, Secretary, Consumer Advisory Council, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Comments must be received no later than close of business Friday, April 10, and must be of a quality suitable for reproduction.

Information with regard to this meeting may be obtained from Mr. Joseph R. Coyne, Assistant to the Board, at (202) 452-3204.

Board of Governors of the Federal Reserve System, March 18, 1981.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-8600 Filed 3-20-81; 8:45 am]

BILLING CODE 6210-01-M

JCT Trust Co. Limited, Otzar Hityashvuth Hayehudim B.M., Trust Created by Otzar Hityashvuth Hayehudim Jewish Colonial Trust Limited and JCT Trust Company Limited, and Bank Leumi Le-Israel B.M.; Proposal To Engage in Securities-Related Activities and in Dealing in Gold and Silver

JCT Trust Company Limited, Otzar Hityashvuth Hayehudim B.M., the Trust Created by Otzar Hityashvuth Hayehudim Jewish Colonial Trust Limited and JCT Trust Company Limited, and Bank Leumi Le-Israel B.M., all located in Tel Aviv, Israel, have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to engage, through their subsidiary, Leumi Securities Corporation, in the activity of acting as managing agent for customers' securities. Such activity has been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Applicants have also applied to engage through their subsidiary in the activities of executing unsolicited purchases and sales of securities as agent solely upon the order and for the account of customers, acting as custodian for securities, and buying and selling gold and silver coin and bullion for the subsidiary's own account and for the account of others. These activities have not been specified by the Board as being permissible, in general, for bank holding companies, although all are carried on to some degree by commercial banks and their trust departments. Interested persons may express their views on the question of whether these activities are "so closely related to banking or managing or controlling banks as to be a proper incident thereto," or are incidental to "closely related" activities.

All of the proposed activities would be performed from offices of Applicant's subsidiary in New York, New York, and the geographic areas to be served are the entire United States and foreign countries.

Interested persons may also express their views on the question of 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 interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 20, 1981.

Board of Governors of the Federal Reserve System, March 17, 1981.

Jefferson A. Walker,

Assistant Secretary of the Board.

[FR Doc. 81-8798 Filed 3-20-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Blood Diseases and Resources Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Blood Diseases and Resources Advisory Committee, National Heart, Lung, and Blood Institute, April 30-May 1, 1981, National Institutes of Health, Building 31, Conference Room 9, Bethesda, Maryland 20205.

The entire meeting will be open to the public from 9:00 AM-5:00 PM, April 30, 1981, and from 8:30 AM-4:30 PM, May 1, 1981, to discuss the status of the Blood Diseases and Resources program, needs, and opportunities. Attendance by the public will be limited to space available.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21A, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-4236, will provide summaries of the meeting and rosters of the committee members.

Dr. Fann Harding, Special Assistant to the Director, Division of Blood Diseases and Resources, National Institutes of Health, Bethesda, Maryland, 20205, phone (301) 496-1817, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.839, Blood Diseases and Resources Research, National Institutes of Health)

NIH Programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

[FR Doc. 81-8729 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

National Institute of Dental Research Programs Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Institute of Dental Research Programs Advisory Committee, on May 1, 1981, from 9:00 a.m. to 1:00 p.m., in Conference Room 9, Building 31C, National Institutes of Health, Bethesda, Maryland.

The Subcommittee on Dental Caries, National Institute of Dental Research Programs Advisory Committee, will meet on April 30, 1981, from 9:00 a.m. to 12:00 Noon, in Conference Room 4, Building 31A, National Institutes of Health, Bethesda, Maryland, and from 1:00 p.m. to 5:00 p.m., in Conference Room 451, Park Building, 12420 Parklawn Drive, Rockville, Maryland.

The Subcommittee on Periodontal Diseases, National Institute of Dental Research Programs Advisory Committee, will meet on April 30, 1981, from 9:00 a.m. to 5:00 p.m., in Conference Room 9, Building 31C, National Institutes of Health, Bethesda, Maryland.

The entire meeting will be open to the public to discuss research progress and ongoing plans and programs of the National Caries Program and the Periodontal Diseases Program Branch. Attendance by the public will be limited to space available.

Dr. William Rogers, Acting Director, National Caries Program, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 528, Bethesda, MD 20205 (telephone 301 496-7239) and Dr. Paul F. Parakkal, Scientist Administrator, Periodontal Diseases Program Branch, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 519, Bethesda, MD 20205 (telephone 301 496-7784) will furnish rosters of committee members, a summary of the meeting, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Program No. 13.840, Caries Research, and No. 13.841, Periodontal Diseases Research, National Institutes of Health)

NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: March 10, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-8731 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

National Institutes of Health Study of the Mandatory Retirement Age for Commercial Airline Pilots; Open Meetings

AGENCY: National Institutes of Health.

ACTION: Notice of meetings.

SUMMARY: In April, May and June 1981, the National Institutes of Health (NIH) will hold three meetings to examine the key issues in Pub. L. 96-171, An act to require a study of the desirability of mandatory age retirement for certain pilots and for other purposes, to discuss the forthcoming report prepared by the Institute of Medicine (IOM) of the National Academy of Sciences (NAS) on the medical and scientific questions relevant to the mandatory retirement of commercial airline pilots at age 60 and to consider written technical comments of responsible parties on the report. Attendance by the public will be limited to the space available.

DATES: These meetings are scheduled to be held on April 27-28, 1981, May 27-29, 1981 and June 22-23, 1981, beginning at 9:00 a.m.

ADDRESS: These three meetings will all be held at the National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland. The meeting of April 27-28, 1981 will be in Conference Room 8 of Building 31; the meeting of May 27-29, 1981 will be in Conference Room 9 of Building 31 and the meeting of June 22-23, 1981 will be in Conference Room 10 of Building 31.

FOR FURTHER INFORMATION CONTACT: Ms. Lily O. Engstrom, Office of the Deputy Director, National Institute on Aging, Building 31, Room 2C-06, Bethesda, Maryland 20205, (301) 496-5608.

SUPPLEMENTARY INFORMATION: Pub. L. 96-171, enacted on December 29, 1979, requires the Director of the NIH, in consultation with the Secretary of Transportation, to conduct a study to determine—

(1) whether an age limitation which prohibits all individuals who are sixty years of age or older from serving as pilots is medically warranted;

(2) whether an age limitation which prohibits all individuals who are older than a particular age from serving as pilots is medically warranted;

(3) whether rules governing eligibility for first- and second-class medical certification, as set forth in part 67 of title 14 of the Code of Federal Regulations (as in effect on the date of enactment of this Act), are adequate to determine an individual's physical condition in light of existing medical technology;

(4) whether rules governing the frequency of first- and second-class medical examinations, as set forth in part 67 of title 14 of the Code of Federal Regulations, are adequate to assure that an individual's physical condition is being satisfactorily monitored; and

(5) the effect of aging on the ability of individuals to perform the duties of pilots with the highest level of safety.

The Director of NIH shall complete this study and submit a report on its results to Congress.

The NIH, with the National Institute on Aging (NIA) serving as the lead agency, awarded a contract to the Institute of Medicine to provide an objective examination, summary and assessment of existing scientific knowledge that is relevant to the five points in P.L. 96-171.

It is anticipated that the report from the IOM will be completed by March 31, 1981. As previously announced in the *Federal Register* on February 24, 1981, page 13816, copies of the IOM report can be obtained by writing the Office of the Deputy Director, National Institute on Aging, National Institutes of Health, Bethesda, Maryland 20205. Technical comments on this report from responsible persons are welcomed and should be submitted to NIA at the above address by May 4, 1981.

Dated: March 5, 1981.

Thomas E. Malone,
Deputy Director, National Institutes of Health.

[FR Doc. 81-8732 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

Pulmonary Diseases Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Pulmonary Diseases Advisory Committee, National Heart, Lung, and Blood Institute, National Institutes of Health, at the Detroit Plaza Hotel, Detroit, Michigan, on May 9, 1981.

The entire meeting, from 8:30 a.m. to 5:00 p.m. will be open to the public. The Committee will discuss implementation of the Division of Lung Diseases fiscal 1982 initiatives and the 10-year evaluation of the Division of Lung Diseases research programs. Attendance

by the public will be limited to the space available.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-4236, will provide summaries of the meeting and rosters of the committee members.

Dr. Suzanne Hurd, Acting Executive Secretary of the Committee, Westwood Building, Room 6A16, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-7208, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.838, Lung Diseases Research, National Institutes of Health)

NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of the Circular.

Dated: March 17, 1981.

Thomas E. Malone,
Deputy Director, National Institutes of Health.

[FR Doc. 81-8730 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

Board of Scientific Counselors; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases, on May 6, 7, and 8, 1981. On May 6 and 7 the meeting will be held at the Laboratory of Infectious Diseases, Building 5, Conference Room 216, Bethesda, Maryland 20205. On May 8, 1981 the meeting will be held at the National Institutes of Health, Building 31, Conference Room 7A24, Bethesda, Maryland 20205. This meeting will be open to the public on May 6 and 7 from 8:30 a.m. until adjournment. During this open session, the permanent staff of the Laboratory of Microbial Immunity and the Laboratory of Immunogenetics will present and discuss their immediate past, and present research activities.

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 of the Board will be closed to the public on May 8 from 8:30 a.m. until adjournment for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute of Allergy and Infectious Diseases, including consideration of personal qualifications and performance, and the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly

unwarranted invasion of personal privacy.

Mr. Robert L. Schreiber, Chief, Office of Research Reporting and Public Response, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A-32, National Institutes of Health, Bethesda, Maryland 20205, telephone (301) 496-5717, will provide summaries of the meeting and rosters of the Board members.

Dr. Kenneth W. Sell, Executive Secretary, Board of Scientific Counselors, NIAID, National Institutes of Health, Building 5, Room 137, telephone (301) 496-2144, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13-301, National Institutes of Health)

Dated: March 17, 1981.

Thomas E. Malone,
Deputy Director, National Institutes of Health.

[FR Doc. 81-8726 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

Board of Scientific Counselors; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute on Aging, April 23-24, 1981, to be held at the Gerontology Research Center, Baltimore, Maryland. The meeting will be open to the public from 9:00 a.m. to adjournment on Thursday, April 23, and from 9:00 a.m. until 1:30 p.m. on Friday, April 24. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on April 24, from 1:30 p.m. until adjournment for the review, discussion and evaluation of individual programs, and projects conducted by the National Institutes of Health, NIA, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. June C. McCann, Committee Management Officer, NIA Building 31, Room 2C-06, National Institutes of Health, Bethesda, Maryland 20205 (telephone: 301/496-5898) will provide a summary of the meeting and a roster of committee members. Dr. Richard C. Greulich, Scientific Director, NIA Gerontology Research Center, Baltimore City Hospitals, Baltimore, Maryland

21224. will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: March 17, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-4725 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

Board of Scientific Counselors; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Dental Research, on April 6-7, 1981, in conference room 117, Building 30, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on April 6, to discuss program policies and issues. Attendance by the public is 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 9:00 a.m. to adjournment on April 7 for the review, discussion, and evaluation of individual programs and projects conducted by the National Institute of Dental Research, NIH, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Marie U. Nylen, Director of Intramural Research, National Institute of Dental Research, National Institutes of Health, Building 30, Room 132, Bethesda, MD 20205, (telephone 301 496-1483) will provide summaries of meeting, rosters of committee members, and substantive program information.

Dated: March 17, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-4727 Filed 3-20-81; 8:45 am]

BILLING CODE 4110-08-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Advisory Committee; To Investigate the Unmet Needs of Handicapped Indian Children

March 16, 1981.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

In accordance with section 612(7) of Pub. L. 91-230 as amended by section 5(a) of Pub. L. 94-142, Education of the Handicapped Act, the Bureau of Indian Affairs Advisory Committee will meet March 19-21, 1981, at the Ramada Inn, 6800 South I-35/Ex. 35 at 66th Street at Crossroads Mall, Oklahoma City, Oklahoma, from 8:00 a.m. to 4:00 p.m. on March 19-20 and from 8:00 a.m. to 12:00 noon on March 21.

The purpose of the meeting will be to investigate the unmet needs of handicapped Indian children and to discuss miscellaneous related items.

The meeting is open to the public. Any member of the public can file a written statement concerning the matters discussed.

Additional information about the meeting may be obtained from Ms. Dixie Owen, Bureau of Indian Affairs, Main Interior, room 4655, phone (202) 343-4071.

James F. Canan,

Acting Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 81-4739 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-02-M

[(INT DEIS —)81-12]

Crow-Shell Coal Lease; DEIS Availability

AGENCY: Bureau of Indian Affairs.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a Draft Environmental Statement for the proposed coal lease on the Crow Indian Reservation, Big Horn County, Montana.

The proposed action is the approval by the Department of the Interior of a lease of Crow Tribal lands for the purpose of mining coal. The lease area is located entirely on the Crow Indian Reservation. The proposed project contemplates the strip-mining of approximately 2,560 acres of land, referred to as the Youngs Creek Area Lease, for the removal of approximately 190 million tons over a period of 26 years. The agreement also includes options for mining coal in the Upper and Lower Tanner Creek areas and for the Crow Tribe to enter into a joint venture

with Shell to Mine the Entire Tanner Creek area rather than lease each area independently. If the joint venture is selected, approximately 680 million tons of coal would be mined from all three areas in 45 years.

In addition to the mining and coal processing facilities, Shell proposes to construct an access road, a railroad spur to transport the coal, and an electric power transmission line to the mine.

Copies of the Environmental Statement are available for inspection at the following locations:

Office of Communications, Room 7200,

Interior Building, Washington, D.C.

20245, Telephone: (202) 343-3171

Billings Area Office, Bureau of Indian

Affairs, Rights Protection, 316 North

26th Street, Billings, Montana 59101,

Telephone: (406) 638-2671

Office of the Superintendent, Bureau of

Indian Affairs, Crow Agency,

Montana 59022, Telephone: (406) 638-

2671

Bureau of Indian Affairs, Department of

the Interior, Environmental Quality

Services, Room 4552, Washington,

D.C. 20245, Telephone: (202) 343-8248

Parmley Billings Public Library, 510

North Broadway, Billings, Montana

59103

Sheridan County Fulmer Public Library,

320 North Brooks, Sheridan, Wyoming

82103

Big Horn County Public Library, 419

North Custer Avenue, Hardin,

Montana 59034

The Rosebud County Library, 201 North

9th Avenue, Forsyth, Montana 59327.

Single copies of the Draft

Environmental Impact Statement may be obtained from the Billings Area Office, Bureau of Indian Affairs, Rights Protection, 316 North 26th Street, Billings, Montana 59101.

Oral and/or written comments are invited and will be received at a public hearing to be held at 7:00 p.m., April 22, 1981, at the Tribal Administration Building, Crow Agency, Montana. Oral statements by any party will be limited to no more than ten minutes. Written statements can be entered into the record by filing a copy with the presiding officer.

Comment on the Draft Environmental Impact Statement are invited from all interested parties and should be forwarded to the following official no later than two months from the date of this notice:

David W. Pennington, Natural Resource Specialist, Billings Area Office, Rights Protection, 316 North 26th Street, Billings, Montana 59101, Telephone: (406) 657-6145.

Dated: March 13, 1981.

Cecil S. Hoffmann,

Special Assistant to the Assistant Secretary of the Interior.

[FR Doc. 81-8743 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

Montana; Prairie Potholes Vegetation Allocation Draft Environmental Impact Statement: Availability and Notice of Hearings

AGENCY: Bureau of Land Management, Interior.

ACTION: Prairie Potholes Vegetation Allocation Draft Environmental Impact Statement Availability and Notice of Public Hearings.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management has prepared a draft environmental impact statement (DEIS) for north-central Montana. The DEIS details six alternative vegetation allocations on nearly 1.75 million acres of public land within BLM's Lewistown District.

DATES: Comments will be accepted until May 22, 1981. Hearings will be held: April 22, 7:30 p.m. at the Valley County Courthouse in Glasgow, Montana; April 23, 7:30 p.m. at the Blaine County Library in Chinook, Montana; April 24, 7:30 p.m. at the Phillips County Courthouse in Malta, Montana; April 27, 7:30 p.m. at the Colonial Inn in Helena, Montana.

ADDRESSES: Comments and requests for further information should be addressed to: Glenn W. Freeman, District Manager, Bureau of Land Management, Lewistown District, Drawer 1160, Lewistown, Montana 59457.

SUPPLEMENTARY INFORMATION: The Draft EIS describes and analyzes environmental consequences for six alternative courses of action. The six alternatives are: (A) Enhanced Combined Vegetation Uses; (B) Continuation of Present Management (BLM's Preferred Alternative); (C) Enhanced Livestock Forage; (D) Enhanced Watershed Value and Wildlife Habitat; (E) No Grazing; and (F) No Action. Comments upon the Draft EIS analysis will be considered and used to prepare a final EIS. The final EIS will be used to develop a Rangeland Management Program for the area included in the EIS.

A limited number of copies of the Draft are available for review at the following locations:

Bureau of Land Management, Office of Public Affairs, Interior Building, 18th &

C Streets NW., Washington, D.C. 20240

Bureau of Land Management,
Lewistown District, Airport Road,
Lewistown, Montana 59457

Bureau of Land Management, Phillips
Resource Area, 501 S. 2nd E., Malta,
Montana 59538

Bureau of Land Management, Montana
State Office, P.O. Box 30157, 222 North
32nd Street, Billings, Montana 59107

Bureau of Land Management, Havre
Resource Area, Old Highway West,
Havre, Montana 59501

Bureau of Land Management, Valley
Resource Area, Route 1—775,
Glasgow, Montana 59230

Dated: March 9, 1981.

Michael J. Penfold,

State Director.

[FR Doc. 81-8745 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-84-M

California Desert Conservation Area Advisory Committee; Meeting

Notice is hereby given in accordance with Pub. L. 92-463 and 94-579 that the California Desert Conservation Area Advisory Committee to the Bureau of Land Management, U.S. Department of the Interior, will meet April 24, 1981, in Riverside, California. The purpose of the meeting is to discuss progress of implementation of the California Desert Plan. The meeting will begin at 9:00 a.m., Friday, April 24, and is scheduled to adjourn by 5:00 p.m. Location is the Board Room, Raincross Square, 3443 Orange St., Riverside, California. The meeting is open to the public and interested persons may attend and file statements with the Advisory Committee.

Further information may be obtained from Mr. Clayton A. Record, Jr., Chairman, California Desert Conservation Area Advisory Committee, c/o California Desert District Office, Bureau of Land Management, 1895 Spruce Street, Riverside, California 92507.

Dated: March 9, 1981.

Bruce Ottenfeld,

District Manager.

[FR Doc. 81-8760 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-84-M

[F-14898-A and F-14898-A2]

Alaska Native Claims Selections

This decision rejects improperly filed Sec. 14(h)(1) selection applications,

approves lands selected pursuant to Sec. 12(a) in the area of Mountain Village for conveyance to Azachorok Incorporated, and rejects a Sec. 12(b) selection to the extent that it conflicts with lands herein approved for conveyance under Sec. 12(a).

I. Section 14(h)(1) Applications Rejected in Entirety

Calista Corporation filed selection applications pursuant to Sec. 14(h)(1) of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(h) (1976)). Section 14(h) and Departmental regulations issued thereunder authorize the Secretary of the Interior to withdraw and convey only unreserved and unappropriated public lands. Since the lands encompassed in the subject Sec. 14(h)(1) applications had been properly selected by Azachorok Incorporated under Sec. 12 of ANCSA, these lands were not unreserved or unappropriated at the time of selection by Calista Corporation. Therefore, the following applications must be and are hereby rejected in their entirety.

Seward Meridian, Alaska (Unsurveyed)

Date of Application, Serial No. and Land Description

10/20/1975, AA-10045, T. 23 N., R. 78 W., S.M., Fractional W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Fractional E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13.
10/23/1975, AA-10087, T. 23 N., R. 78 W., S.M., N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15.
10/23/1975, AA-10089, T. 23 N., R. 77 W., S.M., Fractional W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18.
06/02/1976, AA-11464, T. 23 N., R. 78 W., S.M., Fractional SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18.
06/02/1976, AA-11465, T. 23 N., R. 78 W., S.M., N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17.
06/02/1976, AA-11466, T. 23 N., R. 78 W., S.M., Fractional SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16.
06/02/1976, AA-11468, T. 23 N., R. 80 W., S.M., Fractional N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4.
06/02/1976, AA-11469, T. 23 N., R. 80 W., S.M., Fractional NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14.

When this decision becomes final, these applications will be closed of record.

II. Section 12(b) Application Rejected in Part; Lands Proper for Village Selection, Approved for Interim Conveyance

On November 13, 1974, Azachorok Incorporated for the Native village of Mountain Village filed selection application F-14898-A, under the provisions of sec. 12(a) of ANCSA (85 Stat. 688, 701; 43 U.S.C. 1601, 1611, (1976)), for the surface estate of certain lands in the vicinity of Mountain Village.

Azachorok Incorporated, in its November 13, 1974 application excluded several bodies of water. Because certain

of those water bodies have been determined to be nonnavigable, they are considered to be public lands withdrawn under Sec. 11(a)(1) and available for selection by the village pursuant to Sec. 12(a) of the Alaska Native Claims Settlement Act. Section 12(a) and 43 CFR 2651.4(b) and (c) provide that a village corporation must, to the extent necessary to obtain its entitlement, select all available lands within the township or townships within which the village is located, and that additional lands selected shall be compact and in whole sections. The regulations also provide that the area selected will not be considered to be reasonably compact if it excluded other lands available for selection within its exterior boundaries. For these reasons, the water bodies which were improperly excluded in the November 13, 1974 application are considered selected by Azachorok Incorporated.

Azachorok Incorporated, in its November 13, 1974 application, excluded all Native allotment applications in its selection. Some of the Native allotment applications were improperly plotted on the master title plats. The plats have been corrected to more accurately depict the location of the Native allotment applications. This decision excludes Native allotment applications in the selection area as shown on the corrected plats.

On December 15, 1975, Azachorok Incorporated filed selection application F-14898-A2 pursuant to Sec. 12(b) of ANCSA, for certain lands previously selected pursuant to Sec. 12(a) with the statement that its Sec. 12(a) selection overrides the Sec. 12(b) selection. Therefore, application F-14898-A2 is hereby rejected as to lands herein approved for conveyance.

As to the lands described below, the Sec. 12(a) application 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), aggregating approximately 123,918 acres, is considered proper for acquisition by Azachorok Incorporated and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

Seward Meridian, Alaska (Unsurveyed)

T. 23 N., R. 77 W.

Sec. 6, all;

Sec. 7, excluding Native allotment F-18392 Parcel B;

Sec. 18, excluding Native allotments F-18291, F-18673 Parcel B and unnamed interconnecting slough of the Yukon River

Containing approximately 1,540 acres.

T. 24 N., R. 77 W.

Sec. 31, all.

Containing approximately 607 acres.

T. 23 N., R. 78 W.

Secs. 1 to 6, inclusive, all;

Sec. 7, excluding Native allotments F-16540 Parcel B, F-16541 Parcel B, and F-18390 Parcel B;

Sec. 8, excluding Native allotments F-16541 Parcel B, F-17311 Parcel D, F-18396 Parcel B, and F-18390 Parcel C;

Sec. 9, excluding Native allotments F-16555 Parcel A, F-17311 Parcel D, F-16547 Parcel B, and F-16558 Parcel A;

Sec. 10, excluding Native allotments F-17313 Parcel B, F-17314 Parcel D, and F-16555 Parcel A;

Sec. 11, excluding Native allotments F-17313 Parcel B, F-17314 Parcel D, and F-16548;

Sec. 12, excluding Native allotments F-16545 Parcel A, F-16558 Parcel C, and F-18765 Parcel B;

Sec. 13, excluding Native allotments F-16855 Parcel C, F-18765 Parcel B, F-17309 Parcel A, Yukon River, and unnamed interconnecting slough of the Yukon River;

Sec. 14, excluding Native allotments F-17309 Parcel A, F-18295, F-17315 Parcel B, and Yukon River;

Sec. 15, excluding Native allotments F-16760 Parcel A, F-18295, F-18438 Parcel B, F-16555 Parcel A, and Yukon River;

Sec. 16, excluding Native allotments F-18387 Parcel C, F-16555 Parcel A, F-18389 Parcel D, and Yukon River;

Sec. 17, excluding Native allotments F-18389 Parcel C, F-18392 Parcel A, F-16550 Parcel A, F-18545 Parcel B, and Yukon River;

Sec. 18, excluding Native allotments F-16550 Parcel A, F-18391 Parcel B, F-18384 Parcel D, F-18497 Parcel B, and Yukon River.

Containing approximately 7,125 acres.

T. 24 N., R. 78 W.

Secs. 7 to 18, inclusive, all;

Secs. 19 and 20, excluding east fork of Archuelinguk River;

Secs. 21 to 27, inclusive all;

Sec. 28, excluding Native allotments F-16552 and F-16553;

Sec. 29, excluding Native allotment F-16552 and east fork of Archuelinguk River;

Sec. 30, excluding Native allotment F-16550 Parcel B and east fork of Archuelinguk River;

Secs. 31 and 32, all;

Sec. 33, excluding Native allotment F-16553;

Sec. 34, 35 and 36, all.

Containing approximately 18,540 acres.

T. 22 N., R. 79 W.

Secs. 4 and 5, excluding Black River;

Sec. 6, all;

Secs. 7, 8, and 9, excluding Black River;

Sec. 16, all;

Secs. 17 to 21, inclusive, excluding Black River;

Sec. 28, all;

Secs. 29 and 30, excluding Black River;

Secs. 31, 32 and 33, all.

Containing approximately 11,422 acres.

T. 23 N., R. 79 W.

Secs. 1 and 2, all;

Sec. 3, excluding Native allotments F-16557, F-18293 Parcel A and B, and Azacharum Slough;

Sec. 4, excluding Native allotment F-16549 Parcel B, Azacharum Slough and Patsy's Slough;

Sec. 5, excluding Native allotments F-16549 Parcel B, F-19595 Parcel B, F-17390 Parcel A, Patsy's Slough, and unnamed interconnecting slough of the Yukon River;

Sec. 6, excluding Native allotments F-17312 Parcel C, F-19595 Parcel B, F-17390 Parcel A, Patsy's Slough, and unnamed interconnecting sloughs of the Yukon River;

Sec. 7, excluding Native allotment F-17390 Parcel A, Yukon River, and unnamed interconnecting slough of the Yukon River;

Sec. 8, excluding Native allotment F-17390 Parcel A, Yukon River, Patsy's Slough, and unnamed interconnecting slough of the Yukon River;

Sec. 9, excluding F-17314 Parcel C, Azacharum Slough, Patsy's Slough, and unnamed interconnecting slough of the Yukon River;

Sec. 10, excluding Native allotments F-16544 Parcel B, F-16545 Parcel C, F-16547 Parcel A, F-17314 Parcel C, F-18293 Parcel C, and Azacharum Slough;

Sec. 11, excluding Native allotments F-17311 Parcel C, F-17315 Parcel C, and F-18386 Parcel A;

Sec. 12, all;

Sec. 13, excluding Native allotments F-16606 Parcel A, F-17394, F-18384 Parcel D, and Yukon River;

Sec. 14, excluding Native allotments F-18386 Parcel A, F-17394, lot 1 of U.S. Survey 4055 (ANCSA Sec. 3(e) application AA-16145), ANCSA Sec. 3(e) application AA-41433, U.S. Survey 4412, U.S. Survey 4010, and Yukon River;

Sec. 15, excluding U.S. Survey 4412, lot 1 of U.S. Survey 4055 (ANCSA Sec. 3(e) application AA-16145), lots 2 and 3 of U.S. Survey 4055, and Yukon River;

Sec. 16, excluding Yukon River;

Secs. 17 and 18, excluding Yukon River and unnamed interconnecting slough of the Yukon River;

Sec. 19, all;

Sec. 20, excluding Yukon River and unnamed interconnecting slough of the Yukon River;

Sec. 21, excluding Native allotments F-17313 Parcel D, F-18294 Parcel A, and Yukon River;

Sec. 22, excluding Native allotment F-17308 Parcel A and Yukon River;

Sec. 23, excluding Native allotments F-17308 Parcel A, F-17386 Parcel B, F-17315 Parcel D, F-18390 Parcel D, Yukon River, and Black River;

Sec. 24, excluding Native allotment F-17386 Parcel B, Yukon River, and Black River;

Secs. 25 and 26, excluding Black River;

Sec. 27, all;
 Sec. 28, excluding Native allotments F-18294 Parcel A and F-16544 Parcel C;
 Secs. 29 to 34, inclusive, all;
 Sec. 35, excluding Black River;
 Sec. 36, all.
 Containing approximately 16,564 acres.

T. 24 N., R. 79 W.
 Sec. 10, all;
 Sec. 11, excluding Archuelinguk River;
 Sec. 12, excluding Native allotment F-19595 Parcel A, and Archuelinguk River;
 Sec. 13, all;
 Sec. 14, excluding Native allotments F-18292 Parcel A, F-16558 Parcel B, and Archuelinguk River;
 Sec. 15, excluding Native allotments F-18765 Parcel A, F-18292 Parcel A, and F-16558 Parcel B;
 Sec. 22, excluding Native allotments F-16544 Parcel D, F-16547 Parcel D, F-18294 Parcel C, F-18386 Parcel C, F-17314 Parcel B, F-16558 Parcel B, F-17388 Parcel B, and Archuelinguk River;
 Sec. 23, excluding Native allotments F-16558 Parcel B, F-17388 Parcel B, and Archuelinguk River;
 Sec. 24, excluding Native allotments F-16542, F-17512 Parcel B, and east fork of Archuelinguk River;
 Sec. 25, excluding Native allotments F-16542 Parcel B, F-17310 Parcel A, F-17512 Parcel B, F-17312 Parcel B, F-16550 Parcel B, and east fork of Archuelinguk River;
 Sec. 26, excluding Native allotments F-16540 Parcel A, F-16541 Parcel A, F-17310 Parcel A, F-17313 Parcel C, Archuelinguk River, and east fork of Archuelinguk River;
 Sec. 27, excluding Native allotments F-17311 Parcel B, F-19268, and Archuelinguk River;
 Sec. 31, excluding unnamed interconnecting slough of the Yukon River and Patsy's Slough;
 Sec. 32, excluding Azacharum Slough;
 Sec. 33, excluding Native allotment F-16549 Parcel A, Azacharum Slough, and Archuelinguk River;
 Sec. 34, excluding Native allotments F-18293 Parcel A, F-16557, F-16556 Parcel B, and Archuelinguk River;
 Sec. 35, excluding Native allotments F-16556 Parcel B, F-17313 Parcel C, and Archuelinguk River;
 Sec. 36, all.
 Containing approximately 8,530 acres.

T. 21 N., R. 80 W.
 Secs. 1, 2 and 3, all;
 Secs. 10 to 14, inclusive, all.
 Containing approximately 5,120 acres.

T. 22 N., R. 80 W.
 Secs. 1 to 5, inclusive, all;
 Secs. 6 and 7, excluding Black River;
 Secs. 8 to 16, inclusive, all;
 Secs. 17, 18, and 19, excluding Black River;
 Sec. 20, excluding Native allotment F-16921 Parcel A and Black River;
 Sec. 21, all;
 Secs. 22 and 23, excluding Native allotment F-18174 Parcel A and Black River;
 Secs. 24 to 28, excluding Black River;
 Sec. 29, excluding Native allotment F-16921 Parcel A, and Black River;
 Secs. 30, 31, and 32, all;

Sec. 33, excluding Black River;
 Sec. 34, excluding Native allotment F-17389 Parcel D, and Black River;
 Sec. 35, excluding Native allotment F-17392 Parcel C and Black River;
 Sec. 36, all.
 Containing approximately 22,702 acres.

T. 23 N., R. 80 W.
 Sec. 1, excluding Native allotment F-17392 Parcel B, Yukon River, and unnamed interconnecting slough of the Yukon River;
 Sec. 2, excluding Yukon River and unnamed interconnecting slough of the Yukon River;
 Sec. 3, excluding Native allotments F-16543 Parcel A, F-17537 Parcel C, and Yukon River;
 Sec. 4, excluding Yukon River;
 Secs. 5 to 9, exclusive, excluding Petukang River;
 Secs. 10, 11 and 12, excluding Yukon River;
 Sec. 13, excluding Native allotment F-16921 Parcel B, Yukon River, and unnamed interconnecting slough of the Yukon River;
 Sec. 14, excluding Yukon River and Petukang River;
 Secs. 15, 16, and 17, inclusive, excluding Petukang River;
 Secs. 18 and 19, all;
 Secs. 20 to 23, inclusive, excluding Petukang River;
 Secs. 24, 25 and 26, all;
 Sec. 27, excluding Petukang River;
 Secs. 28 to 36, inclusive, all.
 Containing approximately 20,368 acres.

T. 22 N., R. 81 W.
 Sec. 1, excluding Native allotment F-17390 Parcel B and Black River;
 Sec. 2, excluding Black River;
 Sec. 3, all;
 Secs. 10, 11, and 12, excluding Black River;
 Secs. 13 and 14, excluding Black River;
 Sec. 15, all;
 Secs. 22 to 27, inclusive, all;
 Secs. 34, 35 and 36, all.
 Containing approximately 11,400 acres.
 Aggregating approximately 123,918 acres.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction; lands are under application pending further adjudication; lands are underlying water bodies determined to be navigable and/or tidally influenced; lands are pending a determination under Section 3(e) of ANCSA, or lands were previously rejected by decision. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

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, 706; 43 U.S.C. 1601, 1616(b)), the following public easements referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14898-EE, are 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 each type of easement identified. 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, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automobiles, and trucks.

a. (EIN 9 C9) An easement forty (40) feet in width, for an existing road located entirely within Sec. 14, T. 23 N., R. 79 W., Seward Meridian, from the end of the granted road right-of-way to St. Mary's (AA-12922) southeasterly to the Mountain Village airstrip, thence southwesterly to the Mountain Village townsite. The uses allowed are those listed above for a sixty (60) foot wide road easement.

b. (EIN 9b C9) An easement forty (40) feet in width for an existing road located entirely within Sec. 14, T. 23 N., R. 79 W., Seward Meridian, from the end of the granted road right-of-way to St. Mary's (AA-12922) westerly to the Lower Yukon School District Complex. The uses allowed are those listed above for a sixty (60) foot wide road easement.

The grant of lands shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;

2. 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;

3. Airport lease AA-9532, containing 99.5 acres, lying within Secs. 11 and 14, T. 23 N., R. 79 W., Seward Meridian, issued to the State of Alaska, Department of Transportation and Public Facilities, under the provisions of the act of May 24, 1928 (45 Stat. 728-729; 49 U.S.C. 211-214);

4. A right-of-way, AA-12922, portions of which are 100 feet and portions 200 feet in width, in Secs. 6 and 7, T. 23 N., R. 77 W., Seward Meridian; Secs. 1, 7, 8, 9, 10, 11 and 12, T. 23 N., R. 78 W., Seward Meridian; Secs. 11, 12 and 14, T. 23 N., R. 79 W., Seward Meridian, for a Federal Aid Highway, Act of August 27, 1958, as amended, 23 U.S.C. 317;

5. A right-of-way, AA-12952, in Secs. 9 and 16, T. 23 N., R. 78 W., Seward Meridian and Sec. 14, T. 23 N., R. 79 W., Seward Meridian, Alaska, (unsurveyed) for two Federal Aid Material sites and one access haul road. Act of August 27, 1958, 23 U.S.C. 317; and

6. 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.

Azachorok Incorporated is entitled to conveyance of 138,240 acres of land selected pursuant to Sec. 12(a) of the Alaska Native Claims Settlement Act. To date, approximately 123,918 acres of this entitlement have been approved for conveyance. The remaining entitlement of approximately 14,322 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act, conveyance of the subsurface estate of the lands described above shall be issued to Calista Corporation when the surface estate is conveyed to Azachorok Incorporated and shall be subject to the same conditions as the surface conveyance.

Within the above-described lands, only the following inland water bodies are considered to be navigable:

The Yukon River and its interconnecting sloughs, Patsy's Slough, and Azacharum Slough.

The Kashunuk River is navigable from the Yukon River to its outlet in the Bering Sea.

The Archuelinguk River is navigable from its mouth through the selection, and the east fork of the Archuelinguk River is navigable to the east boundary

of Sec. 29, T. 24 N., R. 78 W., Seward Meridian.

The Petukang River is navigable from its mouth through the selection to the Kusilvak Mountains.

The Black River is navigable from its confluence with the Yukon River in Sec. 19, T. 23 N., R. 78 W., Seward Meridian, southwesterly through the selection.

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 Tundra Drums*.

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 Public Law 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 April 22, 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, Alaska State Office 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:

Azachorok Incorporated, Mt. Village, Alaska 99632;

Calista Corporation, 516 Denali Street, Anchorage, Alaska 99501.

Ann Johnson,

Chief, Branch of Adjudication.

[FR Doc. 81-6735 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-84-M

National Park Service

Appalachian Trail Route Changed

Nineteen proposed relocations of the Appalachian Trail right-of-way, and Trail routes within those rights-of-way, were published on January 23, 1981 (46 FR 7464) to provide an opportunity for public review and comment. No substantive comments were received on the proposals. Environmental assessments have been prepared on those relocations where the National Park Service is acquiring land, and a Finding of No Significant Impact for each of these relocations is on file with the Appalachian Trail Project Office, National Park Service, Harpers Ferry, West Virginia 25425. This notice confirms these right-of-way relocations as the official route of the Appalachian Trail.

David A. Richie,

Project Manager.

March 13, 1981.

[FR Doc. 81-6732 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-79-M

Intention To Negotiate Concession Contract

Pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that on or before April 22, 1981, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with The Acadia Corporation, authorizing it to continue to provide concession facilities and services for the public at Acadia National Park for a period of approximately ten (10) years from January 1, 1981, through December 31, 1990.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment, and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment may be reviewed in the North Atlantic Regional Office, National Park Service, 15 State Street, Boston, MA 02109.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under a prior contract which expired by limitation of time on December 31, 1974. It has continued to conduct satisfactory operations, at the request of the National Park Service, under the terms and conditions of this expired contract. Therefore, pursuant to the Act of October 9, 1905, as cited above, the foregoing concessioner is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. This provision in effect, grants The Acadia Corporation, as the present satisfactory concessioner, the right to meet the terms of responsive proposals for the proposed new contract and a preference in the award of the contract, if, thereafter, the proposal of The Acadia Corporation is substantially equal to others received. In the event a responsive proposal superior to that of The Acadia Corporation, (as determined by the Secretary) is submitted, The Acadia Corporation will be given the opportunity to meet the terms and conditions of the superior proposal the Secretary considers desirable, and, if it does so, the new contract will be negotiated with The Acadia Corporation. The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposal, including that of the existing concessioner, must be post marked or hand delivered on or before the thirtieth (30th) day following publication of this notice to be considered and evaluated.

Interested parties should contact the Regional Director, North Atlantic Region, National Park Service, 15 State Street, Boston, MA 02109, for information as to the requirements of the proposed contract.

Dated: March 4, 1981.

Steven H. Lewis,
Acting Regional Director, North Atlantic
Region, National Park Service.

[FR Doc. 81-6721 Filed 3-20-81; 8:45 am]
BILLING CODE 4310-70-M

Intention To Negotiate Concession Contract; Correction

In FR Vol 46, No. 46, Doc. 81-7443 appearing at pages 15955 and 15956 in the issue for Tuesday, March 10, 1981, make the following corrections:

On page 15955, in the third column, first paragraph of subject notice, the line that reads "given that sixty (60) days after the date" should read "given that thirty (30) days after the date."

On page 15956, column 1, first paragraph, the line that reads "May 11, 1981." should read "April 9, 1981."

Dated: March 16, 1981.

Stanley T. Albright,
Acting Director, National Park Service.

[FR Doc. 81-6720 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-70-M

Ozark National Scenic Riverways Advisory Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act, 86 Stat. 770, 5 U.S.C. App. 1, as amended by the Act of September 13, 1976, 90 Stat. 1247, that meeting of the Ozark National Scenic Riverways Advisory Commission will be held on Friday, April 10, 1981, at 10:00 a.m. (CST), at the Riverways' Headquarters on U.S. Highway 60 in Van Buren, Missouri.

The Commission was established by the Act of August 27, 1964, 78 Stat. 609, 16 U.S.C. 460m-6, to meet and consult with the Secretary of the Interior on matters related to the administration and development of the Ozark National Scenic Riverways.

The members of the Commission are as follows:
Dr. Oscar Hawksley, Warrensburg, Missouri (Chairman)
Mr. H. C. Daniel, Van Buren, Missouri
Mr. Carlton E. Bay, Salem, Missouri
Mr. Cecil J. Brallier, Houston, Missouri
Mr. Henry F. Luepke, Jr., St. Louis, Missouri
Mr. Edward Hodge, Eminence, Missouri

The purpose of this meeting is to review with the Commission progress on the General Management Plan, in particular the selection of alternatives following the public response period for the Environmental Assessment of Alternatives. Other review topics will include a research update and recent developments regarding concession operations, land acquisition, and youth programs.

The meeting will be open to the public. Any member of the public may file with the Commission, prior to the meeting, a written statement concerning the matters to be discussed. Persons wishing further information concerning the meeting or who wish to submit written statements, may contact Arthur L. Sullivan, Superintendent, Ozark National Scenic Riverways, P.O. Box 490, Van Buren, Missouri 63965, telephone 314-323-4236.

Minutes of the meeting will be available for public inspection 4 weeks after the meeting at Ozark National Scenic Riverways' Headquarters in Van Buren, Missouri.

Dated: March 10, 1981.

Randall R. Pope,
Acting Regional Director, Midwest Region.

[FR Doc. 81-6718 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-70-M

Pictured Rocks National Lakeshore Advisory Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act, 86 Stat. 770, 5 U.S.C. App. 1, as amended by the Act of September 13, 1976, 90 Stat. 1247, that a meeting of the Pictured Rocks National Lakeshore Advisory Commission will be held on Friday, April 10, 1981, at 2:00 p.m. (EST), at the Grand Marais Community Center, Grand Marais, Michigan.

The Commission was established by the Act of October 15, 1966, 80 Stat. 922, 16 U.S.C. 460-s, to meet and consult with the Secretary of the Interior on matters related to the administration and development of the Pictured Rocks National Lakeshore.

The members of the Commission are as follows:

Mr. Glenn C. Gregg (Chairman)
Mr. James Mueller
Mr. James Becker
Mr. Leo R. Garipey
Mr. Lawrence L. Lemanski

Matters to be discussed at this meeting include:

1. Activity review by the Superintendent.
2. Discussion of the draft General Management Plan.
3. Review of public comment on the General Management Plan.
4. Discussion of Lakeshore improvement being considered during the 1981-1982 period.

The meeting will be open to the public. Any member of the public may file with the Commission prior to the meeting a written statement concerning the matters to be discussed. Persons wishing further information concerning the meeting, or who wish to submit written statements, may contact Donald F. Gillespie, Superintendent, Pictured Rocks National Lakeshore, P.O. Box 40, Munising, Michigan 49862, telephone 906-387-2607.

Minutes of the meeting will be available for public inspection 4 weeks after the meeting at the Pictured Rock National Lakeshore Headquarters at Sand Point, 4 miles east of Minising, Michigan.

Dated: March 13, 1981.

J. L. Dunning,
Regional Director, Midwest Region.

[FR Doc. 81-6719 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-70-M

Santa Monica Mountains National Recreation Area Advisory Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Santa Monica Mountains National Recreation Area Advisory Commission will be held on Tuesday, April 14, 1981 at 3:30 p.m. at the Park Ranger Visitor Center at Griffith Park, 4730 Crystal Springs Drive, Los Angeles, CA.

The Advisory Commission was established by Pub. L. 95-625 to provide for free exchange of ideas between the National Park Service and the public to facilitate the solicitation of advice or other counsel from members of the public on problems pertinent to the National Park Service in Los Angeles and Ventura Counties.

Members of the Commission are as follows: Dr. Norman P. Miller, Chairperson
Honorable Marvin Braude
Ms. Sarah Dixon
Ms. Margot Feuer
Dr. Henry David Gray
Mr. Edward Heidig
Mr. Frank Hendler
Ms. Mary C. Hernandez
Mr. Bob Hollman
Ms. Susan Barr Nelson
Mr. Carey Peck
Mr. Donald Wallace
Ms. Marilyn Whaley Winters

The major agenda items include the Superintendent's status report and recommendations by the Commission on the General Management Plan. There will be a designated period for public comment on the General Management Plan.

The meeting is open to the public. Any member of the public may file with the Commission a written statement concerning issues to be discussed.

Persons wishing to receive further information on this meeting or who wish to submit written statements may contact the Superintendent, Santa Monica Mountains National Recreation Area, 22900 Ventura Boulevard, Suite 140, Woodland Hills, California 91364.

Minutes of the meeting will be available for public inspection by May 15, 1981, at the above address.

Dated: March 9, 1981.

Robert S. Chandler,
Superintendent, Santa Monica Mountains National Recreation Area.

[FR Doc. 81-8724 Filed 3-20-81; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 311]

Expedited Procedures for Recovery of Fuel Costs

Decided: March 17, 1981.

In our decisions of February 25, March 3, and March 9, 1981, a 19.0-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 19.0-percent. Accordingly, we are authorizing that the surcharge for this traffic remain at 19.0-percent. All owner-operators are to receive compensation at this level.

No change is authorized on the 3.3-percent surcharge on less-than-truckload (LTL) traffic performed by carriers not utilizing owner-operators, nor the 7.1-percent surcharge for the bus carriers, nor the 2.2-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. March 20, 1981.

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

Agatha L. Mergenovich,
Secretary.

Ex Parte No. 311

Acting Chairman Alexis, concurring: Commissioner Gresham believes that there should be public comment on the issue of the relationship between Ex Parte No. 311 (Sub-No. 4) and Ex Parte No. MC-122 (Sub-No. 2). However, the entire Commission considered this issue and rejected it by a 4-1 vote and concluded instead that such an invitation for additional comments would be unnecessary. The public has

had ample opportunity to comment on these proceedings. The comment period in both proceedings is closed. In my view, therefore, the majority decision means that no unsolicited comments will be received or considered by the Commission in these proceedings.

Commissioner Gresham, concerning: I join today's decision, but I am distressed at the lack of progress in reviewing the fuel surcharge program over the past ten months. Accordingly, I would have requested public comment as to whether our resolution of Ex Parte No. 311 (Sub-No. 4) should or should not be further delayed until we reach a final decision in Ex Parte No. MC-122 (Sub-No. 2), *Lease of Equipment and Drivers to Private Carriers*, 132 MCC 351 (1980). I would also have invited comment as to whether the substantive result in either proceeding should or should not influence the resolution of the other proceeding.

Appendix—Fuel Surcharge

Base date and price per gallon (including tax)				
January 1, 1979				83.5¢
Date of current price measurement and price per gallon (including tax)				
March 16, 1981				135.0¢
Transportation performed by—				
	Owner operator ¹	Other ²	Bus carrier	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	19.0	3.3	7.1	*3.0
Percent surcharge allowed	19.0	3.3	7.1	*2.2

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. 81-8751 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule 251 of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the Federal Register on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the Federal Register issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be

protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 2, Members.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY-3-014

Decided: March 12, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 135524 (Sub-163), filed February 18, 1981. Applicant: G. F. TRUCKING COMPANY, 1028 W. Rayen Ave., P.O. Box 229, Youngstown, OH 44501. Representative: George Fedorisin, 914 Salt Springs Rd., Youngstown, OH 44509, (216) 747-4461. Transporting *general commodities*, between Lanare, Hub, and Mentone, CA, Roseville and Youngstown, IL, Commerce, OK, DeSoto and Nashville, NE, Jordan, KY, and Spelter and Farnum, WV, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this application is to substitute motor service for abandoned rail service.

MC 147585 (Sub-11), filed March 2, 1981. Applicant: DICK WELLER, INC., Shoham Rd., Warehouse Point, CT 06088. Representative: Patrick A. Doyle, 60 Robbins Rd., Springfield, MA 01104, (413) 737-1476. As a *broker*, transporting *general commodities* (except household goods), between points in the U.S.

MC 152315 (Sub-1), filed February 24, 1981. Applicant: MARYLAND MESSENGER SERVICE, INC., 16 Albemarle St., Baltimore, MD 21202. Representative: Theodore H. Cromer (same address as applicant), (302) 837-5550. Transporting (1) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, and (2) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons or ammunitions), between points in the U.S.

MC 154254, filed February 20, 1981. Applicant: JOHN L. MOYER, d.b.a. MOYER'S KWIK SERVICE, 1414 Cathy's Lane, North Wales, PA 19454. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

MC 154545, filed March 2, 1981.

Applicant: LOUIS E. BURRISS, d.b.a. L & M EXPRESS, 3224 Toone St., Baltimore, MD 21224. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797-6060. Transporting for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

Volume No. OPY-4-29

Decided: March 18, 1981.

By the Commission Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 153256 (Sub-1), filed March 6, 1981. Applicant: JACK BENTLEY, d.b.a. JACK BENTLEY TRUCKING, 36505 Wilson Hwy., Tillamook, OR 97141. Representative: Lex F. Page, One Southwest Columbia, Suite 800, Portland, OR 97258, (503) 222-4422. Transporting *food and other edible products and by-products intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers*, and *other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6750 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the *Federal Register* of July 3, 1980, at 45 FR 45539. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common

control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient interest in the form of verified statements filed on or before [45 days from date of publication], (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP1-078

Decided March 12, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

MC 142080 (Sub-18), filed February 6, 1981. Applicant: LITE TRANSPORT, INC., 480 Neponset St., Canton, MA 02021. Representative: Frederick T. O'Sullivan, P.O. Box 2184, Peabody, MA 01960. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Chase & Company of New York, NY.

MC 148620 (Sub-4), filed February 5, 1981. Applicant: K.G.L. CONTRACTING SERVICES, INC., P.O. Box 8202,

Pembroke Pines, FL 33024.

Representative: Robert W. Gerson, 1400 Candler Bldg., 127 Peachtree St., Atlanta, GA 30032; (404) 658-8045.

Transporting *such commodities* as are dealt in or used by grocery stores and food business houses, between points in the U.S., under continuing contract(s) with General Foods Corporation of White Plains, NY.

MC 151480 (Sub-2), filed February 4, 1981, previously noticed in the *Federal Register* issue of March 5, 1981. Applicant: SUNBELT EXPRESS, INC., P.O. Box 13008, Florence, SC 29504. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168. Transporting *metal products*, between Charleston, SC, on the one hand, and, on the other, points in OK and TX and those points in the U.S. in and east of MN, IA, MO, AR, and LA.

Note.—The purpose of this republication is to reflect the correct territorial description.

MC 151550 (Sub-1), filed February 5, 1980. Applicant: DERRILL GREENE, Route 1, Box 230, Clio, AL 36017. Representative: Boyd Whigham, 104 Court Square, Clayton, AL 36018, (205) 775-8550. Transporting *lumber and wood products*, between points in Barbour County, AL, on the one hand, and, on the other, points in AR, FL, GA, IL, IN, KY, LA, MS, NC, OH, SC, TN, TX, and VA.

Volume No. OP1-079

Decided March 16, 1981.

By the Commission, review Board No. 1, Members Carleton, Joyce and Jones.

MC 145150 (Sub-18), filed February 2, 1980. Applicant: HAYNES TRAPNSORT CO., INC., P.O. Box 9, R.R. 2, Salina, KS 67401. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *chemicals and related products*, between points in Moore County, TX, on the one hand, and, on the other, points in UT.

Note.—This republication clarifies the commodity description.

Volume No. OP1-081

Decided March 13, 1981.

By the Commission, Review Board No. 1, Parker Chandler and Taylor.

MC 33970 (Sub-23), filed February 6, 1980. Applicant: GEORGE HILDEBRANT, INC., F.D. No. 4, Hudson, NY 12534. Representative: Michael R. Werner, 187 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07008. Transporting *Salt, salt products, lime, lime products, and materials and supplies* used in the agricultural, water treatment, food processing, wholesale grocery and institutional supply industries, between

points in NY, ME, NH, MA, RI, CT, PA, DE, MD, VT, NJ, VA, and DC.

MC 93840 (Sub-60), (Republication); filed February 29, 1981, previously noticed in the *Federal Register* issue of February 18, 1981. Applicant: GLESS BROS., INC., P.O. Box 219, Blue Grass, IA 52726. Representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. Transporting *general commodities* (except class A and B explosives), between the facilities of Grain Processing Corporation and Kent Feeds, Inc., at points in the U.S., on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to include the facilities of Grain Processing Corporation as part of the radial territorial description.

MC 153731 (Sub-1), filed February 2, 1981. Applicant: RICHARD D. VEST, d.b.a., VEST EXCAVATING, Box 801, R.R. No. 3, Collinsville, IL 62234. Representative: Michael W. O'Hara, 300 Reisch Bldg., Springfield, IL 62701. Transporting *sand, lime, and metal products*, between points in the U.S., under continuing contract(s) with Chemetco, Inc., of Hartford, IL.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8749 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the *Federal Register* of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual

operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY-4-30

Decided: March 17, 1981.

By the Commission, Review Board No. 2, members Carleton, Fisher, and Williams.

MC 59666 (Sub-9), filed March 6, 1981. Applicant: TRAFIK SERVICES, INC., 25 Esten Ave., Pawtucket, RI 02860. Representative: Robert A. Mega, 510 Turks Head Bldg., Providence, RI 02903, (401) 272-4040. Transporting *chemicals and related products*, between points in the U.S., under continuing contract(s) with Soluol Chemical Company, Inc., of West Warwick, RI.

MC 59666 (Sub-10), filed March 6, 1981. Applicant: TRAFIK SERVICES, INC., 25 Esten Ave., Pawtucket, RI

02860. Representative: Robert A. Mega, 510 Turks Head Bldg., Providence, RI 02903, (401) 272-4040. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Collyer Insulated Wire Company, Division of Gulf & Western Mfg. Co., of Lincoln, RI.

MC 139306 (Sub-12), filed March 6, 1981. Applicant: DEL R. STANGE AND JOE R. STANAGE, d.b.a. STANAGE TRANSPORTATION, a partnership, 121 Indian Springs Rd., Hot Springs, AR 71901. Representative: James M. Duckett, 411 Pyramid Life Bldg., Little Rock, AR 72201, (501) 375-3022. Transporting *metal products*, between points in Clark, Garland, Hot Spring, and Saline Counties, AR, on the one hand, and, on the other, those points in OK on and east of Interstate Hwy 35.

MC 146636 (Sub-6), filed March 6, 1981. Applicant: J. K. SMITH, P. SMITH AND M. R. SMITH, d.b.a. SMITH TRUCKING, Rt. 1, Box 43, Round Lake, MN 56167. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *food and related products*, between points in Emmet and Woodbury Counties, IA, Minnehaha County, SD, and Martin and Nobles Counties, MN, on the one hand, and, on the other, points in AL, AZ, AR, CA, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NV, NH, NJ, NM, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI and DC.

MC 153356 (Sub-1), filed March 6, 1981. Applicant: RAYMOND FULLER d.b.a. A T & E TRUCKING, 18995 Forest Blvd. N., Forest Lake, MN 55025. Representative: James F. Finley, AAA Bldg., Suite 200, 170 E. 7th Pl., St. Paul, MN 55101, (612) 464-5290. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Fritz Company, Inc., of Newport, MN.

MC 154416, filed February 26, 1981. Applicant: J & S LINES, INC., P.O. Box 184, Mukwonago, WI 53149. Representative: Ronald E. Laitsch, P.O. Box 70, Watertown, WI 53094. Transporting (1) *chemicals and related products* and (2) *abrasives*, between the facilities of Metal Finishing Co., Inc., in the U.S., on the one hand, and, on the other, points in the U.S.

Volume No. OP1-082

Decided March 13, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

MC 11740 (Sub-8), filed February 20, 1981. Applicant: BLUE & GRAY TRANSPORTATION CO. INC., 1111 Commerce Road, Richmond, VA 23224.

Representative: Francis W. McImerny, 1000 16th St., NW., No. 502, Washington, DC 20036. Transporting *general commodities* (except classes A and B explosives) between points in VA, on the one hand, and, on the other, points in IL, IN, OH, PA, MD, DE, WV, VA, NC, SC, TN, KY and DC.

MC 33641 (Sub-160), filed February 17, 1981. Applicant: IML FREIGHT, INC., P.O. Box 30277, Salt Lake City, UT 84130. Representative: Eldon E. Bresee (same address as applicant), (801) 972-7263. Transporting *waste and scrap materials* not identified by industry producing, between points in Middlesex County, MA, on the one hand, and, on the other, points in Benton, Grant and Franklin Counties, WA.

MC 61231 (Sub-185), filed February 9, 1981. Applicant: EASTER ENTERPRISES, INC., d.b.a. ACE LINES, INC., P.O. Box 1351, Des Moines, IA 50305. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309, (515) 282-3525. Transporting *food and related products*, between points in Johnson and Muscatine Counties, IA, on the one hand, and, on the other, points in AR, CO, IL, IA, KS, LA, MI, MN, MO, NE, NM, ND, OK, SD, TX, WI, and WY.

MC 75281 (Sub-21), filed February 17, 1981. Applicant: BOOTHEEL TRANSPORTATION CO., a corporation, P.O. Box 511, Sikeston, MO 63801. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd. NE, Atlanta, GA 30326. Transporting *such commodities* as are manufactured, distributed or dealt in by manufacturers or converters of paper and paper products, between the facilities of Westvaco Corporation at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 82841 (Sub-305), filed February 17, 1981. Applicant: HUNT TRANSPORTATION, INC., 10770 "I" St., Omaha, NE 68127. Representative: Donald L. Stern, 7171 Mercy Rd., Suite 610, Omaha, NE 68106, (402) 392-1220. Transporting *transportation equipment*, between (1) points in OH, PA, Harris County, TX and Cook County, IL, on the one hand, and, on the other, points in Box Butte County, NE, and (2) points in Box Butte County, NE, on the one hand, and, on the other, points in Multnomah County, OR.

MC 88380 (Sub-39), filed March 2, 1981. Applicant: REB TRANSPORTATION, INC., 2400 Cold Springs Rd., P.O. Box 4309, Fort Worth, TX 76106. Representative: Clint Oldham, 1108 Continental Life Bldg., Fort Worth, TX 76102, (817) 332-4415. Transporting *building materials*, between Los

Angeles, CA, on the one hand, and, on the other, points in TX.

MC 102181 (Sub-11), filed February 10, 1981. Applicant: O. H. & F., INC., P.O. Box 129, Grayville, IL 62844. Representative: William P. Whitney, Jr., Suite 708 McClure Bldg., Frankfort, KY 40601. Transporting *mercantile commodities* (1) between points in NY, on the one hand, and, on the other, points in KY, MS, MO, NE, OH, PA, TN, IL, IN, and WV, and (2) between points in NY.

MC 121740 (Sub-1), filed February 9, 1981. Applicant: MANLEY TERMINALS, INC., P.O. Box 955, Homer, AK 99603. Representatives: John M. Stern, Jr., P.O. Box 1672, Anchorage, AK 99510; J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101, (703) 893-3050. Transporting *general commodities* (except classes A and B explosives), between Anchorage, AK, on the one hand, and, on the other, points in AK on the Kenai Peninsula.

MC 124821 (Sub-116), filed February 18, 1981. Applicant: GILCHRIST TRUCKING, INC., 105 N. Keyser Ave., Old Forge, PA 18518. Representative: Daniel W. Krane, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Rouses Point, NY, and Harrisburg, PA, from Rouses Point, NY, over U.S. Hwy 11 to junction Interstate Hwy 81, at or near Great Bend, PA, then over Interstate Hwy 81 to Harrisburg, PA, and return over the same route, (2) between junction U.S. Hwy 11 and NY Hwy 104, at or near Maple View, NY, and Buffalo, NY, from junction U.S. Hwy 11 and NY Hwy 104, at or near Maple View, NY, over NY Hwy 104 to junction NY Hwy 384, then over NY Hwy 384 to Buffalo, NY, and return over the same route, (3) between Syracuse, NY, and Buffalo, NY, from Syracuse over NY Hwy 175 to junction U.S. Hwy 20, then over U.S. Hwy 20 to junction NY Hwy 5, at or near Depew, NY, then over NY Hwy 5 to Buffalo, and return over the same route, (4) between Alton, NY, and Elmira, NY, over NY Hwy 14, (5) between Rochester, NY, and Binghamton, NY, from Rochester over NY Hwy 15 to junction Interstate Hwy 390, then over Interstate Hwy 390 to junction NY Hwy 17, then over NY Hwy 17 to Binghamton, and return over the same route, (6) between Buffalo, NY, and Salamanca, NY, over U.S. Hwy 219, (7) between Buffalo, NY, and the NY-PA State line, over Interstate Hwy 90, (8) between Barcelona, NY, and Erwin, NY, from Barcelona over NY Hwy 17 to junction NY Hwy 417, then over NY Hwy 417 to Erwin, and return over the same route, (9) between Painted Post, NY and the

PA-MD State line, over U.S. Hwy 15, (10) between junction U.S. Hwy 15 and Interstate Hwy 80, at or near New Columbia, PA, and New York, NY, over Interstate Hwy 80, (11) between Wilkes-Barre, PA, and Philadelphia, PA, over U.S. Hwy 309, (12) between Scranton, PA, and junction Interstate Hwys 380 and 80, over Interstate Hwy 380, (13) between junction Interstate Hwys 380 and 84, near Scranton, PA, and the PA-NY State line, over Interstate Hwy 84, (14) between junction Interstate Hwys 81 and 78, at or near Ft. Indiantown Gap, PA, and New York, NY, over Interstate Hwy 78, (15) between Harrisburg, PA, and Philadelphia, PA, from Harrisburg over U.S. Hwy 322 to junction U.S. Hwy 422, then over U.S. Hwy 422 to Philadelphia, and return over the same route, (16) between Harrisburg, PA, and the PA-MD State line, over Interstate Hwy 83, (17) between York, PA, and Absecon, NJ, over U.S. Hwy 30, (18) between Camden, NJ, and Wildwood, NJ, over NJ Hwy 47, (19) between Philadelphia, PA, and junction NY Hwy 70 and U.S. Hwy 9, at or near Pleasant Plains, NJ, from Philadelphia over NY Hwy 70 to junction U.S. Hwy 9, and return over the same route, (20) between Vineland, NJ, and Milford, PA, from Vineland, NJ, over NJ Hwy 54 to junction U.S. Hwy 206, then over U.S. Hwy 206 to Milford, PA, and return over the same route, (21) between N. Cape May, NJ, and junction U.S. Hwy 9 and NJ-NY State line, over U.S. Hwy 9, (22) between Philadelphia, PA, and New York, NY, over U.S. Hwy 1, serving all intermediate points in (1) through (22) above, and serving those points in NY, NJ, and PA not included in (1) through (22) above as off-route points.

Note.—The purpose of this application is to convert applicant's irregular-route authority to regular-route authority.

Note.—Applicant intends to tack this authority with its existing authority.

MC 135621 (Sub-6), filed February 23, 1981. Applicant: MOLERWAY FREIGHT LINES, INC., 2707 Beartooth Dr., Billings, MT 59102. Representative: John L. Mohr, 111 West Main, Laurel, MT 59044. Transporting *general commodities* (except classes A and B explosives), between points in MT.

MC 136511 (Sub-107), filed February 23, 1981. Applicant: VIRGINIA APPALACHIAN LUMBER CORP., 9640 Timberlake Rd., Lynchburg, VA 24502. Representative: J. Johnson Eller, Jr., 513 Main St., Altavista, VA 24517, (804) 369-5661. Transporting *food and related products*, between points in Gloucester County, NJ, and those in Berks, Delaware, Chester, Montgomery, Bucks and Philadelphia Counties, PA, on the

one hand, and, on the other, points in the U.S.

MC 138181 (Sub-10), filed February 11, 1981. Applicant: TRANSPORT EXPRESS, INC., P.O. Box 663, Dodge City, KS 67801. Representative: Clyde N. Christey, Ks Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612, (913) 233-9629. Transporting *chemicals and related products*, between points in KS, NE, OK, CO, UT, TX and IA.

MC 138890 (Sub-16), filed February 27, 1981. Applicant: MOODIE, INC., 301 Acorn St., Stevens Point, WI 54481. Representative: Michael J. Wyngaard, 150 E. Gilman St., Madison, WI 53703, (608) 256-7444. Transporting *food and related products*, between points in Waupaca and Outagamie Counties, WI, on the one hand, and, on the other, points in the U.S.

MC 144821 (Sub-12), filed February 23, 1981. Applicant: FREEDOM FREIGHTWAYS, INC., 9060 Latty Ave., St. Louis, MO 63134. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701, (601) 335-3576. Transporting *petroleum, natural gas and their products, chemicals and related products, and such commodities* as are dealt in or used by retail filling stations and automotive service centers, between CA, WA, and those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 146121 (Sub-1), filed February 23, 1981. Applicant: BAY CARTAGE COMPANY, 1122 East Barney, Muskegon, MI 49444. Representative: William H. Heritage, Jr., 444 Union Bank Plaza, Grand Rapids, MI 49503, (616) 774-8031. Transporting *pulp, paper and related products, and rubber and plastic products*, between points in the U.S., under continuing contract(s) with Scott Paper Company of Philadelphia, PA.

MC 148451 (Sub-2), filed March 3, 1981. Applicant: HOLSTINE TRUCKING, INC., 125th Old Brighton Road, Henderson, CO 80640. Representative: Edward C. Hastings, 653 Grant St., Denver, CO 80203, (303) 837-1204. Transporting *food and related products*, between points in Adams County, CO, on the one hand, and, on the other, points in TX, NM, OK, KS, and AZ.

MC 148620 (Sub-7), filed March 2, 1981. Applicant: K.G.L. CONTRACTING SERVICES, INC., 2270 Southwest 36th St., Fort Lauderdale, FL 33312. Representative: Robert W. Gerson, 1400 Candler Bldg., Atlanta, GA 30043, (404) 658-8045. Transporting (1) *transportation equipment*, (2) *rubber and plastic products*, and (3) *metal and*

metal products, between points in the U.S., under continuing contract(s) with Ray's Tires, Inc., of Fort Lauderdale, FL.

MC 150900 (Sub-1), filed February 18, 1981. Applicant: CREATIVE TOURS AND CHARTER SERVICE CORPORATION, 6952 Cantaloupe Ave., Van Nuys, CA 91405. Representative: Mike Frost (same address as applicant), (213) 994-7324. Transporting *passengers and their baggage*, in charter operations, between points in Los Angeles, Orange, Ventura, and Kern Counties, CA, on the one hand, and, on the other, points in Clark County, NV.

MC 154431, filed February 23, 1981. Applicant: DONALD D. WALDROP, P.O. Box 1638, LaGrande, OR 97850. Representative: Boyd Hartman, P.O. Box 3641, Bellevue, WA 98009. Transporting *liquid commodities*, between points in OR, WA, and ID.

MC 154531, filed March 2, 1981. Applicant: TIPPETT TRAVEL, INC., 3095 South Military Trail, Lake Worth, FL 33463. Representative: Connie A. Vassalotti (same address as applicant), (305) 964-8777. As a *broker*, in arranging for the transportation of *passengers and their baggage*, between points in Palm Beach County, FL, on the one hand, and, on the other, points in the U.S.

FF 541, filed February 17, 1981. Applicant: E. F. MITCHELL & WILMA J. MITCHELL, d.b.a. ALASKA EXPRESS FORWARDERS, 1123 N. Fourth Ave., Kent, WA 98031. Representative: David W. Wiley, 1100 Norton Bldg., Seattle, WA 98104, (206) 622-4067. As a *freight forwarder* in connection with the transportation of *general commodities* (except classes A and B explosives and household goods as defined by the Commission) between points in WA and AK.

Volume No. OPY-2-012

Decided: March 12, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 1222 (Sub-51), filed February 26, 1981. Applicant: THE REINHARDT TRANSFER COMPANY, 1410 Tenth St., Portsmouth, OH 45662. Representative: Robert H. Kinker, 314 West Main St., P.O. Box 464, Frankfort, KY 40602. Transporting *metal and metal products*, between points in Boyd and Greenup Counties, KY, on the one hand, and, on the other, points in AL, GA, KY, LA, MS, NC, SC, TN, VA, and WV.

MC 8472 (Sub-9), filed February 10, 1981. Applicant: SOUTH END CARTAGE, INC., 4222 South Knox Ave., Chicago, IL 60632. Representative: H. Neil Carson, 3251 Old Lee Hwy, Suite 400, Fairfax, VA 22030, (703) 691-0900.

Transporting *general commodities* (except classes A and B explosives), between Chicago, IL, on the one hand, and, on the other, points in IA, IL, IN, KY, MI, MN, MO, NE, OH, and WI.

MC 10343 (Sub-44), filed February 10, 1981. Applicant: CHURCHILL TRUCK LINES, INC., U.S. Highway 36, West, P.O. Box 250, Chillicothe, MO 64601. Representative: Vernon M. Masters (same as applicant) (816) 646-1590. Transporting *general commodities* (except classes A and B explosives), serving points in Rice County, KS, as off-route points in connection with carrier's otherwise authorized regular-route operations.

MC 61832 (Sub-5), filed February 9, 1981. Applicant: PITZER TRANSFER & STORAGE CORP., P.O. Box 12966, 341 Reserve Avenue, SW., Roanoke, VA 24030. Representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th Street NW., Washington, DC 20004, (202) 737-1030. Transporting *household goods*, between points in VA, on the one hand, and, on the other, those points in the U.S. in and east of MI, WI, IA, NE, CO, OK, and TX.

MC 67403 (Sub-12), filed February 10, 1981. Applicant: BROES TRUCKING CO., INC., Interstate Hwy 295 & Dominick Lane, Paulsboro, NJ 08066. Representative: Ira G. Megdal, 499 Cooper Landing Rd., Cherry Hill, NJ 08002, (609) 667-6000. Transporting *metal products*, between Philadelphia, PA, on the one hand, and, on the other, points in VA, MA, RI, NJ, NY, CT, MD, DE, PA, and DC.

MC 69833 (Sub-161), filed February 9, 1981. Applicant: ASSOCIATED TRUCK LINES, INC., 200 Monroe Ave. NW., 6th Floor, Grand Rapids, MI 49503. Representative: Harry Pohlad (same address as applicant), 616-456-2868. (A) Over *regular routes*, transporting *general commodities* (except classes A and B explosives) (1) between Keokuk and Mt. Pleasant, IA, over U.S. Hwy 218, (2) between Burlington, IA and junction U.S. Hwy 34 and Interstate Hwy 35, over U.S. Hwy 34, (3) between the IA-MO state line and Des Moines, IA, over Interstate Hwy 35, (4) between Des Moines, IA and the IA-MN state line, over U.S. Hwy 69, (5) between the IA-MN state line and St. Cloud, MN, over MN Hwy 15, (6) between Elmore and Princeton, MN, over U.S. Hwy 169, (7) between St. Cloud and Taylors Falls, MN, over MN Hwy 95, (8) between Taylors Falls, MN and junction MN Hwy 95 and U.S. Hwy 61, over MN Hwy 95, (9) between junction MN Hwy 95 and U.S. Hwy 61 and LaCrescent, MN, over U.S. Hwy 61, (10) between LaCrescent and Fairmont, MN, over Interstate Hwy

90, (11) between St. Cloud, MN and Dubuque, IA, over U.S. Hwy 52, (12) between Albert Lea and Cambridge, MN, over U.S. Hwy 65, (13) between Owatonna, MN and Mt. Pleasant, IA, over U.S. Hwy 218, (14) between Dubuque and Keokuk, IA, over U.S. Hwy 61, (15) between Des Moines and Davenport, IA, over U.S. Hwy 6, (16) between junction U.S. Hwy 20 and U.S. Hwy 69 and Dubuque, IA, over U.S. Hwy 20, (17) between Garner and McGregor, IA, over U.S. Hwy 18, (18) between Waterloo, IA and the IA-MO state line over U.S. Hwy 63, and (19) serving (a) all points on and east of Interstate Hwy 35 from the IA-MO state line to junction U.S. Hwy 69, then over U.S. Hwy 69 to the IA-MN state line, and (b) all points on, east, and south of MN Hwy 15 from the MN-IA state line to junction MN Hwy 95, then over MN Hwy 95 to the MN-WI state line, as off-route points in connection with carrier's regular-route operations, and serving all intermediate points in (1) through (19) above; (B) over Irregular Routes, between points on and east of Interstate Hwy 35 from the IA-MO state line to junction U.S. Hwy 69, then over U.S. Hwy 69 to the IA-MN state line, and points on, east, and south of MN Hwy 15 from the MN-IA state line to junction MN Hwy 95, then over MN Hwy 95 to the MN-WI state line.

Note.—Applicant intends to tack this authority with its existing authority.

MC 72243 (Sub-73), filed February 10, 1981. Applicant: THE AETNA FREIGHT LINES, INC., 2507 Youngstown Rd., SE., P.O. Box 350, Warren, OH 44482. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215, (614) 228-8575. Transporting (1) *those commodities* which because of their size or weight require the use of special handling or equipment, (2) *transportation equipment*, (3) *machinery*, (4) *metal products*, (5) *clay, concrete, glass or stone products*, and (6) *lumber and wood products*, between points in CO, IA, KS, MN, MO, NE, SD, and KY, on the one hand, and, on the other, Richmond, VA, and points in Accomack and Northampton Counties, VA, and points in IL, WI, MI, IN, OH, NY, PA, WV, NJ, DE, CT, MA, MD, and DC.

MC 108453 (Sub-42), filed February 19, 1981. Applicant: G & A TRUCK LINE, INC., 404 West Peck Ave., White Pigeon, MI 49099. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503, (616) 459-6121. Transporting *general commodities* between points in the U.S., under a

continuing contract(s) with ACM Plastic Products, of Sturgis, MI.

MC 108453 (Sub-43), filed February 19, 1981. Applicant: G & A TRUCK LINE, INC., 404 West Peck Avenue, White Pigeon, MI 49099. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503, (616) 459-8121. Transporting *general commodities* between points in the U.S., under a continuing contract(s) with Simplex Industries, Inc., of Constantine, MI.

MC 112822 (Sub-486), filed March 3, 1981. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, 1401 N. Little St., Cushing, OK 74023. Representative: Dudley G. Sherrill (same address as applicant), (918) 225-0365. Transporting *food and related products*, between Ft. Worth, TX, on the one hand, and, on the other, points in AR, AZ, CA, CO, ID, IL, KS, LA, MT, MO, NV, MN, OK, OR, UT, WA, and WY.

MC 112822 (Sub-487), filed March 3, 1981. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, 1401 N. Little St., Cushing, OK 74023. Representative: Dudley G. Sherrill (same address as applicant). Transporting *food and related products*, between points in Anderson County, TX, on the one hand, and, on the other, points in AL, AZ, AR, CA, CO, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NM, NC, NE, OH, OK, SC, TN, WI, and UT.

MC 118202 (Sub-173), filed March 3, 1981. Applicant: SCHULTZ TRANSIT, INC., P.O. Box 406, 323 Bridge Street, Winona, MN 55987. Representative: Robert S. Lee, 1600 TCF Tower, Minneapolis, MN 55402. Transporting *general commodities* (except classes A and B explosives), (1) Between points in CT, DE, MA, MD, NJ, NY, PA, and RI, on the one hand, and, on the other, points in IL, IN, IA, KS, KY, MI, MN, MO, NE, ND, OH, OK, SD, TX, and WI, and (2) Between Chicago, IL, on the one hand, and, on the other, points in IN, IA, KS, KY, MI, MN, MO, NE, ND, OH, OK, SD, TX, and WI.

MC 118263 (Sub 109), filed February 10, 1981. Applicant: COLDWAY CARRIERS, INC., P.O. Box 2038, Clarksville, IN 47130. Representative: William P. Whitney, Jr., Suite 708, McClure Bldg., Frankfort, KY 40601, (502) 227-7384. Transporting *instruments and photographic goods*, between points in TX, AR, MO, IA, and MN.

MC 124673 (Sub-59), filed February 10, 1981. Applicant: FEED TRANSPORTS, INC., P.O. Box 2167, Amarillo, TX 79105. Representative: D. Douglas Titus, 340 Insurance Exchange Bldg., Sioux City, IA 51101. Transporting *such commodities* as are dealt in by meat

packinghouses and hide companies, between points in the U.S., under continuing contract(s) with (a) Iowa Beef Processors, Inc. and (b) Texas Amarillo Systems Co., both of Dakota City, NE.

MC 125433 (Sub-459), filed February 10, 1981. Applicant: F-B TRUCK LINE COMPANY, 1945 So. Redwood Rd., Salt Lake City, UT 84104. Representative: Roger E. Crum (same address as applicant). Transporting *coal and coal products, and clay, concrete, glass or stone products*, between points in SD, WY, and MT, on the one hand, and, on the other, points in the U.S.

MC 135082 (Sub-118), filed February 10, 1981. Applicant: ROADRUNNER TRUCKING, INC., P.O. Box 26748, Albuquerque, NM 87125. Representative: Robert G. Russell (same address as applicant). Transporting (1) *ores and minerals*, (2) *lumber and wood products*, (3) *pulp, paper and related products*, (4) *chemicals and related products*, (5) *petroleum, natural gas and their products*, (6) *coal and coal products*, (7) *rubber and plastic products*, (8) *clay, concrete, glass or stone products*, (9) *metal products*, (10) *machinery*, (11) *transportation equipment*, (12) *waste or scrap materials not identified by industry producing*, between those points in the U.S. in and west of MN, IA, MO, AR, and LA. Condition: Issuance of this certificate is conditioned, at applicant's written request, upon coincidental cancellation of carrier's authority held in MC 135082 and Sub Nos. 9, 10, 11, 17, 18, 20, 23, 24, 33, 34, 35, 39, 40, 41, 45, 53, 54, 65, 73, 76, 83, 84, 92, 109, 110, 112, and 115, and concurrent dismissal of authority pending in Sub Nos. 86, 113, 114, 116, and 117.

MC 136363 (Sub-26), filed February 13, 1981. Applicant: J & P PROPERTIES, INC., P.O. Box 1146, Apopka, FL 32703. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 South Orange Ave., Orlando, FL 32801, (305) 425-2213. Transporting *such commodities* as are dealt in by retail department stores, between points in Clayton County, GA, on the one hand, and, on the other, points in FL.

MC 136363 (Sub-27), filed February 13, 1981. Applicant: J & P PROPERTIES, INC., P.O. Box 1146, Apopka, FL 32703. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 South Orange Ave., Orlando, FL 32801, (305) 425-2213. Transporting *electrical machinery, equipment or supplies*, between points in FL, on the one hand, and, on the other, points in IA, TN, and WI.

MC 141532 (Sub-109), filed February 17, 1981. Applicant: PACIFIC STATES TRANSPORT, INC., 10244 Arrow

Highway, Rancho Cucamonga, CA 91730. Representative: Michael J. Norton, 1905 South Redwood Road, Salt Lake City, UT 84104, (801) 973-4449. Transporting *such commodities* as are dealt in by retail lumber and building materials stores, home improvement stores, and home furnishing stores, between points in the U.S., under a continuing contract(s) with The Flintkote Supply Company, a subsidiary of Flintkote Company, of Dallas, TX.

MC 143433 (Sub-14), filed February 27, 1981. Applicant: B. L. GILBERT, d.b.a. GILBERT TRUCKING COMPANY, 310 South First Avenue, Stroud, OK 74079. Representative: Greg E. Summy, P.O. Box 1540, Edmond, OK 73034. *Food and related products*, between points in KS, on the one hand, and, on the other, points in the U.S.

MC 144603 (Sub-14), filed February 18, 1981. Applicant: F. M. S. TRANSPORTATION, INC., 2564 Harley Drive, Maryland Heights, MO 63043. Representative: Laura C. Berry (same address as applicant), (314) 291-3030. Transporting *chemicals and related products*, between points in LA and TX, on the one hand, and, on the other, points in CA and those in the U.S. in and east of ND, SD, NE, CO, OK, and TX.

MC 144682 (Sub-54), filed February 10, 1981. Applicant: R. R. STANLEY, 1738 Empire Central, Dallas, TX 75235. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Transporting *such commodities* as are dealt in by grocery and food business houses, and department and variety stores, between the facilities of Safeway Stores, Inc., at those points in the U.S. in and west of WI, IA, MO, AR, and LA, on the one hand, and, on the other, those points in the U.S. in and west of WI, IA, MO, AR, and LA.

MC 146293 (Sub-78), filed February 10, 1981. Applicant: REGAL TRUCKING CO., INC., P.O. Box 829, Lawrenceville, GA 30246. Representative: Richard M. Tettelbaum, Fifth Floor, Lenox Towers S, 3390 Peachtree Rd. NE, Atlanta, GA 30326, (404) 262-7855. Transporting *such commodities* as are dealt in by manufacturers and distributors of batteries, between points in the U.S.

MC 150432 (Sub-14), filed February 19, 1981. Applicant: H & M TRANSPORTATION, INC., U.S. 42 and 70, London, OH 43140. Representative: Owen B. Katzman, 1828 L Street NW., Suite 1111, Washington, DC 20036, (202) 296-2728. Transporting *chemicals and related products, rubber and plastic products, and pulp, paper and related products*, between points in the U.S., under a continuing contract(s) with

Borden Chemical, division of Borden, Inc., of Columbus, OH.

MC 150783 (Sub-14), filed February 27, 1981. Applicant: SCHEDULED TRUCKWAYS, INC., P.O. Box 757, Rogers, AR 72756. Representative: Ronnie Sleeth (same as applicant). Transporting *pulp, paper and related products, rubber and plastic products, and furniture and fixtures*, between the facilities of Scott Paper Co., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 150883 (Sub-7), filed February 23, 1981. Applicant: PDR TRUCKING, INC., P.O. Box 609, Gastonia, NC 28052. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, N.W., Washington, DC 20005 (202) 347-9332. Transporting *metal products*, between points in Hill County, TX, on the one hand, and, on the other, points in NJ, NY, MI, IL, IN, OK, AR, CA, AZ, and WA.

MC 153323 (Sub-4), filed February 23, 1981. Applicant: IOWA-TEXAS EXPRESS, LTD., P.O. Box 283, Denison, IA 51442. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309 (515) 245-4300. Transporting *food and related products*, between points in Muscatine County, IA, El Paso County, TX, and Los Angeles County, CA, on the one hand, and, on the other, points in the U.S.

MC 154363, filed February 23, 1981. Applicant: DAVID C. BUNIGER AND JOHN D. BUNIGER d.b.a. BUNIGER FARMS, 1663 14½ Rd., Loma, CO 81524. Representative: Lee E. Lucero, 450 Capitol Life Center, Denver, CO 80203 (303) 861-8046. Transporting *Mercer commodities*, between points in CO, NM, UT, and WY.

MC 154382 (Sub-1), filed February 23, 1981. Applicant: R WAY, INC., 107 Ellison St., Fountain Inn, SC 29644. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with (a) Carotell Paper Board Corp., of Taylors, SC, and (b) Hoechst Fibers Industries, of Spartanburg, SC., a division of American Hoechst Corporation.

Volume No. OPY2-013

Decided March 5, 1981.

By The Commission, Review Board No. 1. Members Parker, Chandler, and Taylor.

MC 110252 (Sub-66), filed February 26, 1981. Applicant: JAMES J. WILLIAMS, INC., East 5711 Third Ave., Spokane, WA 99220. Representative: Boyd Hartman, P.O. Box 3641, Bellevue, WA 98009 (206) 453-0312. Transporting (1)

commodities in bulk, (2) fertilizer, and (3) flour, between points in WA, OR, ID, MT, and points in Big Horn County, WY.

MC 118292 (Sub-42F), filed February 23, 1981. Applicant: BALENTINE PRODUCT, INC., P.O. Box 454, Alma, AR 72921. Representative: Barry Roberts, 888 17th Street, NW., Washington, DC 20006. Transporting *food and related products* between points in Orange County, FL on the one hand, and, on the other, points in TN, TX, LA, MS, AL, AR and CO.

MC 134672 (Sub-3), filed February 10, 1981. Applicant: VALENCIA SYSTEMS, INC. d.b.a. VALENCIA TRUCKING CO., 25555 Avenue Stanford, Valencia, CA 91355. Representative: William Davidson, P.O. Box 58408, Los Angeles, CA 90058. Transporting *general commodities* (except classes A and B explosives) between points in Los Angeles County, CA.

MC 142603 (Sub-42F), filed February 24, 1981. Applicant: CONTRACT CARRIERS OF AMERICA, INC., P.O. Box 179, Springfield, MA 01101. Representative: Susan E. Mitchell (same address as applicant) (413) 732-6283. Transporting *waste or scrap materials* not identified by Industry producing, between points in the U.S., under continuing contract(s) with L. Cohen & Company, Inc., of Suffield, CT.

MC 144503 (Sub-35), filed February 10, 1981. Applicant: ADAMS REFRIGERATED EXPRESS, INC., P.O. Box F, Forest Park, GA 30050. Representative: Charles L. Redel, 212 Hoeschler Exchange Building, La Crosse, WI 54601, (608) 784-5860. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. Board Member Taylor dissents.

MC 144503 (Sub-37), filed February 9, 1981. Applicant: ADAMS REFRIGERATED EXPRESS, INC., P.O. Box F, Forest Park, GA 30050. Representative: Charles L. Redel, 212 Hoeschler Exchange Building, La Crosse, WI 54601, (608) 784-5860. Transporting *general commodities* (except classes A and B explosives) between points in Oakland and Wayne County, MI, on the one hand, and, on the other, points in the U.S.

MC 146782 (Sub-44), filed February 26, 1981. Applicant: ROBERTS CONTRACT CARRIER CORPORATION, 300 First Avenue, South, Nashville, TN 37201. Representative: Stephen L. Edwards, 806 Nashville Bank & Trust Bldg., Nashville, TN 37201, (615) 244-2926. Transporting *metal products*, between points in Mecklenburg County, NC, on the one hand, and, on the other, points in AL, GA, IL, PA, SC, and VA.

MC 151042 (Sub-1), filed February 9, 1981. Applicant: STOOPS COACHES, INC., 4720 N. Franklin Road, Indianapolis, IN 46226. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240 (317) 846-6655. Transporting *passengers and their baggage* in round trip, special, and charter operations, beginning and ending at points in Marion, Madison, Delaware, Hamilton, Johnson, Hancock, Hendricks, and Henry Counties, IN, and extending to points in the U.S.

MC 151103 (Sub-1), filed February 19, 1981. Applicant: LARLEE LEASING, INC., 524 N. Wayne Ave., Cincinnati, OH 45215. Representative: Norbert B. Flick, 2250 Beechmont Ave., Cincinnati, OH 45230 (513) 621-1872. Transporting *petroleum, natural gas and their products*, between Ashland and Catlettsburg, KY, on the one hand, and on the other, Cincinnati, OH.

MC 151383 (Sub-4), filed February 24, 1981. Applicant: NICKELL TRUCKING CO., 4901 West 51st St., Tulsa, OK 74107. Representative: Fred Rahal, Jr., Suite 305 Reunion Center, 9 East Fourth St., Tulsa, OK 74103 (918) 583-9000. Transporting *metal products*, between points in the U.S., under continuing contract(s) with (a) ANC-CO, Inc., of Ponca City, OK, (b) Central Manufacturing and Supply Company, of Ponca City, OK, (c) High-Temp Metals, Inc., of Oklahoma City, OK, and (d) Alloy Pipe Fabricators, Inc., of Oklahoma City, OK.

MC 151392 (Sub-2), filed February 9, 1981. Applicant: ALPHA MOTOR WAYS, INC., 25 County Ave., Secaucus, NJ 07094. Representative: Harold L. Reckson, 33-28 Halsey Rd., Fair Lawn, NJ 07410 (201) 791-2270. Transporting *such commodities as are dealt in by chain, grocery or food stores*, between points in the U.S., under continuing contract(s) with Wilco Trading Co., Inc., of Lakewood, NJ.

MC 152082 (Sub-1), filed February 23, 1981. Applicant: R. C. SERVICE, INC., P.O. Box 823, Bensenville, IL 60106. Representative: Elaine M. Conway, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603 (312) 263-1600. Transporting *general commodities* between points in the United States under continuing contract with Al-ways Air Freight, Inc., of Bensenville, IL. Condition: To the extent this permit authorizes classes A and B explosives it shall be limited in term to a period expiring 5 years from its date of issuance.

MC 153732 (Sub-1), filed February 9, 1981. Applicant: A-WAY COACHES, INC., 120 E. Calhoun Street, Macomb, IL 61455. Representative: James C.

Hardman, 33 N. LaSalle St., Chicago, IL 60602. Transporting: *Passengers and their baggage, in charter and special operations*, between points in Henderson, Warren, Fulton, Brown, McDonough, Hancock, Adams, Schuyler, Knox and Mercer Counties, IL; Lee, Des Moines and Henry Counties, IA, on the one hand, and, on the other, points in the U.S. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343 or submit an affidavit indicating why such approval is unnecessary.

MC 154152, filed February 9, 1981. Applicant: ALLIED BULK CARRIERS, INC., 9 Union Hill Road, Englishtown, NJ 07726. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. (201) 435-7140. Transporting *commodities in bulk*, between points in NY, NJ, CT, PA, DE, and MD.

MC 154173, filed February 9, 1981. Applicant: ARNIE M. ARNIO, 3302 Ivy, Rapid City, SD 57701. Representative: J. Maurice Andren, 1734 Sheridan Lake Rd., Rapid City, SD 57701. Transporting *building materials*, between points in MT and WY on the one hand, and, on the other, points in NE, ND and SD.

MC 154183, filed February 9, 1981. Applicant: D & H DELIVERY SERVICE, P.O. Box 168, Caldwell, NJ 07006. Representative: Harold L. Reckson, 33-28 Halsey Rd., Fair Lawn, NJ 07410. Transporting (1) *plastic bottles* under continuing contracts with Vanguard Plastics, Inc., of PA, of Patterson, NJ, and (2) *air filters and components for air filters*, between points in the U.S., under continuing contract(s) with Drico Industrial Corporation, of Wallington, NJ and its subsidiary Viskon-Aire Corp., of Bound Brook, NJ.

MC 22182 (Sub-39), filed February 23, 1981. Applicant: NU-CAR CARRIERS, INC., P.O. Box 172, Bryn Mawr, PA 19010. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760, (301) 840-8565. Transporting *transportation equipment*, between those points in the U.S. in and east of WI, IL, KY, TN, AR, and LA. Condition: This grant of authority is conditioned upon coincidental cancellation, of applicant's written request, of all its outstanding certificates.

MC 43992 (Sub-2), filed February 9, 1981. Applicant: CARL C. PICKEL, d.b.a. RAY A. PICKEL TRUCKING COMPANY, R.D. #1, Brogue, PA 17309. Representative: Norman T. Petow, Esq., 43 North Duke St., York, PA 17401. (717) 843-8004. Transporting *such commodities as are dealt in by chain*

grocery and food business houses, between points in DE, NJ and NY, on the one hand, and, on the other, points in York County, PA.

MC 69742 (Sub-6), filed February 9, 1981. Applicant: CORDIN MOTOR FREIGHT, INC., 7736 West 62nd Place, Summit, IL 60501. Representative: Stephen H. Loeb, 33 N. La Salle Street, Chicago, IL 60602, (312) 726-9722. *General commodities* (except Classes A and B explosives), between points in the U.S., under continuing contract(s) with United States Steel Corporation, of Pittsburgh, PA.

MC 84273 (Sub-11), filed February 26, 1981. Applicant: JONES TRUCKING CO., INC., 3020 Bay View Drive, Green Bay, WI 54301. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703, (608) 256-7444. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Swift & Company, of Chicago, IL.

MC 97872 (Sub-4), filed February 26, 1981. Applicant: R. L. NEHLS TRANSFER, INC., 315 Barrington Avenue, Dundee, IL 60118. Representative: Alki E. Scopelitis, 1301 Merchants Plaza, Indianapolis, IN 46204, (317) 638-1301. Transporting *general commodities*, (except classes A and B explosives), between points in Boone, Cook, DeKalb, DuPage, Kane, Lake, McHenry, Will, and Winnebago Counties, IL, Dane, Dodge, Jefferson, Kenosha, Milwaukee, Racine, Rock, Walworth, Washington, and Waukesha Counties, WI, and Lake and Porter Counties, IN.

MC 115663 (Sub-8), filed February 20, 1981. Applicant: HULL & SMITH HORSE VANS, INC., Route 1, Box 12, Ashland, NE 68003. Representative: Scott E. Daniel, 800 Nebraska Savings Building, 1623 Farnam, Omaha, NE 68102, (402) 348-0832. Transporting *horses*, other than ordinary, and, in the same vehicle with such horses, stable supplies and equipment used in their care and exhibition, mascots and the personal effects of their attendants, trainers and exhibitors, between points in the U.S.

Volume No. OPY-2-014

Decided: March 12, 1981.

By The Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

FF 543, filed February 23, 1981. Applicant: MIAMI VALLEY TRANSPORTATION CONSULTANTS, INC., 1300 East Third St., Dayton OH 45403. Representative: Harold P. Hansen (same address as applicant), (513) 222-4065. As a *freight forwarder*, in connection with the transportation of

general commodities (except classes A and B explosives), between points in the U.S.

MC 107012 (Sub-669), filed February 5, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 W., P.O. Box 988, Fort Wayne, IN 46801. Representative: Gerald A. Burns (same address as applicant), (219) 429-2234. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. under continuing contract(s) with International Business Machines Corporation (IBM), of Armonk, NY.

MC 107912 (Sub-38), filed February 2, 1981. Applicant: REBEL MOTOR FREIGHT, INC., 3934 Homewood Rd., Memphis, TN 38118. Representative: Tommie J. Perkins, Sr., (same address as applicant), (901) 795-4100. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Jackson, MS and Jackson, TN: from Jackson, MS over U.S. Hwy 51 to Memphis, TN, then over Interstate Hwy 40 to Jackson, TN, and return over the same route, (2) between Jackson, MS and Memphis, TN, over Interstate Hwy 55, and (3) serving all intermediate points on routes (1) and (2) above.

Note.—Applicant proposes to tack this authority with its presently existing authority.

MC 108473 (Sub-55f), filed March 4, 1981. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 87 Jeffrey Ave., Holliston, MA 01746. Representative: Harry J. Jordan, Suite 502, Solar Bldg., 1000 16th St. NW, Washington, DC 20036. Transporting *general commodities*, (except Classes A and B explosives) over regular routes, (1) between Erie, PA and Chicago, IL over U.S. Hwy 20, (2) between Pittsburgh, PA and Chicago, IL: from Pittsburgh over U.S. Hwy 22 to Cincinnati, OH, then over U.S. Hwy 52 to Chicago, and return over the same route, (3) between Zanesville, OH, and Indianapolis, IN over U.S. Hwy 40, and (4) between Pittsburgh, PA and Joliet, IL over U.S. Hwy 30, serving all intermediate points and points in OH, IN and points in Iroquois, Kankakee, Grundy, Kendall, La Salle, Will, DeKalb, Kane, McHenry, Du Page, and Lake Counties, IL, as off-route points in connection with carrier's regular route operation.

MC 115322 (Sub-204), filed February 27, 1981. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, FL 32809. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 South Orange Ave., Orlando, FL 32801, (305) 425-2213. Transporting *food and*

related products, between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX. Condition: Issuance of a certificate in this proceeding is conditioned upon coincidental cancellation of all of carrier's outstanding authority within the above specified area, involving the above specified commodities, and also withdrawal of all pending applications involving the same authority. Applicant shall submit a list of all existing certificates and dates of issue to be cancelled.

MC 118202 (Sub-174), filed February 27, 1981. Applicant: SCHULTZ TRANSIT, INC., 323 Bridge St., P.O. Box 406, Winona, MN 55982. Representative: Thomas J. Beener, 67 Wall St., New York, NY 10005, (212) 269-2540. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of rubber and plastic products, between points in Kern and Yolo Counties, CA, Newton County, GA, Wayne and Ontario Counties, NY, Morgan and Will Counties, IL, Middlesex County, MA, Tolland County, CT, Pottawatomie County, OK, Bell County, TX, and Warren County, NJ, on the one hand, and, on the other, points in the U.S.

MC 143522 (Sub-6), filed March 6, 1981. Applicant: CONSOLIDATED CARRIERS, INC., P.O. Box D, Irwin, PA 15642. Representative: Scott E. Daniel, 800 Nebraska Savings Bldg., 1623 Farnam, Omaha, NE 68102, (402) 348-0832. Transporting *general commodities* (except classes A and B explosives), between those points in NY in and west of Jefferson, Oswego, Onondaga, Cortland, and Broome Counties, on the one hand, and, on the other, points in the U.S.

MC 143563 (Sub-10), filed March 2, 1981. Applicant: R. C. MOORE, INC., P.O. Box 346, Waldoboro, ME 04572. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101. Transporting (a) *general commodities* (except classes A and B explosives), between points in CA, FL, GA, MA, ME and NH, on the one hand, and, on the other, points in the U.S.; (b) *such commodities* as are dealt in by manufacturer and distributors of automotive supplies, between points in CO, CT, MO, NJ, OH, OR, RI, VT and TX, and (c) *metal products*, between points in the U.S. on the international boundary line between the United States and Canada, on the one hand, and, on the other, points in the U.S.

MC 145813 (Sub-3), filed February 12, 1981. Applicant: POINTS WEST TRUCKING, INC., P.O. Box 55085, Valencia, CA 91335. Representative:

Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, 402-475-6761. Transporting *food and related products*, between points in Erie County, NY and New Haven County, CT, on the one hand, and, on the other, points in AZ, CA, CO, KS, MO, NV, NM, OK, TX and UT.

MC 146403 (Sub-4F), filed March 6, 1981. Applicant: ROGER LOVE, d.b.a. ROGER LOVE TRUCKING, Route 3, East Grand Forks, MN 56721. Representative: William J. Gambucci, Suite M-20, 400 Marquette Ave., Minneapolis, MN 55401. Transporting *general commodities* (classes A and B explosives), between points in the U.S., under continuing contract(s) with Peterson-Biddick Company, of Thief River Falls, MN.

MC 147003 (Sub-12), filed February 26, 1981. Applicant: RAWHIDE CARRIERS, INC., P.O. Box 1171, Grand Island, NE 68802. Representative: Max H. Johnston, P.O. Box 6597, Lincoln, NE 68506, 402-488-4841. Transporting *such commodities* as are dealt in or used by building materials stores and home improvement stores, between the facilities of Payless Cashways, Inc., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 147193 (Sub-5F), filed March 5, 1981. Applicant: MARTIN RUITER, d.b.a. MARTIN'S FEED CO., P.O. Box 189, Custer, WA 98240. Representative: James T. Johnson, 1610 IBM Bldg., Seattle, WA 98101. Transporting *ores and minerals*, between points in Whatcom County, WA, on the one hand, and, on the other, points in OR, CA, UT, AZ, TX, ID, NV, and CO.

MC 147332 (Sub-1), filed March 2, 1981. Applicant: SUBURBAN AIRPORTER, INC., 713 110th N.E., Bellevue, WA 98004. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055. Transporting *passengers and their baggage*, in the same vehicle with passengers in special and charter operations, between points in King, Pierce, Snohomish, Island and Skagit Counties, WA, on the one hand, and, on the other, points in the U.S.

MC 147492 (Sub-5), filed February 27, 1981. Applicant: MEL MOTOR EXPRESS, INC., P.O. Box 29058, New Orleans, LA 70189. Representative: James T. Harmon III (same address as applicant), (504) 246-8221. Transporting *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with The Continental Group, Inc., of Stamford, CT.

MC 150183 (Sub-5), filed March 5, 1981. Applicant: CASSCO REFRIGERATED TRANSPORT, DIVISION OF CASSCO CORPORATION, 125 W. Bruce St., Harrisonburg, VA 22801. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309, 515-245-4300. Transporting *food and related products*, between points in Cumberland, Franklin, Lackawanna, Lehigh and York Counties, PA, Frederick County, VA, and Berkeley and Jefferson Counties, WV, on the one hand, and, on the other, points in CT, DE, MA, MD, ME, NC, NJ, NY, RI, SC, VA, VT, WV, and DC.

MC 151482, filed February 10, 1981. Applicant: ROCK VALLEY CONTRACT CARRIERS, INC., 3571 Merchandise Drive, Rockford, IL 61109. Representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, PA 15219, (412) 471-1800. Transporting (1) *metal products* between points in the U.S., under continuing contract(s) with National Lock Fastener Division of Keystone Industries, Inc., of Rockford, IL; (2) *furniture and fixtures*, between points in the U.S., under continuing contract(s) with United Industries, Inc., of Beloit, WI; (3) *metal products* between points in the U.S., under continuing contract(s) with Illinois Water Treatment Co. of Rockford, IL; (4) *machinery* between points in the U.S., under continuing contract(s) with (a) Centro Morganshammer, Inc., of Rockford, IL, and (b) W. F. & John Barnes Co. of Rockford, IL; (5) *floor coverings*, between points in the U.S., under continuing contract(s) with United Flooring Distributor's Inc., of Rockford, IL; (6) *machinery and metal products* between points in the U.S., under continuing contract(s) with Feldmann, Inc., of Rockford, IL; (7) *metal products*, between points in the U.S., under continuing contract(s) with Techni Chem, Inc., of Belvidere, IL.

MC 151582, filed February 17, 1981. Applicant: FOUR J. ENTERPRISES, INC., 3822 W. Park Ave., Orange, TX 77630. Representative: Anita Jimerson, P.O. Box 1162, Orange, TX 77630. Transporting *rubber and plastic products*, between Orange, TX, on the one hand, on the other, points in AL, CA, FL, GA, IL, KY, LA, MO, MS, OH, PA, and SC.

MC 152532 (Sub-1), filed March 3, 1981. Applicant: G & W PAVING, INC., P.O. Box 237, Garden City, AL 35070. Representative: D. E. Wood, 10th Street, West, P.O. Box 237, Garden City, AL 35070, 205-352-5770. Transporting *chemicals and related products*, between points in AL, GA, and TN.

MC 152823 (Sub-1), filed February 27, 1981. Applicant: WESTERN CARRIERS, INC., P.O. Box 925, Worcester, MA 01613. Representative: David M. Marshall, 101 State St., Suite 304, Springfield, MA 01103, (413) 732-1136. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Gilbert and Bennett Manufacturing Company, of Georgetown, CT.

MC 153402 (Sub-1), filed February 23, 1981. Applicant: SAGINAW VALLEY MARINE TERMINAL AND WAREHOUSE, INC., 700 Harrison St., Bay City, MI 48706. Representative: Paul Buda (same address as applicant), 517-895-8571. Transporting (A) *such commodities* as are dealt in or used by manufacturers and distributors of doors, between points in Genesee and Ogemaw Counties, MI and Polk County, FL, on the one hand, and on the other, points in the U.S., and (B) *general commodities* (except classes A and B explosives), between points in the U.S., on the one hand, on the other, points in FL, IA, IL, IN, KY, MI, MN, OH, PA, WV, and WI.

MC 153992, filed February 19, 1981. Applicant: C & C TRUCKING, 108 Coburn Drive, Chattanooga, TN 37414. Representative: Robert L. Baker, 618 United American Bank Bldg., Nashville, TN 37219. Transporting *food and related products*, between Hamilton County, TN, on the one hand, and, on the other, points in NC, SC, AL, FL, GA, VA, LA, MS, KY, and IL.

MC 154293 (Sub-1), filed March 5, 1981. Applicant: MELVIN DUFF, d.b.a. DUFF TRUCKING, R.R. No. 1, Murray, IA 50174. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309, (515) 245-430. Transporting (1) *food and related products*, between points in Polk County, IA, on the one hand, and, on the other, points in IL, KS, MO, and TX, and (2) *chemicals and related products*, between points in KS, on the one hand, and, on the other, points in Polk County, IA.

MC 154482, filed February 23, 1981. Applicant: SULLIVAN TRUCKING CO., INC., 1610 South Oakland, Dallas, TX 75226. Representative: James W. Hightower, First Continental Bank Bldg., Suite 301, 5801 Marvin D. Love Freeway, Dallas, TX 75237. Transporting (1) *those commodities* which because of their size or weight require the use of special handling or equipment, (2) *transportation equipment*, and (3) *mercer commodities*, between points in TX, OK, and LA.

MC 154483F, filed March 2, 1981. Applicant: JUSTIN D. ATEN, 8128

Mackinaw Trail, Cadillac, MI 39601. Representative: William B. Elmer, 624 Third St., Traverse City, MI 49684. Transporting *lumber, wood products and building materials*, between points in IL, IN, MI, OH, KY, WV, and PA.

MC 154492, filed March 4, 1981. Applicant: FIRST TRUCK LINES, INC., 10 Kelly Ave., Dayton, OH 45404. Representative: E. H. van Deusen, P.O. Box 97, Dublin, OH 43017, (614) 889-2531. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Garlock, Inc., of Dayton, OH.

MC 154522, filed February 17, 1981. Applicant: JAMES K. JUNG, d.b.a. NEW YORK TOUR LIMOUSINE CENTER, P.O. Box 355, Elmhurst, NY 11380. Representative: John J. Kim, 445 Park Ave., Suite 1800, New York, NY 10022, (212) 593-0020. Transporting (1) *passengers and their baggage*, in the same vehicle with passengers, in special or charter operations, between points in the U.S., and (2) *passengers and their baggage*, in roundtrip special and charter operations, beginning and ending at points in Queens County, NY, and extending to points in the U.S.

MC 154532, filed March 2, 1981. Applicant: GREGORY TRUCKING, INC., R.D. 6, Fairhill Rd., Sewickley, PA 15143. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219, (412) 281-9494. Transporting (1) *such commodities* as are dealt in or used by manufacturers and distributors of iron and steel articles and construction materials, and (2) *machinery*, between points in PA, OH, WV, MD, VA, DE, NY, NJ, MI, IN, IL, MO, OK, KY, TN, MS, AR, TX, LA, and DC.

MC 154552, filed March 5, 1981. Applicant: WILSON MOVING AND STORAGE, INC., P.O.B. 390, Bend, OR 97701. Representative: David C. White, 2400 SW. Fourth Ave., Portland, OR 97201, 503-226-6491. Transporting *household goods*, between points in CA, ID, NV, OR and WA.

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Decided: March 13, 1981.

By the Commission, Review Board No. 3, members Kroch, Joyce, and Dowell.

MC 56879 (Sub-177), filed February 10, 1981. Applicant: BROWN TRANSPORT CORP., 352 University Ave., S.W., Atlanta, GA 30310. Representative: Leonard S. Cassell (Same as applicant), (404) 752-5151. Transporting *general commodities* (except classes A and B explosives), (1) between Cincinnati, OH and Minneapolis, MN; from Cincinnati over US Hwy 27 to jct US Hwy 35, then

over US Hwy 35 to jct US Hwy 31, then over US Hwy 31 to jct US Hwy 30, then over US Hwy 30 to jct US Hwy 41, then over US Hwy 41 to jct US Hwy 12, then over US Hwy 12 to Minneapolis, MN and return over the same route, (2) between Cincinnati, OH and Indianapolis, IN over I-74, (3) between Indianapolis, IN and Richmond, IN over US Hwy 40, (4) between Indianapolis, IN and Minneapolis, MN; from Indianapolis over I-65 to jct I-90, then over I-90 to jct I-94, then over I-94 to Minneapolis, MN and return over the same route, (5) between Peru, IN and Muncie, IN; from Peru over IN Hwy 21 to jct IN Hwy 18, then over IN Hwy 18 to jct IN Hwy 9, then over IN Hwy 9 to jct IN Hwy 32, then over IN Hwy 32 to Muncie, IN and return over the same route, (6) between West College Corner, IN and jct US Hwy 35 and IN Hwy 22; from West College Corner, IN over US Hwy 27 to jct IN Hwy 1, then over IN Hwy 1 to jct IN Hwy 38, then over IN Hwy 38 to jct IN Hwy 3, then over IN Hwy 3 to jct IN Hwy 26, then over IN Hwy 26 to jct IN Hwy 22, then over IN Hwy 22 to jct US Hwy 35 and return over the same route, (7) between Anderson, IN and Indianapolis, IN; from Anderson, IN over IN Hwy 32 to jct IN Hwy 37, then over IN Hwy 37 to Indianapolis, IN and return over the same route, (8) between Union City, IN and Muncie, IN over IN Hwy 32, (9) between Chicago, IL and Madison, WI; from Chicago, over US Hwy 20 to jct IL Hwy 72, then over IL Hwy 72 to jct US Hwy 51, then over US Hwy 51 to jct US Hwy 14, then over US Hwy 14 to Madison, WI and return over the same route serving all intermediate points and serving all points within 25 miles of Chicago, IL as off-route points, (10) between Chicago, IL and Madison, WI over I-94; (11) between Chicago, IL and Omaha, NE over US Hwy 6, (12) between Chicago, IL and Omaha, NE over I-80, (13) between Chicago, IL and Chippewa Falls, WI; from Chicago, IL over US Hwy 34 to jct IL Hwy 92, then over IL Hwy 92 to jct US Hwy 67, then over US Hwy 67 to jct US Hwy 52, then over US Hwy 52 to jct US Hwy 61, then over US Hwy 61 to jct US Hwy 53, then over US Hwy 53 to Chippewa Falls, WI and return over the same routes, (14) between Rockford, IL and Peoria, IL; from Rockford over US Hwy 51 to jct IL Hwy 29, then over IL Hwy 29 to Peoria, IL and return over the same routes, (15) between Rockford, IL and Moline, IL over IL Hwy 2, (16) between Sioux City, IA and Keokuk, IA; from Sioux City over US Hwy 20 to jct US Hwy 69, then over US Hwy 69 to jct IA Hwy 92, then over IA Hwy 92 to jct IA Hwy 137, then over IA Hwy 137 to jct IA Hwy 23, then over

IA Hwy 23 to jct US Hwy 34, then over US Hwy 34 to jct US Hwy 61, then over US Hwy 61 to Keokuk and return over the same routes, (17) between jct US Hwy 20 and US Hwy 69 and Dubuque, IA over US Hwy 20, (18) between Ames, IA and Iowa City, IA; from Ames over US Hwy 30 to jct I-380, then over I-380 to Iowa City and return over the same route, (19) between Cedar Falls, IA and Cedar Rapids, IA over US Hwy 218, (20) between Council Bluffs, IA and Sioux City, IA over I-29, (21) between Davenport, IA and Burlington, IA over US Hwy 61, (22) between Minneapolis, MN and jct US Hwy 65 and US Hwy 20 over US Hwy 65, (23) between Minneapolis, MN and Des Moines, IA over I-35, (24) between St. Cloud, MN and Minneapolis, MN over US Hwy 10, (25) between Minneapolis, MN and Mankato, MN over US Hwy 169, (26) between Milwaukee, WI and Green Bay, WI over US Hwy 141, (27) between Milwaukee, WI and Green Bay, WI over US Hwy 41, (28) between Peoria, IL and jct I-74 and I-80 over I-74, (29) between Fond du lac, WI and Cedar Rapids, IA over US Hwy 151, (30) between Dayton, OH and Richmond, IN over US Hwy 35. Serving all intermediate points, Pembina, ND and all points in IA, MN and WI as off-route points in connection with the above regular routes.

Note.—Applicant intends to tack this authority with its present authority.

MC 136208 (Sub-12), filed February 12, 1981. Applicant: CREAGER TRUCKING CO., INC., P.O. Box 308, Yreka, CA 96097. Representative: O. L. Stidham, (same address as applicant), (916) 842-4161. Transporting *pulp, paper and related products*, between points in Multnomah County, OR, and Kings County, CA, on the one hand, and, on the other, points in AZ, CA, CO, MT, NM, NV, OR, UT, WA, and WY.

MC 136978 (Sub-2), filed February 10, 1981. Applicant: HILLTOP TRANSPORTATION, INC., 5178 Fisher Rd., Columbus, OH 43228. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215, (614) 464-4103. Transporting (1) *general commodities* (except classes A and B explosives), between Columbus, OH, on the one hand, and, on the other, points in IL, MI, WV, VA, KY, IN, TN, PA, MS, OH, NC, SC, and WI, and (2) *food and related products*, between Cleveland, OH, on the one hand, and, on the other, points in IL, MO, WV, VA, KY, IN, TN, PA, MS, OH, NC, SC, and WV. Condition: Issuance of a certificate in this proceeding is subject to coincidental cancellation of permit MC 136978, issued October 15, 1973, and MC 136978 (Sub-1), issued August 7, 1978.

MC 138018 (Sub-65), filed February 10, 1981. Applicant: RFI TRANSPORT, INC., P.O. Box 1018, Denver, CO 80201. Representative: Jo Ann M. Harvey (same address as applicant). Transporting *food and related products*, between those points in the U.S. in and west of OH, MI, KY, TN, AR, and LA.

MC 139958 (Sub-16), filed February 13, 1981. Applicant: R. T. TRUCK SERVICE, INC., 2334 Millers Lane, Louisville, KY 40216. Representative: Rudy Yessin, 113 West Main St., Frankfort, KY 40601, (502) 227-7326. Transporting *general commodities* (except classes A and B explosives), between points in TX, LA, AR, MS, AL, FL, GA, SC, NC, TN, KY, VA, WV, WI, IL, MO, IA, MN, MD, NJ, CT, NY, PA, OH, IN, and MI. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's Office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the applications for common control to Team 5, Room 6370.

MC 141889 (Sub-11), filed February 10, 1981. Applicant: RONALD DEBOER, d.b.a. RON DEBOER TRUCKING, Route 1, Box 82, Sherry Station, Milladore, WI 54454. Representative: Michael J. Wyngaard, 150 East Gilman St., Madison, WI 53703, (608) 256-7444. Transporting *such commodities* as are dealt in or used by manufacturers, converters and printers of paper and paper products, between points in Portage and Wood Counties, WI, on the one hand, and, on the other, points in FL and TX.

MC 142059 (Sub-160), filed February 10, 1981. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Rd., Joliet, IL 60436. Representative: Jack Riley (same address as applicant), (815) 729-3808. Transporting *metal products* between points in the U.S., on the one hand, and, on the other, the facilities of Anacond-Ericsson, Inc., in the U.S.

MC 145018 (Sub-20), filed February 17, 1981. Applicant: NORTHEAST DELIVERY, INC., P.O. Box 127, Taylor, PA 18517. Representative: Edward F. V. Pietrowski, 3300 Birney Ave., Moosic, PA 18507. Transporting *such commodities* as are dealt in or used by grocery and food business houses, between points in Erie County, PA, and Chautauqua and Erie Counties, NY, on the one hand, and, on the other those points in the U.S. in and east of ND, SD, NE, KS, OK and TX.

MC 145149 (Sub-12), filed February 11, 1981. Applicant: MATADOR SERVICE,

INC., P.O. Box 2256, Wichita, KS 67201. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612, (913) 233-9629. Transporting *fertilizer, and petroleum, natural gas and their products*, between points in CO, WY, MT, ND, SD, NE, KS, OK, TX, AR, MO, IA, MN, WI, IL, and KY.

MC 145849 (Sub-5), filed February 10, 1981. Applicant: CHARLES K. MONIN AND JOSEPH E. MONIN, d.b.a. MONIN TRUCKING, 300 West John Rowan Blvd., Bardstown, KY 40004. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202, (502) 589-5400. Transporting *general commodities* (except classes A and B explosives), between points in Nelson County, KY, on the one hand, and, on the other, points in the U.S.

MC 156328 (Sub-3), filed February 10, 1981. Applicant: ALLIED DELIVERY SYSTEM CO., a corp., 6200 Roland Ave., Cleveland, OH 44127. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215, (614) 228-1541. Transporting *general commodities* (except classes A and B explosives), between Cleveland, OH and points in Franklin County, OH, on the one hand, and, on the other, points in Boyd, Carter, Rowan, Fleming, Mason, Lewis and Greenup Counties, KY, and points in OH.

MC 148769 (Sub-6), filed February 10, 1981. Applicant: SHELDON J. GOLDFIN d.b.a. NEVADA PRODUCE, 500 Freeport Blvd., Unit No. 17, Sparks, NV 89431. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956, (414) 722-2848. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. Under continuing contract(s) with Perfect Pac International, Ltd., of Oak Forest, IL.

MC 149498 (Sub-4), filed February 10, 1981. Applicant: RIVERBEND TRANSPORTATION, INC., P.O. Box 5808, Pearl, MS 39208. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048, (212) 466-0220. Transporting *general commodities* (except classes A and B explosives), between points in AL, AR, AZ, MD, WY, CA, CO, CT, FL, GA, ID, IL, IN, KY, LA, MI, MO, MS, NC, NJ, NV, NM, NY, OH, OR, PA, SC, TN, TX, UT, VA, WA, WI, WV, and DC.

MC 150438 (Sub-1), filed February 9, 1981. Applicant: JAFCO INDUSTRIES, INC., 8015 N. Market St., Spokane, WA 99220. Representative: Jim Pitzer, 15 S. Grady Way—Suite 321, Renton, WA 98055, (206) 235-1111. Transporting (1) *lumber and wood products*, between

points in the U.S., under continuing contract(s) with (a) R & R Lumber Co., Trumark Industries, Inc., and Wales Lumber Co., Inc., all of Spokane, WA, and (b) Tolko Forest Products, of Vancouver, B.C. Canada, (2) *building materials*, between points in the U.S., under continuing contract(s) with Hern Lumber & Sawmills Co., Inc., and G & W Drywall Supply Co., both of Spokane, WA, (3) *fertilizers and feed minerals*, between points in the U.S., under continuing contract(s) with Greenacres Gypsum & Lime Co., of Greenacres, WA, (4) *construction equipment and supplies* between points in the U.S., under continuing contract(s) with Delta Summit Corp., of Spokane, WA, (5) *transportation equipment*, between points in the U.S., under continuing contract(s) with Fruehauf Trailer, of Spokane, WA, (6) *machinery*, between points in the U.S., under continuing contract(s) with (a) George Merriman, Inc., and Discount Machinery, Inc., both of Spokane, WA, and (b) Square D Company Spokane Transformers, of Airway Heights, WA, and (7) *food and related products*, between points in the U.S., under continuing contract(s) with Fox Milling Inc., of Mead, WA.

MC 151118 (Sub-7), filed February 9, 1981. Applicant: MDR CARTAGE, INC., 516 West Johnson, Jonesboro, AR 72401. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701, (601) 335-3576. Transporting *building materials*, between the facilities used by E. C. Barton & Co., Inc., its affiliates and subsidiaries, at points in the 21 States named below, on the one hand, and, on the other, points in AL, AR, FL, GA, IL, IN, KS, KY, LA, MD, MO, MS, NC, OH, OK, PA, SC, TN, TX, VA, and WV.

MC 154238, filed February 9, 1981. Applicant: WESTERN CARRIER EXPRESS INCORPORATED, 2800 Brighton Blvd., Denver, CO 80216. Representative: Jerald Watters (same address as applicant), (303) 629-7117. Transporting *food and related products*, between points in El Paso County, TX, and those in CO, NM, AR, CA, UT, NV, and WY.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8746 Filed 3-23-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR 1100.247). These rules provide, among other things, that a petition of intervention, either in

support of or in opposition to the granting of an application, must be filed with the Commission within 30 days after the date notice of the application is published in the *Federal Register*. Protests (such as were allowed to filings prior to March 1, 1979) *will be rejected*. A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, including the extent, if any, to which petitioner (a) has solicited the traffic or business of those supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. The Commission will also consider (a) the nature and extent of the property, financial, or other interest of the petitioner, (b) the effect of the decision which may be rendered upon petitioner's interest, (c) the availability of other means by which the petitioner's interest might be protected, (d) the extent to which petitioner's interest will be represented by other parties, (e) the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and (f) the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Petitions not in reasonable compliance with the requirements of the rule may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission indicating the specific rule under which the petition to intervene is being filed, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Section 247(f) provides, in part, that an applicant which does not intend to timely prosecute its applications shall promptly request that it be dismissed,

and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

If an applicant has introduced rates as an issue it is noted. Upon request, an applicant must provide a copy of the tentative rate schedule to any protestant.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administrative acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930(a) [formerly section 210 of the Interstate Commerce Act].

In the absence of legally sufficient petitions for intervention, filed within 30

days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the following decision-notices within 30 days after publication, or the application shall stand denied.

Note.—All applications are for authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce over irregular routes, except as otherwise noted.

Volume No. OP1-080

Decided: March 13, 1981.

By the Commission Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 119710 (Sub-32), filed June 6, 1980. Applicant: SHUPE BROS. CO., a Corporation, P.O. Box 929, Greeley, CO 80631. Representative: Paul F. Sullivan, 711 Washington Bldg. Washington, DC 20005. Transporting (1) *salt and salt products*, and (2) *materials and supplies* used in the agriculture, water treatment, food processing, wholesale grocery and institutional supply industries in mixed loads with salt and salt products, between the facilities of Great Salt Lake Minerals & Chemicals Corporation, at or near Little Mountain, UT, on the one hand, and, on the other, points in CO, NE, KS, SD, WY, MT, NM, OK, IA, MO, TX, and MN, under continuing contract(s) with Great Salt Lake Minerals & Chemicals Corp., of Ogden, UT.

MC 150311 (Sub-14F), filed March 31, 1980. Applicant: P & L MOTOR LINES, INC., P.O. Box 4616, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl St., Fort Worth, TX 76103. Transporting *meats, meat products, and meat byproducts, and articles distributed by meat-packing houses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Dodge City, KS, to points in the U.S. (except AK and HI).

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8747 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the Federal Register of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed) appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise.

Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Volume No. 204

Decided: January 26, 1981.

By the Commission Review Board No. 3, Parker, Fortier and Hill. (Member Hill not participating.)

MC 118224 (Sub-7), filed January 13, 1981. Applicant: STANDARD FRUIT & VEGETABLE CO., INC. 2111 Taylor Street, Dallas, TX 75201. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245. General commodities (except Classes A and B explosives) between points in TX, LA, MS, AR, TN, OK, AL, MO, NM, AR, and CA.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8748 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

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 here 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 of 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 duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Volume No. OP1-084

Decided: March 17, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

MC 151190 (Sub-1), filed February 6, 1981. Applicant: QUICK-WAY CARRIERS, INC., P.O. Box 8, Lascassas, TN 37130. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004. Transporting *general commodities* (except classes A and B explosives) between points in Rutherford County, TN, on the one hand, and, on the other, points in the U.S.

Note.—This application is directly related to MC-F-14572, published in this same Federal Register issue.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8786 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 43]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: March 18, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the Federal Register of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,
Secretary.

MC 2368 (Sub-104)X, filed March 2, 1981. Applicant: BRALLEY-WILLET TANK LINES, INC., P.O. Box 495, 2212 Deepwater Terminal Road, Richmond, VA 23405. Representative: Steven L. Weiman, 4 Professional Drive, Suite 145, Gaithersburg, MD 20760. Applicant seeks to remove restrictions in its Sub-Nos. 7, 13, 14, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 34, 38, 44, 45, 47, 49, 51, 52, 53, 56, 59, 60, 62, 64, 66, 67, 69, 70, 72, 75, 76, 77, 78, 84, 85, 87, 89, 91, 92, 94, 95, and 102 certificates and E-1 through 81, and 87 letter notices (1) by broadening the commodity descriptions from named commodities, in bulk, such as petroleum and petroleum products, plastic materials, edible and inedible vegetable and animal oils, dry adipic acid, fertilizer and fertilizer materials, to "commodities in bulk"; (2) by

eliminating equipment restrictions, such as "in tank or dump vehicles" wherever they appear in the above-numbered authorities; (3) by replacing specific point or named facilities authority with city or county-wide authority as follows: In Sub-No 7, Friendship with Gilford County, NC, Cabin Creek, with Kanawha County, WV, East Lexington with Rockbridge County, VA; Middletown with Frederick County, VA; Charleston with Kanawha County, WV; Boomer with Fayette County, WV; Sub-No. 13, Montvale with Bedford County, VA; Sub-No. 14, facilities at Perryville with Cecil County, MD; Sub-No. 20, Smithfield with Isle of Wight County, VA; Crozet with Albemarle County, VA; Sub-No. 24, Smithfield with Isle of Wight County, VA; Sub-No. 29, Natrium with Marshall County, WV; Sub-No. 30, Smithfield with Isle of Wight County, VA; Sub-No. 31, Linville with Rockbridge County, VA; Sub-No. 34, Buffalo with Erie County, NY; Vandenberg Air Force Base with Santa Barbara County, CA, Santa Cruz with Santa Cruz County, CA, Sunnyvale with Santa Clara County, CA, Edwards Air Force Base with Kern County, CA, Santa Susana with Ventura County, CA, San Juan Capistrano and Huntington Beach with Orange County, CA, Holloman Air Force Base with Otero County, NM, Eglin Air Force Base with Okaloosa County, FL and Cape Kennedy with Brevard County, FL; Sub-No. 38, Chestertown, MD with Kent County, MD; Sub-No. 51, facilities at Fayetteville with Cumberland County, NC, and Gainesville with Hall County, GA; Sub-No. 53, facilities at Fayetteville with Cumberland County, NC; Sub-No. 56, facilities at South Plainfield with Middlesex County, NJ; Sub-No. 62, Greensboro with Guilford County, NC; Sub-No. 66, Dover with Tuscarawas County, OH; Sub-No. 67, facilities at Dover, OH with Tuscarawas County; Sub-No. 69, facilities at Gainesville with Hall County, GA; Sub-No. 70, facilities at Wilmington with Wilmington, NC; Sub-No. 72, Muncie with Delaware County, IN; Sub-No. 78, Sidney with Shelby County, TN; Sub-No. 85, terminals of the Plantation pipeline Roanoke with Roanoke, VA and terminals of Colonial Pipeline at Montvale with Bedford County, VA; Sub-No. 94F, Camden with Kershaw County, SC and Seaford with Sussex County, DE; Sub-No. 95F, Piquemine and Taft with St. Charles and Iberville Parishes, LA, Moncure with Chatham County, NC; and Bayport with Harris County, TX and Institute with Kanawha County, WV; facilities at Williamsburg with Williamsburg, VA, Manheim with

Lancaster County, PA, Buffalo with Erie County, NY, East Brunswick with Middlesex County, NJ; Linnville with Rockbridge County, VA; Sub-E2, Vandenburg Air Force Base with Santa Barbara County, CA, Sunnyvale with Santa Clara County, CA, Santa Cruz with Santa Cruz County, CA, Edwards Air Force Base with Kern County, CA, Santa Susana with Ventura County, CA, San Juan Capistrano and Huntington Beach with Orange County, CA and Holloman Air Force Base with Otero County, NM; Sub-E3, Natrium with Marshall County WV, Perth Amboy with Middlesex County, NJ, and Chestertown with Kent County, MD; Sub-E21, E-25, and E26, and E87, Crozet with Albemarle County, VA; Sub-E24 and 27, Smithfield with Isle of Wight County, VA; (4) by removing all exceptions to the commodity descriptions such as liquid cocoa butter, hydrolyzed or stabilized animal oils, petroleum chemicals, petrochemicals, flour, fly ash, sirups wherever they appear in the above numbered authorities; (5) by removing restrictions against the transportation of named commodities to or from specified points in Sub-Nos. 20, 21, 52, and 60; (6) by removing the restriction that limits traffic destined to points in VA, in Sub-No. 23; (7) by expanding its one-way authority to radial authority over various combinations of routes between points primarily in VA, and AL, AK, DE, IL, IN, IA, KS, KY, LA, MD, MN, MS, MO, NE, NC, OH, OK, SC, TN, TX, FL, NJ, NY, and PA, and points in the U.S.; (8) by removing "originating at and destined to" restrictions in Sub-Nos. 14, 22, and 67; and (9) remove the exceptions AK and HI wherever they appear in the above-numbered authorities.

MC 4024 (Sub-14)X, filed February 2, 1981. Applicant: HORN TRUCKING CO., 300 Schmetter Road, Highland, IL 62249. Representative: Leslieann G. Maxey, 907 South Fourth Street, Springfield, IL 62703. Applicant seeks to remove restrictions in its Sub-No. 6F certificate to broaden the commodity description to "iron and steel articles, and metal and metal articles" from iron and steel articles, and metal in Sub-No. 6F, part (1).

MC 10173 (Sub-21)X, filed March 3, 1981. Applicant: MARVIN HAYES LINES, INC., P.O. Box 468, Clarksville, TN 37040. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Applicant is authorized in its lead certificate to transport general commodities, with the usual exceptions, machinery, machine parts, tobacco, seed, fruit, farm products, printing machinery, malt

beverages and empty containers between points in TN, OH and IN over regular routes. Applicant seeks to broaden the commodity descriptions to: General Commodities (except Classes A and B explosives), machinery, food or related products, tobacco products and farm products. In Sub-Nos. 11, 17F and 18F, applicant is authorized to transport general commodities, with the usual exceptions, between points in TN and KY over regular routes, with the following restriction: Sub 11 is restricted against the transportation of traffic originating at, destined to, or interchanged at Louisville, KY, and Clarksville and Nashville, TN and points in their respective commercial zones, and at the plantsite of the Trane Company at or near Clarksville, TN. Applicant seeks to serve all intermediate points between Dover and Memphis, TN in Sub-No. 11, between named KY and TN points in Sub-No. 17, and between Louisville, KY and Nashville and Memphis, TN in Sub No. 18F; to remove the restriction stated; and to remove all exceptions except Classes A and B explosives, from its general commodities authorities.

MC 25869 (Sub-179)X, filed February 5, 1981, previously noticed in the *Federal Register* of February 24, 1981, republished as corrected in this issue. Applicant: C.O.D.E., INC., 4800 N. Colorado Blvd., Denver, CO 80216. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. Applicant seeks to remove restrictions in its Sub-Nos. 150F and 151F certificates by (A) broadening the commodity description in Sub-No. 150F from general commodities, with the usual exceptions, to "general commodities (except classes A and B explosives)", and in Sub-No. 151F, part (2), from iron and steel articles to "such commodities as are dealt in or used by manufacturers and distributors of iron and steel articles"; (B) removing in Sub-No. 150F, the plantsite limitation at or near Chicago, IL and the facilities restriction for traffic destined to Kansas City, MO, and Albuquerque, NM; (C) replacing one-way authority with radial authority: in Sub-No. 150F between Chicago, IL and points in IA, Kansas City, MO, Albuquerque, NM, and; in Sub-No. 151F, part (1)(a), between points in Philadelphia, PA and points in OH, and points in CO, KS, MN, NE, IL and IA; (b) between Omaha, NE and Denver, CO; and (c) between Chicago, IL and points in NE, CO and IA (with exceptions); and in part (2) between Chicago, IL and points in CO; and (D) changing the restriction in Sub-No. 151F part (a) to traffic originating at or

destined to the facilities of a named shipper in OH. The purpose of this republication is to add "and the facilities restriction for traffic destined to Kansas City, MO, and Albuquerque, NM" to (B) of the caption summary.

MC 29328 (Sub-8)X, filed February 13, 1981, previously noticed in the *Federal Register* of March 2, 1981, republished as corrected in this issue. Applicant: SCHIEK MOTOR EXPRESS, INC., 90 Casseday Avenue, Joliet, IL 60532. Representative: Anthony E. Young, 29 South La Salle Street, Chicago, IL 60603. Applicant seeks to remove restrictions in its Sub-No. 6F certificate to (1) broaden the commodity description (a) from plastic pipe and fittings, and materials used in the installation of plastic pipe to "rubber and plastic products," (b) building materials and cement pipe to "building materials, clay, concrete, glass or stone products" (c) insulation board to "pulp, paper, and related products," (2) replace plantsite facilities with county-wide authority: Muscatine County for Wilton, IA, Lake County for Waukegan, IL, and Will County for Rockdale, IL, and (3) provide radial service in lieu of existing one-way authority between those counties and points in several midwestern States. The purpose of this republication is to correct the omission of building materials in the commodity description, and to note the substitution of Will County, IL for Rockdale, IL.

MC 41406 (Sub-168)X, filed March 3, 1981. Applicant: ARTIM TRANSPORTATION SYSTEM, INC. P.O. Box 8414, Merrillville, IN 46410. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, D.C. 20001. Applicant seeks to remove restrictions in its Sub-Nos. 68, 71F 75F, 106, and 139F certificates to (1) broaden its commodity descriptions (a) in Sub-Nos. 68, and 139F, from automobile parts, and materials, supplies, and equipment used in the manufacture and production thereof, to "transportation equipment", (b) in Sub-No. 71F, from window glass and flat glass, to "clay, concrete, glass or stone products", (c) in Sub-No. 75F, from general commodities (with exceptions), to "general commodities (except classes A and B explosives), and (d) in Sub-Nos. 106, parts (1) and (2) from automobile transmissions, automobile transmission parts, metal containers, metal racks, and such commodities as are used in the manufacture and distribution thereof, to "transportation equipment and metal products", and in part (3), iron and steel scrap, to "waste or scrap materials not

identified by industry producing", (2) replace its cities and/or plantsite facilities with county-wide authority (a) in Sub-No. 71F, Dearborn and Wixom, MI, with Wayne and Oakland Counties, MI, (b) in Sub-75, named facilities at Milan, MI, with Washtenaw County, MI, and (c) Batavia Township, OH, with Clermont County, OH; (3) change its one-way authority to radial authority (a) in Sub-No. 68 between MI, Lucas, Wood, Erie and Sandusky Counties OH, and points in 13 northeastern States, (b) in Sub-No. 71F, between Wayne and Wixom Counties, MI, and points in 11 northeastern States, and (c) in Sub-No. 75F, between Washtenaw County, MI, and points in 7 northeastern States; (4) in Sub-Nos. 75F and 106, remove the originating at and destined to restrictions; and (5) in Sub-Nos. 106 and 139F, remove the AK and HI exceptions.

MC 59570 (Sub-47)X, filed March 2, 1981. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Road, Toms River, NJ 08753. Representative: Harry C. Maxwell, P.O. Box 887, Cherry Hill, NJ 08003. Applicant seeks to remove restrictions in its lead and Sub-Nos. 13 and 17 certificates to (1) broaden the commodity description from (a) general commodities (with exceptions) to "general commodities" (except household goods as defined by the Commission and classes A and B explosives) in the regular and irregular portion of the lead, (b) from commodities in bulk, except liquids, and except fly ash in bulk, in hopper vehicles to "commodities in bulk", in Sub-No. 13, (2) remove the in bulk and in bag restrictions in Sub-No. 13, (3) remove restrictions to "shipments having an immediately prior or subsequent movement by rail or water from or to points beyond New Jersey", in Sub-No. 13, (4) remove restriction to traffic having an immediately prior rail movement, in Sub-No. 17, (5) authorize radial authority in place of one-way authority, between named points and states in the east in Sub-Nos. 13 and 17, (6) remove restriction "against the transportation of building and insulating materials and gypsum and gypsum products between Newark, NJ and points within 15 miles thereof, on the one hand, and, on the other, points in New Jersey", in Sub-No. 13, (7) to reflect the state redesignation of former NJ Hwy 528 to "NJ Hwy 18" and former NJ Hwy 40 to "NJ Hwy 70" in the regular routing of its lead, and replace the tacking restriction in Sub-No. 17 with "the carrier's ability to tack will be governed by 49 CFR 1042".

MC 60117 (Sub-4)X, filed March 2, 1981. Applicant: WILSON TRANSFER

COMPANY, 600 East Main Street, Quinton, OK 74561. Representative: Don A. Smith, P.O. Box 43, 510 North Greenwood Avenue, Fort Smith, AR 72902. Applicant seeks to remove restrictions in its lead and Sub-No. 2 certificates (1) broaden its commodity descriptions from general commodities (except those of unusual value, livestock, 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) to "general commodities (except those of unusual value, livestock, classes A and B explosives, commodities requiring special equipment, and those injurious or contaminating to other lading)" and (2) authorize service at all intermediate points along described regular routes between Quinton, OK, and Ft. Smith, AR in the lead; and between Kinta, OK, and Spiro, OK, and between Quinton, OK and Eufaula Dam, OK, in Sub-No. 2.

MC 64048 (Sub-10)X, filed March 12, 1981. Applicant: CAPITAL CITY TRANSFER CO., 1295 Johnson St. NE., Salem, OR 97303. Representative: Lawrence V. Smart, Jr., 419 NW 23rd Avenue, Portland, OR 97210. Applicant seeks to remove restrictions from its Sub-Nos. 4 and 8 certificates to (1) broaden the commodity description of (a) newsprint in rolls to "pulp, paper and related products", in Sub-No. 4, (b) liquid sweeteners to "food and related products", in Sub-No. 8, (2) by broadening Salem, OR to Marion and Polk Counties, OR, in Sub-No. 8 and Port Angeles, WA to Clallam County, WA, in Sub-No. 4, (3) remove a bulk and in tank restriction in Sub-No. 8; and (4) by changing one-way to radial authority between Salem, OR and points in WA and between Clallam County, WA and Seattle, WA and Salem, OR.

MC 86247 (Sub-30)X, filed: March 2, 1981. Applicant: INTERNATIONAL CARRIERS LIMITED, 1333 College Avenue, Windsor, Ontario, Canada. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. Applicant seeks to remove restrictions in its lead and Sub-Nos. 3, 4, 8, 10, 12F, 15F and 23F certificates to (1) change the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)" in its lead, Sub-Nos. 3 and 4; from sand, in dump vehicles in Sub-No. 8, and magnesite in bulk, in dump vehicles in Sub-Nos. 12F and 15F to "ores and minerals"; from nepheline syenite, in bulk, in dump or hopper bottom vehicles in Sub-No. 10 to "chemicals and related products"; from

high temperature bonding material, in bulk, in dump vehicles in Sub-Nos. 12F and 15F to "building materials"; and from iron and steel in Sub-No. 23F to "metal products" (2) remove facilities limitations at Romeo, MI, in Sub-No. 4, at Rockwood, MI, in Sub-No. 8, at Manistee, MI, in Sub-No. 12F, and at Ludington, MI, in Sub-No. 15F, (3) substitute Macomb County, MI, for Romeo, MI in Sub-No. 4, Wayne County, MI, for Rockwood, MI, in Sub-No. 8, Lucas County, OH, for Toledo, OH, Manistee County, MI, for Manistee, MI, in Sub-No. 12F, and Mason County, MI for Ludington, MI, in Sub-No. 15F; (4) replace specified ports of entry with ports of entry on the international boundary line between the U.S. and Canada in MI in its lead and Sub-Nos. 3, 4, 8, 10, 12F, 15F, and 23F; (5) replace one-way with radial authority between (a) Wayne County, MI and ports of entry in MI in Sub-No. 8, (b) between Lucas County, OH and ports of entry in MI in Sub-No. 10F, (c) Manistee County, MI, and ports of entry in MI in Sub-No. 12F and (d) Mason County, MI, and ports of entry in MI in Sub-No. 15F; and (6) remove originating at or destined to restrictions in its lead and Sub-No. 8.

MC 87546 (Sub-4)X, filed March 10, 1981. Applicant: KRAMER'S MOTOR SERVICE AND STORAGE, INC., 402 N. Queen St., York, PA 17403. Representative: Gerald K. Gimmel, 4 Professional Drive, Suite 145, Gaithersburg, MD 20760. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity description from (a) general commodities (with exceptions) to "general commodities (except classes A and B explosives) (b) empty trailers to "transportation equipment" (c) new furniture to "furniture and fixtures" (d) paper, paper, products, to "pulp, paper, and related products", (e) playground equipment, sleds, hobby-horses, wagons, wagon wheels to "miscellaneous products to manufacturing"; (2) remove restriction limiting service to shipments originating at or destined to named points; (3) authorize countywide for city authority: Hanover, York, and Orrtanna, PA, with York and Adams County, PA; and (4) remove the restriction requiring service on trailers moving in TOFC service from and to Hanover and York, PA.

MC 103490 (Sub-87)X, filed March 4, 1981. Applicant: PROVAN TRANSPORT CORP., 210 Mill Street, Newburgh, NY 12550. Representative: Morton E. Kiel, Two World Trade Center, Suite 1832, New York, NY 10048. Applicant seeks to remove restrictions in its Sub-Nos. 36,

55, 57, 60, 62, 64, 68G, 69, 71, 72F, 73F, 74F, 75F, 76F, 77F, 78F, 79F, 81F, 82F, 83F, 85F, certificates, and E1, E2, letter notices to (1) broaden the commodity description from (a) petroleum products, aviation gasoline, petroleum wax, to "petroleum, natural gas and their products" in Sub-Nos. 36, 68G, 69, 72, 73, 76, 78, 79, 81, E2 (b) alcohols, esters, Ketones, naphtha, coating material solvents, thinners, zinc fumes, dry ammonium nitrate, disobutylene, to "chemicals and related products" in Sub-Nos. 35, 36, 64, 72, 75, 77, 79, 81, 82, 85, E1(c) coal tar products to "coal and coal products" in Sub-No. 36; (d) Stone, processed aggregates, sand, gravel, fill, paving materials, bituminous concrete, dry cement, concrete pipe fittings, materials, supplies and equipment to "clay, concrete, glass, or Stone products" in Sub-Nos. 36, 57, 60, 62, 71; (e) liquid condensed fish solubles, vegetable oil to "food and related products" in Sub-Nos. 74 and 82; (f) ores and aggregates to "ores and minerals" in Sub-Nos. 62 and 82; (2) delete the commodity restrictions in Sub-Nos. 36, 55, 57, 62, 64, 68, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 81, 82, 85, E1, E2, (3) remove the exceptions of AK and HI in Sub-Nos. 75, 77, 82, 83, (4) eliminate an originating at and/or destined to restriction in Sub-Nos. 74, 81; (5) authorize radial service between specified origins and points in the U.S. in lieu of existing one-way authority in Sub-Nos. 36, 55, 57, 60, 62, 64, 68, 69, 72, 73, 74, 75, 76, 78, 79, 81, E1 and E2' (6) authorize county-wide service for city authority: Fairfield County for Stanford and E. Porchester, CT; Westchester and Putnam Counties for Bedford, Poundridge, Lewisboro, Somers, North Salem, Carmel, Mount Vernon, White Plains, New Castle, Scarsdale, North Castle and Bedford, NY; Gloucester County for Paulsboro, NJ; Cattaraugus and Ulster Counties for Olean, and MT Pleasant, NY; York County for York, PA; Broome County for Vestal, NY; Dutchess County for Poughkeepsie, NY; Allegany County for Wellsville, NY; New Castle County for Delaware City, DE, in Sub-No. 36; Staten Island County for Tottenville, NY; Middlesex County for Carteret, NJ, in Sub-No. 55; Fairfield County for Brookfield, CT, in Sub-No. 57; Ulster County for Rosendale, NY, in Sub-No. 60; Rockland County for Haverstraw, NY in Sub-No. 62; Schuylkill County for Reynolds, PA, in Sub-No. 64; Gloucester County for Paulsboro, NJ and Camden County for Pettys Island, NJ in Sub-No. 68; Rockland County for Haverstraw, NY, in Sub-No. 71; Gloucester County for Westville, NJ, in Sub-No. 73; Essex County for Gloucester, MA, in Sub-No.

74; Rockland County for Stony Point, NY, in Sub-No. 75; Middlesex County for Sewaren, NJ, in Sub-No. 76; Mobile County for Theodore, AL, in Sub-No. 77; Butler County for Petrolia, PA, and Passaic County for Passaic, NJ, in Sub-No. 78; Haverhill County for Groveland, MA; Northfield County for Macedonia, OH; New Haven County for Milford, CT; Warren County for Warren, PA, and Middlesex County for Woburn, MA, in Sub-No. 79; Fairfield County for Brookfield, CT, in Sub-No. 81; Newcomb County for Tahawas, NY; Middlesex County for Sayreville, NJ, in Sub-No. 82; Gloucester County for Paulsboro, NJ and Camden County for Pettys Island, NJ, in E1; Bristol County for Fall River, MA; Hartford, New Haven and Middlesex Counties for Hartford, New Haven and Middletown, CT; Plymouth, Hampden, Middlesex, Bristol, Essex, Hampshire, Worcester Counties for Brockton, Chicopee Falls, Chelmsford, Lawrence, Salem, Marlboro, Northampton, Springfield, Worcester, and New Bedford, MA; Litchfield, Windham, Middlesex, and New Haven Counties for Canaan, Middletown, Putnam and Torrington, CT; and (7) remove the exceptions of service to Marcy and Utica, NY in Sub-No. 36, sheet 2.

MC 107376 (Sub-18)X, filed March 2, 1981. Applicant: UNITED STATES EXPRESS, INC., 1209 Triplett Blvd., Akron, OH 44306. Representative: John P. McMahon, 100 East Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-Nos. 6, 11, and 16F certificates to broaden the commodity descriptions to: lead certificate, "machinery, metal products, rubber and plastic products, and clay, concrete, glass or stone products" from pipe and pipelaying equipment and machinery; Sub-No. 6, "clay, concrete, glass or stone products, rubber and plastic products, chemicals and related products, and machinery" from high pressure concrete water pipe and equipment, materials and supplies used in connection with the installation, construction, maintenance, or repair of high pressure concrete water pipelines; Sub-No. 11, "clay, concrete, glass or stone products, and those commodities which because of their size or weight require the use of special handling or equipment" from precast concrete slabs and beams of such size and weight as to require the use of special equipment, and accessories, supplies and materials incidental to their manufacture and installation; Sub-No. 16F, "metal products" from wrought steel pipe and pipe coupling. Applicant also seeks to broaden the territorial descriptions by substituting county-wide authority in

place of specified cities or plantsite, and change from one-way service to radial service: Sub-No. 6 between Wayne County, MI (plantsite at Dearborn, MI), and points in NY and PA; Sub-No. 11 between Wayne County, MI (Livonia, MI), and points in OH, IN, PA and KY, and between Portage County, OH (Kent, OH), and points in MI, KY, IN, and PA; Sub-No. 16F between Beaver County, PA (Aliquippa, PA), and points in IL, IN, OH, KY and MI.

MC 109449 (Sub-55)X, filed March 5, 1981. Applicant: KUJAK TRANSPORT, INC., P.O. Box 799, Winona, MN 55987. Representative: Jack H. Blanshan, 205 W. Touhy Avenue, Suite 200, Park Ridge, IL 60068. Applicant seeks to remove restrictions in its Sub-No. 36F to (1) broaden the commodity description from foodstuffs to "food and related products", (2) remove the facilities limitation, and replace Hudson, IA with Blackhawk County, IA, (3) replace one-way with radial authority between points in MN, WI, and Blackhawk County, IA, and, points in IN, MI and OH.

MC 111231 (Sub-344)X, filed March 5, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same address as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 67, 285F and 287F certificates to (1) broaden the commodity description from general commodities, with usual exceptions (and with the size or weight limitation in Sub-No. 67), to "general commodities, except classes A and B explosives"; (2) remove the restriction which limits service to specified or no intermediate points, to authorize service to all intermediate points in connection with its regular-route operations in OK, TX, AR, AL, and TN; and (3) eliminate the restriction prohibiting the transportation of shipments moving between Atlanta, GA and Birmingham, AL, and points in their commercial zones, in Sub-No. 67.

MC 111231 (Sub-345)X, filed March 5, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same as above). Applicant seeks to remove restrictions from its Sub-No. 238F certificate to (1) eliminate all exceptions to its general commodity authority, except classes A and B explosives; (2) delete the limitation on service for purpose of joinder only; (3) remove the restriction against radial service between Atlanta, GA and Dallas and Ft. Worth, TX and points in their respective commercial zones; and (4) allow service at all

intermediate points between Atlanta, GA and Denver, CO.

MC 111231 (Sub-347)X, filed March 6, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 222 and 223 certificates to (1) broaden the commodity description in both certificates by removing all restrictions in its general commodities authority "except classes A and B explosives," (2) remove limitations on services to specified or no intermediate points between points in AL, GA, LA, and MS, and remove limitations on service at Montgomery, AL and a highway intersection near Cuba, AL for purpose of joinder only, and remove restrictions against the radial transportation of traffic moving between Atlanta, GA and Birmingham, AL and points in their respective commercial zones, and points in Chicago, IL, Dallas and Fort Worth, TX and points in their Commercial zones in Sub-No. 222.

MC 111231 (Sub-351)X, filed March 9, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same as applicant). Applicant seeks to remove restrictions in its Sub-No. 207 certificate to (1) delete from the general commodity description, all exceptions, except classes A and B explosives; (2) eliminate the directional pickup and delivery restrictions on specified commodities; and (3) authorize service at all intermediate points between Washington, KS and Kansas City, MO; between Washington, KS and Omaha, NE; between Republic, KS and Kansas City, MO; between Kansas City, MO and Haddam, KS; between Kansas City, MO and Belleville, KS; between Morrowville, KS and Kansas City, MO; between Morrowville, KS and Omaha, NE; between Morrowville, KS and Grand Island, NE; between Republic, KS and Omaha, NE; between Superior, NE and Wichita, KS; and between Belleville, KS and Holdrege, NE.

MC 111231 (Sub-352)X, filed March 6, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 269F and 282F certificates to (1) broaden the commodity descriptions from general commodities, with exceptions, to "general commodities (except classes A and B explosives)," in both authorities; and (2) broaden the territorial scope by removing restrictions in portions of each

certificate which limit service for purposes of joinder only, and which limit service to specified or no intermediate points, in order to authorize service at all intermediate points in connection with its regular route operations as follows: (a) between Springfield, MO and Conway, AR; (b) between Gateway and Hoxie, AR; (c) between Springdale and a junction near Alpena, AR; (d) between South Haven, MS and a junction near Ash Flat, AR; (e) between Texarkana, TX and Conway, AR, in Sub-No. 269F; and (a) between Baton Rouge, LA and Texarkana, AR; (b) between a junction near Alexandria, LA and a junction near Shreveport, LA; and (c) between a junction near Shreveport, LA and Dallas, TX, in Sub-No. 282F.

MC 111231 (Sub-353)X, filed March 6, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same as applicant). Applicant seeks to remove restrictions in its certificate acquired in Nos. MC-F-12453 (portion of MC-11207), in which issuance of a certificate is pending, to (1) in the regular and irregular route authorities broaden its commodity descriptions from general commodities (with exceptions), to "general commodities, except classes A and B explosives; (2) authorize service at all intermediate points where service is limited to specified intermediate points or no intermediate point service in the regular route portion of authority, in part (16), between Atlanta, GA, and Oxford, AL; (3) remove the restrictions limiting service for the purpose of joinder only, in the regular-route portion, part (10) and (16), and in the irregular route portion of authority; and (4) eliminate (a) the originating at and destined to restriction (regular route portion), and (b) tacking restrictions prohibiting the transportation of shipments to provide a through service between points in MS.

Note.—Applicant's ability to tack existing authorities will be governed by rules set forth 49 CFR Part 1042.

MC 111274 (Sub-69)X, filed March 3, 1981. Applicant: SCHMIDGALL TRANSFER, INC., P.O. Box 351, Morton, IL 61550. Representative: Frederick C. Schmidgall (same as above). Applicant seeks to remove restrictions in its Sub-No. 59 permit, which authorizes the transportation of metal buildings, and materials and components used or useful in the manufacture and erection of metal buildings to expand its territorial description to "between points in the U.S.," under continuing contract(s) with a named shipper.

MC 111729 (Sub-770)X, filed March 3, 1981. Applicant: PUROLATOR COURIER CORP, 3333 New Hyde Park, NY 11042. Representative: Peter A. Greene, 1920 N St., N.W., Suite 700, Washington, D.C. 20036. Applicant seeks to remove restrictions in its (Sub-250, 494, 497, 502, 519, 520, 535, 538, 542, 543, 547, 555, 557, 565, 571, 595, 622, 693, 695, 707, 743F, 744F, 746F, 748F, 749F, 755F, 758F and 765F) certificates to (1) remove all exceptions to general commodities authorities except class A and B explosives in (Sub-250, 494 part (b), 497, 502, 519, 520, 535, 538, 542, 543, 547, 555 part (l), 557, 565, 571, 595, 622, 693, 695, 707, 743F, 744F, 746F, 748F, 749F, 755F, 758F and 765F), (2) eliminate size and/or weight moving from one consignor to one consignee on any one day restrictions in (Sub-250, 494, 497, 502, 519, 520, 535, 538, 542, 543, 547, 555, 557, 565, 571, 595, 622, 693, 695, 707, 743F, 744F, 746F, 748F, 749F, 755F, 758F and 765F), (3) remove restriction in (Sub-250) which precludes service between any two points within IN or from Cincinnati, OH to points in IN on its irregular route radially between a described portion of KY, and specified points in 2 states; between a described portion of KY, and 2 points in IN and Cincinnati; between Louisville, KY, and, a described portion of IN, (4) replace city with county-wide authority (a) Cincinnati and Portsmouth, OH, with Hamilton and Scioto Counties, OH; Evansville and New Albany, IN with Vanderburgh and Floyd Counties, IN; Louisville, KY with Jefferson County, KY in (Sub-250); (b) Seattle and Tacoma, WA with King and Pierce Counties, WA, Denver and Colorado Springs, CO, with Denver and El Paso Counties, CO; and Phoenix, AZ with Maricopa County, AZ in (Sub-494), (c) Portland, OR, with Multnomah County, OR in (Sub-502 and 693) (d) Wichita, KS with Sedgwick County, KS in (Sub-555) and (e) Spokane County, WA in (Sub-695 and 707), (5) eliminate restriction requiring that traffic have a prior or subsequent movement by any mode of transportation or type of carriers in (Sub-494, 543, 693 and 707), and (6) change one-way to radial authority between King County, WA, and, points in King, Pierce, Snohomish, Skagit, Thurston, and Mason Counties, WA in (Sub-494).

MC 111837 (Sub-3)X, filed March 9, 1981. Applicant: SEMCA MOTOR LINES, INC., 77-15 19th Rd., Jackson Heights, NY 11370. Representative: Edward L. Nehez, P.O. Box 1409, Fairfield, NJ 07006. Applicant seeks to remove restrictions in its lead certificate to broaden the commodity description from (a) airplanes, seaplanes, and parts

thereof, and (b) commodities requiring special equipment and handling because of size and weight, and building and road construction material and machinery to "transportation equipment, machinery, building materials, and commodities which because of size of weight require the use of special handling or equipment."

MC 115273 (Sub-17)X, filed March 9, 1981. Applicant: ACME CARRIERS, INC., 216 Third Street, Brooklyn, NY 11215. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Applicant seeks to remove restrictions in its (Sub-2 and 14) certificates to (1) broaden the commodity description from general commodities, with exceptions to "general commodities (except classes A and B explosives)"; and (2) broaden the territorial scope by replacing one-way authority with radial to serve between points in New York, NY, and points in Chicago, IL in (Sub-2).

MC 116519 (Sub-93)X, filed March 6, 1981. Applicant: FREDERICK TRANSPORT LIMITED, Rural Route No. 6, Chatham, Ontario, Canada N7M 5J6. Representative: Jeremy Kahn, Suite 733 Investment Building, 1511 K Street, N.W., Washington, D.C. 20005. Applicant seeks to remove restrictions in its (Sub-52F) certificate to (1) broaden the commodity description to "metal products" from steel tubing, steel pipe and steel piling; (2) authorize radial authority, in lieu of existing one-way service, between ports of entry on the U.S.-Canada international boundary line in MI and NY and points in 37 states in the U.S. (except AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY), and (3) remove the AK and HI exception.

MC 116519 (Sub-94)X, filed March 6, 1981. Applicant: FREDERICK TRANSPORT LIMITED, Rural Route No. 6, Chatham, Ontario, Canada, N7M 5J6. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St., N.W., Washington, DC 20005. Applicant seeks to remove restrictions in its (Sub-13) certificate to (1) broaden the commodity description from agricultural machinery and agricultural implements (except hand implements and tractors) to "machinery"; (2) remove the restriction on service to parts of entry on the United States-Canada Boundary line in the Upper Peninsula of Michigan; (3) remove facilities limitation in part (2) and replace city with county-wide authority: New Holland, Mountville, and Belleville, PA with Lancaster and Mifflin Counties, PA; Grand Island, NE with Hall County, NE; and Vinton, IA with Benton County, IA (4) remove the restriction that traffic originate and be destined to named facilities in both

parts of the authority, and (5) change one-way to radial authority between Lancaster and Mifflin Counties, PA, Hall County, NE and Benton County, IA, and, ports of entry on the US-Canada Boundary Line located in NY and MI.

MC 116519 (Sub-95)X, filed March 6, 1981. Applicant: FREDERICK TRANSPORT LIMITED, Rural Route No. 6, Chatham, Ontario, Canada, N7M 5J6. Representative: Jeremy Kahn, Suite 733 Investment Building, 1511 K Street, N.W., Washington, D.C. 20005. Applicant seeks to remove restrictions in its (Sub-45) certificate to (1) allow the transportation of "lumber and wood products" where lumber is presently authorized; (2) allow radial service for existing one-way authority: between ports of entry on the US-CN Boundary line located in MI and NY and points in the U.S. (with exceptions); (3) eliminate a restriction limiting traffic to that originating at named facilities in the province of Ontario, Canada, and (4) remove the exceptions of AK and HI.

MC 116519 (Sub-96)X, filed March 12, 1981. Applicant: FREDERICK TRANSPORT LIMITED, Rural Route No. 6, Chatham, Ontario, Canada. Representative: Jeremy Kahn, 1511 K Street, NW, Washington, DC 20005. Applicant seeks to remove restrictions from its (Sub 87F) certificate to (1) change the commodity description from glass containers to "clay, concrete, glass or stone products"; (2) authorize radial service between ports of entry on the International boundary line between the U.S. and Canada at points in MI, NY, VT, NH, and ME, and points in the U.S. (except certain States); (3) remove the exception to AK and HI from the territorial description; and (4) delete the restriction to traffic moving in foreign commerce.

MC 117883 (Sub-277)X, filed March 3, 1981. Applicant: SUBLER TRANSFER, INC., 1 Vista Drive, P.O. Box 62, Versailles, OH 45380. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th Street, N.W. Washington, DC 20001. Applicant seeks to remove restrictions in its (Sub 93 and 247) certificates to: (1) broaden the commodity descriptions (a) to "food and related products" from groceries in Paragraph 3, and meats in Paragraphs 22 and 24, of (Sub-93); (b) "pulp, paper and related products" from paper products in Paragraph 1, paper, paper products, and pulpboard, in Paragraph 2, paper and paper products in Paragraph 13, and paper, paper products, pulpboard, and pulpboard products in Paragraphs 15 and 16, of (Sub-93) (c) "clay, concrete, glass or stone products" from tile and refractory products in Paragraph 20 and

brick, tile, and other refractory products in Paragraph 21 of (Sub-93); (d) "metal products" from "steel strapping" in Paragraph 1 of (Sub-93); (e) "such commodities as are dealt in by food business houses" from cleaning compounds, washing compounds, soap, soap products, concentrated lye, chlorinated lime, shortening, oleomargarine, and glycerine, in Paragraph 17 of (Sub-93); (f) "metal products, transportation equipment, machinery, clay, concrete, glass or stone products, and pulp, paper and related products," from wire, iron, brass, and steel products, automobile parts and appliances, electrical automobile equipment, electrical household appliances, refrigerators, cooling machinery supplies, and equipment, pottery insulators, and printing paper, paper product, in Paragraph 6 of (Sub-93); and (g) "general commodities (except class A and B explosives)" for general commodities (with certain exceptions) in (Sub-247); and (2) expand authority to serve specified points or plant sites with authority to served city or county-wide authority as follows: (a) Champaign, Hamilton, and Montgomery Counties, OH, for Dayton, Lockland, and Urbana, OH, in Paragraph 2 of (Sub-93); (b) Hancock, Richland, and Seneca Counties, OH, for Findlay, Fostoria, Mansfield, and Tiffin, OH, in Paragraph 3 of (Sub-93); (c) Butler, Montgomery, Seneca, Warren, and Wyandot Counties, OH, for Carey, Fostoria, Franklin, Middletown, and Moraine, OH, in Paragraph 6 of (Sub-93); (d) Butler County, OH, for Hamilton, OH in Paragraph 13 of (Sub-93); (e) Clark County, OH, for Springfield, OH, in Paragraph 15 of (Sub-93); (f) Champaign County, OH, for Urbana, OH in Paragraph 16 of (Sub-93); (g) Carroll County, OH, for Minerva, OH and Perry County, OH for Shawnee, OH, in Paragraph 20 of (Sub-93); (h) Beaver County, PA for Beaver Falls, Darlington, West Darlington, and Eastvale, PA, in Paragraph 21 of (Sub-93); (i) Nobles County, MN for a facility near Worthington, Minnesota, in Paragraph 22 of (Sub-93); (j) Cherokee County, IA for facility at Cherokee, IA in Paragraph 24 of (Sub-93); and (k) Louisville, KY for a facility at Louisville, KY, in (Sub-247); (3) expand its "from and to" regular route authority to two-way authority and authorize service to all intermediate points between Hamilton, OH and Chicago, IL, in Paragraph 1, (Sub-93); (4) in (Sub-93), broaden its one-way authority to radial authority between Hamilton, Montgomery and Champaign Counties, OH, and, Chicago, IL, in Paragraph 2; between Chicago, IL, and

Hancock, Seneca, and Richland Counties, OH, in Paragraph 3; between Wyandot, Seneca, Warren, Butler, and Montgomery Counties, OH and Toledo, OH, and, Chicago, IL, in Paragraph 6; between Butler County, OH, and, St. Louis, MO, and a part of IN (except Hammond, Munice, and Richmond, IN), part of IL (except Chicago, Dekalb, LaSalle, and Peoria, IL, and points within 30 miles of Chicago), in Paragraph 13; between Chicago, IL, and, points in a described portion of OH, in Paragraph 17; between Carroll, Perry, Hocking and Wyandot Counties, OH and that part of Franklin County, OH east of US Hwy 23 (except Columbus, OH), and, points in IL, in Paragraph 20; between Beaver and Lawrence Counties, PA, and, points in IL, in Paragraph 21; between Nobles County, MN, and, points in IL, IN, and OH, in Paragraph 22; between Cherokee County, IA, and, points in IN and OH, in Paragraph 24; and (5) remove the "originating at or destined to" restrictions in Paragraphs 22 and 24, and in (Sub-2477).

MC 119750 (Sub-6)X, filed March 2, 1981. Applicant: PERKINS MOTOR TRANSPORT, INC., P.O. Box 218, Savage, MN 55378. Representative: Jack McGraw (same as applicant). Applicant seeks to remove restrictions in its lead certificate to broaden part (1) of the commodity description from commodities, the transportation of which because of size or weight requires the use of special equipment to "such commodities which because of their size or weight require the use of special equipment" and part (2) from building contractors' tools and supplies to "building and construction materials and related articles."

MC 119777 (Sub-526)X, filed March 2, 1981. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85-East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Applicant seeks to remove restrictions in its (Sub-9, 48, 61, 155, 168 and 202) certificates to (1) broaden the commodity description from general commodities (with usual exceptions, and those injurious or contaminating to other lading) to "general commodities (except classes A and B explosives)," in (Sub-168); (2) eliminate the restriction limiting or prohibiting the transportation of commodities which (a) do not require the use of special equipment, in (Sub-48), and (b) because of size or weight require the use of special handling or equipment, in (Sub-155); (3) remove the restriction which limits service to specified intermediate points, to

authorize service to all intermediate points between Clarksville, MO and East St. Louis, IL, in (Sub-168); and (4) replace one-way service with radial authority between points in specified counties in 3 eastern States and points (with one exception) in numerous specified eastern and central States, in (Sub-9, 48, 61, 155 and 202).

MC 120737 (Sub-80)X, filed March 2, 1981. Applicant: STAR DELIVERY & TRANSFER, INC., P.O. Box 39, Canton, IL 61520. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602. Applicant seeks to remove restrictions in its (Sub-7, 8, 10, 16, 27, 35, 39, 45, 67F, and 69F) certificates to (1) broaden its commodity descriptions from various machinery items such as agricultural implement parts, tractor parts, non-agricultural tractor parts, tractor attachments and equipment, and irrigation systems, and parts and attachments, thereof, to "machinery", in each certificate; (2) replace its cities with county-wide authority (a) in (Sub-35 and 67F), Havana, IL, with Mason County, IL, and (b) in (Sub-69F), Litchfield, MN, with Meeker County, MN; (3) in (Sub-39), replace the facilities located at East Moline, Moline, and Rock Island, IL, with East Moline, Moline and Rock Island, IL; (4) change its one-way authority to radial authority (a) in (Sub-7), between Louisville, KY, and points in Fulton and Rock Island Counties, IL, (b) in (Sub-16), between Eau Claire, WI, and points in 16 several specified eastern States, (c) in (Sub-27), between Louisville, KY, and points in the U.S., (d) in (Sub-35), between Mason County, and points in the U.S. (with exceptions), (e) in (Sub-39), between East Moline, Moline, and Rock Island, IL, and points in the U.S. (with exceptions), (f) in (Sub-45), between Harrison County, MS and points in the U.S., (g) in (Sub-67F), between Mason County, IL, and points in FL, GA, and OK, and (h) in (Sub-69F), between Meeker County, MN, and points in MI, IA, and NC, (5) in (Sub-16, 35, 39, and 45), eliminate the originating at and destined to restrictions; (6) in (Sub-8, 16, and 35), eliminate the size and weight restrictions; and (7) remove the exceptions in (Sub-27, 35, 39, and 45), against service to AK and HI.

MC 121496 (Sub-66)X, filed March 6, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th St. NW., Washington, D.C. 20001. Applicant seeks to remove restrictions in its (Sub-16F) certificate to (1) broaden the commodity description from petroleum products, vehicle body

sealers, sound deadening compounds, and accoustical control products, in bulk, in tank vehicles to "commodities in bulk", (2) remove the facilities limitation in Warren County, MS, (3) replace one-way authority with radial authority between Warren County, MS and points in the U.S., (4) remove restriction to the transportation of traffic originating at the named facilities and (5) remove the AK and HI exception.

MC 121496 (Sub-67)X, filed March 6, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th St. NW., Washington, D.C. 20001. Applicant seeks to remove restrictions in its (Sub-8) certificate to (1) broaden its commodity description from petroleum and petroleum products, in bulk, in tank vehicles, to "commodities in bulk"; (2) replace the city of Cotton Valley, LA, with parish-wide authority in Webster Parish, LA; and (3) change its one-way authority to radial authority between Webster Parish and Shreveport, LA, and points in TX.

MC 121496 (Sub-68)X, filed March 11, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, D.C. 20001. Applicant seeks to remove restrictions in its (Sub-14F) certificate, to (1) broaden the commodity description from diethylene glycol, dipropylene glycol and recovered glycols, in bulk, in tank vehicles, to "commodities in bulk," and (2) broaden the territorial description by (a) changing the town designation to the appropriate Parish designation of Madison parish, LA; (b) eliminating the "except Alaska and Hawaii restriction, and (c) replacing one-way authority with radial authority between Madison Parish, LA, and points in the U.S. (except points in St. Louis, MO-East St. Louis, IL commercial zone).

MC 121496 (Sub-70)X, filed March 10, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, D.C. 20001. Applicant seeks to remove restrictions in its (Sub-37F) certificate to (1) broaden the commodity description from acids, chemicals and petroleum products, in bulk, in tank vehicles to "commodities in bulk" and (2) remove the facilities limitation at North Seadrift, TX and expand the one-way authority to radial authority between Calhoun County, TX and points

in the U.S.; and (3) remove the "except Alaska and Hawaii" restriction.

MC 123189 (Sub-4)X, filed March 9, 1981. Applicant: FRANKLIN EXPRESS INCORPORATED, U.S. 31 W. North, Franklin, KY 42134. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, TN 37219. Applicant seeks to remove restrictions in its (Sub-3F) certificate to (1) remove all exceptions, except "classes A & B explosives," from its general commodities authority; (2) remove the restriction limiting shipments to those having a prior or subsequent movement by rail; and (3) broaden the territorial description by substituting Warren County, KY, for Bowling Green, KY.

Note.—Carrier's authority to tack will be governed by 49 CFR 1042.

MC 123376 (Sub-2)X, filed March 2, 1981. Applicant: SODAK TRANSPORT, INC., 2380 Wycliff, St. Paul, MN 55114. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions in its lead certificate to (1) replace city-wide authority with county-wide authority: Mitchell, Huron, Flandreau, Kimball, Pierre Brookings, Watertown, Sioux Falls and Madison with Davidson, Beadle, Moody, Brule, Hughes, Brookings, Codington, Minnehaha, and Lake Counties, SD; and Hopkins and Chaska with Hennepin and Carver Counties, MN; (2) change its one-way authorities to radial authorities between Minneapolis, MN, Hennepin and Chaska Counties, MN and named counties in SD, and, points in portions of IA and SD (with exceptions); and (3) remove the restriction limiting service to the transportation of the specified commodities moving from, to, or between warehouses, stores, or other facilities of retail grocery and retail food business houses.

MC 124128 (Sub-4)X, filed March 9, 1981. Applicant: NORTH CENTRAL TRUCK LINES, INC., Hotel Bothwell, 4th and Ohio, Sedalia, MO 65301. Representative: Arthur J. Cerra, 2100 Charter Bank Center, P.O. Box 19251, Kansas City, MO 64141. Applicant seeks to remove restrictions in its lead certificate to broaden the commodity description from stock in trade of drug stores to "such commodities as are dealt in, sold, or used by drug stores".

MC 124170 (Sub-161)X, filed March 5, 1981. Applicant: FROSTWAYS, INC., 3000 Chrysler Service Drive, Detroit, MI 48207. Representative: William J. Boyd, Suite 205, 2021 Midwest Road, Oak Brook, IL 60521. Applicant seeks to remove restrictions in its Sub-No. 151F certificate to (1) broaden the commodity description by removing all restrictions

in its general commodities authority "except classes A and B explosives," and (2) broaden the territorial description by removing the restriction limiting service to traffic originating at or destined to the facilities of a named shipper at or near Chicago, IL, and removing the exception to service being performed in AK and HI, to authorize service between points in the United States.

MC 127303 (Sub-85)X, filed March 4, 1981. Applicant: ZELLMER TRUCK LINES, INC., P.O. Box 343, Granville, IL 61326. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 76F certificate to (1) broaden the commodity description by removing the restriction against transportation of commodities in bulk, and (2) broaden the territorial description by removing the names of three facilities located in eight named NJ counties, and remove the exception to service being performed in AK and HI, to authorize radial service between point in Cumberland, Ocean, Atlantic, Gloucester, Mercer, Salem, Camden, and Cape May Counties, NJ, and points in the United States.

MC 127303 (Sub-86)X, filed March 4, 1981. Applicant: ZELLMER TRUCK LINES, INC., P.O. Box 343, Granville, IL 61326. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 75F certificate to (1) remove the restriction against the transportation of "commodities in bulk, in tank vehicles," and (2) broaden the territorial description: (a) eliminate the "except AK and HI" restriction, and (b) replace the plantsite limitation at Des Plaines, IL, with Cook County, IL.

MC 127840 (Sub-172)X, filed March 2, 1981. Applicant: MONTGOMERY TANK LINES, INC., 7745 West 59th Street, Summit, IL 60501. Representative: William H. Towle, 180 North LaSalle Street, Chicago, IL 60601. Applicant seeks to remove restrictions from its Sub-Nos. 39, 80, 84F, 90F, 96F, 99F, 108F, 133F, 142F, 154F, and 158F certificates to (1) broaden the commodity description from (a) animal fats, animal oils, vegetable oils, blends and products of animal fats, animal oils, and vegetable oils, to "food and related products and chemicals and related products" in Sub-Nos. 39 and 90F; (b) cleaning compounds, liquid chemicals, and chemicals to "chemicals and related products" in Sub-Nos. 80, 84F, 99F, 133F, 142F and 158F; (c) petroleum, petroleum products, and chemicals to "petroleum,

natural gas and their products and chemicals and related products" in Sub-No. 96F; and (d) petroleum and petroleum products to "petroleum, natural gas and their products" in Sub-Nos. 108F and 154F; (2) remove the restriction "in bulk, in tank vehicles" from the commodity description in Sub-Nos. 39, 80, 84F, 90F, 99F, 108F, 133F, 142F, 154F, and 158F; (3) eliminate the facilities limitations in Sub-Nos. 39, 96F, 99F, 108F, 142F, 154F, and 158F; (4) change city-wide to county-wide authority from: Denison to Grayson County, TX in Sub-No. 39; Pasadena to Harris County, TX in Sub-No. 96F; Austin to Travis County, TX, Youens to Montgomery County, TX, and Port Neches to Jefferson County, TX in Sub-No. 99F; Port Arthur to Jefferson County, TX in Sub-No. 108F; Garyville to St. John the Baptist Parish, LA in Sub-No. 133F; Chocolate Bayou to Brazoria County, TX and Texas City to Galveston County, TX in Sub-No. 142F; and Orange to Orange County, TX, Dowling to Jefferson County, TX, and Victoria to Victoria County, TX in Sub-No. 158F; (5) expand one-way authority to radial authority between Fort Worth, TX and points in AR, CO, IL, KS, LA, MO, OK, IA, and NE in Sub-No. 39; Jersey City and Hoboken, NJ and points in CA, IA, IN, IA, KY, MI, and OH in Sub-No. 80; Travis, Montgomery and Jefferson Counties, TX and points in IL, KY, MO, OH, IN, IA, NE, ND, SD, WI, MN, OK, KS, and CO in Sub-No. 99F; Jefferson County, TX and points in AZ, AR, CA, CO, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NV, NM, NC, ND, OH, OK, SC, SD, TN, UT, and WI in Sub-No. 108 F; St. John the Baptist Parish, LA and points in the US in Sub-No. 133F; Brazoria and Galveston Counties, TX and points in the US in and east of LA, AR, MO, IA, and MN in Sub-No. 142F; Texas City, TX and points in IA, IL, IN, MN, OH, PA, and WI in Sub-No. 154F; and Orange, Jefferson and Victoria Counties, TX and points in the US in Sub-No. 158F; and (6) remove the restrictions (a) originating at or destined to a named facility in Sub-Nos. 39, 96F, 99F, 108F, 142F, 154F, and 158F; (b) against service to AK and HI in Sub-Nos. 84F, 90F, 133F, and 158F; (c) against service to AK, HI and TX in Sub-No. 96F; (d) "originating at or destined to" in Sub-No. 90F; and (e) "except points in their respective commercial zones" in Sub-No. 80.

MC 129387 (Sub-120)X, filed March 10, 1981. Applicant: PAYNE TRANSPORTATION, INC., P.O. Box 1271, Huron, SD 57350. Representative: Charles E. Dye, P.O. Box 971, West Bend, WI 53095. Applicant seeks to

remove the restriction in its Sub-No. 116F certificate to (a) broaden the commodity description from frozen food to "food and related products" and (b) broaden the territorial authority from one way authority to radial authority between points in WA, OR, ID, UT, and points in IA, IL, NE.

MC 135231 (Sub-55)X, filed March 9, 1981. Applicant: NORTH STAR TRANSPORT, INC., Rt. 1, Hwy 1 & 59 West, Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Applicant seeks to remove restrictions from its Sub-No. 46F certificate to (1) broaden the commodity description from paper forms to "pulp, paper and related products"; (2) remove the "except commodities in bulk" restriction; (3) change city-wide to county-wide authority from Arlington to Tarrant County, TX; Merced to Merced County, CA; and Manchester to Hartford County, CT to authorize radial authority between those Counties and points in the U.S.; and (4) eliminate the "except AK and HI" restriction.

MC 135592 (Sub-7)X, filed March 2, 1981. Applicant: U & R EXPRESS, INC., P.O. Box 2369, White City, OR 97501. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, OR 97210. Applicant seeks to remove restrictions in its Sub-Nos. 5 and 6 certificates, and in MC-138789 and Sub-Nos. 4, 5, and 7 permits to (1) broaden the commodity description in each to "lumber and wood products" from wood residuals, and (2) broaden the territorial description in all four permits to between points in the U.S., under continuing contract(s) with named shippers.

MC 136683 (Sub-3)X, filed March 2, 1981. Applicant: DEALERS AUTO TRANSPORT, INC., 1902 West North Grand Ave., Porterville, CA 93257. Representative: Miles L. Kavalier, Suite 315, 315 South Beverly Drive, Beverly Hills, CA 90212. Applicant seeks to remove restrictions in its lead certificate to (1) change the commodity descriptions to "transportation equipment" from used motor vehicles which have been repossessed, embezzled, stolen or damaged, in secondary movements, in truckaway service, and to "transportation equipment, by tow-away or drive-away under the vehicles' own power" from wrecked, embezzled or stolen automobiles by tow-away or drive-away under the vehicles' own power, (2) change the territorial descriptions from one-way service to radial service: between points in 22 States, and points in CA; between points in TX, and points

in AZ and MO; between points in AZ and WA, and points in NV; between points in UT, and points in AZ; and between points in the United States, and points in Los Angeles, CA, and (3) remove the exception to service being performed in AK and HI in its nationwide authority.

MC 136816 (Sub-10)X, filed March 9, 1981. Applicant: THE UNIVERSE COMPANY, INC., 3523 "L" Street, Omaha, NE 68107. Representative: Arlyn L. Westergren, Suite 201, 9202 West Dodge Road, Omaha, NE 68114. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1, 3, 6, 7F, 8F, and 9F certificates, to (1) broaden the commodity descriptions from packinghouse products, packinghouse supplies, dressed poultry, and dairy products, meats, meat products, meat by-products and articles distributed by meat packinghouses, to "food and related products" in each certificate; (2) remove the restrictions "except commodities in bulk and hides" in Sub-Nos. 1, 3, 6, 8F and 9F; and "except hides and skins and commodities in bulk" in Sub-No. 7F; (3) replace city-wide with county-wide authority from Crete to Saline County, NE in Sub-No. 3; Oakland to Pottawattamie County, IA in Sub-No. 7F; and Pontiac to Oakland County, MI in Sub-No. 9F; (4) expand one-way authority to radial authority between (a) Omaha, NE and points in IN, OH and that part of Pennsylvania on and west of U.S. Hwy 219 in Sub-No. 1; (b) Saline County, NE and points in IL, IN, LA, KY, MI, MO, and OH in Sub-No. 3; Omaha, NE and Detroit, MI and points in IN, NJ, NY, OH, and PA in Sub-No. 6; Pottawattamie County, IA and points in IN, MI, OH, NJ, NY, and PA in Sub-No. 7F; and Omaha, NE and Detroit, MI and points in NJ, NY, and PA in Sub-No. 8F; and (5) remove the facilities limitations in Sub-Nos. 1, 3, 6, and 7F; and the "originating at and destined to" restrictions in Sub-Nos. 1, 3, 6, 7F and 8F.

MC 138741 (Sub-125)X, filed March 6, 1981. Applicant: AMERICAN CENTRAL TRANSPORT, INC., 2005 North Broadway, Joliet, IL 60435. Representative: Tom B. Kretsinger, P.O. Box 258, Liberty, MO 64068. Applicant seeks to remove restrictions in its Sub-No. 42 certificate to (1) change the commodity description to "metal products and construction materials" from iron, steel, zinc, lead, and articles or products thereof (except in bulk), springs, and construction materials, supplies and equipment (except in bulk), (2) broaden the territorial description by removing the restriction limiting service to transportation of traffic originating at

and destined to the named origins and named destinations, except traffic moving in foreign commerce, and (3) substitute county-wide authority for the specified plantsites and cities, and change from one-way service to radial service between points in Cook and Will Counties, IL (plantsites at or near Blue Island and Joliet, IL), Kent and Ingham Counties, MI (Grand Rapids and Lansing, MI), Toledo and Columbus, OH, Appanoose County, IA (Centerville, IA), Allen, Howard, Elkhart, and Hamilton Counties, IN (Fort Wayne, Kokomo, Elkhart and Cicero, IN), and Hinds County, MA (Jackson, MS) and points in 23 States.

MC 140033 (Sub-98)X, filed March 9, 1981. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, TX 75220. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75235. Applicant seeks to remove restrictions in its Sub-Nos. 6, 43F, 70F, 89F, and 90F certificates to (1) broaden its commodity descriptions (a) in Sub-Nos. 6 and 90F, from empty cans, and iron and steel pipe fittings, to "metal products", (b) in Sub-No. 70F, from artificial kidneys, dialysate solution, dialysis treatment machines, and equipment, materials, supplies used or useful in the performance thereof, to "instruments and photographic goods, and chemicals and related products", and (c) in Sub-No. 89F, from chemicals and plastic pellets, in containers, to "chemicals and related products"; (2) replace its cities with county-wide authority (a) in Sub-No. 43F, Trenton and Salem, NJ, with Mercer and Salem Counties, NJ, Norwood, MA, with Norfolk County, MA, Whitehall, and Lancaster, PA, with Allegheny and Lancaster Counties, PA, (b) in Sub-No. 70F, McAllen, TX, with Hidalgo County, TX, and Cinnaminson, NJ, with Burlington County, NJ, and (c) in Sub-No. 89F, Clinton, IA, with Clinton County, IA; (3) change its one-way authority to radial authority (a) in Sub-No. 6, between Philadelphia, PA, and Dallas, TX, (b) in Sub-No. 43F, between Mercer and Salem Counties, NJ, Norfolk County, MA, Vailgate, NY, Allegheny and Lancaster Counties, PA, and Lehigh, Marietta and Marcus Hook, PA, and points in TX, Denver, CO, Kansas City, KS, and Kansas City, MO, and (c) in Sub-No. 70F, part (1) between Hidalgo County, TX, and Toledo, OH, and Burlington County, NJ, and in part (2), between Burlington County, NJ, and Toledo, OH, Atlanta, GA, Miami and Tampa, FL, New Orleans, Houston and Dallas, TX, and Costa Mesa, CA; and (4) in Sub-No. 6, remove the restriction prohibiting transportation of traffic from

those points in the Philadelphia, PA, commercial zone located in New Jersey to Dallas, TX.

MC 140033 (Sub-99)X, filed March 2, 1981. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, TX 75220. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75235. Applicant seeks to remove restrictions in its Sub-Nos. 3, 13, 30, 63F, 78F, 79F, 80F and 84F certificates to (1) broaden the commodity descriptions to "food and related products" from meats, meat products, meat by-products, and articles distributed by meat packing houses (except hides and commodities in bulk, in tank vehicles) in Sub-Nos. 3 and 30; from ice cream, in Sub-No. 13; from confectionery products, in Sub-No. 63F; from canned goods, in Sub-No. 78F; from foodstuffs (in vehicles equipped with mechanical refrigeration, except in bulk), in part 1 of Sub-No. 79F; from confectionery, in Sub-No. 80F; and from sugar (in bags), in Sub-No. 84F, (2) in all Subs expand its one-way authority to radial authority, between the points specified below and various combinations of states; (3) replace authority to serve specified facilities at named points and authority to serve specified points with county-wide authority; in Sub-No. 3, Cactus, TX with Moore County, TX; in Sub-No. 13, McKinney, TX with Collin County, TX; in Sub-No. 30, Brownwood, TX to Brown County, TX; in Sub-No. 63F, Covington, TN to Tipton County, TN; in Sub-No. 78F, City of Industry, CA to Los Angeles County, CA; in Sub-No. 80F, Chicago, IL and in Sub-No. 84F Marietta, OK to Love County, OK and (4) remove restriction "to transportation of shipments originating at or destined to named origins and destinations", in Sub-Nos. 3 and 63F.

MC 140125 (Sub-2)X, filed March 2, 1981. Applicant: SCHUSTER GRAIN COMPANY, INC., P.O. Box 618, LeMars, IA 51031. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Applicant seeks to remove restrictions in its lead and Sub-No. 2 certificates to (1) broaden the commodity descriptions: (a) from soybean meal, soybean meal run, soybean hulls, animal and poultry feeds and ingredients, animals health products and alfalfa products to "food and related products" in the lead and Sub-No. 2; (b) from insecticides, mineral block, rodent exterminators and pesticides to "chemicals and related products" in the lead and (c) from minerals to "ores and minerals" in the lead; (2) remove the "dry, in bags and in bulk", "liquids in bulk" and "commodities in bulk" restrictions in the

lead and Sub-No. 2; (3) broaden the territorial scope by: replacing named facility limitations with city-wide or county-wide authority and replacing one-way with radial to serve as follows: in the lead, between Woodbury County (Sergeant Bluff), IA and points in IL, KS, MN, MO, NE, ND, SD, WI and WY; between Plymouth County (LeMars), IA and points in MN, SD and NE; between Sioux City, IA and points in MN, NE and SD; between Des Moines, IA and points in NE, SD and MN; between Clay County (Vermillion and Meckling), SD and points in NE, IA, MN, WI and IL; between Plymouth County (LeMars), IA and points in AR, IL, IN, KS, KY, MN, MO, NE, SD, WI and WY; and in Sub-No. 2, between Woodbury County (Sergeant Bluff), IA and points in CO.

MC 140389 (Sub-96)X, filed March 5, 1981. Applicant: OSBORN TRANSPORTATION, INC., P.O. Box 1830, Gadsden, AL 35902. Representative: Clayton R. Byrd, P.O. Box 304, Conley, GA 30027. Applicant seeks to remove restrictions in MC-140389 and Sub-Nos. 10, 14, 16, 17, 29, 35, 36, 39, 41, 43, 44, 47, 52, 56, 58, 61, 62, 64, 70, 79, 80, 82, 83, 84, 87, 89, 91 and MC-20783 Sub-No. 98 certificates to (1) broaden the commodity description from canned goods, meats, frozen foods & various other items to (a) "food and related products" in MC-140389 and Sub-Nos. 10, 14, 16, 47, 58, 61, 62, 70, 79, 80, 87, and MC-20783 Sub-No. 98, (b) carpeting, rugs, and carpet padding to "textile mill products" in MC-140389 and Sub-Nos. 17, 39, 82, 89, (c) household appliances & hot water heaters to "machinery" in MC-140389 and Sub-No. 84; (d) liquid cleaning compounds to "chemicals" in MC-140389 Sub-No. 43; (e) glass beads, spheres to "clay, concrete, glass, or stone products" in MC-140389 Sub-No. 44; (f) petroleum, vehicle body sealer to "petroleum, natural gas, and their products" in MC-140389 Sub-No. 52; (g) "general commodities (except Classes A&B explosives) in MC-140389 Sub-Nos. 35 and 36, (h) scrap paper to "pulp, paper, and related products" in Sub-No. 83, (i) thermoplastic marking materials "rubber and plastic products" in Sub-No. 44; (2) eliminate originating at and/or destined to plantsite facilities of named shippers in MC-140389 and Sub-Nos. 10, 14, 16, 29, 39, 41, 43, 51, 52, 56, 58, 61, 64, 70, 79, 80, 83, 84, 87, 91 and MC-20783 Sub-No. 98; (3) broaden the territorial description by substituting county-wide for city-wide authority: Dalton, Archer, Calhoun, Rossville, La Grange, Summerville, Athens, Ringgold, Columbus, Cartersville, La Fayette, and Chamblee, GA, with Whitfield, Washington,

Calhoun, Walker, Troup, Floyd, Chattanooga, Oconee, Catoosa, Chattahoochee, Bartow, and DeKalb Counties, GA, and Memphis, Chattanooga, Knoxville, Sweetwater, Rockwood, with Shelby, Hamilton, Davidson, Knox, Monroe & Roane Counties, TN, for named cities within in MC-140389; Storey County for Sparks, NV, in Sub-No. 35; Pierce County for Tacoma, WA, in Sub-No. 36; Lee and Lowndes Counties for Tupelo and Columbia, MS, in Sub-No. 39; Hillsborough County for Lakeland, FL, in Sub-No. 41; Rankin County for Jackson, MS, in Sub-No. 44; Scott County for Forest, MS, in Sub-No. 58; Shelby County for Arlington, TN, in Sub-No. 79; Jefferson County for Louisville, KY, in Sub-No. 80; Shelby County for Arlington, TN, in Sub-No. 87; Jefferson County for Birmingham, AL, in Sub-No. 83; (4) authorize radial in lieu of existing one-way authority between the above counties and named points throughout the U.S. in MC-140389 and Sub-Nos. 10, 14, 16, 29, 35, 39, 41, 43, 44, 47, 51, 52, 58, 61, 62, 70, 79, 80, 82, 87, 89 and MC-20783 Sub-No. 98; (5) remove equipment restrictions in MC-140389 and Sub-Nos. 29, 41, 64, and MC-20783 Sub-No. 98; (6) eliminate the restriction limiting service to the transportation of shipments having a prior or subsequent movement by water in MC-140389 Sub-Nos. 35, and 36; (7) remove the exceptions of AK and HI in MC-140389 Sub-Nos. 70, 83, 87, and MC-20783 Sub-No. 98; and (8) remove the commodity restrictions in MC-140389 and Sub-Nos. 14, 16, 29, 41, 43, 47, 52, 61, 62, 64, 80, and MC-20783 Sub-No. 98.

MC 141084 (Sub-22)X, filed March 2, 1981. Applicant: NATIONAL FREIGHT LINES, INC., P.O. Box 1031, San Fernando, CA 91341. Representative: Bill D. Gardner (same as above). Applicant seeks to remove restrictions in its Sub-No. 5, 10F, 14F and 15F permits to (1) broaden the territorial description in all subs to between points in the U.S. under continuing contract(s) with named shippers, (2) eliminate the "in bulk" restriction from Sub-Nos. 5, 10F, and 14F, (3) broaden the commodity descriptions from canned goods, pet foods, and sugar, in Sub-No. 5 and from sugar in Sub-No. 10F to "such commodities as are dealt in by retail grocery stores."

MC 142797 (Sub-2)X, filed March 2, 1981. Applicant: FULTON OREGON AIR, INC., 3002 N. Wygant Avenue, Portland, OR 97217. Representative: Lawrence V. Smart, Jr., 419 NW., 23rd Avenue, Portland, OR 97210. Applicant seeks to remove restrictions in its Sub-

No. 1 certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", (2) to remove the ex-air restriction and (3) to broaden the territorial description from the Portland, OR International Airport to Portland, OR.

MC 142864 (Sub-30)X, filed February 27, 1981. Applicant: RAY E. BROWN TRUCKING, INC., P.O. Box 501, Massillon, OH 44646. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1, 4F, 5F, 6F, 9F, 10F, 14F, 15F, 17F, 20F, 21F, 24F, 25F and 27F certificates, and its MC-125035 Sub-Nos. 32, 36, 39, 41 and 42 permits to (1) change the commodity descriptions from (a) metal containers, composite containers, and container ends in its lead and from (1) containers, container ends and closures, (2) commodities manufactured or distributed by manufacturers and distributors of containers, and (3) materials, equipment and supplies used in the manufacture and distribution of containers, container ends and closures (except in bulk) in Sub-No. 24F, to "such commodities as are dealt in or used by manufacturers of containers"; (b) from frozen foodstuffs in Sub-No. 1, from foodstuffs, canned and preserved in Sub-No. 10F, from canned and preserved foodstuffs in Sub-No. 17F, and from frozen foodstuffs in Sub-No. 25F to "such commodities as are dealt in or used by manufacturers and distributors of foodstuffs"; (c) from charcoal briquettes, boxed fireplace coal, fireplace logs, and fuel lighting liquids in Sub-No. 4F to "such commodities as are dealt in or used by manufacturers and distributors of coal and charcoal products, paper products, and petroleum products"; (d) from (1) ice cream confections, and dairy products and (2) materials and supplies used in the production and distribution of the commodities in (1) above, in Sub-Nos. 9F and 14F to "such commodities as are dealt in or used by manufacturers and distributors of confections and dairy products"; (e) from pulpboard and pulpboard products in Sub-No. 15F and from paper and paper products in Sub-No. 20F to "such commodities as are dealt in or used by manufacturers and distributors of pulp, paper and related products"; (f) in Sub-No. 21, from plastic pellets, plastic resins, plastic flakes, plastic powder, plastic chips, and plastic extrusions, (except in bulk), to "such commodities as are dealt in or used by manufacturers or distributors of plastic and plastic products" and from wire

cable to "such commodities as are dealt in or used by manufacturers or distributors of iron and steel articles"; and (g) from coated abrasives and coated paper in Sub-No. 27F to "such commodities as are dealt in or used by manufacturers and distributors of chemicals and chemical products"; (2) remove except in bulk restrictions in Sub-Nos. 5F, and 6F; (3) remove facilities limitations at Deerfield and Chicago, IL, in Sub-No. 1, at Leetsdale, PA, and Cleveland, Solon, and Massillon, OH, in Sub-No. 6F; at Pittsburgh, PA, Canton, OH, and Lexington, KY, in Sub-No. 9F; at Iowa City and Muscatine, IA in Sub-No. 10F; at Holland, MI, in Sub-No. 17F; at Alliance, OH, in Sub-No. 20F; and at Cranbury and Elizabeth, NJ, in Sub-No. 24F; (4) remove originating at or destined to restrictions in Sub-Nos. 9F, 10F, 17F, 24F and 25F; (5) remove a restriction precluding service to 8 named shippers in its lead; (6) substitute Stark County, OH, for Massillon, OH, in its lead, Lake County, IL, for Deerfield, IL, in Sub-No. 1; Mahoning County, OH, for Sebring and Alliance, OH, Logan and Baxter Counties, AR, for Paris and Cotter, AR, Dent County, MO, for Salem, MO, and Mercer County, NJ, for Princeton, NJ in Sub-No. 4F; Allegheny County, PA, for Leetsdale, PA, and Stark County, OH, for Solon, OH, in Sub-No. 6F; Chautaugua County, NY, for Dunkirk, NY, in Sub-No. 14F; Stark County for Massillon, OH, in Sub-No. 15F; Ottawa County for Holland, MI, in Sub-No. 17F; (7) remove originating at or destined to restrictions in its lead, Sub-No. 1, 9F, 10F, 17F, 24F, and 25F; (8) replace one-way with radial authority between (a) Stark County, IL and IL, IN, IA, KY, MI, MN, MO, NE and WI in its lead; (b) Chicago, IL, and OH in Sub-No. 1; (c) the counties substituted in (6) above, Canton, OH, and Louisville, KY and 19 eastern and southern States in Sub-No. 4F; (I) Iowa City and Muscatine, IA, and NJ, NY, PA and OH in Sub-No. 10F; (e) Stark County, OH and NJ and WI and named points in IL, IN, KY, and PA in Sub-No. 15F; (f) Ottawa County, MI, and NJ, NY, and PA in Sub-No. 17F, (g) Passaic, NJ, and IN, IL, MI, NY, OH, and PA in Sub-No. 21F; in (h) Deerfield and Chicago, IL, to a part of PA in Sub-No. 25F; (i) Alliance, OH and IL, IN, IA, MI, NJ, PA, and WI in Sub-No. 27F; and (9) broaden the territorial description in MC-125035 Sub-Nos. 32, 36, 29, 41, and 42 to between points in the U.S. under continuing contract(s) with named shippers.

MC 143059 (Sub-109)X, filed March 2, 1981. Applicant: MERCER TRANSPORTATION CO., P.O. Box

35610, Louisville, KY 40232. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. Applicant seeks to remove restrictions in its Sub-Nos. 1, 4, 5, 6, 9, 10, 12F, 14F, 22F, 25F, 70F, 109F, and 119F certificates to (1) broaden the commodity descriptions from plastic pipe, tubing, fittings, connection; materials, supplies and accessories used in the manufacture and installation thereof, etc. to "such commodities as are dealt in by manufacturers and distributors of building materials", (2) remove in bulk and in tank vehicle restrictions in Sub-Nos. 1, 4, 5, 6, 9, 10 (in bulk only), 12F, 109F and 119F, (3) remove restrictions to the transportation of traffic originating at and/or destined to specified points or facilities in Sub-Nos. 1, 4, 12F, 70F and 109F, (4) authorize radial authority between specified origins and points in the U.S. in place of one-way authority in Sub-Nos. 4, 5, 14F, 22F, 25F, 70F and 109F, (5) remove the AK and HI exceptions in Sub-Nos. 1, 4, 5, 6, 9, 10, 12F, 14F, 22F, 25F, 70F, 109F (Hawaii only) and 119F, (6) remove restrictions to the transportation of traffic from or to named facilities and (7) broaden the territorial description from city-wide to county-wide authority as follows: Prairie, MS with Monroe County, MS, Danville, IL with Vermilion County, IL, Sylvania, OH with Lucas County, OH and Slidell, LA with Tammany Parish, LA, in Sub-No. 1; Bakersfield, San Valley and Santa Anna, CA with Kern, Los Angeles and Orange Counties, respectively, and Bristol, IN with Elkhart County, IN, in Sub-No. 4; Springfield, KY with Washington County, KY, Anderson, SC with Anderson County, SC, Vestal, NY with Broome County, NY, in Sub-No. 6; Grinnell, IA with Poweshiek County, IA, Rolla, MO with Phelps County, MO, Hillsboro, TX with Hill County, TX, in Sub-No. 9; Rivera Beach, FL with Palm Beach County, FL, in Sub-No. 10; Weatherford, TX with Parker County, TX, in Sub-No. 12F; Oakland, CA with Alameda County, CA, Turner, OR with Marion County, OR, in Sub-No. 25F; Sacramento, CA with Sacramento County, CA, in Sub-No. 109F and Corsicana, TX with Navarro County, TX, in Sub-No. 119F.

MC 143209 (Sub-11)X, filed March 9, 1981. Applicant: HOUSTON FREIGHTWAYS, INC., 10010 Clinton Drive, Galena Park, TX. Representative: C. W. Ferebee, 720 N. Post Oak, Suite 230, Houston, TX 77024. Applicant seeks to remove restrictions in its Sub-Nos. 3, 7F and 9F certificates to (1) broaden the commodity description from (a) coal tar and coal tar products to "coal and coal products" in Sub-No. 3, (b) rust

preventive pipeline coating to "chemicals and related products: in Sub-Nos. 7 and 9, (c) petroleum pitch to "petroleum, natural gas, and their products" in Sub-No. 3; (2) remove the commodity restrictions in Sub-Nos. 3, 7, 9; (3) authorize county-wide service for city-wide authority: Morris County for Lone Star, TX; Larimer County for Fort Collins, CO; and Jefferson County for Birmingham, AL, in Sub-No. 7; Larime County for Fort Collins, CO, and Canadian County for El Reno, OK, in Sub-No. 9; (4) authorize radial service in lieu of existing one-way authority between the above counties and points in CO, AL, OK, LA, AR, in all three Sub-Nos.

MC 144513 (Sub-17)X, filed March 2, 1981. Applicant: CONDOR CONTRACT CARRIERS, INC., 656 Wooster Street, Lodi, OH 44254. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2F, 3F, 6F, 9F, 10F, 11F, and 15F certificates to (1) broaden the commodity descriptions to: (a) "electrical machinery, equipment or supplies" from electrical and electronic equipment enclosures and parts and accessories therefor in the lead, and, stereo systems, and, materials, equipment, and supplies, used in the manufacture, sale, and distribution of stereo systems in Sub-No. 2F; (b) "building materials" from brick in Sub-No. 6F and flooring materials, and materials and supplies used in the installation and distribution of flooring materials in Sub-No. 10F (part 3); (c) "metal products, and rubber and plastic products" from metal and plastic containers, and parts for metal and plastic containers, and, materials, equipment and supplies used in the production and distribution of these commodities in Sub-No. 9F; (d) "machinery" for paddle fans, and accessories for paddle fans, and, materials, equipment, and supplies used in the manufacture and distributions of these commodities in Sub-No. 10F (part 1 and 2), and, "textile mill products" from carpet in Sub-No. 10F (part 3); (e) "furniture and fixtures" from new furniture, and materials used in the manufacture of new furniture in Sub-No. 11F; and (f) "chemicals and related products" from solvents and cleaning compounds, adhesives, and, materials, equipment and supplies used in the production and distribution of these commodities in Sub-No. 15F; (2) replace some cities with county-wide authority and named facilities with city-wide or county-wide authority: Willoughby, OH and Phoenix, AZ in the lead; Compton

with Los Angeles County, CA, in Sub-No. 2F; Medina with Medina County, OH, and Gilroy with Santa Clara County, CA, in Sub-No. 3F; Los Angeles, CA in Sub-No. 6F; Homerville and Valdosta with Clinch and Lowndes Counties, GA, Picayune with Pearl River County, MS, and Jacksonville, FL, in Sub-No. 9F; Rogers with Benton County, AR, Pasadena with Los Angeles County, CA, Trenton with Mercer County, NJ, Norwood with Norfolk County, MA, Nashville and Chattanooga with Davidson and Hamilton Counties, TN, and Center with Shelby County, TX in Sub-No. 10F; Newcomertown with Tuscarawas County, OH in Sub-No. 11F; and Phoenix, AZ, Medina with Medina County, OH, and Cerritos with Los Angeles County, CA in Sub-No. 15F. Applicant also seeks to (1) change its one-way authorities to radial authorities between named points throughout the U.S. or combination of states therein in the sub numbers named above; (2) remove the restriction against the transportation of commodities in bulk in the lead and Sub-Nos. 3F, 9F, 10F, and 15F; (3) remove the restriction against transportation of commodities which because of size and weight require the use of special equipment in the lead and Sub-Nos. 3F and 10F; (4) remove the restriction limiting service to the transportation of traffic originating at named origins and destined to named destinations in the lead and Sub-Nos. 2F and 3F; and (5) eliminate the except AK and HI restriction in Sub-Nos. 2F, 3F, 6F, 9F, 10F, 11F and 15F.

MC 146495 (Sub-1)X, filed March 6, 1981. Applicant: DAILEY OIL, INC., 2201 Main St., Greenfield, IN. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Applicant seeks to remove restrictions from its lead certificate to (1) broaden the commodity description from malt beverages to "food and related products", (2) replace city with county-wide authority: Milwaukee, WI with Milwaukee County, WI, and (3) replace one-way with radial authority between Milwaukee County, WI, and, points in IN on and South of Indiana Hwy 28 (except Evansville and Chandler, IN).

MC 146496 (Sub-5)X, filed March 9, 1981. Applicant: JOSEPH MOVING AND STORAGE CO., INC., d.b.a. ST. JOSEPH MOTOR LINES, 5724 New Peachtree Road, Atlanta, GA 30341. Representative: Edward J. Kiley, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Applicant seeks to remove restrictions in its Sub-No. 7 permit to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except

household goods as defined by the commission, classes A and B explosives, and commodities in bulk)," and (2) broaden the territorial description to between points in the U.S., under continuing contract(s) with a named shipper.

MC 146568 (Sub-12)X, filed March 9, 1981. Applicant: PHOENIX BIRD, INC., Suite 118, 1 Neshaminy Plaza, Street Road & Bristol Pike, Cornwells Height, PA 19020. Representative: Robert L. Cope, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Applicant seeks to remove restrictions from its Sub-Nos. 2F, 3F, 5F, 8F, and 9F permits to (1) change the commodity descriptions in Sub-No. 2F, from drugs, toilet preparations, and health care items to "pulp, paper and related products"; and "chemicals and related products"; in Sub-Nos. 3F and 8F, from chemicals, and drugs, medicines and chemicals to "chemicals and related products"; in Sub-No. 5F, from foodstuffs to "food and related products"; and in Sub-No. 9F, delete "except household goods as defined by the Commission" from its general commodity description; (2) remove the bulk restrictions in Sub-Nos. 3F, 5F, and 8F; (3) delete the facilities limitations in Sub-Nos. 3F, 5F, and 8F; and (4) authorize authority between points in the U.S. under contract(s) with named shippers.

MC 146678 (Sub-7)X, filed March 2, 1981. Applicant: SOUTHLAND TRANSPORTATION, INC., P.O. Box 7760, Ben Franklin Station, Washington, D.C. 20044. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street NW., Washington, D.C. 20004. Applicant seeks to remove restrictions in its Sub-No. 5F certificate to broaden the commodity description from automotive parts, electric motors and materials, to "transportation equipment."

MC 148896 (Sub-3)X, filed March 9, 1981. Applicant: PAR DELIVERY SERVICE, INC., 4250 South Santa Fe Drive, Englewood, CO 80110. Representative: Edward T. Lyons, Jr., 1600 Lincoln Center, 1600 Lincoln Street, Denver, CO 80264. Applicant seeks to remove restrictions in its Sub-No. 2, permit to authorize service between points in the U.S. under continuing contract(s) with a named shipper.

MC 149218 (Sub-13)X, filed March 5, 1981. Applicant: SUNBELT EXPRESS INC., U.S. Hwy 78, West, Breman, GA 30110. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Applicant seeks to remove restrictions in its Sub. Nos. 1F, 6F, 7F and 8F certificates; in Sub. 1F to: (1) delete the

restriction limiting service to traffic originating or destined to named facilities. (2) delete the "except in bulk" restriction. (3) replace city with county-wide authority. Jeffersonville, IN with Clark County, IN (4) change one-way to radial authority between Clark County, IN and, points in AL, FL, GA and TN; in Sub. 6F to (1) broaden commodity description from foodstuffs (except in bulk) to "food and related products". (2) replace DuPage City, IL with DuPage County, IL, and (3) change one-way to radial authority between DuPage County, and, points in GA and TN; in Sub. 7F to (1) broaden commodity description from cleaning compounds, textile softeners, lubricating oil, deodorants, and disinfectants (except commodities in bulk) to "such commodities as are dealt in by manufacturers and distributors of cleaning and washing compounds". (2) change one-way to radial authority between points in Will and Cook Counties, IL, and, points in AL, FL, GA, KY, NC, SC, TN and WV; and in Sub. 8F (1) broaden the commodity description from filters to "such commodities as are dealt in by manufacturers and distributors of filters". (2) substitute county-wide authority, Vance County, NC, for Henderson, NC, and (3) broaden one-way to radial authority between Vance County, NC, and, points in numerous states.

MC 150839 (Sub-1)X, filed March 9, 1981. Applicant: MURPHY WAREHOUSE COMPANY, P.O. Box 1406, Minneapolis, MN 55440. Representative: Andrew R. Clark, 1600 TCF Tower, 121 South 8th Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the general commodity description by removing the household goods and commodities in bulk exceptions; and (2) broaden the territorial scope by: replacing the named facility limitation with Minneapolis, MN; and by replacing one-way authority with radial, to serve between Minneapolis, MN and points in Grand Forks County (Grand Forks), Cass County (Fargo) and Richland County (Whapeton), ND, Eau Claire County (Eau Claire and Altoona), La Crosse County (La Crosse), Douglas County (Superior), Chippewa County (Chippewa Falls), and Dunn County (Menomonie), WI, Minnehaha County (Sioux Falls), Brookings County (Brookings), and Codington County (Watertown), SD, and points in MN and remove the restriction to traffic originating at the named facility.

MC 151215 (Sub-2)X, filed March 3, 1981. Applicant: FACTORY SERVICES, INC., 624 Kennedy St., Lexington, KY

40501. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004. Applicant seeks to remove restrictions in its Sub-No. 1F certificate to (1) broaden the general commodities description (with the usual exceptions) to "general commodities (except classes A and B explosives)" and (2) remove the restriction limiting service to transportation of traffic having an immediately prior or subsequent movement by rail.

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BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register**. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property Notice No. F-104

The following applications were filed in Region I. Send protests to: Interstate

Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 45721 (Sub-1-1TA), filed March 6, 1981. Applicant: WHITE BUS COMPANY, INC., 807 South Orange Avenue, East Orange, NJ 07018. Representative: Sanford Weiss (same as applicant). *Passengers and their baggage in charter operations* between points in NY, NJ, PA, DE, MA, RI, MD, CT and DC. Restricted to members and supporters of Families For Life of Ronkonkoma, NY. Tacking requested with authority in Docket 45721. Supporting shipper: Families For Life, 71 W. 5th St., Ronkonkoma, NY 11779.

MC 142539 (Sub-1-2TA), filed March 6, 1981. Applicant: B.W.T. TRANSPORT, INC., 757 River Drive, Passaic, NJ 07055. Representative: Robert B. Pepper, 168 Woodridge Avenue, Highland Park, NJ 08904. *Contract carrier: irregular routes: Cleaning compounds, chemicals, petroleum and petroleum products, except commodities in bulk, and materials and supplies used in the manufacture and sale of the aforesaid commodities, except in bulk, between points in the US, under continuing contract(s) with Witco Chemical Corp., and its subsidiaries, of New York, NY.* Supporting shipper: Witco Chemical Corp., and its subsidiaries, 277 Park Avenue, New York, NY 10017.

MC 144150 (Sub-1-1TA), filed March 5, 1981. Applicant: DELTA BULK, INC., P.O. Box 36, Edgewater, NJ 07020. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier: irregular routes: Plastic granules and powder in bulk, from the facilities of Delta Bulk Packaging & Warehouse, Inc. at Edgewater, NJ to points in CT, DE, MD, MA, NH, NJ, NY, PA, RI, VT, and DC, under continuing contract(s) with Delta Bulk Packaging & Warehouse, Inc., of Edgewater, NJ.* Supporting shipper: Delta Bulk Packaging & Warehouse, Inc., 299 River Road, Edgewater, NJ 07020.

MC 95490 (Sub-1-2TA), filed March 10, 1981. Applicant: UNION CARTAGE COMPANY, INC., 37 Southwest Cutoff, Worcester, MA 01604. Representative: Edward J. Kiley, 1730 M Street NW., Washington, D.C. 20036. *Foodstuffs in containers from Canajoharie, NY to points in VT.* Supporting shipper: Beechnut Foods, Church Street, Canajoharie, NY 13317.

MC 150181 (Sub-1-2TA), filed March 5, 1981. Applicant: RUDY'S LIMOUSINE SERVICE, INC., 15 Neil Lane, Riverside, CT 06878. Representative: John R. Sims, Jr., Dennis Dean Kirk, 915 Pennsylvania Bldg., 425 13th Street NW., Washington, D.C. 20004. *Passengers and their*

baggage, in special and charter operations, limited to the transportation of not more than six passengers in any one vehicle, not including driver, between points in CT, on the one hand, and, on the other, points in NY. Supporting shipper(s): Knapp Funeral Home, 267 Greenwich Ave., Greenwich, CT; Bosak Funeral Home, 641 Atlantic St., Stamford, CT 06902; John J. Hart Funeral Home and Cremation Service, Inc., 934 East Main St., Stamford, CT 06902; Franklin Hoyt Funeral Home, Inc., 199 Main Street, New Canaan, CT 06840.

MC 59223 (Sub-1-1TA), filed March 9, 1981. Applicant: NEW DEAL DELIVERY SERVICE, INC., 206 West 37th Street, New York, NY 10018. Representative: Kenneth M. Piken, Esq., Piken & Piken, P.C., 95-25 Queens Blvd., Rego Park, NY 11374. Such merchandise as is sold by department stores, between Keesby and Cherry Hill, NJ, on the one hand, and, on the other, Nanuet, NY, East Brunswick, Cherry Hill, Livingston, Menlo Park, Monmouth (Eatontown), Morristown, Newark, Paramus, Plainfield, Princetown, Willowbrook, Deptford, Ocean County Mall (Toms River), Quaker Bridge Mall (Lawrenceville), Rockaway, NJ, Springfield, Oxford Valley (Langhorne), Lehigh Valley Mall (Whitehall) and Montgomeryville, PA, Wilmington, DE, White Marsh and Hunt Valley, MD, restricted to the transportation of shipments moving between the facilities of Bamberger's Division of R. H. Macy & Co., Inc. at the above specified points. Supporting shipper: Bamberger's, division of R. H. Macy & Co., 131 Market Street, Newark, NJ 07101.

MC 45630 (Sub-1-1TA), filed March 6, 1981. Applicant: OSAR TRUCKING CO., INC., 94 Sylvan Ave., Clifton, NJ 07011. Representative: Harold L. Reckson, 33-28 Halsey Road, Fair Lawn, NJ 07410. Solidified carbon dioxide (dry ice), from Gibbsboro, NJ to Enfield, CT. Supporting shipper: Esquire Gas Products, 156 Spring Street, Enfield, CT 06082.

MC 148560 (Sub-1-2TA), filed March 9, 1981. Applicant: GOLD STAR, INC., 130 Davidson Avenue, Somerset, NJ 08873. Representative: Michael R. Werner, Esq., P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. Contract carrier: irregular routes: Such commodities as are dealt in and used by wholesale, retail and chain grocery and food business houses, and in connection therewith equipment, materials and supplies used in the conduct of such businesses, between points in AL, FL, GA, MS, SC and TN, under continuing contract(s) with Supermarket Distribution Services, Inc., 2 Paragon Drive, Montvale, NJ 07645.

MC 99019 (Sub-1-2TA), filed March 9, 1981. Applicant: KILLIAN BULK TRANSPORT, INC., (Formerly Killian Black Trucking, Inc.), 100 Katharine Street, Buffalo, NY 14210. Representative: Robert D. Gunderman, Suite 710, Statler Building, Buffalo, NY 14202. Soda Ash, in bulk in tank vehicles, from the facilities of Stetson Chemicals at Buffalo, NY to points in OH, and PA. Supporting shipper: Stetson Chemicals, 391 Exchange Street, Buffalo, NY 14204.

MC 151601 (Sub-1-4TA), filed March 10, 1981. Applicant: ARMORED MOTOR SERVICE OF AMERICA, INC., 15 Hudson Avenue, Rochester, NY 14605. Representative: Herbert M. Canter, Esq., Benjamin D. Levine, Esq., 305 Montgomery Street, Syracuse, NY 13202. Contract carrier: irregular routes: (1) High value gold plated electronics scrap metal from Emigsville (York Co.) and New Cumberland (Cumberland Co.), PA to Scottsville (Monroe Co.), NY and (2) Copper based bullion containing precious metals from Scottsville (Monroe Co.), NY to Waterbury (New Haven Co.), CT and Newark (Essex Co.), NJ under continuing contract(s) with Sabin Metal Corp., Scottsville, NY. Supporting shipper: Sabin Metal Corp., 1647 Wheatland Center Road, Scottsville, NY 14546.

MC 154612 (Sub-1-1TA), filed March 10, 1981. Applicant: ROBERT T. LEVESQUE, d.b.a. R. J. LEVESQUE & SONS, 9 Mayhill Road, Monson, MA 01057. Representative: Patrick A. Doyle, Esq., 40 Sky Ridge Lane, Springfield, MA 01128. Heavy equipment, crushing equipment, sand, gravel, trap rock, bituminous concrete, lime, scrap metal, recycled glass, lumber, wood chips and coal from ME, NH, VT, MA, CT, RI, NY, NJ, and PA to points in ME, NH, VT, MA, CT, RI, NY, NJ, and PA. Supporting shipper: Chapman Crushing Service, Inc., Box 442, Broad Brook, CT 06016.

MC 52832 (Sub-1-1TA), filed March 10, 1981. Applicant: SHORTY'S EXPRESS, INC., 132 Seeley Avenue, Syracuse, NY 13205. Representative: Murray J. S. Kirshtein, Esq., 118 Bleeker Street, Utica, NY 13501. Foodstuffs and merchandise and materials used in the marketing and sale of foodstuffs, between Onondaga County, NY, on the one hand, and on the other all points in the state of NY. Supporting shipper: Oscar Mayer & Co., P.O. Box 7188, Madison, WI 53707.

MC 87451 (Sub-1-13TA), filed March 10, 1981. Applicant: CARGO TRANSPORT, INC., 91 Mountain Road, Burlington, MA 01803. Representative: S. A. Bithoney, Jr. (same as applicant).

Contract carrier: irregular routes: Fruit juices, natural or artificial, and materials, equipment and supplies used in the manufacture, sale and distribution thereof, with the usual exceptions, between points in NY and NJ on the one hand, and, on the other, points in CT, MA, ME, NH, RI, and VT. Supporting shipper: Snapple Distributors of Mass, Inc., 168 Alewife Brook Parkway, Cambridge, MA 02138.

MC 154576 (Sub-1-1TA), filed March 9, 1981. Applicant: WILLIE H. JONES, d.b.a. WILLIE H. JONES TRUCKING, RFD 4, Box 174, Auburn, ME 04210. Representative: Nancy L. Jones, RFD 4, Box 174, Auburn, ME 04210. Contract carrier: irregular routes: General commodities (except household goods, explosives, bulk commodities and commodities of unusual value) between points in the U.S. under continuing contract(s) with Poland Spring Bottling Co., Poland Spring, ME. Supporting shipper: Poland Spring Bottling Co., Poland Spring, ME 04274.

MC 154004 (Sub-1-1TA), filed March 6, 1981. Applicant: TRANSPORTATION TECHNIQUES, INC., 10 Potomac Lane, Southington, CT 06489. Representative: Gerald A. Joseloff, P.O. Box 3258, Hartford, CT 06103. Contract carrier: irregular routes: Paper, paper articles, printing paper, woodenware, book matches, fine paper and sanitary paper and supplies and materials used in the manufacturing, sale and distribution of the above items between points in the U.S. (excluding AK and HI) under a continuing contract(s) with Diamond International Corporation, of New York, NY. Supporting shipper: Diamond International Corporation, 733 Third Avenue, New York, NY 10017.

MC 59264 (Sub-1-6TA), filed March 6, 1981. Applicant: SMITH & SOLOMON TRUCKING COMPANY, How Lane, P.O. Box 2015, New Brunswick, NJ 08903. Representative: Zoe Ann Pace, Esq., Zelby, Burstein, Hartman & Burstein, Suite 2373, One World Trade Center, New York, NY 10048. (1) Books, periodicals, magazines and printed matter and (2) materials, equipment and supplies used in the manufacture, sale and distribution of (1) from Richmond, VA to points and places in PA, NY, NJ, CT. Supporting shipper: William Byrd Press, 2901 Byrd Hill Road, Richmond, VA 23228.

MC 127524 (Sub-1-9TA), filed March 9, 1981. Applicant: QUADREL BROS. TRUCKING CO., INC., 1603 Hart Street, Rahway, NJ 07065. Representative: David L. Middleton (same as applicant). Web Off-Set News Black and Letter Press News Black in bulk in tank

trailers from Paterson, NJ to the Port of Entry on the International Boundary line between the US and CD at or near Rouses Point, NY. Supporting shipper: SICPA North America, 25 McLean Boulevard, Paterson, NY 07514.

MC 146857 (Sub-1-2TA), filed March 9, 1981. Applicant: W. K. THOMAS, INC., d.b.a., 60 Robbins Road, Springfield, MA 01104. Representative: Patrick A. Doyle, 40 Sky Ridge Lane, Springfield, MA 01128. *Contract carrier:* irregular routes: *Games and toys, Animal feed supplement, Hides, and related items to the manufacturing process from Plymouth, MA to points in the U.S. under continuing contract(s) with Superior Pet Products, Inc., Boston, MA. Supporting shipper: Superior Pet Products, Inc., 470 Atlantic Ave., Boston, MA 02210.*

MC 145468 (Sub-1-6TA), filed March 10, 1981. Applicant: KSS TRANSPORTATION CORP., Route 1 & Adams Street, P.O. Box 3052, North Brunswick, NJ 08902. Representative: Arlyn L. Westergren, Westergren & Hauptman, P.C., Suite 201, 9202 West Dodge Road, Omaha, NE 68114. *Food and related products, between Dubuque, Fremont, Crawford, Hamilton, Story, and Hardin Counties, IA, on the one hand, and, on the other, points in the U.S. Supporting shipper: W & G Marketing Inc., and Its Sidney Sheep and Lamb Division, P.O. Box 1742, Ames, IA 50010.*

MC 146288 (Sub-1-1TA), filed March 10, 1981. Applicant: AIR-SERVICE CONSOLIDATORS TRANSPORT, INC., P.O. Box 8714, 793 Beahan Road, Rochester, NY 14624. Representative: Michael R. Werner, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. *Contract carrier:* irregular routes: *Such commodities as are used in and dealt by manufacturers and distributors of optical goods, from Parsippany, NJ and New York, NY on the one hand, and, on the other, Rochester, NY. Supporting shipper: Bausch & Lomb Corporation, 50 Spencerport Road, Rochester, NY 14616.*

MC 154631 (Sub-1-1TA), filed March 10, 1981. Applicant: TRANSPORT SPECIALISTS, INC., 545 Front Street, Woonsocket, RI 02895. Representative: George Chapdelaine, Providence Pike, North Smithfield, RI 02895. *Contract carrier:* irregular routes: *Sand, between Holliston, MA and North Smithfield, RI and points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Holliston Sand Company under continuing contract(s) with Holliston Sand Company, of Holliston, MA. Supporting shipper: Holliston Sand Company, Lowland Street, Holliston, MA 01746.*

MC 150898 (Sub-1-7TA), filed March 10, 1981. Applicant: LOUIS J. KENNEDY TRUCKING COMPANY, 342 Schuyler Avenue, Kearny, NJ 07032. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. *Contract carrier:* irregular routes: *Metal products, from Gloucester, NJ, to New York, NY commercial zone, under contract(s) with Roll Form Products, Inc. of Boston, MA. Supporting shipper(s): Roll Form Products, Inc., 140 Federal Street, Boston, MA 02110.*

MC 150546 (Sub-1-2TA), filed March 10, 1981. Applicant: S-J TRANSPORTATION CO., E. Millbrooke Ave., P.O. Box 91, Woodstown, NJ 08098. Representative: S. H. Jones, Jr. (same as applicant). (1) *Waste materials, hazardous and non-hazardous, except nuclear and radio active between points in AZ, CA, CO, ID, IA, KS, MN, MT, NE, NV, NM, ND, OK, OR, SD, UT, WA, WY;* (2) *Commodities in bulk, hazardous and non-hazardous and soap products in containers or cartons between points in AL, AR, CT, FL, GA, IL, KY, LA, MO, ME, MA, NC, OH, RI, SC, TN, TX, VA, WV, WI, MD, MI, MS, NH, NJ, DE, NY, IN, PA, VT, and DC. Supporting shipper(s): Rollins Environmental Services (NJ) Inc., P.O. Box 221, Route 322, Bridgeport, NJ 08014; Concord Chemical Co., 17th and Federal St., Camden, NJ 08105; South Jersey Farmers Exchange, East Ave. & Broad St., Woodstown, NJ 08098.*

MC 153811 (Sub-1-2TA), filed March 6, 1981. Applicant: TRANSPORTATION SYSTEM OF AMERICA, INC., 3905 River Road, Pennsauken, NJ 08110. Representative: Richard M. Parnicky, 71 West Park Avenue, Vineland, NJ 08360. *Such commodities as are dealt in by wholesale and retail chain groceries, drug, and food business houses and equipment, materials, and supplies used in the manufacture and distribution thereof, between Jeffersonville, IN on the one hand, and, on the other hand, points in AL, FL, GA, IL, KS, LA, MN, MS, OH, TN, and WI. Restricted to traffic originating at or destined to the Colgate-Palmolive Company. Supporting shipper: Colgate-Palmolive Company, P.O. Box 9, Jeffersonville, IN 47130.*

MC 153811 (Sub-1-3TA), filed March 9, 1981. Applicant: TRANSPORTATION SYSTEM OF AMERICA, INC., 3905 River Road, Pennsauken, NJ 08110. Representative: Richard M. Parnicky, 71 West Park Avenue, Vineland, NJ 08360. *General Commodities, between points in MO, KY, NJ, PA, NC, OH, IL, CA, WA, on the one hand, and, on the other hand, points in the United States. Restricted to traffic originating at or destined to the facilities of Mallinckrodt,*

Inc. Supporting shipper: Mallinckrodt, Inc., 875 Brown Road, St. Louis, MO 63134.

MC 150030 (Sub-1-2TA), filed March 9, 1981. Applicant: NICHOLAS POSELLI, d.b.a. TEMPERATURE CONTROL TRANSPORT, 74 South St., Troy, NH 03465. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181. *Foodstuffs from points in Suffolk County, MA to points in FL. Supporting shippers: Rite Foods, Inc., 145 Northern Ave., Boston MA 02210; Colonial Provision Co., Inc., 1100 Massachusetts Ave., Boston, MA 02125.*

MC 153811 (Sub-1-4TA), filed March 9, 1981. Applicant: TRANSPORTATION SYSTEM OF AMERICA, INC., 3905 River Road, Pennsauken, NJ 08110. Representative: Richard M. Parnicky, 71 West Park Avenue, Vineland, NJ 08360. *Commodities as are dealt in or used by manufacturers and distributors of printed matter, between points in IL and IN, on the one hand, and, on the other hand, points in and east of ND, SD, NE, KS, OK, and TX. Restricted to traffic originating at or destined to the facilities of R. R. Donnelly & Sons, Inc. Supporting shipper: R. R. Donnelly & Sons, Inc., 2223 S. King Drive, Chicago, IL 60616.*

MC 87523 (Sub-1-2TA), filed March 9, 1981. Applicant: STEWART TRUCKING CO., INC., P.O. Box 5155, Manchester, NH 03108. Representative: Edward J. Kiley, 1730 M Street N.W., Washington, D.C. 20036. *Pulp, paper, and related products, materials, equipment and supplies, used in the manufacture, sale and distribution of pulp, paper and related products (1) between Berlin and Gorham, NH, on the one hand, and, on the other, points in MA, RI, CT, NY, NJ, PA, DE, MD, DC, VA, (2) between Groveton and Northumberland, NH, on the one hand, and, on the other, points in NY, and (3) between Claremont, NH, on the one hand, and, on the other, points in MA, RI, CT, NY, NJ, PA, and WV. Supporting shippers: CPM, Inc., 131 Sullivan Street, Claremont, NH 03743; Groveton Papers Co; Groveton, NH 03582; and James River Corp. of Virginia, Box 2218, Richmond, VA 23217.*

MC 146026 (Sub-1-4), filed March 9, 1981. Applicant: CROSS COUNTRY FARMING CO., INC., P.O. Box 134, Pine Island Turnpike, Pine Island, NY 10969. Representative: George A. Olsen, P.O. Box 357, Cladstone, NJ 07934. (1) *Highway marking spheres and strip glass, balloting, broken glass, and plastic and metal articles (except commodities in bulk in tank vehicles); and (2) materials, equipment, and supplies used in the manufacture and*

sale of the commodities named in (1) above (except commodities in bulk in tank vehicles), between points in the US (except AK and HI). Restricted to traffic originating at or destined to the facilities used or utilized by Potters Industries and its subsidiaries. Supporting shipper(s): Potters Industries, 377 Route 17, Hasbrouck Heights, NJ 07604.

MC 151832 (Sub-I-6TA), filed March 9, 1981. Applicant: EASTWOOD CARRIERS, INC., P.O. Box 1073, Lockhouse Road, Westfield, MA 01085. Representative: James M. Burns, 1383 Main Street, Suite 413, Springfield, MA 01103. *Books and printed matter, and materials, equipment and supplies used in the manufacture of books and printed material*, between points in CA, IL, IN, ME, MA, NH, NY and PA, on the one hand, and, on the other, points in the contiguous 48 states. Supporting shipper: Courier Citizen Corporation, 165 Jackson Street, Lowell, MA. 01853.

The following applications were filed in region 2. Send protest to: ICC Fed. Res. Bank Bldg., 101 North 7th St., Rm. 620, Philadelphia, PA 19106.

MC 150080 (Sub-II-5TA), filed March 11, 1981. Applicant: CONTROLLED CARRIERS, INC., P.O. Box 367, Exton, PA 19341. Representative: Edward N. Buiton, 580 Northern Ave., Hagerstown, MD 21740. *Non-exempt food or kindred products*, from the facilities of Heinz U.S.A., located at or near Pittsburgh, PA, to points in FL, SC, and TX, restricted to traffic originating at the named facility and destined to the named state, for 270 days. Supporting shipper: Heinz USA, division of H. J. Heinz Co. P.O. Box 57, Pittsburgh, PA 15230.

MC 147723 (Sub-II-2TA), filed March 10, 1981. Applicant: E. B. Co., INC., 667 Front St., Berea, OH 44017. Representative: Susan J. Radwan (same as applicant). (1) *Chemicals, concrete and cement additives, paint, paint additives, materials, equipment and devices used in the application of the above*; (2) *divises and products derived from the commodities described in (1)*; (3) *equipment, materials and supplies used in the transportation and manufacturing of the commodities in (1)*, between all pts. in OH, WA, on the one hand, and, on the other, pts. in the US, for 270 days. Applicant intends to tack. Supporting shipper: CWO-Ohio, 8010 Boher Ave., Cleveland, OH 44102.

MC 147723 (Sub-II-3TA), filed March 10, 1981. Applicant: E. B. COMPANY, INC., 667 Front St., Berea, OH 44017. Representative: Susan J. Radwan (same as applicant). (1) *Hardware, hardware iron and steel, combined with copper and brass, automobile parts, devices, racks, plastic and plastic articles, iron*

and steel products and articles, glass and articles derived from glass, transportation equipment and supplies, materials and supplies used in the manufacturing of the above, between all pts. in the states of OH, TX, NJ, NY, MA and GA, on the one hand, and, on the other, pts. in the US, for 270 days. Applicant intends to tack. Supporting shipper: Big Rig Components, 7916 Lake Ave., Cleveland, OH 44102.

MC 107367 (Sub-II-1TA), filed March 5, 1981. Applicant: BOWMAN BUS SERVICE, INC., R.D. 2, Box 75, Milford, DE 19963. Representative: R. Emery Clark, 366 Executive Bldg., 1030 15th St. NW., Washington, DC 20005. *Passengers and their baggage in the same vehicle with passengers, in round-trip charter operations*, beginning and ending at Wicomico, Worcester and Somerset Counties, MD and extending to points in the U.S., for 270 days. An underlying ETA seeks 120 days authority. Supporting witnesses: Worcester County Arts Council, Ocean City, MD 21842; Curtis United Methodist Church Women, Frankford, DE 19945; Ocean Pines Association, Berlin, MD 21811; Rusty Rudder Restaurant, Rehoboth, DE 19971; Depart. of Recreation for Ocean City, Ocean City, MD 21842; Wicomico County Youth Council, Salisbury, MD 21801; and Salisbury Ski Club of Delmarva, Salisbury, MD 21801.

MC 129124 (Sub-II-7TA), filed February 27, 1981. Applicant: SAMUEL J. LANSBERRY, INC., P.O. Box 58, Woodland, PA 1681. Representative: John C. Fudesco, Suite 960, 1333 New Hampshire Ave. NW., Washington, DC 20036. *Cool, in bulk in dump vehicles*, from points in Armstrong and Butler Counties, PA, to points in NY. An underlying ETA seeks 120 days authority. Supporting shipper: Basic Energies, Inc., 414 Main Street, Reynoldsville, PA 15851.

MC 87379 (Sub-II-1TA), filed February 27, 1981. Applicant: C. H. HOOKER TRUCKING CO., 1475 Roanoke Ave., Ulrichsville, OH 44683. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215. *Iron and steel articles from Coshocton County, OH to points in FL*, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Clow Corp., 1211 W. 22d St., Oak Brook, IL 60521.

MC 154512 (Sub-II-1TA), filed March 4, 1981. Applicant: HOWARD MACKNETT d.b.a. B. J. TRUCKING CO., 606 Old Baltimore Pike, Newark, DE 19702. Representative: Perry F. Goldlust, 901 Market St. Mall, 913 Market Tower, P.O. Box 2094, Wilmington, DE 19899. Contract, irregular—*Malt beverages, in bottles, cans and kegs*, between the

facilities of Anheuser Busch Co. in Williamsburg, VA, on the one hand, and, on the other, Milford and New Castle, DE, under continuing contract(s) with NKS Distributors, Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): NKS Distributors, Inc., New Churchman's Rd., New Castle, DE.

MC 149541 (Sub-II-3TA), filed March 4, 1981. Applicant: LEBARNOLD, INC., 625 S. 5th Ave., P.O. Box 630, Lebanon, PA 17042. Representative: Francis W. McInerney, 1000 16th St. NW., No. 502, Washington, D.C. 20036. Contract, irregular—*Animal feed, foodstuffs and kindred products, ingredients and supplies used in the manufacture and distribution of the above products*, between Shiremanstown, PA, on the one hand, and, on the other, Rockford, IL; Landover, MD; and Marion, OH, and between Rockford, IL and Marion, OH, on the one hand, and, on the other, Landover, MD, under continuing contract(s) with The Quaker Oats Co., for 270 days. Supporting shipper(s): The Quaker Oats Co., 345 Merchandise Mart Plaza, Chicago, IL 60654.

MC 107012 (Sub-2-139TA), filed February 25, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Gerald A. Burns (Same as applicant). Contract, irregular: *General commodities (except Class A & B explosives)*, between Boca Raton, FL and a 50 mile radius thereof on the one hand, and, on the other, points in the U.S. west of the Mississippi River (except MN, IA and MO) for 270 days under continuing contract with IBM Corp. Supporting shipper: International Business Machines, Corp. (IBM), P.O. Box 10, Princeton, NJ 08540.

MC 154214 (Sub-II-1TA), filed March 4, 1981. Applicant: VO CONCRETE PIPE, AND PRODUCTS, INC., t.d.b.a. VO-CON, 2018 Stefkio Blvd., Bethlehem, PA 18017. Representative: Gary M. Miller, 1414 Millard St., Bethlehem, PA 18018. *Chemical waste material*, between pts. in the U.S. east of AR, IA, LA, MN and MO for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Armstrong World Industries, Inc., P.O. Box 3001, Lancaster, PA 17604. Bridon American Corp., P.O. Box 6000, Wilkes-Barre, PA 18773.

MC 76262 (Sub-II-2TA), filed March 6, 1981. Applicant: WEIR-COVE MOVING & STORAGE CO., 4224 Freedom Way, Weirton, WV 26062. Representative: David M. O'Boyle, 2310 Grant Bldg., Pittsburgh, PA 15219. *Iron and steel*

articles, and materials, equipment and supplies used in the manufacture and distribution of iron and steel articles (except commodities in bulk), between the facilities of Newark Steel Co., at or near Newark, OH, on the one hand, and, on the other, points in IL, IN, IA, KS, KY, MD, MI, MO, NJ, NY, NC, PA, SC, TN, VA, WV and WI for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Newark Steel Co., 550 Wehrle Ave., Newark, OH 43055.

MC 107403 (Sub-II-45TA), filed March 11, 1981. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same address as applicant). *Hydrogen sulfide*, from Natrium, WV to Lancaster, PA and Towanda, PA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: PPG Industries, Inc., One Gateway Center, Pittsburgh, PA 15222.

MC 151707 (Sub-II-9TA), filed March 11, 1981. Applicant: PIONEER TRUCKING, INC., 1105 N. Market St. (15th Floor), Wilmington, DE 19801. Representative: Dennis Kupchik (Same address as applicant). *Contract: irregular: Electrical equipment and parts, materials, and supplies used in the manufacture and distribution thereof* between points in the U.S. under continuing contract(s) with General Electric Co. Supporting shipper: General Electric Co., Nela Park, Cleveland, OH 44112.

MC 2202 (Sub-II-22TA), filed March 9, 1981. Applicant: ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, OH 44309. Representative: William O. Turney, Turney & Turney, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Common, regular: *General commodities (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*; Serving Somerset, PA and points in its commercial zone as off-route points in connection with applicant's route to and from Johnstown, PA, for 270 days. Applicant proposes to tack the authority sought herein with its regular routes at Johnstown, PA. Applicant proposes to interline at existing gateways throughout its system. Supporting shipper: Coleman Company, Inc., P.O. Box 1762, Wichita, KS 67201.

MC 154618 (Sub-II-1TA), filed March 9, 1981. Applicant: H. TOLBERT & SON, INC., 6745 Agenbroad Rd., Tipp City, OH 45371. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. *Such commodities as are dealt in or used by manufacturers and*

distributors of paint, chemicals and related articles, between the facilities of Sherwin-Williams Co. located in Dayton, OH, on the one hand, and, on the other, points in KY, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: The Sherwin-Williams Co., 101 Prospect Ave., Cleveland, OH 44101.

MC 150567 (Sub-II-22TA), filed March 9, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St. NW., Washington, D.C. 20005. *Contract Irregular: Such Commodities as are dealt in by retail and mail order houses, between points in the U.S., under continuing contract(s) with T.G. & Y. Stores Co., Oklahoma City, OK for 270 days. Supporting shipper: T.G. & Y. Stores Co., 3815 N. Sante Fe, Oklahoma City, OK 73125.*

MC 154177 (Sub-II-1-TA), filed March 6, 1981. Applicant: TRI-STATE AIR CARGO, INC., P.O. Box 712, Ceredo, WV 25507. Representative: James W. Muldoon, 50 W. Broad, Columbus, OH 43215. *General commodities (except classes A and B explosives)*, between Putnam and Kanawha Counties and Huntington, WV, on the one hand, and, on the other, pts. in KY, OH, PA and WV for 270 days. Supporting shipper(s): Branchland Pipe & Supply Co., 4034 Altizer Ave., Huntington, WV 25705. Unit Rig & Equipment Co., 4200 First Ave. Nitro, WV 25143.

MC 134545 (Sub-II-1-TA), filed March 9, 1981. Applicant: STEWART S. COOK, JR., d.b.a. FRANK SALERNO, 2751 Queen St., Easton, PA 18042. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. *Contract, Irregular, (1) Sulphuric Acid*, in bulk, in tank vehicles, from Edelman, Northampton County, PA, to Ashtabula, OH, and (2) *Hydrochloric Acid*, in bulk, in tank vehicles, from Ashtabula, OH to Edelman, Northampton County, PA, for 270 days, under a continuing contract with Hi-Pure Chemicals, Inc. of Nazareth, PA. An underlying ETA seeks 120 days authority. Supporting shipper: Hi-Pure Chemicals, Inc., P.O. Box 351, Nazareth, PA 18064.

MC 123091 (Sub-II-2-TA), filed March 9, 1981. Applicant: NICK STRIMBU, INC., 3500 Parkway Rd., Brookfield, OH 44403. Representative: James Duvall, P.O. Box 97, 220 W. Bridge St., Dublin, OH 43017. *Marble chips and marble fillers* from the facilities of North Country Aggregates, Inc., in St. Lawrence County, NY, to points in IN, MI, OH and PA for 270 days. An underlying ETA seeks 120 days

authority. Supporting shipper: North Country Aggregates, Inc., P.O. Box 96, Gouverneur, NY 13642.

MC 117883 (Sub-II-14-TA), filed March 11, 1981. Applicant: SUBLER TRANSFER, INC., 1 Vista Dr., P.O. Box 62, Versailles, OH 45380. Representative: Robert Von Aschen (same as applicant). *Food and related products*, from Chicago, IL to points in the states of IA, KS, NE, and Kansas City, MO for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Salerno-McGowen Bisc. Co., 7777 N. Caldwell, Niles, IL 60648, Schulz and Burch Biscuit Co., 1133 W. 35th Street, Chicago, IL 60609, Fearn International Inc., 9353 Belmont Avenue, Franklin Park, IL 60131, Standard Brands, Inc., 7001 South Harlem, Chicago, IL 60638.

MC 35980 (Sub-II-2-TA), filed March 10, 1981. Applicant: M-B TRANSPORT, INC., 1941 Land Road, Jamison, PA 18929. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. *Fertilizer*, in bulk, in dump vehicles, from Baltimore, MD, to Hunterdon and Mercer Counties, NJ and Bucks and Montgomery Counties, PA for 270 days. Supporting shipper(s): R. Thorpe & Sons, Box 101, Rural Delivery 2, New Hope, PA 18938.

MC 107403 (Sub-II-44-TA), filed March 10, 1981. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Sulfuric Acid (65%), Liquid, in bulk, in tank vehicles*, from Dominguez, CA to the port of entry at the international boundary between the US and Mexico at El Paso, TX for delivery to Ciudad Juarez, Mexico for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s) The Procter & Gamble Company, P.O. Box 599, Cincinnati, OH 45201.

MC 136511 (Sub-II-6-TA), filed March 9, 1981. Applicant: VIRGINIA APPALACHIAN LUMBER CORP., 9640 Timberlake Rd., Lynchburg, VA 24502. Representative: J. Johnson Eller, Jr., 513 Main St., Altavista, VA 24517. *Paint and related products, bonding and sealing cements and plastic sheeting and materials and supplies used in the manufacture and distribution thereof*, between Little Rock, AR on the one hand, and, on the other, points in the United States for 270 days. Supporting shipper: Ameron Protective Coatings, 201 N. Berry St., Brea, CA 92821.

MC 150954 (Sub-II-23-TA), filed March 11, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003.

Representative: William E. Collier, 8918 Tesoro Drive, Suite 515, San Antonio, TX 78217. *Plastic bags and plastic roll film*, between Tyler, TX and Marysville, CA; Chicago, IL; Manistee, MI; Rittman, OH; Asheville, NC; Oxford, PA and Suffolk, VA, for 270 days. Supporting shipper: U. S. I. FILM PRODUCTS, P.O. Box 818, Tyler, TX 75701.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 129063 (Sub-3-5-TA), filed March 11, 1981. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, TN 38063. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Pig iron* between Memphis, TN and points in its commercial zone, on the one hand, and, on the other, points in the U.S. in and east of the states of MN, IA, MO, AR and TX. Supporting shipper: Derby & Co., Inc., 400 Holiday Dr., Pittsburgh, PA 15220.

MC 67500, (Sub-3-1-TA), filed March 11, 1981. Applicant: BLUE RIDGE TRUCKING CO., INC., Sweeten Creek Road, P.O. Box 5118, Asheville, NC 28813. Representative: Ron Goldstein (Same as above). *Textiles and textile products*, between Carter County, TN and points in NC. Supporting shipper: Slosman Corporation, P.O. Box 3019, Sweeten Creek Rd., Asheville, NC 28802.

MC 112520 (Sub-3-15TA), filed March 11, 1981. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, FL 32302. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Choline Chloride*, from Hampton, SC to points in AL, FL, GA and MS. Supporting shipper: Cholineco, Inc., P.O. Box 476, Hampton, SC 29924.

MC 107912 (Sub-3-5TA), filed March 11, 1981. Applicant: REBEL MOTOR FREIGHT, INC., 3934 Homewood, Memphis, TN 38118. Representative: A. Doyle Cloud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Foodstuffs*, from points in LA to Jackson, MS and its commercial zone. Supporting shipper: McCarty-Holman Company, Inc., 453 North Mill Street, Jackson, MS 39207.

Note.—Applicant intends to tack with authority held in MC-107912 and subs thereto.

MC 146451 (Sub-3-29TA), filed March 11, 1981. Applicant: WHATLEY-WHITE, INC., 230 Ross Clark Circle, N.E., Dothan, AL 36302. Representative: R. S. Richard, Capell, Howard, Knabe & Cobbs, P.A., P.O. Box 2069, Montgomery, AL 36197. (a) *Audio cassettes, plastic parts and shipping pallets*, between the

facilities of Sony Magnetic Products of America at or near Laredo, TX, and the facilities of Sony Magnetic Products of America at or near Dothan, AL; and (b) *plastic cases*, from Los Angeles, CA to the facilities of Sony Magnetic Products of America at or near Dothan, AL. Supporting shipper: Sony Magnetic Products of America, Highway 84 West, Dothan, AL 36301.

MC 152193 (Sub-3-2TA), filed March 11, 1981. Applicant: REYNOLDS TRUCK LINES, INC., 215 Cherry Street, Madison, TN 37115. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, Tennessee 37219. *Contract: Irregular General commodities, except classes A & B explosives*, between points in the U.S. under a continuing contract(s) with Kabinart Corporation. Supporting shipper: Kabinart Corporation, 3650 Trousdale Drive, P.O. Box 110774, Nashville, TN 37211.

MC 129063 (Sub-3-6TA), filed March 12, 1981. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, TN 38063. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Scrap metals* between Memphis, TN and points in its commercial zone, on the one hand, and on the other, Jackson, TN; Pittsburgh, PA; New Orleans, LA; Checotah, OK; points in TX, Elwood and Evansville, IN; Birmingham, AL; Chicago, IL; St. Louis, MO and Malvern, AR. Supporting shipper: There are five (5) appendices of support which may be reviewed at the ICC Atlanta Regional Office.

MC 146481 (Sub-3-1TA), filed March 12, 1981. Applicant: WOLF LEASING CO., INC., P.O. Box 13297, Eightmile, AL 36613. Representative: Mark S. Gray, P.O. Box 872, Atlanta, GA 30301. *Contract: Irregular routes: general commodities (except Classes A and B explosives)* between points in the U.S. (except AK and HI) under a continuing contract or contracts with (1) Armco, Inc., and (2) Bittner Industries, Inc. Supporting shipper: (1) Armco, Inc., P.O. Box 600, Middletown OH 45043 and (2) Bittner Industries, Inc., 639 Diaz St., Prichard, AL 36610.

MC 124896 (Sub-3-6TA), filed March 12, 1981. Applicant: WILLIAMSON TRUCK LINES, INC., P.O. Box 3484, Wilson, NC 27893. Representative: Peter A. Greene, 1920 N St., N.W., Washington, DC 20036. *Air cleaners, coolers, other than water evaporator type, and parts*, from Charleston, SC; Louisville, GA; and Minneapolis, MN to Atlanta and Louisville, GA; El Paso, TX; and Raleigh and Wilson, NC. Supporting shipper: Thermo-King of Atlanta, Inc., Atlanta, GA.

MC 114098 (Sub-3-1TA), filed March 12, 1981. Applicant: LOWTHER TRUCKING COMPANY, INC., P.O. Box 3117 C.R.S., Rock Hill, SC 29730. Representative: Lawrence E. Lindeman, 1032 Pennsylvania Building, Pennsylvania Ave. & 13th St., N.W., Washington, DC 20004. *Contract carrier, irregular routes, lumber and wood products and forest products*, between points in Duval County, FL, on the one hand, and, on the other, points in the US, under a continuing contract with American Cross-Arm Co., Inc. Supporting shipper: American Cross-Arm Co., Inc., P.O. Box 1255, Jacksonville, FL 32201.

MC 154323 (Sub-3-1TA), filed March 10, 1981. Applicant: EAGLE CARTAGE CORPORATION, 201 Sherlake Rd., Knoxville TN 37922. Representative: Michael Spurlock, 275 E. State St., Columbus OH 43215. *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 Fayette County, KY, on the one hand, and, on the other, points in the United States. Supporting shipper: Foam Design, Inc., 444 Transport Ct., P.O. Box 12178, Lexington, KY 40511.

MC 149563 (Sub-3-10TA), filed March 9, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Ave., Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. *Pipe, tubing and casing* between the facilities of Trident Steel Corp. at or near Houston and Electra, TX, Tulsa, OK and Great Bend, KS and points in the U.S. (Except AK and HI). Supporting shipper: Trident Steel Corp., 10097 Manchester Road, St. Louis, MO 63122.

MC 154187 (Sub-3-1TA), filed March 11, 1981. Applicant: PIKNIK TRANSPORTATION COMPANY, INC., 3806 Day St., Montgomery, AL 36195. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956. *Contract carrier, irregular routes: General commodities except Class A and B explosives*, between points in the U.S., except AK and HI under contract to: Upchurch Oil & Supply, Co., Inc.; Hudson-Thompson, Inc.; Shenandoah Apple Cooperative; Schloss & Kahn, Inc.; and Pikknik Products Company. Supporting shippers: There are five supporting shippers.

MC 52704 (Sub-3-15TA), filed March 11, 1981. Applicant: GLENN MCCLENDON TRUCKING COMPANY, INC., P.O. Drawer "H", LaFayette, AL 36862. Representative: Archie B.

Culberth, John P. Tucker, Jr., Suite 202, 2200 Century Parkway, Atlanta, GA 30345. *Malt beverages*, (1) from Trenton, NJ, San Antonio, TX and Belleville, IL to Pine Bluff, AR, and (2) from LaCrosse, WI and St. Paul, MN to Pine Bluff, Newport and Little Rock, AR. Supporting shipper: George A. Campbell & Sons, Inc., 309 Missouri Street, Pine Bluff, AR 71611.

MC 28307 (Sub-3-2TA), filed February 5, 1981. Republication—originally published in *Federal Register* of February 23, 1981, page 13603, volume 46, No. 35. Applicant: FREDRICKSON MOTOR EXPRESS CORPORATION, 3400 North Graham Street, Charlotte, NC 28206. Representative: Robert D. Hoagland, 1204 Cameron Brown Bldg., Charlotte, NC 28204. *General commodities, except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment*, between points in the following counties in NC: Alexander, Alleghany, Ashe, Bladen, Brunswick, Burke, Caswell, Chatham, Columbus, Davie, Duplin, Franklin, Granville, Harnett, Hoke, Lincoln, Moore, Nash, Onslow, Orange, Pender, Person, Polk, Randolph, Robeson, Sampson, Scotland, Stokes, Surry, Transylvania, Watauga, Wayne, Wilson and Yadkin, on the one hand, and points in NC on the other hand. NOTE: Applicant intends to tack with existing authority in MC-28307 and to interline with other carriers at Asheville, Charlotte, Greensboro, and Hickory, NC and Knoxville and Johnson City, TN. Supporting shipper(s): There are 21 statements in support of this application which may be examined at the I.C.C. Regional Office, Atlanta, GA.

MC 129063 (Sub-3-4TA), filed March 11, 1981. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, TN 38063. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Commodities designated as hazardous waste by the Environmental Protection Agency* between Memphis, TN and its commercial zone, on the one hand, and, on the other, Tulsa, OK, Livingston, and Baton Rouge, LA and Wright City, MO, and points in their respective commercial zones. Supporting shipper: Buckman Laboratories, 1256 N. McLean Blvd., Memphis, TN 38108.

MC 31675 (Sub-3-39TA), filed March 10, 1981. Applicant: NORTHERN FREIGHT LINES, INC., P.O. Box 34303, Charlotte, NC 28234. Representative: Jay R. Hanson (same as above). *Sodium Sulphate* between Cleveland County, NC, Gaston County, NC, and McMinn County, TN, on the one hand, and on the

other points in and west of MN, IA, MO, AR and LA. Supporting shipper(s): Prior Chemical Corp., 420 Lexington Ave., New York, New York 10017.

MC 140460 (Sub-3-3TA), filed March 10, 1981. Applicant: COAST REFRIGERATED TRUCKING CO., INC., P.O. Box 188, Holly Ridge, NC 28445. Representative: Herbert Alan Dubin, 818 Connecticut Avenue NW., Washington, D.C. 20006. *Food and related products* between Aroostook and Cumberland Counties, ME, on the one hand, and, on the other, points in the U.S. Supporting shipper: AKF Foods, Inc. d.b.a. Potato Service, P.O. Box 809, Presque Isle, ME 04769.

MC 154635 (Sub-3-1TA), filed March 10, 1981. Applicant: D. A. YOUNG, d.b.a. TRICITY TRUCKING, 5904 Walden Drive, Knoxville, TN 37919. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309. *Primary aluminum smelter products* from Alcoa, TN to Rockport, IN. Supporting shipper: Aluminum Company of America, 1501 Alcoa Building, Pittsburgh, PA 15219.

MC 152213 (Sub-3-2TA), filed March 10, 1981. Applicant: MISSISSIPPI RIVER TRUCKING, INC., 1424 Lamar Ave., Memphis, TN 38104. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Such goods as are dealt in and distributed by wholesale and retail grocery enterprises and materials and supplies used thereby (except commodities in bulk)* between points in and east of ND, SD, NE, CO, OK and TX. There are eight (8) supporting shippers. Their statements may be reviewed at the I.C.C.'s Regional Office, Atlanta, GA. 154376

MC 154376 (Sub-3-1TA), filed March 10, 1981. Applicant: BOBBY R. HODGSON, 556 Roxbury Drive, Riverdale, GA 30274. Representative: Bobby R. Hodgson (same address as applicant). *Slaw, meat, meat products and meat by-products, and related products distributed by meat packing houses*, from GA to SC, NC, FL, AL, MS, LA and TX. Supporting shipper: Talmadge Farms, Inc., Talmadge Road, Lovejoy, Ga 30250.

MC 58923 (Sub-3-2TA), filed March 10, 1981. Applicant: GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Rd., SE., Atlanta, GA 30315. Representative: Clyde W. Carver, Atty., P.O. Box 720434, Atlanta, GA 30328. *Contract carrier: irregular: (1) Such commodities used and dealt in by the printing industry* between points in the United States (except AK and HI) under continuing contract(s) with Kingsport Press; (2) *Buffing and polishing compounds, cleaning compounds,*

solvents, starch, bleach, lubricating oil, carbon, gum and sludge removing compounds, disinfectants, softeners, sizing, and janitorial supplies and equipment; insecticides and pesticides; plastic sprayers and parts therefore; and materials and supplies used in the manufacture and distribution of the above named commodities between points in the United States (except AK and HI) under continuing contract(s) with Texize, Division of Morton Norwich. Supporting shippers: Kingsport Press, P.O. Box 711, Kingsport, TN 37662; Texize, Division of Morton Norwich, P.O. Box 368, Greenville, SC 29602.

MC 112617 (Sub-3-16TA), filed March 9, 1981. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, KY 40221. Representative: Larry W. Thompson, (same address as applicant). *Chemicals, in bulk, in tank vehicles*, from Tuscola, IL; Linden, NJ; Texas City, TX; Willow Springs, IL; Sauget, IL; Lemont, IL; St. Louis, MO; Chicago, IL; to the plantsite of GAF Corporation at Calvert City, KY. Supporting shipper: GAF Corporation, 1361 Alps Road, Wayne, New Jersey 07470.

MC 154261 (Sub-3-2TA), filed March 9, 1981. Applicant: PASCO PRODUCTS, INC., 2017 King Edward Avenue, Cleveland, TN 37311. Representative: M. C. Ellis, c/o Chattanooga Freight Bureau, Inc., 1001 Market Street, Chattanooga, TN 37402. *Contract carrier: irregular; such commodities as are dealt in or used by manufacturers of floor coverings and (2) materials and supplies used in the manufacture and distribution of the commodities in (1) above* between Chatsworth and Dalton, GA on the one hand, and on the other, points in AR, DE, FL, IL, IN, KY, LA, MD, MI, NJ, NY, NC, OH, PA, TN, TX, and VA under continuing contract(s) with S & S Mills, Inc., of Dalton, GA. Supporting shipper: S & S Mills, Inc., P.O. Box 534, Dalton, GA 30720.

MC 150706 (Sub-3-3TA), filed March 9, 1981. Applicant: NEELY TRANSPORT, INC., P.O. Box 5132, Birmingham, AL 35214. Representative: George M. Boles, 727 Frank Nelson Bldg., Birmingham, AL 35203. *Petroleum and petroleum products*, between points in Hale and Tuscaloosa Counties, AL, on the one hand, on the other, points in Lowndes, Oktibbeha, Clay, Monroe, Itawamba, Tishomingo, Kemper, Winston and Noxubee Counties, MS. Supporting shippers: Weeks Dredging & Contracting, Inc., Columbus, MS; and, Trico Oil Co., Inc., Reform, AL.

MC 142181 (Sub-3-5TA), filed March 10, 1981. Applicant: LIBERTY

CONTRACT CARRIER, INC., 214 Hermitage Avenue, Nashville, TN 37202. Representative: Robert L. Baker, Sixth Floor, United American Bank, Nashville, TN 37219. *Such merchandise as is dealt in by catalogue showroom, department and discount store companies between points in the U.S. Supporting shippers:* There are 16 certificates of support submitted with this application that can be reviewed at the Atlanta, GA, regional offices.

MC 126305 (Sub-3-16TA), filed March 10, 1981. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., R.F.D. 1, Box 18, Clayton, AL 36016. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Used Railroad Cross Ties, from IL, IN, OH, KY, to TN, NC, SC, GA, AL. Supporting shipper: Railroad Cross Tie Sales Co., Inc., 800 Cobb Parkway, NE., P.O. Box 7118, Marietta, GA. 30065.*

MC 107515 (Sub-3-105TA), filed March 9, 1981. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Bruce E. Mitchell, Fifth Floor, Lenox Towers South, 3390 Peachtree Rd., NE., Atlanta, GA 30326. *(1) Aluminum and aluminum products and (2) equipment, materials and supplies used in the manufacture and distribution of (1) above between the plantsite facilities of Consolidated Aluminum located at or near Jackson, TN; Iuka, MS; and Hannibal (Oma), OH, on the one hand, and, on the other, points in and east of MN, IA, NE, KS, OK and TX. Supporting shipper: Consolidated Aluminum Corporation, 11960 Westline Industrial, St. Louis, MO 63141.*

MC 115491 (Sub-3-2TA), filed March 9, 1981. Applicant: COMMERCIAL CARRIER CORPORATION, P.O. Drawer 67, Auburndale, FL 33823. Representative: Tony G. Russell (same address as applicant). *Fibreboard Boxes, Corrugated or other than Corrugated. Between Wildwood, FL on the one hand and points in FL on the other, restricted to shipments having a prior or subsequent movement by water. Supporting shipper: Container Corporation of America, P.O. Box 1225, Stone Mountain, GA 30083.*

MC 148283 (Sub-3-4TA), filed March 9, 1981. Applicant: ABC TRANSPORTATION, INC., State Docks Street, Eufaula, AL 36027. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th St., N.W., Washington, DC 20001. *Kiln Dried hardwood lumber from Cortland, NY to points in AL, CA, GA, NC, SC, and VA. Supporting shipper: Gutchess Lumber Co., P.O. Box 192, Cortland, NY 13045.*

MC 107913 (Sub-3-1TA), filed March 9, 1981. Applicant: F & W EXPRESS, INC., 165 S. Parkway West, Memphis, TN 38109. Representative: Dale Woodall, 900 Memphis Bank Building, Memphis, TN 38103. *Steel wire from Clarksdale, MS to points in AR, GA, TN and TX. Supporting shipper: Delta Wire Corporation, 110 Industrial Drive, Clarksdale, MS 38614.*

MC 126305 (Sub-3-17TA), filed March 10, 1981. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., R.F.D. 1, Box 18, Clayton, AL 36016. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *(1) Lumber and Composition Board, and (2) Materials, Equipment, and supplies used in the manufacture and distribution of the commodities in (1) above, (except in bulk in tank vehicles), between the International Boundray Line of the US and Canada located at or near Detroit, MI, and Windsor, Ontario; Niagara Falls, Buffalo, NY, and Hamilton, Ontario on the one hand, and on the other, points in the US in and east of IL, MO, KY, TN, and MS. Supporting shipper: MacMillan Bloedel Building Materials, 6540 Powers Ferry Road, Suite 200, Atlanta, GA 30339.*

MC 149281F (Sub-3-1TA), Applicant: FLEIG LEASING, INC., 1267 Burlington Road, Roxboro, NC 27573. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168. *Contract; Irregular Aluminum and Aluminum Articles, and equipment, materials, and supplies used in the distribution, installation or manufacture of Aluminum and Aluminum Articles, between points in the United States, under continuing contract with Hunter Douglas Inc. Supporting shipper: Hunter Douglas Inc., P.O. Box 61, Roxboro, NC 27573.*

MC 146451 (Sub-3-28TA), filed March 9, 1981. Applicant: WHATLEY-WHITE, INC., 230 Ross Clark Circle, N.E., Dothan, AL 36302. Representative: R. S. Richard, Capell, Howard, Knabe & Cobbs, P.A., P.O. Box 2069, Montgomery, AL 36197. *Plastic pipe, fittings, and materials, equipment, and supplies used in the manufacturing, shipping, and installation of plastic pipe and fittings, except no commodities in bulk, from all points and places in and east of ND, SD, NE, KS, OK and TX, to the facilities of Samson Plastic Conduit and Pipe Corporation at or near Samson, AL. Supporting shipper: Samson Plastic Conduit and Pipe Corporation, 100 Industrial Drive, Samson, AL 36477.*

MC 59150 (Sub-3-14TA), filed March 9, 1981. Applicant: PLOOF TRUCK LINES, INC., 1414 Lindrose Street, Jacksonville, FL 32206. Representative:

Martin Sack, Jr., 203 Marine National Bank Bldg., 311 W. Duval Street, Jacksonville, FL 32202. *Salt, from LA and OH to FL, GA, NC, and SC. Supporting shipper: Great Southern Salt Co., Inc., P.O. Box 17152, Jacksonville, FL 32216.*

MC 143059 (Sub-3-37TA), filed March 9, 1981. Applicant: MERCER TRANSPORTATION CO., P.O. Box 35610, Louisville, KY 40232. Representative: Kenneth W. Kilgore (same as applicant). *Lumber, lumber products, and wood products, from PA to points in the United States in and east of ND, SD, NE, KS, OK and TX. Supporting shipper: Ritenaur Lumber Co., Box 33, Melcroft, PA 15462.*

MC 136123 (Sub-3-12TA), filed March 9, 1981. Applicant: MEAT DISPATCH, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: William L. Beasley (same as above). *Foodstuffs, materials, equipment and supplies used in the manufacture of foodstuffs between the plant sites of Aster Nut Products, Inc., located in South Hampton County, VA and Essex County, NJ, on the one hand and points in the United States on the other. Supporting shipper: Aster Nut Products, Inc., 1455 McCarter Hwy., Newark, NJ 07104.*

MC 134064 (Sub-3-12TA), filed March 9, 1981. Applicant: INTERSTATE TRANSPORT, INC., 1600 Highway 129 South, Gainesville, GA 30505. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *(1) Emulsified petroleum paraffin wax and chemicals (except in bulk, and (2) Materials, equipment and supplies used in the application of the commodities named in Item (1) above (except in bulk), from Cincinnati, OH and points in its commercial zone, to points in the U.S. Supporting shipper: Michelman Chemicals, Inc., 9089 Shell Road, Cincinnati, OH, 45236.*

MC 144913 (Sub-3-2TA), filed March 9, 1981. Applicant: COMPTON TRUCKING, INC., 5300 Kennedy Road, Forest Park, GA 30050. Representative: David L. Capps, P.O. Box 924, Douglasville, GA 30133. *Paper and Paper products (except in bulk), between points in the US in and east of MN, IA, MO, KS, OK and TX. Supporting shipper: Treasure Chest Advertising Company, Inc., 3271 Hamilton Blvd., SE, Atlanta, GA 30359.*

MC 144913 (Sub-3-3TA), filed March 9, 1981. Applicant: COMPTON TRUCKING, INC., 5300 Kennedy Road, Forest Park, GA 30050. Representative: David L. Capps, P.O. Box 924, Douglasville, GA 30133. *(1) Such commodities as are dealt in by*

wholesale, retail and chain grocery houses, and (2) materials, equipment and supplies used in the distribution and sale of (1) above between Memphis, TN, on the one hand, and on the other, points in AL, FL, GA, KY, MS, NC and SC. Supporting shipper: Southern Warehouses, Inc., P.O. Box 30149, Memphis, TN 38130.

MC 147886 (Sub-3-9TA), filed March 9, 1981. Applicant: AM & M, INCORPORATED, P.O. Box 1627, Jackson, TN 38301. Representative: R. Connor Wiggins, Jr., Suite 909, 100 N. Main Bldg., Memphis, TN 38103. *Such goods as are dealt in and distributed by wholesale and retail grocery enterprises and materials and supplies used thereby (except commodities in bulk) between points in and east of ND, SD, NE, CO, OK and TX. There are seven (7) supporting shippers.*

MC 152544 (Sub-3-9TA), filed March 2, 1981. Applicant: CYPRESS TRUCK LINES, INC., 1746 East Adams Street, Jacksonville, FL 32202. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Construction Materials, between Springfield, VA, Miami, FL and Minneapolis, MN on the one hand, and, on the other, points in the U.S., in and east of TX, OK, KS, NE, SD and ND. Supporting shipper: VSI Corporation, P.O. Box 866, Springfield, VA 22150.*

MC 145794, (Sub-3-4TA), filed March 3, 1981. Applicant: ARDS TRUCKING COMPANY, INCORPORATED, P.O. Box 362, Darlington, SC 29532. Representative: Martin S. Driggers, P.O. Box 1439, Hartsville, SC 29550. *Paper and paper products, bituminized fiber pipe and roofing, lumber and lumber materials, and equipment and supplies used in the manufacture and distribution thereof between points in the United States. Supporting Shipper: Sonoco Products Company, North Second Street, Hartsville, S.C.*

MC 145696 (Sub-3-1TA), filed March 9, 1981. Applicant: M & M LIMITED, 228 Louisville Air Park, Louisville, KY 40213. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. *Contract, irregular; Malt beverages and equipment, materials, and supplies used in the manufacture, sale, and distribution of malt beverages, between the facilities of Mo Moorman Distributor, Inc., at Louisville, KY and Minneapolis, MN, under contract with Mo Moorman Distributor, Inc., of Louisville, KY Supporting Shipper: Mo Moorman Distributor, Inc., 228 Louisville Air Park, Louisville, KY 40213.*

Note.—Applicant is affiliated with supporting shipper.

MC 148043 (Sub-3-1TA), filed March 9, 1981. Applicant: LEE DAMRON, Route 1, Counce, TN 38326. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Material aggregate, sand and gravel between the facilities of Clyde Owen Sand & Gravel, Inc. at or near Olive Branch, MS, on the one hand, and, on the other, points in Hardin, McNairy, and Shelby Counties, TN and Tishomingo County, MS. Supporting Shipper: Clyde Owen Sand & Gravel, Inc., P.O. Box 190, Collierville, TN 38017.*

MC 144827 (Sub-3-34TA), filed March 6, 1981. Applicant: DELTA MOTOR FREIGHT, INC., P.O. Box 18423, Memphis, TN 38118. Representative: R. Connor Wiggins, Jr., Suite 909, 100 N. Main Bldg., Memphis, TN 38103. *Metal containers or parts and components thereof, and materials, supplies and equipment used in the manufacture, sales and distribution of metal containers or parts and components thereof between facilities of Armstrong Container, Inc. at Garland, TX, on the one hand, and, on the other, points in the U.S. Supporting shipper: Armstrong Container, Inc., 3737 Miller Park Dr., Garland, TX 75042.*

MC 107515 (Sub-3-103TA), filed March 6, 1981. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Bruce E. Mitchell, Esq., 3390 Peachtree Rd., N.E., 5th Floor, Atlanta, GA 30326. *Such commodities as are dealt in by grocery business houses (except in bulk) from: facilities of Lever Brothers Company, Inc. at or near Hammond, IN; Clearing and Elgin, IL; Detroit, MI; and St. Louis, MO to points in the US in and east of ND, SD, NE, KS, CO and NM. Supporting shipper: Lever Brothers Company, Inc., Lever House, 390 Park Avenue, New York, NY 10022.*

MC 148822 (Sub-3-8TA), filed March 9, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Ave., Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. *Contract; irregular; forest products, lumber and wood products, between points in WA, OR, CA, AZ, NM, MT, ID, and WY, on the one hand, and, on the other, points in TX, KS, OK, AR, MO, IL and IA under contract with Broadview Lumber Company, Inc. Supporting shipper: Broadview Lumber Company, P.O. Box 816, Carthage, MO 64836.*

MC 107515 (Sub-3-104TA), filed March 6, 1981. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Bruce E. Mitchell, Esq., 3390 Peachtree Rd., N.E., 5th Floor—

Lenox Towers South, Atlanta, GA 30326. *(1) Ceiling fans and (2) materials, equipment and supplies used in the manufacture and installation of ceiling fans from facilities of Codep International, Houston, TX to points in the US. Supporting shipper: Codep International, 1730 Stebbins Drive, Houston, TX 77043.*

MC 149563 (Sub-3-9TA), filed March 9, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Avenue, Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. *Common, irregular, Metal products, between the facilities of Engineered Components, Inc. at or near Stafford, TX and Jemison, AL and points in the U.S. Supporting shipper: Engineered Components, Inc., P.O. Drawer C, Stafford, TX 77477.*

MC 148075 (Sub-3-5TA), filed March 5, 1981. Applicant: CECIL E. KING, JR. d.b.a. CECIL KING TRUCKING, Route 2, Seagrove, NC 27341. Representative: Francis J. Ortman, Esquire, 7101 Wisconsin Avenue, Suite 605, Washington, D.C. 20014. *Contract carrier: irregular: (1) synthetic fiber rayon staple in machine pressed bales, and (2) synthetic yarn rayon, in cartons, from Front Royal, VA to points in CA, CO, AR, UT, TX and NE. Supporting shipper: Avtex Fibers, Inc., 9 Executive Mall, Valley Forge, PA 19482.*

MC 47171 (Sub-3-1TA), filed March 9, 1981. Applicant: PARK PLACE EQUIPMENT SERVICES, INC., P.O. Box 2820, Greenville, SC 29602. Representative: Clarence E. Cannon (Same address as applicant). *Contract, irregular; General commodities, (except household goods as defined by the Commission, Classes A and B explosives and commodities in bulk) between points in the US (except AL and HI) under a continuing contract with United Freight, Inc., Morrow, GA. Supporting shipper: United Freight, Inc., 1260 Southern Road, Morrow, GA 30260.*

MC 148183 (Sub-3-14TA), filed March 10, 1981. Applicant: ARROW TRUCK LINES, INC., P.O. Box 432, Gainesville, GA 30503. Representative: Mr. Jerry Gerehty (Same as applicant's). *Foodstuffs and materials, equipment and supplies, used in the manufacture and distribution thereof, from points in the United States to Hall County, GA. Supporting shipper: Deep South Products, Inc., P.O. Box 2534, Gainesville, GA 30503.*

MC 144827 (Sub-3-33TA), filed March 6, 1981. Applicant: DELTA MOTOR FREIGHT, INC., P.O. Box 18423, Memphis, TN 38118. Representative: R. Connor Wiggins, Jr., Suite 909, 100 N.

Main Bldg., Memphis, TN 38103. *General commodities (with the usual exceptions)* between facilities utilized by M. G. Maher and Co., Inc. at New Orleans, LA; Houston, TX; and Mobile, AL on the one hand, and, on the other, points in MS, LA, AR, MO, IL, IN, KY, TN and AL. Restriction: Restricted to shipments having a prior or subsequent movement by water. Supporting shipper: M. G. Maher and Co., Inc., 442 Canale St., New Orleans, LA 70130.

MC 154633 (Sub-3-1TA), filed March 10, 1981. Applicant: JAMES BELL & FREDDIE BELL d.b.a. BELL & SONS TRUCKING COMPANY, Route 2, Box 65, Aberdeen, MS 39730. Representative: Kent F. Hudson, 202 Main Street, P.O. Box 696, Purvis, MS 39475. *Contract carrier, irregular, iron and steel articles*, between Birmingham, AL, on the one hand, and Aberdeen, MS, on the other. Supporting shipper: Walker Manufacturing Company, a division of Tenneco Corporation, 704 Highway 25 South, Aberdeen, MS 39730.

MC 153566 (Sub-3-2TA), filed March 11, 1981. Applicant: BELCHER TRUCKING CO., INC., P.O. Box 160, Brent, AL 35034. Representative: John R. Frawley, Jr. Suite 200, 120 Summit Parkway, Birmingham, AL 35209. *Pipe, fittings, valves, hydrants, fire brick and related accessories used in their installation*, between Coshocton and Parral, OH and points in the states of AL, AR, GA, FL, MS, LA, NC, SC, TN. Supporting shipper: Clow Corporation, 1211 W. 22nd Street, Oak Brook, IL 60521.

The following applications were filed in region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 99123 (Sub-4-7TA), filed March 9, 1981. Applicant: QUAFT TRANSFER, INC., P.O. Box 7, Winsted, MN 55395. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. Common regular: *General commodities* (except household goods as defined by the Commission and Classes A and B explosives). 1) Between Minneapolis and Eden Valley, MN, over MN Hwy 55; 2) Between Minneapolis and Litchfield, MN, over U.S. Hwy 12; 3) Between Minneapolis, MN and junction MN Hwys 7 and 22, over MN Hwy 7; 4) Between Minneapolis and Stewart, MN, over U.S. Hwy 212; 5) Between Minneapolis and Norwood, MN, over MN Hwy 5; 6) Between Eden Valley, MN and junction MN Hwys 22 and 15, over MN Hwy 22; 7) Between Kimball, MN and junction MN Hwy 15 and U.S. Hwy 212, over MN Hwy 15; 8) Between Howard Lake, MN and junction MN

Hwy 261 and U.S. Hwy 212, from Howard Lake over Wright and McLeod County Road 6 to junction MN Hwy 261, then over MN Hwy 261 to junction U.S. Hwy 212, and return over the same route; 9) In connection with routes 1) through 8) above, serving a) all intermediate points and b) Green Isle and Fairhaven, MN, points in McLeod and Carver Counties, MN, those in Wright and Hennepin Counties, MN on and south of MN Hwy 55, and those in Meeker County, MN on and south of MN Hwy 55, and on and east of MN Hwy 22, as off-route points. An underlying ETA seeks 120 days authority. Supporting shippers: Farmhand, Inc., 525—15th Avenue South, Hopkins, MN 55343 and Carlson Marketing Group, 12755 Highway 55, Minneapolis, MN 55441.

Note.—Applicant intends to tack and interline.

MC 107295 (Sub-4-32TA), filed March 9, 1981. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, IL 61842. Representative: Duane Zehr (same address as applicant). *Contract irregular: General commodities* (except Class A and B explosives and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract with W. W. Grainger, Inc. Supporting shipper: W. W. Grainger, Inc., 5959 W. Howard, Niles, IL 60648.

MC 110420 (Sub-4-13TA), filed March 9, 1981. Applicant: QUALITY CARRIERS, INC., 100 Waukegan Road, P.O. Box 1000, Lake Bluff, IL 60044. Representative: Michael V. Kaney (same address as applicant). *Cleaning Compounds*, in bulk, from Cleveland, OH to Cumberland, MD; Grand Rapids, MI; and Russell, KY. An underlying ETA seeks 120 days authority. Supporting shipper: Reliance Brooks, Inc., 3302 East 87th Street, Cleveland, OH 44127.

MC 123407 (Sub-4-56TA), filed March 9, 1981. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: Sterling W. Hygema (same address as applicant). *Pallets and pallet racks, and materials, equipment, and supplies used in the manufacturing, sale, and distribution thereof*, between Floyd County, GA, and points in the U.S. Supporting shipper: Cerco Stak-Pal Corporation, 1051 Old Lindale Road, Rome, GA 30161.

MC 123407 (Sub-4-57TA), filed March 9, 1981. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: Sterling W. Hygema (same address as applicant). *Lead, lead products, and other articles as named in Items 10, 28, and 33 of STCC, and*

materials, equipment, and supplies used in the manufacturing, sale, and distribution thereof, between Lake County, IN; Montgomery County, PA; and points in the U.S. Supporting shipper: Hammond Lead Products, Inc., P.O. Box 308, Hammond, IN 46325. An underlying ETA seeks 120 days authority.

MC 123407 (Sub-4-58TA), filed March 9, 1981. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: Sterling W. Hygema (same address as applicant). *Windows, doors, building woodwork, and other articles as named in Item 24 of STCC, and materials, equipment, and supplies used in the manufacturing, sale, and distribution thereof*, between Dubuque County, IA, and points in FL, GA, IL, MN, MO, TN, and WI. Supporting shipper: Jeld-Wen Fiber Products, Inc. of Iowa, 250 East 8th Street, Dubuque, IA 52001. An underlying ETA seeks 120 days authority.

MC 133689 (Sub-4-69TA), filed March 10, 1981. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Cans, cabinets and oilers*, between Wellsburg, WV on the one hand, and, on the other, points in the U.S. restricted to the transportation of shipments originating at or destined to the facilities of Eagle Manufacturing Company. Supporting shipper: Eagle Manufacturing Company, Wellsburg, WV 26070.

MC 133689 (Sub-4-70TA), filed March 10, 1981. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Cleaning compounds and toilet preparations (except commodities in bulk) and equipment, materials and supplies used in the manufacture, sale and distribution of commodities described above*, between the facilities of Minnetonka, Inc. on the one hand, and, on the other hand, points in the U.S. Supporting shipper: Minnetonka, Inc., P.O. Box 1A, Minnetonka, MN 55343.

MC 134970 (Sub-4-2TA), filed March 6, 1981. Applicant: UNZICKER TRUCKING, INC., P.O. Box 35, El Paso, IL 61738. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501. *Starch*, from Indianapolis, IN to Muscatine, IA. Supporting shipper: Star-Kist Foods, Inc., 582 Tuna Street, Terminal Island, CA 90731.

MC 135231 (Sub-4-8TA), filed March 4, 1981. Applicant: NORTH STAR

TRANSPORT, INC., Rt. 1, Highway 1 & 59 West, Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118.

Foodstuffs, between the facilities of The Pillsbury Company at Springfield, IL; Terre Haute, IN; Buffalo, NY and Mechanicsburg, PA, on the one hand, and, on the other, points in the U.S. in and east of MI, IN, KY, TN and AL. An underlying ETA seeks 120 days. Supporting shipping: The Pillsbury Company, Minneapolis, MN.

MC 141899 (Sub-4-1TA), filed March 9, 1981. Applicant: BILL & GENE'S TRUCKING, INC., Box 303 W. Hwy. 34, Madison, SD 57042. Representative: Thomas J. Simmons, 5301 N. Cliff Ave., Box 480, Sioux Falls, SD 57101.

Masonry products, and articles used in the manufacture and distribution of masonry products, between Points in IA and MN on the one hand, and on the other, points in the U.S., restricted to traffic originating at or destined to Sioux City Brick & Tile, Inc., and its subsidiaries. Supporting shipper: Sioux City Brick & Tile, Inc., 222 Commerce Building, Box 807, Sioux City, IA 51102.

MC 142305 (Sub-4-3TA), filed March 10, 1981. Applicant: WISCONSIN EXPRESS LINES, INC., Route 2, Green Bay, WI 54301. Representative: Daniel R. Dineen, 710 North Plankinton Avenue, Milwaukee, WI 53203. *Contract*: irregular: *Such commodities as are dealt in or used by a manufacturer or distributor of foodstuffs*, between points in the U.S. under continuing contracts with Flanagan Brothers, Inc. Supporting shipper: Flanagan Brothers, Inc., 400 Clark Street, Bear Creek, WI 54922.

MC 142715 (Sub-4-13TA), filed March 9, 1981. Applicant: LENERTZ, INC., P.O. Box 479, South St. Paul, MN 55075. Representative: K. O. Petrick (same address as applicant). *Chewing gum and equipment, materials and supplies used in the manufacture and distribution of chewing gum*, between Chicago, IL; Garland, TX; Flowery Branch, GA and Edison, Plainfield and South Plainfield, NJ on the one hand, and on the other, points in the United States in and east of ND, SD, NE, CO, OK and TX. Restricted to traffic originating at or destined to the facilities of Wm. Wrigley Jr. Company. Supporting shipper: Wm. Wrigley Jr., 410 N. Michigan Ave., Chicago, IL 60611.

MC 142715 (Sub-4-14TA), filed March 9, 1981. Applicant: LENERTZ, INC., P.O. Box 479, South St. Paul, MN 55075. Representative: K. O. Petrick (same address as applicant). *Beverages and equipment, materials and supplies used in the manufacture and distribution of beverages (except commodities in bulk)*, between St. Paul, MN on the one hand,

and on the other, all points in ND, SD IA, IL, WI, IN, OH, MO and MI. Supporting shipper: Gold Medal Beverages, 553 N. Fairview Ave., St. Paul, MN 55104.

MC 142715 (Sub-4-15TA), filed March 10, 1981. Applicant: LENERTZ, INC., P.O. Box 479, South St. Paul, MN 55075. Representative: K. O. Petrick (same address as applicant). *Welders, battery chargers, electrical apparatus, welding supplies and related parts; and equipment, materials and supplies used in the manufacture, sales and distribution of these commodities*, between Minneapolis, MN on the one hand, and, on the other, all points in the U.S. in and east of ND, SD, NE, CO, OK and TX. Supporting shipper: Century Manufacturing Company, 9231 Penn Ave. So., Minneapolis, MN 55431.

MC 142715 (Sub-4-16TA), filed March 10, 1981. Applicant: LENERTZ, INC., P.O. Box 479, South St. Paul, MN 55075. Representative: K. O. Petrick (same address as applicant). *Automotive parts and accessories*, between points in Dakota, Hennepin and Ramsey Counties, MN on the one hand, and on the other, points in the U.S. in and east of ND, SD, NE, KS, OK and TX. Restricted to traffic originating at or destined to points in Dakota, Hennepin and Ramsey Counties, MN. Supporting shipper: Norm's Tire Sales, 477 E. Little Canada Road, St. Paul, MN 55117.

MC 145742 (Sub-4-3), filed March 9, 1981. Applicant: BOLES TRUCKING, INC., R.R. #1, Ina, IL 62846. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract* irregular: *Creosote oil, asphalt, paving blocks, railroad ties, lumber and materials and supplies used in the manufacture and distribution of such commodities*, between Toledo, OH, Granite City, IL and Detroit, MI on the one hand, and on the other, points in AR, IL, IA, IN, KS, LA, MO, MI, NY, PA, OK and TX. Restricted to traffic moving under continuing contract with The Jennison-Wright Corporation. An underlying E/T/A seeks 120 days authority. Supporting shipper: The Jennison-Wright Corporation, P.O. Box 691, Toledo, OH 43694.

MC 146969 (Sub-4-9TA), filed March 9, 1981. Applicant: STAN KOCH & SONS TRUCKING, INC., 4901 Excelsior Boulevard, Minneapolis, MN 55416. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Suite 307, Minneapolis, MN 55424. *Such commodities as are dealt in or used by hardware and farm supply stores (a)* between points in CO, IL, IN, IA, KS, MI, MN, MO, NE, ND, OH, SD, and WI; and (b) between points in CO, IL, IN, IA, KS,

MI, MN, MO, NE, ND, OH, SD, WI, on the one hand, and, on the other, points in the U.S. in the east of ND, SD, NE, CO, OK, and TX. Supporting Shipper: There are 19 shippers.

MC 148428 (Sub-4-5TA), filed March 9, 1981. Applicant: BEST LINE, INC., P.O. Box 765, Hopkins, MN 55343. Representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402. *Foodstuffs and related products* from Chicago, IL and its commercial zone and Madison, WI and its commercial zone to the facilities of American Fruit & Produce at Eagan, MN. Supporting shipper: American Fruit & Produce, 2884 Egandale Blvd., P.O. Box 43039, Eagan, MN 55164.

MC 150820 (Sub-4-4TA), filed March 9, 1981. Applicant: LEXINGTON TRANSFER, INC., 0136 McKay Drive, Anoka, MN 55303. Representative: Stanley C. Olsen, Jr., Suite 307, 5200 Wilson Road, Edina, MN 55435. *Asphalt, asphalt products and joint compounds (except in bulk)* between points in MN, on the one hand, and, on the other, points in IA, ND, SD, and WI, and the Chicago, IL commercial zone. Supporting shipper: L. N. Sickels Co. 530 N. Cleveland, Ave., St. Paul, MN 55114.

MC 150867 (Sub-4-2TA), filed March 9, 1981. Applicant: PRESS EXPRESS, 15234 Ezers, Dolton, IL 60419. Representative: William H. Shawn, Suite 501, 1730 M Street NW., Washington, D.C. 20036. *Contract*: Irregular *those commodities which, because of their size or weight, require the use of special handling or equipment*, between all points in the U.S. (except Hawaii), for or on behalf of Danly Machine Corp. Supporting shipper: Danly Machine Corp., 2100 So. Laramie Ave., Cicero, IL 60650.

MC 152282 (Sub-4-3TA), filed March 6, 1981. Applicant: FLOYD DUENOW, INC., P.O. Box 86, Savage, MN 55378. Representative: William J. Gambucci, Suite M-20, 400 Marquette Ave., Minneapolis, MN 55401. *Contract* irregular: *Aluminum castings, and materials, equipment and supplies used in the distribution and manufacture of aluminum castings*, between points in the United States under continuing contracts with Le Sueur Foundry Company, Inc. and Sheldon Die Casting Corporation, Division of Le Sueur Foundry Company, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Le Sueur Foundry Company, Inc., 1408 Vine Street, Le Sueur, MN 56058.

MC 154232 (Sub-4-1TA), filed March 5, 1981. Applicant: SLX TRANSPORT INC., 1703 Highway Two, Duluth, MN

55810. Representative: E. L. Newville (same address as applicant). *Minerals*, between points in MN, MI, IL, ND, SD, WI and IA. An underlying ETA seeks 120 days authority. Supporting shipper: Cutler Magner Co., 12th Ave West and Waterfront, Duluth, MN 55802.

MC 154348 (Sub-4-2), filed March 9, 1981. Applicant: FRINK'S INDUSTRIAL WASTE, INC., Box 555, Pecatonica, IL 61063. Representative: Donald L. Shriver, 401 W. State Street, Suite 701, Rockford, IL 61101. *Industrial and hazardous waste material*, between points in IL on the one hand, and on the other, points in IL, IA, IN, KY, MS, MN, NE, NV, UT, WI and WY. Supporting shippers: (1) Colt Industries FM Engine Div., 702 Lawton Ave., Beloit, WI 53511; (2) Stone Hydraulic Industries, Inc., 2130 Harlem Rd., Rockford, IL 61111; (3) MTE Hydraulics, Inc., 4701 Kishwaukee St., Rockford, IL 61101; and (4) John S. Barnes Corp., 2222 15th Street, Rockford, IL 61125.

MC 154396 (Sub-4-1TA), filed March 9, 1981. Applicant: LORENZ MANUFACTURING COMPANY, Route 3, Box 127, Benson, MN 56215. Representative: William J. Gambucci, Suite M-20, 400 Marquette Ave., Minneapolis, MN 55401. *Pet food and pet food ingredients* between points in the U.S. under a continuing contract or contracts with Supreme Pet Food Co., De Graff, MN. Underlying ETA seeks 120 days authority. Supporting shipper: Supreme Pet Food Company, De Graff, MN 56233.

MC 154598 (Sub-4-1), filed March 9, 1981. Applicant: GARY CALHOUN, d.b.a. JARLYN CO., South Street and Harvestore Drive, P.O. Box 160-A, DeKalb, IL 60115. Representative: Michael F. Sheehan, Jr., 29 South LaSalle Street, Suite 830, Chicago, IL 60603. *Contract: Irregular Vermiculite and Vermiculite products including bulk, Perlite and Perlite products, plant media mix including bulk, horticulture products, and dirt, gravel and limestone* from DeKalb County, IL on the one hand and to all points in IL, IN, IA, MI, MN, MD, OH, PA, WI and KY on the other. Supporting shipper: Mica Pellets, Inc., 1120 Oak Street, DeKalb, IL 60115.

MC 154599 (Sub-4-1TA), filed March 9, 1981. Applicant: CHAMPION TRUCK LINES, INC., 3651 E. Milwaukee, Detroit, MI 48211. Representative: John M. Veale, 32nd Floor, 100 Renaissance Center, Detroit, MI 48226. *General commodities* between points in MI, OH, KY, TN, IN, MO, IL, WI, KS, OK, PA, NJ, NY, GA, and TX. Supporting shipper: Ford Motor Company, One Parklane Blvd., Dearborn, MI 48126.

MC 154601 (Sub-4-1TA), filed March 9, 1981. Applicant: JAMES L. SCHWEHR, SR., d.b.a. AAAPCO TRANSPORTATION COMPANY, 202 2nd Ave. SE, P.O. Box 89, Valley City, ND 58072. Representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, ND 58126. *Lumber and wood products* from Escanaba, MI; Hayward, WI; and points in MT, ID, WA, OR and CA, to points in Cass and Burleigh Counties, ND and Clay and Becker Counties, MN. Restricted to traffic destined to the facilities of Custom Fabricators, Inc. or its customers. An underlying ETA seeks 120 days authority. Supporting shipper: Custom Fabricators, Inc., 1230 38th St., P.O. Box 2171, Fargo, ND 58107.

MC 154607 (Sub-4-1TA), filed March 10, 1981. Applicant: NIXON TRANSPORTATION, INC., 206 N. Hull, Fort Branch, IN 47648. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956. *Contract: General commodities except Class A and B explosives*, between points in the U.S. except AK and HI under contracts to Red Spot Paint & Varnish Co., Inc. An underlying ETA seeks 120 day authority. Supporting shipper: Red Spot Paint & Varnish Co., Inc., P.O. Box 418, Evansville, IN 47703.

MC 720 (Sub-4-5TA), filed March 11, 1981. Applicant: BIRD TRUCKING COMPANY, INC., P.O. Box 227, Waupun, WI 53983. Representative: Tom Westerman, P.O. Box 227, Waupun, WI 53983. *Scrap metal and machinery parts* between points in and east of ND, SD, KS, OK and TX on the one hand, and on the other hand, the facilities of Sajac Company, Inc. at or near Beaver Dam, WI, Rochelle, IL and Caldwell, OH. Supporting shipper: Sajac Company, Inc., 1100 Green Valley Road, Beaver Dam, WI 53916.

MC 35628 (Sub-4-10TA), filed March 10, 1981. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 110 Ionia Avenue, N.W., P.O. Box 175, Grand Rapids, MI 49501. Representative: Michael P. Zell (address same as applicant). *Common: Regular General Commodities*, (except Classes A & B explosives) serving all off-route Danville, KY points, in connection with applicant's presently authorized regular route service. Supporting shipper: Thom McAn Shoe Company, Div. of Melville Corp., 67 Millbrook Street, Worcester, MA 01606.

MC 52473 (Sub-4-4TA), filed March 11, 1981. Applicant: BEHNKE, INC., 77 South Monroe Street, Battle Creek, MI 49017. Representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. *Contract: irregular, Bakery*

goods, NOIBN other than frozen and related products, between points in Calhoun County, MI and various points in IL, IN, OH and WI under continuing contract(s) with Interbake Foods, Inc. Supporting shipper: Interbake Foods, Inc., P.O. Box 158, Battle Creek, MI 49016.

MC 69024 (Sub-4-3TA), filed March 9, 1981. Applicant: H. B. RUSSELL TRUCK SERVICE, INC., 104 Orange St., Red Bud, IL 62278. Representative: Gale H. Stelhorn (same address as applicant). *Foodstuffs, edible flour, cleaning, scouring and washing compounds, soap, and materials, equipment and supplies used in their manufacture and distribution (except commodities in bulk)*, between points in Perry County, MO and Randolph County, IL, on the one hand, and, on the other, points in AL, AR, FL, IL, IN, KY, LA, GA, MS, MO and TN. An underlying ETA seeks 120 days authority. Supporting shipper: Gilster-Mary Lee Corp., P.O. Box 227, Chester, IL 62233.

MC 76266 (Sub-4-18TA), filed March 10, 1981. Applicant: ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 215 South 11th St., Minneapolis, MN 55403. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Air Cleaners and Air Coolers with Blowers; Cooling or Freezing Machines; Refrigeration Evaporators (Cooling Coils or Cooling Units) or Refrigeration Condensers, iron or steel, other than iron or steel, and Furnaces, house heating, hot air*, between Owatonna, MN on the one hand, and, on the other, points in all 48 contiguous states. An underlying ETA seeks 120 days authority. Supporting shipper: The King Company, 1001 21st Ave. N.W., Owatonna, MN 55060.

MC 80430 (Sub-4-17TA), filed March 10, 1981. Applicant: GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive, La Crosse, WI 54601. Representative: Keith J. Margelowsky, 455 Park Plaza Drive, La Crosse, WI 54601. *Auto Parts*, viz. Axle Assemblies, and materials, equipment and supplies used in the manufacture of Auto Parts between the plant site of A. O. Smith Corporation, at Milan, TN, and all points in the U.S. in and east of the states of MN, IA, MO, OK and TX. An underlying ETA seeks 120 days authority. Supporting shipper: A. O. Smith Corporation, P.O. Box 584, Milwaukee, WI 53201.

MC 95876 (Sub-4-17TA), filed March 10, 1981. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue No., St. Cloud, MN 56301. Representative: Stephen F. Grinnell,

1600 TCF Tower, 121 South 8th Street, Minneapolis, MN 55402. *Commodities as are dealt in or used by manufacturers of pollution and environmental control equipment*; between points in Rowan, Mecklenburg, Stanley, and Richmond Counties NC, on the one hand, and, on the other, points in and east of TX, OK, KS, NE, SD and ND. There are five supporting shippers.

MC 111274 (Sub-4-7TA), filed March 10, 1981. Applicant: SCHMIDGALL TRANSFER INC., P.O. Box 351, Morton, IL 61550. Representative: Frederick C. Schmidgall (address same as applicant). *Contact irregular: Building, roofing and insulation materials* from points in AL, AR, CO, ID, IN, LA, MI, MN, MS, MO, MT, OH, WI, SC, and WY and from Charlotte, Conway and Whiteville, NC; Jarratt, VA; Monticello and Savannah, GA, to points in the counties of IL: Brown, Cass, Champaign, Christian, Coles, DeWitt, Douglas, Edgar, Ford, Fulton, Iroquois, Livingston, Logan, McDonough, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Piatt, Peoria, Sangamon, Schuyler, Stark, Tazewell, Vermilion and Woodford, under a continuing contract with Georgia Pacific Corp. Supporting shipper: Georgia Pacific Corp., 2175 Parklake Drive, Atlanta, GA 30348.

MC 114194 (Sub-4-14TA), filed March 10, 1981. Applicant: KREIDER TRUCK SERVICE, INC., 1600 Collinsville Ave., Madison, IL 62060. Representative: William J. O'Donnell (same as applicant). *Flour, in bulk*, from Chester, IL, to points and places in AR, IN, KY, LA, MO, MS, OH, OK, TN, and TX. An underlying ETA seeks 120 days authority. Supporting shipper: Conagra, Inc., P.O. Box 369, Chester, IL 62233.

MC 116519 (Sub-4-8TA), filed March 11, 1981. Applicant: FREDERICK TRANSPORT LIMITED, R.R. No. 6, Chatham, Ontario, Canada N7M 5J6. Representative: Jeremy Kahn, 1511 K Street, N.W., Washington, DC 20005. *Aluminum sheet*, in coils, from ports of entry on the U.S.-Canada boundary line located in MI and NY to the facilities of Alcan Aluminum Corp., at or near Warren, OH, restricted to traffic originating at the facilities of Alcan Canada Products Limited at or near Kingston, Ontario. Supporting shipper: Alcan Smelters and Chemicals Ltd., P.O. Box 6090, Montreal, Quebec, Canada H3C 3H2.

MC 117730 (Sub-4-11TA), filed March 10, 1981. Applicant: KOUBENEC MOTOR SERVICE, INC., Route No. 47, Huntley, IL 60142. Representative: Stephen H. Loeb, 33 North LaSalle, Suite 2027, Chicago, IL 60602. *Frozen bagels*, from the facilities of Lenders Bagel

Bakery, Inc., at Buffalo, NY and New Haven, CT to Milwaukee, WI, St. Louis, MO, Minneapolis, MN, Detroit and Grand Rapids, MI, Chicago, IL and points in DE, MA, MD, NJ, NY, OH, PA, and VA. Supporting shipper: Lender's Bagel Bakery, Inc., P.O. Box 191, West Haven, CT 06516.

MC 118202 (Sub-4-18TA), filed March 10, 1981. Applicant: SCHULTZ TRANSIT, INC., P.O. Box 406, 323 Bridge Street, Winona, MN 55987. Representative: Robert S. Lee, 1600 TCF Tower, Minneapolis, MN 55402. *Food and related products*, between the facilities of Fearn International, Inc., in Los Angeles and Milpitas, CA, Denver, CO and Franklin Park, IL, on the one hand, and, on the other, points in the United States. An underlying ETA seeks 120 days authority. Supporting shipper: Fearn International, Inc., 9353 W. Belmont Ave., Franklin Park, IL 60131.

MC 127187 (Sub-4-5TA), filed March 10, 1981. Applicant: FLOYD DUENOW, INC., P.O. Box 86, Savage, MN 55378. Representative: William J. Gambucci, Suite M-20, 400 Marquette Ave., Minneapolis, MN 55401. *Contract: Lumber, wood products and forest products*, between points in the U.S. under a continuing contract(s) with Gibbs Lumber Company of Lake Elmo, MN. Supporting shipper: Gibbs Lumber Company, 3394 Lake Elmo Ave., P.O. Box 878, Lake Elmo, MN, 55042.

MC 139420 (Sub-4-2TA), filed March 10, 1981. Applicant: GLACIER TRANSPORT, INC., P.O. Box 428, Grand Forks, ND 58201. Representative: William J. Gambucci, Suite M-20, 400 Marquette Ave., Minneapolis, MN 55401. *Contract, irregular. (1) Food and related products, and (2) commodities used in the manufacture and distribution of food and related products*, between points in the U.S. Restricted to traffic moving under continuing contract or contracts with Grand Forks Branch, Bridgeman Western Division of Land O' Lakes, Inc., Grand Forks, ND. An underlying ETA seeks 120 days authority. Supporting shipper: Grand Forks Branch, Bridgeman Western Div., Land O' Lakes Inc., Grand Forks, ND 58201.

MC 141989 (Sub-4-1TA), filed March 9, 1981. Applicant: CHRISTIANSON LIME SPREADING SERVICE, INC., Route 2, Box 202, Almond, WI 54909. Representative: Daniel R. Dineen, 710 North Plankinton Avenue, Milwaukee, WI 53203. *Agricultural lime* between points in Schoolcraft County, MI, and points in WI. An underlying ETA seeks 120 days authority. Supporting shipper: Jerzak Lime Service, Route 2, Box 202, Almond, WI, 54909.

MC 142059 (Sub-4-17TA), filed March 10, 1981. Applicant: CARDINAL TRANSPORT, INC., P.O. Box 911, Joliet, IL 60434. Representative: Jack Riley (same address as applicant). *Paper products* from the facilities of Southern Paper Box Co. at or near Little Rock and Benton, AR to points in AL, GA, LA, KY, MO (including Kansas City Commercial Zone), MS, TN, TX and New Albany, IN. Supporting shipper: Southern Paper Box Co., 1400 East 28th Street, Little Rock, AR 72203.

MC 142848 (Sub-4-1TA), filed March 10, 1981. Applicant: JAMES R. POSHARD AND SON, INC., P.O. Box 69, Mt. Vernon, IN 47620. Representative: Norman R. Garvin, 1301 Merchants Plaza, Indianapolis, IN 46204. *Coal*, between points in IL, IN and KY. Restricted to traffic having prior or subsequent movement by water. Supporting shipper: Southwind Marketing Service, P.O. Box 364, Mt. Vernon, IN 47620.

MC 143280 (Sub-4-11TA), filed March 10, 1981. Applicant: SAFE TRANSPORTATION CO., 6834 Washington Avenue South, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Paper and plastic products*, between the facilities of Stone Container Corporation in Chicago, IL on the one hand, and, on the other, points in the U.S. Supporting shipper: Stone Container Corporation, 360 North Michigan Avenue, Chicago, IL 60601.

MC 143280 (Sub-4-12TA), filed March 10, 1981. Applicant: SAFE TRANSPORTATION CO., 6834 Washington Avenue, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Plastic Products*, between Hennepin County, MN and Denver County, CO, on the one hand, and, on the other hand, points in the U.S. Supporting shipper: Poly-Tech Division of U.S.I., 1401 W. 94th Street, Minneapolis, MN 55431.

MC 143280 (Sub-4-13TA), filed March 10, 1981. Applicant: SAFE TRANSPORTATION CO., 6834 Washington Avenue, S., Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Foodstuffs*, from the facilities of Our Best Canning Co., Inc. in Brown County, WI to points in the U.S. An underlying ETA seeks 120 days. Supporting shipper: Our Best Canning Co., Inc., 323 3rd St., Pulaski, WI 54162.

MC 143280 (Sub-4-14), filed March 10, 1981. Applicant: SAFE TRANSPORTATION CO., 6834 Washington Ave. S., Eden Prairie, MN 55344. Representative: Robert P. Sack,

P.O. Box 6010, West St. Paul, MN 55118. *Recreational vehicles*, from the facilities of Unit Distribution at Bedford Park, IL to points in MN, ND, SD, NE, WI, and IA. An underlying ETA seeks 120 days. Supporting shipper: Unit Distribution, 6558 W. 73rd Street, Bedford Park, IL 60638.

MC 143280 (Sub-4-15TA), filed March 10, 1981. Applicant: SAFE TRANSPORTATION CO., 6834 Washington Ave. S., Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Paper dividers or fillers*, from the facilities of Clevepak Corporation at Milwaukee, WI; Vineland, NJ; Dallas, TX; Merced, CA; Eaton, IN; Macon, GA and Charleroi, PA to points in the U.S. Supporting shipper: Clevepak Corporation, 1640 West Silver Spring Drive, Milwaukee, WI 53209.

MC 143739 (Sub-4-3TA), filed March 10, 1981. Applicant: SHURSON TRUCKING CO., INC., P.O. Box 147, New Richland, MN. 56072. Representative: Leonard K. Sackson (same address as applicant). *Lumber or wood products*, between points in Baxter County and Izard County, AR, on the one hand, and, on the other, points in the U.S. Supporting shipper: Cotter Manufacturing, P.O. Box 100, Cotter, AR. 72626.

MC 145276 (Sub-4-4TA), filed March 11, 1981. MINNESOTA EXPRESS, INC., 2400 Trott Avenue SW., P.O. Box 427, Willmar, MN 56201. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Ste. 307, Edina, MN 55424. *Meat, meat products, meat by-products distributed by meat packinghouses* from St. Paul, MN to points in SD. Supporting shipper: Twin City Meats, 236 Chester Street, St. Paul, MN 55107.

MC 154716 (Sub-4-1TA), filed March 10, 1981. Applicant: WALGREEN OSHKOSH, INC., 200 Wilmot Road, Deerfield, IL 60015. Representative: John T. O'Connell, 521 S. La Grange Rd., LaGrange, IL 60525. *Contract envelopes, tubes, boxes, air bills of lading, pouches and printed service magazines*, from points and places in IL, AR, GA, MS, AL, KY to Memphis, TN commercial zone under continuing contract with Federal Express Corporation, Memphis, TN. Supporting shipper: Federal Express Corp., P.O. Box 727, Dept. 162-030, Memphis, TN 38194.

MC 149184 (Sub-4-4TA), filed February 12, 1981. Applicant: FIFTH WHEEL TRUCKING, INC., Route 4, Box 28, Black River Falls, WI 54615. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956. (1) *Steel doors and frames* and (2) *parts and attachments for commodities*

in (1), from Carlstadt, NJ to points in IL, MI, MN and WI. Supporting shipper: Pioneer Industries, Division Core Industries, Inc., 401 Washington Avenue, Carlstadt, NJ 07072.

MC 151168 (Sub-4-3TA), filed March 10, 1981. Applicant: STEPHEN W. KETCHUM, d.b.a. KETCHUM TRUCKING COMPANY, P.O. Box 464, Pontiac, MI 48056. Representative: William B. Elmer, 624 Third Street, Traverse City, MI 49684. *Motorcycles and all terrain vehicles*, between Chicago, IL and points within its commercial zone on the one hand, and on the other points in WI and MN. Supporting shipper: Unit Distribution, Inc., 6558 West 73rd Street, Bedford Park, IL 60638.

MC 151270 (Sub-4-2TA), filed March 10, 1981. Applicant: BATESVILLE CASKET COMPANY, INC., Highway 46, Batesville, IN 47006. Representative: John P. Fonte, 1333 New Hampshire Ave., N.W., Washington, DC 20036. *General commodities (except Classes A and B explosives)* between points in AZ, AR, CA, IL, IN, IA, KS, KY, MO, NM, OH, OK, OR, TN, TX and WA, moving on bills of lading of ACME Fast Freight, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: ACME Fast Freight, Inc., 2110 Alhambra Ave., Los Angeles, CA 90032.

MC 152730 (Sub-4-2TA), filed March 10, 1981. Applicant: DEPENDABLE TRANSIT, INC., P.O. Box 21, Hartford City, IN 47348. Representative: William E. Ervin, 211 North High St., Hartford City, IN 47348. (1) *Paper Products, Materials, equipment and supplies utilized in the manufacture, sale and distribution of paper products*; between Grayson County, Ky: Saint Claire County, MI on the one hand and on the other to all points in the U.S. except AK and HI. (2) *Expandable Polystyrene Plastic Parts, materials, equipment and supplies utilized in the manufacture, sale and distribution of Expandable Polystyrene Plastic Parts*; between Jay County, IN on the one hand and on the other to all points in the U.S. except AK and HI. Supporting shippers: Huron Copysette, Inc., P.O. Box 377, Leitchfield, Ky 42754, and Createc Corporation, Post Office Box 933, Portland, IN 47371.

MC 154495 (Sub-4-2TA), filed March 10, 1981. Applicant: THOMAS J. PAWLACYK, d.b.a. N & M TRANSFER, 1120 North Perkins Street, Appleton, WI 54911. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and

those requiring special equipment, between points in Winnebago, Fond du Lac, Outagamie and Brown Counties, WI, on the one hand, and, on the other, points in IL, IN, IA, MI, MN, OH and WI. Restricted to traffic moving in vehicles having a gross weight of 30,000 pounds or less. Underlying ETA seeks 120 days authority. Supporting shippers: There are twelve supporting shippers.

MC 154623 (Sub-4-1TA), filed March 11, 1981. Applicant: MACHINERY TRANSPORTS OF ILLINOIS, INC., 300 Ashland, Morton, IL 61550. Representative: Max G. Morgan, P.O. Box 1540, Edmond, OK 73034. *Self-propelled vehicles and commodities which because of their size or weight require special equipment or handling*, between Scott County, IA and points in IL. Supporting shipper: Caterpillar Tractor Co., 100 N. Adams St., Peoria, IL 61629.

MC 154643 (Sub-4-1TA), filed March 11, 1981. Applicant: KLINK TRUCKING, INC., R.R. No. 1, Pleasant Lake, IN 46779. Representative: Phillip A. Renz, Suite 200, Metro Building, Fort Wayne, IN 46802. *Contract irregular: Coal and coal products*. Between Jefferson County, AL and points in MI, IN, IL and OH. Restricted to service to be performed under continuing contracts with Alabama By-Products Corp. Supporting shipper: Alabama By-Products Corp., P.O. Box 10246, Birmingham, AL 35202.

The following applications were filed in region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, P.O. Box 17150, Fort Worth, TX 76102.

MC 9644 (Sub-5-2TA), filed March 11, 1981. Applicant: HAYES TRUCK LINE, INC., 1410 Intercity Trafficway, P.O. Box 4060, Kansas City, MO 64101. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309. *Paper and paper products*, from the facilities of Owens-Illinois at or near Mount Olive, IL, to Omaha, NE. Supporting shipper: Owens-Illinois, P.O. Box 1035, Toledo, OH 43666.

MC 26825 (Sub-5-14TA), filed March 11, 1981. Applicant: ANDREWS VAN LINES, INC., P.O. Box 1609, Norfolk, NE 68701. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. *Food and related products*, between pts in IA, MN, NE and Chicago, IL on the one hand, and on the other, pts in CA. Supporting shippers: Fancyfarms Foods, Inc., P.O. Box 8662, Emeryville, CA 94662 and Les Galbreath Associates, Inc., 6400 Bay Street, Emeryville, CA 94662.

MC 60066 (Sub-5-8TA), filed March 11, 1981. Applicant: BEE LINE MOTOR

FREIGHT, INC., 1804 Paul Street, Omaha, NE 68102. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. *Such commodities as are dealt in by discount and variety stores from the facilities of Woolcon, Inc. at Hodgkins, IL to Omaha, NE. Supporting shipper: F. W. Woolworth Co., 915 Lee Street, Des Plaines, IL 60016.*

MC 60066 (Sub-5-9TA), filed March 11, 1981. Applicant: BEE LINE MOTOR FREIGHT, INC., 1804 Paul Street, Omaha, NE 68102. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. *Such commodities as are dealt in or used by manufacturers of electric storage batteries, electric chargers and telephone equipment between facilities of Eltra Corporation at Sidney, Scottsbluff, and Oshkosh, NE, on the one hand, and, on the other, points in the U.S. Supporting shipper: Eltra Corporation, 511 Hamilton Street, Toledo, OH 43694.*

MC 88380 (Sub-5-5TA), filed March 11, 1981. Applicant: REB TRANSPORTATION, INC., 2400 Cold Springs Road, P.O. Box 4309, Fort Worth, TX 76106. Representative: A. William Brackett, 1108 Continental Life Building, Fort Worth, TX 76102. (1) *Poles, arms, brackets, bases and accessories; and (2) iron and steel articles; and (3) materials, equipment and supplies used in the manufacture of (1) and (2) above, between Washington County, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper: American Lighting Standards, A Subsidiary of Valmont Industries, Inc., Valley, NE 68064.*

MC 113908 (Sub-5-30TA), filed March 11, 1981. Applicant: ERICKSON TRANSPORT CORP., 2255 North Packer Road, P.O. Box 10068 G.S., Springfield, MO 65808. Representative: Jim G. Erickson (same address as applicant). *Chemicals, i.e., denatured unpotable beer, aluminum chlorohydroxide, and many others used in the manufacturing of drugs and pharmaceutical supplies; between Union and Somerset Counties, NJ, on the one hand, and, on the other, St. Louis County, MO. Supporting shipper: Bristol-Myers Products Company, 225 Long Avenue, Hillside, NJ 07070.*

MC 115331 (Sub-5-15TA), filed March 11, 1981. Applicant: TRUCK TRANSPORT, INCORPORATED, 11040 Manchester Road, St. Louis, MO 63122. Representative: J. R. Ferris (same as applicant). *Liquid oxygen and liquid nitrogen, in bulk, in shipper-owned trailers, from East Chicago, Burns*

Harbor, Mount Vernon and Indianapolis, IN, North Baltimore, OH, Decatur, AL, Pryor, OK and New Martinsville, WV to Granite City, IL. Supporting shipper(s): Air Products and Chemicals, Inc., P.O. Box 538, Allentown, PA 18105.

MC 117119 (Sub-5-55TA), filed March 11, 1981. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, AR 72728. Representative: L. M. McLean (same address as applicant). *Aluminum products, glass, equipment and supplies used in the manufacture and distribution thereof between points in Claskamas and Multnomah Counties, OR on the one hand, and, on the other, points in CA, FL, GA, MO, NJ, and TN. Supporting shipper: Aluminum Supply Company, P.O. Box 66382, Portland, OR 97266.*

MC 119789 (Sub-5-46TA), filed March 10, 1981. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75206. Representative: James K. Newbold, Jr. (same address as applicant). *Food and Kindred Products between the facilities of Serv-A-Portion at Chattsworth, CA; Atlanta, GA; and Cincinnati, OH; on the one hand, and, on the other, points in the U.S. (except AK and HI). Representative destinations may be any major city or town in the U.S. having a restaurant supply house or fast food warehouse. Supporting shipper: Serv-A-Portion, 9140 Lurline Avenue, Chattsworth, CA, 91311.*

MC 128007 (Sub-5-6TA), filed March 10, 1981. Applicant: HOFER, INC., 20th and 69 Bypass, P.O. Box 583, Pittsburg, KS 66762. Representative: Larry E. Gregg, 641 Harrison Street, P.O. Box 1979, Topeka, KS 66601. (1) *Plastic and Plastic Articles, and (2) Boxes and Pallets, between the facilities of Able Plastics of Newton, KS, on the one hand, and, on the other, Sacramento and Los Angeles, CA; Jacksonville, FL; Atlanta, GA; Broadview and Chicago, IL; Louisville, KY; New Orleans, LA; Kansas City, MO; Omaha, NE; Greensboro, NC; Oklahoma City and Purcell, OK; Portland, OR; Nashville, TN; Dallas, TX; Salt Lake City, UT; Norfolk, VA; and Seattle, WA. Supporting shipper: Able Plastics of Newton, KS, 1100 South Meridian, Newton, KS 67114.*

MC 129908 (Sub-5-49TA), filed March 11, 1981. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th St., Oklahoma City, OK 73107. Representative: T. J. Blaylock, P.O. Box 75410, Oklahoma City, OK 73147. *Furniture and fixtures between CA, GA, NC, and VA, on the one hand, and, OK on the other. Supporting shipper: Evans*

Home Furnishings, 800 S. Western, Oklahoma City, OK.

MC 134755 (Sub-5-18TA), filed March 11, 1981. Applicant: CHARTER EXPRESS, INC., P.O. Box 3772, Springfield, MO 65804. Representative: S. Christopher Wilson, P.O. Box 3772, Springfield, MO 65804. *General Commodities (except those of unusual value, Classes A and B explosives and household goods, as defined by the Commission), between the facilities of Co-Operative Shippers, Inc., and its members in OH, KY, WV, and IN, on the one hand, and, points in the U.S. Supporting shipper: Co-Operative Shippers, Inc., 1448 Dalton Street, Cincinnati, OH 45214.*

MC 135691 (Sub-5-7TA), filed March 11, 1981. Applicant: DALLAS CARRIERS CORP., 12661 Perimeter Drive, Dallas, TX 75228. Representative: J. Max Harding, P.O. Box 6645, Lincoln, NE 68506. (1) *Paint and materials, supplies and equipment used in the manufacture, sale and distribution of paint between points in the contiguous U.S.—restricted to traffic originating or terminating at the facilities of PPG Industries, Inc. Supporting shipper: PPG Industries, 1377 Oakleigh Drive, East Point, GA 30344.*

MC 138469 (Sub-5-38TA), filed March 10, 1981. Applicant: DONCO CARRIERS, INC., P.O. Box 75367, Oklahoma City, OK 73147. Representative: Daniel O. Hands, Attorney at Law, Blanshan & Summerfield, Suite 200, 205 W. Touhy Ave., Park Ridge, IL 60068. *Such commodities as are used or dealt in by grocery and foods business houses and equipment, materials, and supplies used in the conduct of such business, between points in the United States (except AK and HI) restricted to traffic originating at or destined to the facilities of The Kroger Co. Supporting shipper: The Kroger Co., Cincinnati, OH.*

MC 142508 (Sub-5-50TA), filed March 10, 1981. Applicant: NATIONAL TRANSPORTATION, INC., Post Office Box 37465, Omaha, NE 68137. Representative: Lanny N. Fauss, Post Office Box 37096, Omaha, NE 68137. *General commodities from the facilities of Bailey's Express, Inc., in Middletown, CT, to Pts in IL, IA, IN, KS, MN, MO, NE, ND, SD, OK, and TX. Supporting shipper: Bailey's Express, Inc., 61 Industrial Parkroad, Middletown, CT 06457.*

MC 142508 (Sub-5-51TA), filed March 11, 1981. Applicant: NATIONAL TRANSPORTATION, INC., Post Office Box 37465, Omaha, NE 68137. Representative: Lanny N. Fauss, Post Office 37096, Omaha, NE 68137. *Food and related items from Pts in DE, FL,*

MD, NY, and NJ, to the facilities of Shurfine Eastern in CT, MA, ME, NH, VT, NY, and PA. Supporting shipper: Shurfine Eastern Corporation, 440 Turnpike Street, Canton, MA 02021.

MC 145113 (Sub-5-1TA), filed March 11, 1981. Applicant: PLANTATION FOODS, INC., P.O. Box 889, Waco, TX 76703. Representative: Nelson M. "Mike" Davidson, Jr., P.O. Box 1148, Austin, TX 78767. Contract irregular. (1) *Aluminum and aluminum products, paper bags, foil-lined sheets, bags, iron and steel articles*, from points in MI, KY, PA, CT, MA, NC, and IN to points in TX, under continuing contract(s) with National Steel Corporation of Pittsburgh, PA; (2) *Floor coverings and related articles*, from points in NJ to points in TX, under continuing contract(s) with American Biltrite, Inc., of Cambridge, MA; (3) *Envelopes* from points in NY to points in TX, under continuing contract(s) with Accurate Envelope of New York, NY; (4) *Iron oxide, in 100 lb. bags*, from points in PA to points in TX, under continuing contract(s) with Reichard Coulston, Inc. of New York, NY.

MC 146448 (Sub-5-18TA), filed March 11, 1981. Applicant: C & L TRUCKING, INC., P.O. Box 409, Judsonia, AR 72081. Representative: Timothy C. Miller, Polydoroff and Miller, P.C., Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Title and materials, equipment and supplies used in the installation, manufacture and sale thereof*, between the facilities of American Olean Tile Co. at Olean, NY and Lansdale and Quakertown, PA, on the one hand, and, on the other, points in the United States. Supporting shipper: American Olean Tile Co., 1000 Cannon Ave., Lansdale, PA 19446.

MC 151364 (Sub-5-3TA), filed March 11, 1981. Applicant: SOUTHERN EXPRESS, INC., P.O. Box 1088, Cape Girardeau, MO 63701. Representative: Frank D. Hall, Postell & Hall, P.C., Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. Contract, irregular. *Materials, equipment and supplies used, sold or dealt in by a manufacturer of carpets, rugs, padding and cushioning*, between all points in the U.S., under a continuing contract(s) with Recticel Foam Corporation. Supporting shipper: Recticel Foam Corporation, 344 Vulcan St., Buffalo, NY.

MC 152537 (Sub-5-2TA), filed March 10, 1981. Applicant: WIN WILLIAMS TRUCKING CO., INC., 14025 Spencer Rd. Suite No. 201, Houston, Texas 77041. Representative: Win Williams, 14025 Spencer Rd. Suite No. 201, Houston, Texas 77041. *Iron or steel articles and pipe, when moving as oilfield equipment*, between points in TX, OK,

and LA. Supporting shippers: There are nine supporting shippers.

MC 153341 (Sub-5-2TA), filed March 10, 1981. Applicant: CUSTOM BUS LEASING, INC., 645 Highway 1378, Wylie, TX 75098. Representative: Robert Q. Stanton, 3800 Republic Bank Tower, Dallas, TX 75201. *Passengers and their luggage on sleeper buses, round-trip pleasure tours and charter operations are proposed*, between points within Dallas and Denton Counties, TX, on the one hand, and, on the other, points within Mineral and La Plata Counties, CO. Supporting shippers: Week-End Skiers of Texas, 601 West Renner Road, #242, Richardson, TX 75080, First United Methodist Church, 201 South Locust, Denton, TX 76201.

MC 154451 (Sub-5-1TA), filed March 10, 1981. Applicant: J. D. HARRISON AND BILL HARRISON d.b.a. HARRISON BROS. TRUCKING, 2100 Peachtree, Balch Springs, TX 75180. Representative: James W. Hightower, 5801 Marvin D. Love Freeway, #301, Dallas, TX 75237. *Hazardous waste from Albuquerque, NM, to Taylor County, TX*. Supporting shipper: Materials Recovery Enterprises, Inc., 4835 LBJ Freeway, Suite 450, Dallas, TX 75234.

MC 154562 (Sub-5-1TA), filed March 10, 1981. Applicant: J. B. L., INC., 1245 Wedgewood, Cleburne, TX 76031. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. *Lime, in bulk*, between points in TX and OK. Supporting shipper: Woodbine Corporation, 2510 Decatur Avenue, Fort Worth, TX 76106.

MC 154621 (Sub-5-1TA), filed March 10, 1981. Applicant: MONROE WAREHOUSE, INC., 2019 Jackson Street, Monroe, LA 71201. Representative: Donald B. Morrison; P.O. Box 22628; Jackson, MS 39205. Contract; irregular; (1) *ores and minerals* and (2) *chemicals and related products* between the facilities used by International Minerals & Chemical Corporation, on the one hand, and, on the other, points in the U.S. (except AK and HI), under a continuing contract with International Minerals & Chemical Corporation. Supporting shipper: International Minerals & Chemical Corporation, 421 E. Hawley street, Mundelein, IL 60060.

MC 154622 (Sub-5-1TA), filed March 10, 1981. Applicant: CLIFTON T. BARKER, D.B.A. BARTCO, 2214 Cloverdale, Arlington, TX 76010. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. *Iron and steel articles*, between Dallas and Fort Worth, TX, on the one hand, and, on the other, Houston, TX. Restricted to shipments having prior or subsequent

movements by water. Supporting shipper: Basic Metals, Inc., 1801 S. Peyco Drive, Arlington, TX 76017.

MC 154646 (Sub-5-1TA); filed March 11, 1981. Applicant: A & O ENTERPRISES, INC., d.b.a. GREAT WEST TRANSPORTATION, 4245 Norseman Ave. Grand Island, NE 68801. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501. *Food and related products*, between the facilities of ConAgra, Inc. on the one hand, and, on the other, points in the U.S. Supporting shipper: ConAgra, Inc., 200 Kiewit Plaza, Omaha, NE 68131.

MC 154648 (Sub-5-1TA), filed March 11, 1981. Applicant: WAYNE PHILLIPS, d.b.a. WAYNE PHILLIPS TRUCKING, P.O. Box 648, Pharr, TX 78577. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. Contract; irregular: *food and related products requiring refrigeration*, between points in the U.S. under continuing contract(s) with Land O' Frost of Arkansas, Inc. Supporting shipper: Land O' Frost of Arkansas, Inc., Hastings Ave., Searcy, AR 72143.

MC 154656 (Sub-5-1TA), filed March 11, 1981. Applicant: ROY HAMILL d.b.a. HAMILL TRUCKING, Rt. 2, Box 164, Pryor, OK 74361. Representative: Roy Hamill d.b.a. Hamill Trucking (same address as applicant). Contract: *Irregular, Packaged beer, keg beer and empty return trade*, between St. Louis, MO, Tulsa, OK, and Stillwater, OK, and their commercial zones. Supporting shipper: Golden Eagle Distributing Co., 4470 South 70th East Ave., Box 45495, Tulsa, OK 74145.

The following applications were filed in region 6. Send protests to: Interstate Commerce Commission, Region 6 Motor Carrier Board, P.O. Box 7413, San Francisco, CA 94120.

MC 135989 (Sub-6-8TA), filed March 12, 1981. Applicant: COAST EXPRESS, INC., 14280 Monte Vista Ave., Chino, CA 91710. Representative: William J. Lippman, Steele Park, Suite 330, 50 South Steele St., Denver, CO 80209. *Contract carrier, irregular routes, automobile parts and accessories*, from Fort Worth, TX to Compton, Port Hueneme, and Benicia, CA, Tacoma and Kent, WA, and Grand Rapids, MI, for 270 days, under continuing contract(s) with Mazda Motors of America (Central), Inc. Supporting shipper: Mazda Motors of America (Central), Inc., 3040 East Ana St., Compton, CA 90221.

MC 147959 (Sub-6-1TA), filed March 11, 1981. Applicant: RON GARNER, Rt. 2, Box 405, Buckley, WA 98321. Representative: James T. Johnson, 1610

IBM Bldg., Seattle, WA 98101. *Iron and steel articles, including pipe and plate between points in WA, OR, CA, ID, MT, WY and UT, for 270 days. An underlying ETA seeks 120 days authority.* Supporting shippers: Millsteel Co., POB 2445, Seattle, WA 98124 and Western Iron Works, Inc., POB 3238, Butte, MT 59701.

MC 153134 (Sub-6-4TA), filed March 11, 1981. Applicant: HI COUNTRY CARRIERS, INC., 4061 S. Broadway, Englewood, CO 80110. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. (1) *Commodities dealt in by manufacturers or distributors of plumbing fixtures, materials, equipment and supplies, (2) vitreous china urinals, toilets and lavatories, and (3) porcelain enamel steel bathtubs, lavatories and kitchen sinks, from the facilities of Colton-Wartsilla Co. at or near Colton, CA, to points in the U.S. in and west of MT, WY, CO, NM, and TX (except AK and HI), for 270 days. An underlying ETA seeks 120 days of authority.* Supporting shipper: Colton-Wartsilla Co., 330 W. Citrus Ave., Colton, CA 92324.

MC 48958 (Sub-6-6TA), filed March 11, 1981. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., P.O. Box 16404, Denver, CO 80216. Representative: Robert A. Haddock (same address as applicant). *Contract Carrier irregular route, papeteries from Colorado Springs, CO to Bedford Park, IL for 270 days. Supporting shipper: Current, Inc., 1025 E. Woodman Valley Rd., Colorado Springs, CO 80918.*

MC 108380 (Sub-6-5TA), filed March 11, 1981. Applicant: JOHNSON'S FUEL LINERS, INC., Box 100, Newcastle, WY 82701. Representative: Truman A. Stockton, Jr., 1365 Logan St., Suite 100, Denver, CO 80203. *Hazardous waste material, from Whitewood, SD to Denver, CO for 270 days. An underlying ETA seeks 120 days authority.* Supporting shipper: St. Regis Paper Co., Box 65160, W. Des Moines, IA 50265.

MC 146401 (Sub-6-3TA), filed March 11, 1981. Applicant: NEU-WAY, INC., 23720 72nd Ave., Langley, B.C., Canada V3A 4P9. Representative: Jim Pitzer, 15 S. Grady Way, Suite 321, Renton, WA 98055. *Contract carrier, irregular routes, Glass from Kingsburg, CA to Ports of Entry on the U.S./Canada Boundary Line in WA for 270 days. An underlying ETA seeks 120 days authority.* Supporting shipper: Guardian Industries, Corp., 11535 E. Mountain View, Kingsburg, CA 93631.

MC 146464 (Sub-6-3TA), filed March 11, 1981. Applicant: NEVADA GENERAL TRANSPORTATION, INC., 469 Idaho Street, Elko, NV 89801.

Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. (1) *Oil drilling mud compounds (a) from points in NV to points in ND, WY, NM, MT and CA, and (b) from points in UT to points in OK, TX, KS and NM; (2) structural steel from Tulsa, OK and the commercial zone thereof, to Clearfield, UT and the commercial zone thereof, for 270 days. An underlying ETA seeks 120 days authority.* Supporting shippers: Riverside Industries, Inc., P.O. Box 1282, Clearfield UT 84016, IMCO Services, 410 17th St., Suite 2070, Denver, CO 80202, D & D Enterprises, P.O. Box 12, Greenville, TX 75401, Mill-Chem, Inc., P.O. Box 838, Denver, CO 80202, and Nevada Barite, Inc., 1612 W. 2nd S., Linden, UT 84062.

MC 143144 (Sub-6-2TA), filed March 11, 1981. Applicant: PACIFIC DUMP TRUCKS, INC., 1507 E. Illinois, Bellingham, WA 98225. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055. *Contract carrier, irregular routes: concrete products from points in Whatcom County, WA, to points in OR and CA for the account of Builders Concrete, Inc., for 270 days. Supporting shipper: Builders Concrete, Inc., C and Maple Sts., Bellingham, WA 98225.*

MC 123265 (Sub-6-5TA), filed March 11, 1981. Applicant: SANTRY TRUCKING CO., 10505 N.E. 2nd Ave., Portland, OR 97211. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055. *Contract carrier, irregular routes: soda ash, salt, soda bicarbonate, talc, and chemicals in containers NOI, from Salt Lake City, UT, to points in MT, WA, OR and ID, under continuing contracts with Van Waters & Rogers—Division of Univar, for 270 days. Supporting shipper: Van Waters & Rogers—Division of Univar, P.O. Box 2767, Spokane, WA 99220.*

MC 141599 (Sub-6-3TA), filed March 11, 1981. Applicant: MOUNTAIN PACIFIC TRANSPORT, LTD., d.b.a. SHADOW LINES, 241 School House Rd., Coquitlam, B.C., Canada V3K 4X9. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055. *Roofing and insulation materials from ports of entry in MT, ID & WA to points in MT, ID, WA & OR, restricted to traffic moving from the facilities of Iko Industries Ltd., for 270 days. Supporting shipper: Iko Industries Ltd., P.O. Box 1325, Calgary, Alberta, Canada T2P 2L2.*

MC 138875 (Sub-6-48TA), filed March 12, 1981. Applicant: SHOEMAKER TRUCKING, CO., 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell, (same address as applicant). *Boxes, paper board, other than corrugated, knocked down flat,*

pulpboard sheets, printed paper labels and various paper and pulpboard strips used in packaging bakery goods, from Marsailles, IL to Buena Park and Oakland, CA and Portland, OR, for 270 days. Supporting shipper: Nabisco, Inc., East Hanover, NJ 07936.

MC 150433 (Sub-6-1TA), filed March 11, 1981. Applicant: CRUSE H. THOMASON, 2nd and Houston, Yuma, CO 80759. Representative: Pam Phifer, (same address as applicant). *Contract carrier: Irregular routes: Liquid Fertilizer from Borger, TX to points in Yuma County, CO under continuing contract(s) with American Fertilizer and Chemical Co., for 270 days. Supporting shipper: American Fertilizer and Chemical Co., 101 So. Detroit, Yuma, CO 80759.*

MC 154675 (Sub-6-1TA), filed March 12, 1981. Applicant: GEORGE VAN DYKE TRUCKING, INC., Rt. 3, Box 878M, Albany, or 97321. Representative: George and Marianne Van Dyke (same address as above). *Lumber, veneer, plywood, shakes, and wood products, Between OR, WA, and CA. For 270 days. Supporting shipper: Boise Cascade Corp., P.O. Box 290, Monmouth, OR 97361.*

MC 26396 (Sub-6-62TA), filed March 12, 1981. Applicant: THE WAGGONERS TRUCKING, P.O. B. 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. B. 82028, Lincoln, NE. 68501. *"Mercer Commodities", from the ports of entry on the International Boundary line between the U.S. and Canada located at points in MT to points in the U.S. in and West of ND, SD, NE, KS, OK and TX, for 270 days. An underlying ETA seeks authority for 120 days. Supporting shippers: Cenalta Oilwell Servicing, Ltd., 1450-633-6 Ave. SW., Calgary, Alberta, Canada T2P 2X5; Faster Oilfield Services, Ltd., Box 210, Nisku Industrial Park, Nisku, Alberta, Canada TOC 2G0; Atco Drilling, Inc., 3515 S. Tamarac, Denver, CO 80237; and Nugget Drilling, Ltd., 8755 51st Ave, Edmonton, Alberta, Canada T6E 5H1.*

MC 116544 (Sub-6-27TA), filed March 9, 1981. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: Richard G. Lougee, P.O.B. 10061, Palo Alto, CA 94303. *Furniture parts, metal products, paper products and materials equipment and supplies used in the manufacture, transportation and installation thereof between points in the U.S. (except AK and HI), restricted to shipments originating at or destined to the facilities of Leggett & Platt, Inc., for 270 days. Supporting shipper: Leggett*

& Platt, Inc., P.O. Box 757, Carthage, MO 64836.

MC 154626 (Sub-1TA), filed March 10, 1981. Applicant: AMERICAN CARGO EXPRESS, LTD., P.O. B. 39056, Denver, CO 80239. Representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *General commodities (except Classes A and B explosives, commodities in bulk, household goods, and commodities requiring mechanical refrigeration)* between points in Harris, Galveston, Brazoria and Ft. Bend Counties, TX, on the one hand, and, on the other, points in Denver, Adams, Arapahoe, Jefferson and Boulder Counties, CO: (1) points in from the named CO counties over U.S. Hwy 36 and Interstate 25 to Raton, NM, then over U.S. Hwy 87 to Amarillo, TX, then over U.S. Hwy 287 to its junction with Interstate Hwy 45, then over Interstate Hwy 45, to Galveston, TX, and return over the same route and (2) from points in the named CO counties over U.S. Hwy 36 and 287 and Interstate Hwy 70 to the junction of Interstate Hwy 70 and U.S. Hwy 287 east of Limon, CO, and then over U.S. Highway 287 to Amarillo, TX, then over U.S. Hwy 287 to Lubbock, TX, then over U.S. Hwy 84 to its junction U.S. Hwy 183, then over U.S. Hwy 183, to Austin TX, then over U.S. Hwy 290 to Houston, TX, then over U.S. Interstate Hwy 45 to Galveston, TX, and return over the same route. (3) From the points in the named counties in CO via U.S. Hwy 36, 287 and Interstate Hwy 70 to Limon, CO, then over U.S. Hwy 287 to Amarillo, TX, then over U.S. Hwy 287 to Lubbock, TX, then over U.S. Hwy 284 to Abilene, TX, then over Texas Hwy 36 to Houston, TX, then over Interstate Hwy 45 to Galveston, TX, and return over the same route, for 270 days. Supporting shipper: There are 30 shippers. Their statements may be examined at the regional office list.

MC 154,410 (Sub-6-1TA), filed March 10, 1981. Applicant: BALDUC TRUCKING, INC., d.b.a. PAULSON TRUCKING CO., P.O.B. 1034, Station A, San Mateo, CA 94403. Representative: Thomas E. Kurtenbach (same as applicant). *Contract Carrier*, Irregular routes, *General Commodities*, (except items of unusual value, explosives, chemicals, hazardous materials or in-tank vehicles) restricted to shipments having a prior to or subsequent movement by rail between all points in CA on or N of a line running from the Pacific Ocean on the W at Lucia and continuing E thereon through Coalinga and Tulare and continuing E to the NV border for 270 days. An underlying ETA seeks 120 days authority. Supporting

shipper: Nabisco, Inc., P.O.B. 3042, San Francisco, CA 94119.

MC 146723 (Sub-6-2TA), filed March 10, 1981. Applicant: J. C. BANGERTER & SONS, INC., 1285 N. Main St., Bountiful, UT 84010. Representative: Harry D. Pugsley, 1283 East South Temple, No. 501, Salt Lake City, UT 84102. *Tires*—from Waco, TX to Pocatello, ID and Salt Lake City, UT, for 270 days. Supporting shipper: Utah Farm Bureau Service Co., 5300 S. 360 West, P.O. Box 30045, Salt Lake City, UT 84130.

MC 134387 (Sub-6-10TA), filed March 6, 1981. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Ave., South Gate, CA 90280. Representative: Patricia M. Schnegg, 707 Wilshire Blvd., No. 1800, Los Angeles, CA 90017. *Cabinets* from the plantsites and facilities of Olympia Cabinet Manufacturing and Sales located at Salt Lake City, UT to Denver, CO, restricted to cabinets in packages, for 270 days. An underlying ETA seeks up to 120 days authority. Supporting shipper: Olympia Manufacturing & Sales, 1537 S. 700 West, Salt Lake City, UT 84104.

MC 145229 (Sub-6-2TA), filed March 9, 1981. Applicant: JAMES D. BASOLO and HAROLD W. FULLERTON, d.b.a. J & H, P.O.B. 2670, Missoula, MT 59806. Representative: Walter Anno (same as applicant). (1) *Soft drinks* from Salt Lake City, UT, to points in MT and (2) *soft drink containers* from points in MT to Salt Lake City, UT, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Royal Crown Bottling of Missoula, P.O.B. 3077, Missoula, MT 59806.

MC 11722 (Sub-6-10TA), filed March 9, 1981. Applicant: BRADER HAULING SERVICE, INC., P.O. Box 655, Zillah, WA 98953. Representative: Philip G. Skofstad, 1525 N.E. Weidler, Portland, OR 97232. *Common carrier*, regular route *Liquid Corn Syrup in bulk in tank vehicles*, from Harrah, WA, to the U.S./Canada boundary line at or near Oroville, WA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Liquid Sugar, Inc., 1299 N.E. Front St., Salem, OR 97310.

MC 136605 (Sub-6-34TA), filed March 9, 1981. Applicant: DAVIS TRANSPORT, INC., P.O.B. 8129, Missoula, MT 59807. Representative: Allen P. Felton (same address as above). *Chemicals*, between St. Genevieve, MO and Denver, CO on the one hand and points in CO, WY, and MT on the other, for 270 days. Restricted to the account of Van Waters and Rogers. An underlying ETA seeks 120 days authority. Supporting shipper: Van Waters and Rogers, 4300 Holly St., Denver, CO 80216.

MC 56640 (Sub-6-9TA), filed March 9, 1981. Applicant: DELTA LINES, INC., P.O.B. 2081, Oakland, CA 94604. Representative: Kirk W. Horton, P.O.B. 2081, Oakland, CA 94604. *Nonexempt food or kindred products*, between points in CA on the one hand, and, on the other, points in AZ for 270 days. Supporting shipper: Del Monte Corp., P.O.B. 3575, San Francisco, CA 94119.

MC 115826 (Sub-6-20TA), filed March 5, 1981. Applicant: W. J. DIGBY, INC., 6015 E. 58th Ave., Commerce City, CO 80022. Representative: Mark A. Davidson, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *General commodities (except Classes A and B explosives and hazardous wastes)* between the facilities of Potters Industries, Inc. at or near Brownwood, TX; Cleveland, OH; Anaheim, CA; Pottsdam, NY; Carlstadt and West Caldwell, NJ; Apex, NC and Canby, OR, on the one hand, and, on the other, points in the U.S. Supporting shipper: Potters Industries, Inc., 377 Rt. 17, Hasbrouck Heights, NJ 07604. An underlying ETA application seeks authority for 120 days.

MC 115826 (Sub-6-21TA), filed March 10, 1981. Applicant: W. J. DIGBY, INC., 6015 E. 58th Ave., Commerce City, CO 80022. Representative: Charles J. Kimball, 350 Capitol Life Ctr., 1600 Sherman St., Denver, CO 80203, (303) 839-5856. *Contract carrier*, Irregular Route: *General commodities*, except Classes A and B explosives and hazardous wastes, and used household goods, between points in the United States for the accounts of Acme Fast Freight, Inc., ABC-Trans National Transport, Inc., and Freight Forwarder, Inc., for 270 days. Supporting shippers: Acme Fast Freight, Inc., ABC-Trans National Transport, Inc., 2110 Alhambra Ave., Los Angeles, CA 90031 and Freight Forwarder, Inc., Box 5088 TA, Denver, CO 80217.

MC 125433 (Sub-6-52TA), filed March 9, 1981. Applicant: F-B TRUCK LINE CO., 1945 So. Redwood Rd., Salt Lake City, UT 84104. Representative: Roger E. Crum (same as applicant). *General Commodities (except commodities in bulk, household goods and classes A and B explosives as defined by the Commission)*, between points in the United States (except AK and HI), for 270 days. Supporting shipper: American Cyanamid Co., 2300 S. Eastern Avenue, Los Angeles, CA. 90040. Restricted to shipments and traffic originating at or destined to the facilities of American Cyanamid Co.

MC 125433 (Sub-6-53TA), filed March 9, 1981. Applicant: F-B TRUCK LINE

CO., 1945 So. Redwood Rd., Salt Lake City, UT 84104. Representative: Roger E. Crum (same as applicant). *Glass and glass containers*, one gallon or less in capacity, between points in MS, OH, TN, TX, and WV on the one hand, and, on the other, points in the U.S., for 270 days. Supporting shipper: Chattanooga Glass Co., 400 West 45th St., Chattanooga, TN 37410.

MC 263 (Sub-6-7TA), filed March 9, 1981. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, ID 83201. Representative: Wayne S. Green (same as applicant). *Waste PCB* from Salt Lake and Tooele Counties, UT to the facilities of Chem Security System, Inc., near Arlington, OR, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Kennecott Minerals Co., a Division of Kennecott Corp., P.O.B. 11248, 10 E. South Temple, Salt Lake City, UT 84147.

MC 114761 (Sub-6-1TA), filed March 9, 1981. Applicant: GETTER TRUCKING INC., 1635 N. Frontage Rd., Billings, MT 59101. Representative: John R. Davidson, Suite 805, First Bank Bldg., Billings, MT 59101. Machinery, equipment, materials and supplies used in, or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission and distribution of manufactured and natural gas and petroleum and their products and by-products, between points in AZ, CA, KS, NV, NM, OK, OR, and TX, and between points in CO, ID, MT, NB, ND, SD, UT, WA and WY on the one hand, and, on the other, points in KS, for 270 days. There are fifteen (15) shippers supporting the application. Their statements may be examined at the Regional Office listed.

MC 153134 (Sub-6-3TA), filed March 9, 1981. Applicant: HI COUNTRY CARRIERS, INC., 4061 S. Bdw., Englewood, CO 80110. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *Fiberglass reinforcements and related materials, equipment and supplies*, from Wichita County, TX, to points in the U.S., in and west of MT, WY, CO and NM (except AK and HI), for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Erskine-Johns Co., 4677 Worth St., Los Angeles, CA 90063.

MC 147193 (Sub-6-2TA), filed March 5, 1981. Applicant: MARTIN RUITER, d.b.a. MARTIN'S FEED CO., P.O. Box 189, Custer, WA 98240. Representative: James T. Johnson, 1610 IBM Bldg., Seattle, WA 98101. *Sand* from Bellingham, WA to Portland, OR, for 270

days. Supporting shipper: Olivine Corp., 1015 Hilton Ave., Bellingham, WA 98225.

MC 127115 (Sub-6-2TA), filed March 9, 1981. Applicant: MILLERS TRANSPORT, INC., 510 W. 4th N., Hyrum, UT 84319. Representative: Bruce W. Shand, 430 Judge Bldg., Salt Lake City, UT 84111. Contract Carrier, irregular routes: Iron and steel articles, from points in AZ, CA, CO, ID, MT, OR, NV, WA, and WY to Plymouth, UT under a continuing contracts(s) with David J. Joseph Co. for 270 days. An ETA seeks 120 days authority. Supporting shipper: The David J. Joseph Co., 801-A W. 8th St. Cincinnati, OH 45201.

MC 147553 (Sub-6-3TA), filed March 9, 1981. Applicant: DENNIS MOSS AND GARY MOSS, d.b.a. MOTOR WEST, P.O.B. 1405, Caldwell, ID 83605. Representative: Timothy R. Stivers, P.O.B. 1576, Boise, ID 83701. Contract Carrier, irregular routes: *Commodities dealt in by grocery and food business houses and materials, equipment and supplies used in the conduct of such business*, between points in ID, OR, WA, CA, NV, and UT. Restricted to shipments originating at or destined to the facilities of Waremart, Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Waremart, Inc., P.O.B. 5756, Boise, ID 83705.

MC 142311 (Sub-6-1TA), filed March 9, 1981. Applicant: QUALITY STEAKS TRANSPORTATION CO., INC., 5100 Race Ct., Denver, CO 80216. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Contract carrier, irregular routes, *Foodstuffs and restaurant materials, equipment and supplies*, between Denver, CO and its commercial zone, on the one hand, and, on the other, points in the U.S. under contract with Cork'n Cleaver d.b.a. Chef's Pride Food Service for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Cork'n Cleaver d.b.a. Chef's Pride Food Service, 1301 S. Cherokee, Denver, CO, 80223.

MC 154628 (Sub-6-1TA), filed March 10, 1981. Applicant: R & R, INC., 2882 W. Lk. Sammamish Pkwy. NE., Redmond, WA 98052. Representative: Boyd Hartman, P.O.B. 3641, Bellevue, WA 98009. Contract Carrier, irregular routes: *General Commodities* (except Class A & B explosives, used household goods, commodities in bulk in tank trailers) between points in the U.S., including AK under contracts or continuing contracts with Bostrum-Warren, Inc. for 270 days. Supporting shipper: Bostrum-Warren, Inc., 3200 4th Ave., Seattle, WA.

MC 151444 (Sub-6-3TA), filed March 10, 1981. Applicant: ROBERT A. AND VIVIAN D. CARPENTER, d.b.a. CARPENTER TRANSPORT COMPANY, 747 W White, Grand Junction, CO 81501. Representative: Lee E. Lucero, 450 Capitol Life Center, Denver, CO 80203. *Common carrier, regular routes: general commodities* (except Classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), (a) between Denver, CO, and points within its commercial zone, on the one hand, and, on the other, Grand Junction, CO, and points within its commercial zone: from Denver over U.S. Hwy 6 and Interstate Hwy 70 to Grand Junction, and return over the same route, and (b) between Grand Junction, CO, and points within its commercial zone, on the one hand, and, on the other, Montrose, CO, and points within its commercial zone: from Grand Junction to Montrose over U.S. Hwy 50, and return over the same route, serving in (a) and (b) above, all intermediate points and their commercial zones, for 270 days. Applicant intends to tack parts (a) and (b) at Grand Junction, CO, and to interline with other carriers at Denver, CO. An underlying ETA seeks 120 days authority. Supporting Shippers: There are 16 supporters. Their statements may be examined at the regional office listed.

MC 154625 (Sub-6-1TA), Filed March 9, 1981. Applicant: RAYDAN TRANSPORT, LTD., 1802-8 Street, Nisku, Alberta, Canada. Representative: Daniel O. Hands, Attorney at Law, 205 W Touhy Avenue, Suite 200, Park Ridge, IL 60068. *Mercer commodities* between the ports of entry along the U.S.-CD Int'l. Boundary at Sweetgrass and Raymond, MT and Fortuna and Portal, ND, on the one hand, and, on the other, points in and west of ND, SD, NE, KS, OK and TX for 270 days. An underlying ETA seeks 120 days authority. There are 5 shippers, their statements may be examined at the regional office listed.

MC 147334 (Sub-6-1TA), filed March 9, 1981. Applicant: ROBERT J. SALZ, 3446 Longview Road, Erie, CO 80516. Representative: Winston A. Holland, 5672 Wadsworth Blvd. (P.O. Box 1169), Arvada, CO 80001. *Hides, Pelts, Skins; Blue Chromed Hides*, from Denver, CO, to points in the states of AZ, CA, IL, IA, KY, MN, TN, TX and WI for 270 days. Supporting shipper: Chillewich Corp., Denver Division, 4400 Brighton Blvd., Denver, CO 80216.

MC 154581 (Sub-6-1TA), filed March 9, 1981. Applicant: SANDPIPER CONTAINER TRUCKING, INC., 10844 E. Marginal Way So., Seattle, WA 98168. Representative: David A. Johnson (same

as applicant). *General Commodities* (except class A & B explosives) in containers or trailers having prior or subsequent movement by water. Between points in WA and Multnomah County, OR on the one hand, and, on the other, points in WA and the counties of Multnomah, Washington, Clackamas, OR for 270 days. Supporting shipper: There are (10) shippers. Their statements may be examined at the Regional Office listed.

MC 126514 (Sub-6-23TA), filed March 6, 1981. Applicant: SCHAEFFER TRUCKING, INC., 5200 W Bethany Home Rd., Glendale, AZ 85301. Representative: Leonard R. Kofkin, 39 S. LaSalle, Street, Chicago, IL 60603. *General commodities of products manufactured by the various units of Norris Industries, Inc. (except those of exceptional value, commodities in bulk, or Class A & B explosives and household goods)* from the facilities of Norris Industries in CA, OH, TX, AR, IL, WI, MI, IN, KY, WV, NC, and VA to points in the U.S. except AK and HI for 270 days. Supporting shipper: Norris Industries, Inc., 5215 S. Boyle Ave., Los Angeles, CA 90058.

MC 126514 (Sub-6-25TA), filed March 6, 1981. Applicant: SCHAEFFER TRUCKING, INC., 5200 W. Bethany Home Rd., Glendale, AZ 85301. Representative: Leonard R. Kofkin, 39 S. LaSalle St., Chicago, IL 60603. *Paper and paper products* between the facilities of James River Corp. in VA, DE, NJ, MA, OH, IL, NH, ME, MI and PA on the one hand, and, on the other, points in the U.S. for 270 days. Supporting shipper: James River Corp., P.O. Box 2218, Richmond, VA 23217.

MC 154627 (Sub-6-1TA), filed March 10, 1981. Applicant: SEA-TRADE SERVICES, INC., 5658 W. Marginal Way SW., Seattle, WA 98106. Representative: Jack R. Davis, 1100 IBM Building, Seattle, WA 98101. *General commodities (except Class A&B explosives and hazardous waste), restricted to shipments having immediately prior or subsequent movement by water (1) between points in WA, (2) between points in WA on the one hand, and, on the other, points in OR, ID and MT for 270 days.* Supporting shippers: American President Lines, Ltd., 3225 E. Marginal Way South, Seattle, WA 98134; Sea-Land Service, Inc., 100 W. Harrison St., Seattle, WA 98119.

MC 145498 (Sub-6-1TA), filed March 6, 1981. Applicant: SKYLINE CONSTRUCTION CO., INC., Box 38, Big Piney, WY 83113. Representative: Toni Gilchrist, Box 783, Big Piney, WY 83113. *Machinery, equipment, materials, and*

supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, their products and by-products between points in AZ, NV, and SD and points in CO, ID, MT, ND, UT and WY for 270 days. An underlying ETA seeks 120 days authority. This application to be joined to existing authority. Supporting shipper(s): N.L. Baroid, P.O. Box 552, Evanston, WY; Phillips Petroleum Co., P.O. Box 2535, Page, AZ; Magcobar Co., P.O. Box 929, Big Piney, WY.

MC 145678 (Sub-6-2TA), filed March 6, 1981. Applicant: SHORT ROUND TRUCKING, 9326 Tanya Ave., W. Jordan, UT 84084. Representative: Boyd Wayne Anderson (same as applicant). *General commodities except hazardous waste and toxic chemicals between points in UT, CA, and the counties of Kane, Kendall, Will, Cook, and Du Page in IL, for 270 days, an underlying ETA seeks 120 days authority.* Supporting shippers: Schenkers International Forwarders, Inc., 5140 W. Amelia Earhart Dr., Salt Lake City, UT 84116. S. D. Ogden Associates, 218 North 2200 West, Salt Lake City, UT 84116.

MC 108461 (Sub-6-2TA), filed March 10, 1981. Applicant: SUNDANCE FREIGHT LINES, INC., 124 W. Thomas Rd., Phoenix, AZ 85013. Representative: Rick J. Hall, P.O. Box 2465, Salt Lake City, UT 84110. *General Commodities, except in bulk from Alameda, Contra Costa, Fresno, Kern, Kings, Madera, Marin, Merced, Monterey, Napa, Sacramento, San Benito, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, and Inyo Counties, CA to Phoenix, AZ for 270 days.* Supporting shipper: A.J. Bayless Markets, Inc., P.O.B. 21152, Phoenix, AZ 85036.

MC 154563 (Sub-6-1TA), filed March 5, 1981. Applicant: WESTBROOK TRUCKING, INC., 600 S. Davis, Clovis, NM. 88101. Representative: Lynn Westbrook, 1421 E. 21st St., Clovis, NM. 88101. *Contract Carrier, Irregular routes: (1) Meats, Meat Products, Meat By-Products and Articles Distributed by Meat Packing Houses as described in Sections A and C of Appendix I to the reports in Description in Motor Carrier Certificates 61 MCC 209 and 766, and, (2) Materials, Equipment and Supplies used in processing, distribution and sale of the commodities named in (1) above from Clovis, NM to points in TX, NM, CA, CO, AZ, and KS, for the account of Clovis Packing, Inc., for 270 days.* An underlying ETA seeks 120 days authority. Supporting shipper: Clovis

Packing, Inc., 721 S. Edwards, Clovis, NM. 88101.

MC 152129 (Sub-6-1TA), filed March 4, 1981. Applicant: CANADIAN LYNDEN TRANSPORT, INC., P.O.B. 690, Spruce Grove, Alberta, CN TOE 2C0. Representative: Charles H. Ruby, 5615 W. Marginal Way SW., Seattle, WA 98106. *Hazardous waste material from the British Columbia, CN-US boundary line at or near Eastport, ID to the disposal facility at or near Arlington, OR for 270 days.* An underlying ETA seeks 120 days authority. Supporting shipper: Chem-Security Systems, Inc., POB 1866, Bellevue, WA 98009.

MC 136605 (Sub-6-30TA), filed February, 3 1981. Applicant: DAVIS TRANSPORT, INC., P.O.B. 8129, Missoula, MT 59807. Representative: Allen P. Felton (same address as above). *Lumber, Lumber Products, Wood, Wood Products, and Forest Products From points ID to points in CA, AZ, NM, TX, OK, KS, CO, NE, WY, SD, ND, MT, MN, WI, MO, IL, IN, IA and UT.* For 270 days. Supporting shipper: Brand S Lumber, POB 631, LaCleda, ID 83841; Overland Mills, Inc., POB 25386, Portland, OR 97225; Emmer Brothers Co. 6800 France Ave. S., Minneapolis, MN 55435; and Intermountain Orient Inc., POB 4297, Boise, ID 83704.

MC 145102 (Sub-6-14TA), filed February 25, 1981. Applicant: FREYMILLER TRUCKING, INC., 1400 S. Union Ave., Bakersfield, CA 93307. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. *Frozen foodstuffs from the facilities of and commercial warehouse facilities utilized by Calavo Growers of California located in Los Angeles, Orange and Ventura Counties, CA to Denver, CO, Bonner Springs, KS, Chicago, IL, Dallas, TX, Doraville, GA, and Secaucus, NJ.* An underlying ETA seeks 120 days authority. Supporting shipper: Calavo Growers of California, P.O.B. 3846, Terminal Annex, Los Angeles, CA 90051.

MC 154351 (Sub-6-1TA), filed February 23, 1981. Applicant: DAVID BAIN, d.b.a. GOLDEN WEDGE TRUCKING, P.O. Box 55, Placerville, CO 81430. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *Common carrier, regular route, general commodities (except classes A and B explosives), between Montrose and Rico, CO, serving as intermediate points all points from Placerville, CO to Rico, CO and including Telluride, CO. From Montrose, CO over U.S. Hwy 550 to the intersection of Colorado Hwy 62, then Colorado Hwy 62 to Intersection of Colorado Hwy 145 at Placerville, CO,*

then over Colorado Hwy 145 to Rico, CO and return over the same route, for 270 days. An underlying ETA seeks 120 days authority. Applicant seeks to interline with another carrier at Montrose, CO to provide through service. There are 20 shippers. Their statements may be examined at the Regional Office listed.

MC 108380 (Sub-6-3TA), filed February 26, 1981. Applicant: JOHNSTON'S FUEL LINERS, INC., P.O. Box 100, Newcastle, WY 82701. Representative: Truman A. Stockton, Jr., 1365 Logan St., Suite 100, Denver, CO 80203. *Cement and building materials and supplies* between points in CO and WY, for 270 days. An underlying ETA seeks authority for 120 days. Supporting shipper(s): Falcon Concrete Co., P.O.B. 730, Mills, WY 82644.

MC 127019 (Sub-6-1TA), filed March 5, 1981. Applicant: LA RUE LAMB TRUCKING, INC., POB 374, Myton, UT 84052. Representative: Irene Warr, 430 Judge Bldg., Salt Lake City, UT 84111. *Gilsonite*, from Bonanza, UT to Weston, WV and Ft. Smith, AR, for 270 days. An ETA seeks 120 days authority. Supporting shipper: American Gilsonite Company, 1150 Kennecott Bldg., Salt Lake City, UT 84133. Agatha L. Mergenovich, Secretary.

[FR Doc. 81-8771 Filed 3-20-81; 8:45 am]
BILLING CODE 7035-01-M

[Finance Docket No. 29596]

Oregon Trunk Railway—Merge—Oregon Electric Railway Co.; Exemption

Pursuant to 49 CFR 1111.4(g) and 1111.5(c)(3) as amended by *Railroad Consolidation Procedures*, 363 I.C.C. 200, 224 and 226 (1980), Oregon Trunk Railway (OT) and Oregon Electric Railway Company (OE), both wholly owned subsidiary companies of Burlington Northern Inc. (BN) notify the Commission of their intention to participate in transactions considered exempt under 49 U.S.C. 10505.

The transaction is a statutory merger where OT shall merge into OE. OE, the surviving corporation, will continue to be a wholly owned subsidiary of BN, and OT will cease to exist as a separate corporation. Because OT and OE are operated by BN employees as an integral part of BN, the merger of OT into OE will involve no changes in operations and will have no impact on employees, shippers, or rail service. Likewise, because BN is responsible for maintenance, capital expenditures and all expenses and obligations relative to both OT and OE business and property,

no increased financial obligations will accrue to BN. Benefits achieved by the OT into OE merger is limited to administrative and incidental savings resulting from corporate simplification, elimination of separate record keeping, intercompany billing and accounting, and administrative burden of maintaining separate corporate existence of OT.

The transaction is within a corporate family that will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balances with carriers outside BN corporate family. For this reason, the transaction is eligible for exemption under 49 CFR 1111.5(c)(3). Consummation may occur upon publication of this notice.

In granting this exemption we may not relieve a carrier of its obligation to protect the interests of employees. See 49 U.S.C. 10505(g)(2) as amended by the Staggers Rail Act of 1980 (Pub. L. No. 96-448, October 14, 1980). Therefore, we will require, as a condition to use of this exemption, the same level of labor protection as is usually required in the type of transactions proposed here. We have determined that the employee protective provisions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979), satisfy the statutory requirements of 49 U.S.C. 11347 for protection of employees involved in these transactions, which normally would require approval under 49 U.S.C. 11343. The exemption, therefore, will be subject to those protective provisions.

OT and OE's failure to comply with these requirements may be grounds to revoke the exemption.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8753 Filed 3-20-81; 8:45 am]
BILLING CODE 7035-01-M

[Decision Volume No. 418]

Republications of Grants of Operating Rights; Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the *Federal Register*.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this *Federal Register* notice. Such pleading shall comply with Special Rule 247(c) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the

purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 150445 (republishing), filed October 6, 1980, published in the *Federal Register* issue of October 23, 1980. Applicant: ALFONSO V. MANGIONE, 510 S. Main St., Pittsboro, PA 18640. Representative: Joseph A. Keating, Jr., 121 S. Main St., Taylor, PA 18517. A Decision of the Commission, Review Board Number 1, decided January 28, 1981, and served February 18, 1981, finds that the performance by applicant of the service will serve a useful purpose, responsive to a public demand to operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *coal*, from points in Luzerne and Schuylkill Counties, PA, to points in NH, VT, NY, DE, and OH; that applicant is fit, willing and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. Note: The purpose of this republication is to reflect service to points in New York in lieu of Nebraska as previously published.

By the Commission,
Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8752 Filed 3-20-81; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-3 (Sub-24)F]

Missouri Pacific Railroad Co.; Abandonment Between Montrose and Crossett, AR; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a certificate and decision decided March 13, 1981, a finding was made by the Commission Review Board Number 3, stating that the present and future public convenience and necessity permit the abandonment by Missouri Pacific Railroad Company of a portion of its line of railroad known as Hamburg Subdivision from milepost 443.4 at Montrose, to milepost 475.2 at Crossett, all in Ashley County, AR, a total distance of 31.8 miles, 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 will be issued to Missouri Pacific Railroad Company based on the above-described finding of abandonment within 15 days after the decision became final, unless postponed by the Commission. However, issuance will be delayed if: (1) an appeal is filed and considered; and (2) within 15 days from the date of publication the Commission further finds that:

(a) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice; and

(b) it is likely that such proffered assistance would:

(i) cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(ii) cover the acquisition cost of all or any portion of such line of railroad.

An offer may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of an offer, and no request is made on the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after notice is published. Upon notification to the Commission of the execution of an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8770 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. 37622]

Petition for Declaratory Order— Existing Railroad Rates

AGENCY: Interstate Commerce Commission.

ACTION: Notice of decision interpreting statutory provisions.

SUMMARY: The Staggers Rail Act of 1980 provides that existing railroad rates are base rates and may be challenged as unreasonably high only within 180 days from the effective date of the Act (October 1, 1980). In response to a petition, the Commission has issued a decision answering certain interpretive questions concerning the statutory provisions.

DATES: The interpretive decision was effective on its date of service.

ADDRESS: Copies of the decision are available from: Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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

SUPPLEMENTARY INFORMATION: A railroad rate in effect on October 1, 1980 is a base rate under the rate freedom provisions of section 203 of the Staggers Rail Act of 1980, Pub. L. 96-448. Unless such a rate is challenged during a 180 day period from October 1, 1980, it is deemed reasonable under section 229 of the Staggers Act. In response to a petition and certain supporting comments, the Commission has issued a decision interpreting the "existing rate" provisions of these sections.

The primary conclusions of the decision are as follows:

1. The 180-day period ends on March 30, 1981.
2. In complaints filed within the 180-day period, the burden of proof is on the complainant.
3. A particular type of rate, such as a class rate, single-car rate or unit-train rate is an existing rate only with respect to new rates of the same type.
4. An existing rate may be challenged after the expiration of the 180-day period if it meets the following conditions: (a) the volume of traffic moved during the 12-month period preceding the effective date of the Act did not exceed 500 tons, and (b) the volume increased tenfold during the 3-year period before the rate was challenged. The 500 ton/tenfold conditions refer to the aggregate of the traffic of all shippers under the rate.

5. To qualify as an existing rate, a rate must apply between the points at issue in the later rate challenge.

6. For any rate that was the subject of a Commission proceeding or on judicial appeal on October 1, 1980, a shipper need not file an additional complaint during the 180-day period if the issue in the proceeding was one of unreasonableness.

(Pub. L. 96-448, sections 203 and 229)

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

Decided: March 18, 1981.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-8911 Filed 3-20-81; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 80-30]

Alan D. Fields, D.O.; Detroit, Mich.;
Hearing

Notice is hereby given that on September 15, 1980, the Drug Enforcement Administration, Department of Justice, issued to Alan D. Fields, D.O., Detroit, Michigan, an Order To Show Cause and Immediate Suspension Of Registration. Respondent was afforded an opportunity to show cause as to why his DEA Certificate of Registration, AD6338215, should not be revoked.

Thirty days having elapsed since the said Order To Show Cause was received by Respondent, and written request for a hearing having been filed with the Drug Enforcement Administration, notice is hereby given that a hearing in this matter will be held commencing at 10:00 a.m. on Tuesday, April 14, 1981, in Courtroom No. 2, Room 305, U.S. Court of Claims, 717 Madison Place, N.W., Washington, D.C.

Dated: March 17, 1981.

Frederick A. Rody, Jr.,
Acting Administrator, Drug Enforcement
Administration.

[FR Doc. 81-8772 Filed 3-20-81; 8:45 am]

BILLING CODE 4410-09-M

Manufacturer of Controlled Substances; Application

Pursuant to Section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on January 9, 1981, Stepan Chemical Co. Natural Prod., 100 W. Hunter Avenue, Maywood, N.J. 07607 made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of

the basic class of controlled substances listed below:

Drug	Schedule
Cocaine (9041)	II.
Ecgonine (9180)	II.

Any other such applicant, and any person who is presently registered with DEA to manufacture such substances, may file comments or objections to the issuance of the above application and may also file a written request for hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR 1316.47.

Any such comments, objections or requests for a hearing may be addressed to the Administrator, Drug Enforcement Administration, United States Department of Justice, 1405 I Street, N.W., Washington, D.C. 20537, Attention: DEA Federal Register Representative (Room 1203), and must be filed no later than April 23, 1981.

Dated: March 17, 1981.

Frederick A. Rody, Jr.,

Acting Administrator, Drug Enforcement Administration.

[FR Doc. 81-8773 Filed 3-20-81; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Meeting; Amended Agenda

March 17, 1981.

The agenda for the meeting of the National Advisory Committee on Oceans and Atmosphere (NACOA) scheduled for March 28-27, 1981, published in the Federal Register of March 13, 1981 (Page 16761), has been changed. The amended agenda is as follows for March 28-27, 1981.

Thursday, March 26, 1981

- 9 a.m.-9:30 a.m.—Plenary Announcements
Introduction and Swear in of New NACOA Member
- 9:30 a.m.-12 noon—U.S. Coast Guard VADM Robert Scarborough, Vice Commandant
An Overview of U.S. Coast Guard Needs
- 12 noon-1 p.m.—Lunch
- 1 p.m.-4 p.m.—Plenary
Review of National Oceanic and Atmospheric Programs (Continued)
- 1 p.m.-3 p.m.—U.S. Navy Ocean Programs
Capt. Ron Hughes, Office of the Chief of Naval Operations
- 3 p.m.-4 p.m.—National Science Foundation
Dr. Eugene W. Bierly, Director, Division of Atmospheric Sciences
Dr. M. Grant Gross, Director, Division of Ocean Sciences

Dr. Peter E. Wilkness, Director, Division of Ocean Drilling Programs
4 p.m.-5 p.m. Steering Committee Meeting
5 p.m.—Adjourn

March 27, 1981

- 8:30 a.m.-10 a.m.—Panel Meeting
Atmospheric Science Research, Facilities
Panel—Louis Battan
Discussion of Draft Report
- 10 a.m.-12 noon—Plenary
Review of National Oceanic and Atmospheric Programs (Continued)
National Oceanic and Atmospheric Administration
Martin Belsky, Assistant Administrator for Policy Planning
- 12 noon-1 p.m.—Lunch
- 1 p.m.-2 p.m.—Plenary
Review of National Oceanic Programs
Maritime Administration (Speaker to be Announced)
- 2 p.m.-3:30 p.m.—Panel Reports
- 3:30 p.m.—Adjourn

Persons desiring to attend will be admitted to the extent seating is available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to impose limits on the duration of oral statements and discussions. Written statements may be submitted before or after each session.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Steven N. Anastasion, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, 3300 Whitehaven Street, NW., (Room 438, Page Building #1), Washington, DC 20235. The telephone number is (202) 653-7818.

Steven N. Anastasion,
Executive Director.

[FR Doc. 81-8717 Filed 3-20-81; 8:45 am]

BILLING CODE 3510-12-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (81-26)]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council.

DATE AND TIME: April 7, 1981, 1 p.m. to 5 p.m.; April 8, 1981, 9 a.m. to 4 p.m.

ADDRESS: NASA Kennedy Space Center, Room 3201, Headquarters Building, Kennedy Space Center, FL 32899.

FOR FURTHER INFORMATION CONTACT: Mr. Nathaniel B. Cohen, Code LB-4, National Aeronautics and Space Administration, Washington, D.C. 20546 (202/755-8383).

SUPPLEMENTARY INFORMATION: The NASA Advisory Council was established as an interdisciplinary group to advise senior management on the full range of NASA's programs, policies, and plans. The Council is chaired by Dr. William A. Nierenberg and is composed of twenty-five members. Standing committees containing additional members report to the Council and provide advice in the substantive areas of aeronautics, life sciences, space and terrestrial applications, space science, space systems and technology, and history, as they relate to NASA's activities.

Type of Meeting: Open. Visitors will be admitted to the meeting room up to its seating capacity, which is about 50 persons including Council members and other participants. However, potential visitors should note that, because of the character of operations at the Kennedy Space Center, access to the installation is strictly controlled. Visitors will be granted access only in accordance with normal installation policy.

Agenda

April 7, 1981

- 1 p.m.—Introduction.
- 1:15 p.m.—Fiscal year 1982 Amended Budget.
- 2:30 p.m.—Aeronautics.
- 4:00 p.m.—Space and Life Science.
- 5:30—Adjourn.

April 8, 1981

- 9 a.m.—Space and Terrestrial Applications.
- 10 a.m.—Space Transportation System.
- 1 p.m.—Computer Technology and Automation.
- 2 p.m.—NASA: History and Social Science.
- 3 p.m.—New Business and General Discussion.
- 4 p.m.—Adjourn.

Gerald D. Griffin,

Acting Associate Administrator for External Relations.

March 18, 1981.

[FR Doc. 81-8761 Filed 3-20-81; 8:45 am]

BILLING CODE 7510-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Subcommittee on Procedures and Administration; Meeting

The ACRS Subcommittee on Procedures and Administration will hold a meeting on April 7, 1981 in Room 1010, 1717 H St., NW, Washington, DC.

In accordance with the procedures outlined in the *Federal Register* on October 7, 1980 (45 FR 66535), 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 Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions during which the Subcommittee finds it necessary to discuss information of a personal nature. One or more closed sessions may be necessary to discuss such information. (SUNSHINE ACT EXEMPTION 6). To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows: *Tuesday, April 7, 1981; 8:30 a.m. until the conclusion of business.*

The Subcommittee will hold discussions regarding ACRS activities including the following topics:

- (1) Discuss employment arrangements for ACRS members.
- (2) Discuss the use of telecommunications equipment in support of ACRS activities.
- (3) Discuss the format and content of Committee Reports.

I have determined, in accordance with Subsection 10(d) Public Law 92-463 that it may be necessary to close some portions of this meeting to discuss information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The authority for such closure is Exemption (6) to the Sunshine Act, 5 U.S.C. 552b(c)(6).

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 cognizant Designated Federal Employee, Mr. Raymond F. Fraley (telephone 202/634-3265) between 8:15 a.m. and 5:00 p.m., est.

Dated: March 17, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81-8765 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Subcommittee on Regulatory Activities; Notice of Meeting

The ACRS Subcommittee on Regulatory Activities will hold a meeting on April 7, 1981 in Room 1046, 1717 H Street, N.W., Washington, DC.

In accordance with the procedures outlined in the *Federal Register* on October 7, 1980, (45 FR 66535), 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 Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows: *Tuesday, April 7, 1981; the meeting will commence at 1:00 p.m.*

The Subcommittee will hear presentations from the NRC Staff and will hold discussions with this group pertinent to the following:

- (1) Regulatory Guide 1.142, Revision 1, "Safety-Related Concrete Structures For Nuclear Power Plants" (Post Comment).
- (2) Regulatory Guide 1.68.3 (Formerly Regulatory Guide 1.80), "Preoperational Testing of Instrument and Control Air Systems" (Post Comment).

Other matters which may be of a predecisional nature relevant to reactor operation or licensing activities may be discussed following this session.

Persons wishing to submit written statements regarding Regulatory Guides 1.142, Revision 1 and 1.68.3, may do so by providing a readily reproducible copy to the Subcommittee at the beginning of the meeting. However, to insure that adequate time is available for full consideration of these comments at the meeting, it is desirable to send a readily reproducible copy of the comments as far in advance of the meeting as practicable to Mr. Sam Duraiswamy, the Designated Federal Employee for the meeting, in care of ACRS, Nuclear Regulatory Commission, Washington, DC 20555 or telecopy them to the Designated Federal Employee (202/634-3319) as far in advance of the meeting as practicable. Such comments shall be based upon documents on file and available for public inspection at the NRC Public Document Room, 1717 H St., N.W., Washington, DC 20555.

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 Designated Federal Employee for this meeting, Mr. Sam Duraiswamy, (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., Eastern time.

Dated: March 17, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81-8766 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-245]

Connecticut Light & Power Co. et.al.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 73 to Provisional Operating License No. DPR-21, issued to the Connecticut Light and Power Company, The Hartford Electric Company, Western Massachusetts Electric Company, and Northeast Nuclear Energy Company (the licensees), which revised the Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 1, located in the Town of Waterford, Connecticut. This amendment is effective as of its date of issuance.

This amendment approves Appendix A Technical Specifications to allow return to full power operation following the seventh refueling outage.

The application for 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.

For further details with respect to this action, see (1) the application for amendment dated September 9, 1980, as supplemented, September 10, 1980, September 30, 1980, November 6, 1980, and February 25, 1981, (2) Amendment No. 73 to License No. DPR-21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C.

20555, and at the Waterford Public Library, Roper Ferry Road, Route 156, Waterford, Connecticut. 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 March 11, 1981.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,
*Chief, Operating Reactors Branch No. 5,
Division of Licensing.*

[FR Doc. 81-8787 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-409]

**Dairyland Power Cooperative;
Issuance of Amendment to Provisional
Operating License**

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 24 to Provisional Operating License No. DPR-45 issued to Dairyland Power Cooperative (the Licensee) which revised Technical Specifications 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 adds new requirements to the LACBWR Technical Specifications to specify limiting conditions for operation and surveillance requirements for the (1) Emergency Service Water Supply System and (2) Primary Coolant System Pressure Isolation Valves.

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 it 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 Safety Evaluation by the Office of Nuclear Reactor Regulation Relating to Liquefaction Potential at the

LaCrosse Site, dated August 29, 1980, (2) the application for amendment dated February 18, 1981, and letters dated October 14, 1980, November 26, 1980, and February 2, 1981, (3) Amendment No. 24 to License No. DPR-45 and (4) 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 LaCrosse Public Library, 800 Main Street, LaCrosse, Wisconsin. A copy of items (3) and (4) 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 25th day of February 1981.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,
*Chief, Operating Reactors Branch No. 5,
Division of Licensing.*

[FR Doc. 81-8788 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. STN 50-482 OL]

**Kansas Gas & Electric Company, et al.
(Wolf Creek Generating Station,
Unit 1); Prehearing Conference**

March 13, 1981.

Pursuant to 10 CFR 2.751(a) the Board hereby orders a special prehearing conference at 9:05 a.m., on April 15, 1981, at the Travelodge-Emporia, 3021 N. Highway 50, Emporia, Kansas.

The conference will be for the purpose of identification of the issues, any further actions on petitions that may be necessary and to establish a future schedule for the proceedings.

For the Atomic Safety and Licensing Board,
James P. Gleason,
Administrative Judge.

Dated at Bethesda, Maryland this 13th day of March 1981.

[FR Doc. 81-8789 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-275-OL and 50-323-OL]

**Pacific Gas & Electric Co. (Diablo
Canyon Nuclear Power Plant, Units 1
and 2); Reconstitution of Board**

Pursuant to the authority contained in 10 CFR 2.721 (1980), the Atomic Safety and Licensing Board for *Pacific Gas and Electric Company* (Diablo Canyon Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-275-OL and 50-323-OL, is hereby reconstituted by appointing the following Administrative Judge to the Board: Mr. John F. Wolf. Mrs. Elizabeth S. Bowers was the Chairman

of this Board, but, because of a schedule conflict, she is unable to continue to serve.

As reconstituted, the Board is comprised of the following Administrative Judges:

John F. Wolf, Chairman
Mr. Glenn O. Bright
Dr. Jerry R. Kline

All correspondence, documents and other materials shall be filed with the Board in accordance with 10 CFR 2.701 (1980). The address of the new Board members is:

Administrative Judge John F. Wolf, 3409
Shepherd Street, Chevy Chase, Maryland
20015

Dated at Bethesda, Md., this 18th day of March 1981.

B. Paul Cotter, Jr.,
*Chief Administrative Judge, Atomic Safety
and Licensing Board Panel*

[FR Doc. 81-8791 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-344]

**Portland General Electric Co.;
Correction**

On Wednesday, February 25, 1981, at 46 FR 14099, the Nuclear Regulatory Commission (NRC) published a notice regarding the relocation of the Local Public Document Room (LPDR) for Portland General Electric Company's Trojan Nuclear Plant. The telephone number given in that notice for the new LPDR was incorrect; the correct telephone number for the Trojan LPDR now located at the Multnomah Public Library is (503) 223-7201.

Dated at Bethesda, Md., this 12th day of March 1981.

For the Nuclear Regulatory Commission,
Joseph M. Felton,
*Director, Division of Rules and Records,
Office of Administration.*

[FR Doc. 81-8792 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-259, 50-260, and 50-296]

**Tennessee Valley Authority; Issuance
of Amendments to Facility Operating
Licenses**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 69 to Facility Operating License No. DPR-33, Amendment No. 65 to Facility Operating License No. DPR-52 and Amendment No. 41 to Facility Operating License No. DPR-68 issued to Tennessee Valley Authority (the licensee), which revised Technical Specifications for operation of

the Browns Ferry Nuclear Plant, Unit Nos. 1, 2 and 3, (the facility) located in Limestone County, Alabama. The amendments are effective as of the date of issuance.

These amendments revise the Environmental Technical Specifications to (1) delete water quality and aquatic monitoring and reporting requirements which duplicate those conditions regulated by the Browns Ferry Nuclear Plant's NPDES Permit No. AL0022080 issued to TVA on June 30, 1977 and (2) change the titles in Section 5.0 (Administrative Controls) for the offices within TVA responsible for environmental activities to reflect recent organizational changes.

The application for the amendments 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 these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments 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 the issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated August 29, 1979, (2) Amendment No. 69 to License No. DPR-33, Amendment No. 65 to License No. DPR-52, and Amendment No. 41 to License No. DPR-68, and (3) the Commission's letter to the licensee dated March 6, 1981. 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 Athens Public Library, South and Forrest, Athens, Alabama 35611. 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, Md., this 6th day of March 1981.

For the Nuclear Regulatory Commission,
Thomas A. Ippolito,
Chief, Operating Reactors Branch No. 2,
Division of Licensing.

[FR Doc. 81-8793 Filed 3-20-81; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-271]

**Vermont Yankee Nuclear Power Corp.;
Issuance of Amendment to Facility
Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 64 to Facility Operating License No. DPR-28 issued to Vermont Yankee Nuclear Power Corporation which revises the Technical Specifications for operation of the Vermont Yankee Nuclear Power Station located in Windham County, Vermont. The amendment is effective as of the date of its issuance.

This amendment changes the Technical Specifications to permit the performance of stability and recirculation pump trip tests.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 12, 1981, (2) Amendment No. 64 to License No. DPR-28, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Brooks Memorial Library, 224 Main Street, Brattleboro, Vermont 05301. 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, Md., this 11th day of March 1981.

For the Nuclear Regulatory Commission,
Thomas A. Ippolito,
Chief, Operating Reactors Branch No. 2,
Division of Licensing.

[FR Doc. 81-8794 Filed 3-20-81; 8:45 am]
BILLING CODE 7590-01-M

[NUREG-0487 Supplement 2]

**Mark II Containment Lead Plant
Program Load Evaluation and
Acceptance Criteria; Issuance and
Availability**

The Nuclear Regulatory Commission (NRC) staff has prepared a report entitled "Mark II Containment Lead Plant Program Load Evaluation and Acceptance Criteria" (NUREG-0487 Supplement 2), dated February 1981. This Report provides the staff's partial resolution of the NRC's Generic Technical Activity A-8, "Mark II Containment Pool Dynamic Loads". This is an "Unresolved Safety Issue" pursuant to section 210 of the Energy Reorganization Act of 1974.

The suppression pool hydrodynamic loads associated with a postulated loss-of-coolant accident (LOCA) were first identified during large scale testing of the Mark III containment system design in the period 1972 through 1974. These newly identified loads, that had not been explicitly considered in the original design of the Mark II containment, result from the dynamic effects of drywell air and steam being rapidly forced into the suppression pool, during a postulated LOCA.

As a result of these concerns, the Mark II owners formed a group to develop a program consisting of both analytical and experimental tasks to support their pool dynamic loads application methods. In May 1977, Mark II owners divided the overall program into two parts: a Lead Plant Program (LPP) and a Long Term Program (LTP). The LPP was developed to establish a conservative design basis appropriate for the anticipated 40 year life of each Mark II BWR facility.

The United States Nuclear Regulatory Commission reviewed the LPP and issued the Mark II Containment Lead Plant Program Load Evaluation and Acceptance Criteria Report (NUREG-0487) in October 1978. That report included an evaluation of the Mark II Owners' proposed methodology for establishing pool dynamic loads for the lead Mark II plants and a description of the bases for load methodologies that we find acceptable for use in the individual plant-unique assessments. Since that report was issued, the Mark II owners submitted additional reports in

which they proposed alternative load methodologies for use in the evaluation of Mark II plants. Supplement 1 to NUREG-0487 issued in September 1980 included an evaluation of these alternative load specifications. Supplement 2 addresses interim condensation oscillation and chugging loads proposed by the lead Mark II plants in consideration of observations in full scale Mark II tests conducted in 1979. This report concludes the staff's generic review of the lead Mark II pool dynamic LOCA loads. We plan to issue an additional report in June 1981 to include an evaluation of the Mark II Long Term Program.

In implementing the criteria described in NUREG-0487 and Supplements 1 and 2, all applicants are required to document conformance with the staff's criteria, deviations from the criteria and bases for the deviations in their Design Assessment Report during the FSAR review.

Copies of the NUREG-0487 Supplement 2 report will be available after February 1981. Copies will be sent directly to utilities, utility industry groups and associations and environmental public interest groups. Other copies will be available for review at the NRC Public Document Room, 1717 H Street, N.W., Washington, D.C.; and the Commission's local public document rooms located in the vicinity of existing nuclear power plants. Addresses of these local public document rooms can be obtained by contacting the Chief, Local Public Document Rooms Branch, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone (301) 492-7536. A single copy of NUREG-0487, Supplement 2, will be provided free of charge, while the supply lasts, upon written request of a full participant in an ongoing NRC proceeding. This request must identify the requester as a participant and should be addressed to Director, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Bethesda, Md., this 16th day of March 1981.

For the Nuclear Regulatory Commission,
Thomas E. Murley,
Director, Division of Safety Technology,
Office of Nuclear Reactor Regulation.

[FR Doc. 81-8700 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-250-SP and 50-251-SP]

Florida Power & Light Co. (Turkey Point Nuclear Generating, Units 3 and 4); Proposed Amendments to Facility Operating License To Permit Steam Generator Repairs; Change of Location for Prehearing Conference

March 17, 1981.

The Notice of Prehearing Conferences issued by this Board on March 10, 1981, indicated that the Prehearing Conference scheduled for March 24-25, 1981, would be held at the Council Chambers in Homestead, Florida. Subsequent to that order, the Council Chambers became unavailable for that purpose. Consequently, the location of such prehearing conference has been changed to the following:

March 24-25, 1981—Commencing at 10:00 a.m., local time, in the Homestead Branch Court, 715 N.E. First Road, Homestead, Florida.

It is so ordered.

Dated at Bethesda, Md., this 17th day of March 1981.

For the Atomic Safety & Licensing Board,
Marshall E. Miller,
Administrative Judge.

[FR Doc. 81-8627 Filed 3-20-81; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

March 18, 1981.

Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 USC, Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the

nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available);

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out;

Who will be required or asked to report;

The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected;

Whether small businesses or organizations are affected;

A description of the Federal budget functional category that covers the information collection;

An estimate of the number of responses;

An estimate of the total number of hours needed to fill out the form;

An estimate of the cost to the Federal Government;

The number of forms in the request for approval;

The name and telephone number of the person or office responsible for OMB review; and

An abstract describing the need for and uses of the information collection.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the *Federal Register*, but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments

promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Assistant Director for Regulatory and Information Policy, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202-447-6201.

New

- Forest Service
Supplemental Qualifications
Statement—Forestry Aid/Technician
Positions, GS-2/7
On occasion
Individuals or households
Applicants for employment
Conservation and Land Management,
9,000 responses, 9,000 hours; \$72,000
Federal cost, 1 form
Charles A. Ellett, 202-395-7340

The form is a supplement to the basic application form for Federal employment (SF-171) and has been designed as a rating tool to be used in conjunction with the examining plan and rating schedule for determining applicants' qualifications for various grade levels.

- Agricultural Cooperatives Service
Farmer Perceptions of Cooperative
Fertilizer Outlets in Iowa
Nonrecurring
Farms
Iowa farmers throughout the State
SIC: 011 013 016
Agricultural Research and Services, 900
responses, 450 hours; \$70,000 Federal
cost, 1 form
Charles A. Ellett, 202-395-7340.

Develop and compare the attitudes, preceptions and choice motivators which farmers have towards cooperative and private fertilizer suppliers. Results will be used by managers of fertilizer companies, researchers, Congress and executive agencies helping cooperatives adjust to a changing fertilizer market.

- Food and Nutrition Service
Work Registration Forms—Job Search
Reporting
ES-511 & 511C
On occasion
Individuals or households/State or local
governments
Food stamp applicants and participants

SIC: 999

Food and nutrition assistance, 3,768,492
responses, 1,078,550 hours; \$13,610
Federal cost, 2 forms
Charles A. Ellett, 202-395-7340.

The information collection is needed to: (1) require certain members of food stamp households to register for work, inquire about employment, and report the results of this inquiry and, (2) provide for a management plan to detail operational guidelines of work registration and job search.

Revisions

- Economics and Statistics Service
June Enumerative Survey
Annually
Farms

Crop and livestock producers land
operators in sample area
SIC: 021 011 013 024 025 027

Small businesses or organizations
Agricultural research and services,
123,200 responses, 43,595 hours;
\$3,000,000 Federal cost, 5 forms
Off. of Federal Statistical Policy &
Standard, 202-673-7974

Provides national and State
indications of acres planted to major
crops. Area Frame used to measure
incompleteness of various commodity
lists (40-R0302, 40-R0306, 40-R2764, 40-
R3723, 40-R3774). Provides a sampling
base for objective yield survey (40-
R2764). Also used to establish training
fields for computer classification of
landsat satellite data. Estimates used
throughout government and agriculture
in production and marketing decisions.

Extensions (Burden Change)

- Economics and Statistics Service
Cranberry Grower Inquiries
Other-see SF83

Farms
Cranberry growers
SIC: 017

Small businesses or organizations
Agricultural research and services, 880
responses, 73 hours; \$6,000 Federal
cost, 1 form

Off. of Federal Statistical Policy &
Standard, 202-673-7974

Provides data to estimate acreage,
production, disposition and value of
cranberries grown in all States having
commercial production. Estimates of
prospective supplies of cranberries are
used by growers, processors and
handlers in production and marketing
decisions.

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward
Michals—202-377-3627

New

- Bureau of the Census

June 1981 Fertility and Birth Expectation
Survey CPS-1

Annually
Individuals or households
Interviewed Households in June 1981
CPS

Other advancement and regulation of
commerce, 39,400 responses, 1,706
hours; \$130,000 Federal cost, 1 form
Off. of Federal Statistical Policy &
Standard, 202-673-7974

The data obtained on childbearing
and future birth expectations will be
utilized to update estimates of current
and future birth rates and to examine
trends in family development.

- Minority Business Development
Agency

Descriptive Data Questionnaire:
Minority Managers/Students

Nonrecurring

Individuals or households

Minority entrepreneurs/owners/ma/
students

Small businesses or organizations
Other advancement and regulation of
commerce, 7,000 responses, 7,000
hours; \$20,000 Federal cost, 2 forms
William T. Adams 202-395-4814

The information collected will assist
MBDA determine the critical long and
short term business management
development needs of minorities. It will
be utilized to guide the development of
effective programs designed to meet
these needs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph
Strnad—202-245-7488

New

- Social Security Administration
Financial Status Report (Child Support
Enforcement Program)

OSCE-41

Quarterly

State or local governments

State Title IV-D agencies

Sic: 944

Other income security, 216 responses,
216 hours; \$13,700 Federal cost, 1 form
Barbara F. Young, 202-395-6880

This form provides quarterly
information concerning the States'
expenditures in operating the child
support enforcement program. This data
is used to compute the portion of
funding to be provided by the Federal
Government.

- Health Care Financing Administration
Health Prepayment Data Card Coding
Sheet

HCFA-1929

On occasion

Business or other institutions
Group medical practices dealing directly
with HCFA

Sic: 801

Small businesses or organizations
Health, 27,000 responses, 9,300 hours;
\$38,540 Federal cost, 1 form

Richard Eisinger, 202-395-6880

This form is used to collect identifying
information on medicare beneficiaries
enrolled in direct-dealing group practice
prepayment plans.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G.
Masarsky—202-755-5184

Reinstatements

- Housing Programs
Supplemental Application and
Processing Form—Housing
For the elderly

FHA-2013-E

On occasion

Business or other institutions

Profit and non-profit motivated sponsors

Sic: 953

Small businesses or organizations

Mortgage credit and thrift insurance,
1,000 responses, 3,000 hours; \$110,060

Federal cost, 1 form

Richard Sheppard, 202-395-6880

Authority for this report is Section 207
of the National Housing Act (P.L. 479, 48
Stat., 12 U.S.C. 1701 et seq.). Submitted
by profit and nonprofit motivated
sponsors seeking feasibility analysis,
conditional of firm commitment on a
proposal for housing for the elderly.
Needed by HUD to determine eligibility
and acceptability of the project.

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John
Winsor—202-426-1887

New

- Research and Special Programs
Administration

Applications to Add or Change
Materials in the IM

Tank Table

Nonrecurring

Businesses or other institutions

Shippers of hazardous materials

Small businesses or organizations

Other Transportation, 50 responses, 25
hours; \$1,250 Federal cost, 1 form

Terry Grindstaff, 202-395-7340

These records are needed to obtain
information on the properties and
characteristics of the material for which
the action is sought and the MTB uses
this information to determine whether
the action should be approved. This
information collection is prescribed by
section 173.32D.

- Research and Special Programs
Administration

Hydrostatic Test Reports

Other—See F83

Businesses or other institutions

Owners of intermodal portable tanks

Small businesses or organizations

Other transportation, 1,625 responses,
135 hours; 1 form

Terry Grindstaff, 202-395-7340

These records are needed for proper
documentation of violations in
enforcement proceedings and are used
to ascertain whether an IM portable
tanks has been properly maintained in
compliance with the applicable DOT
regulation. This information collection is
prescribed by section 173.32B.

- Research and Special Programs
Administration

Approval Certificate for IM Portable
Tanks

Nonrecurring on occasion

Businesses or other institutions

Organizations and persons designated
by MTB to certify IM portable tanks

Small businesses or organizations

Other transportation, 15 responses, 15
hours; \$3,750 Federal cost, 1 form

Terry Grindstaff, 202-395-7340

These records are needed and used as
written documentation that a tank
design covered by the certificate meets
the applicable DOT specification. This
information collection is prescribed by
section 173.32A(B)(5)(II), (C) and (G).

- Research and Special Programs
Administration

Certification Reports for IM Portable
Tanks Under DOT

Exemption

Nonrecurring

Businesses or other institutions

Manufacturers and owners of IM

portable tanks under a DOT
exemption

Small businesses or organizations

Other transportation, 120 responses, 240
hours; \$8,500 Federal cost, 1 form

Terry Grindstaff, 202-395-7340

These records are needed and used as
written documentation that the tank
covered by the certificate meets the
applicable DOT specification. This
information collection is prescribed by
section 173.32A(G).

- Research and Special Programs
Administration

Application for Approval of an IM
Portable Tank

Nonrecurring

Businesses or other institutions

Manufacturers and owners of

intermodal portable tanks

Small businesses or organizations

Other transportation, 40 responses, 20
hours; 1 form

Terry Grindstaff, 202-395-7340

These records are needed to obtain
information from IM portable tank
owners and manufacturers on the design
type of the tank for which certification is
sought. Information will be used to
determine whether a portable tank
design complies with the applicable
DOT specification. This information
collection is prescribed by section
173.32A.

- Research and Special Programs
Administration

Manufacturing and Test Reports

Nonrecurring

Businesses or other institutions

Manufacturers of IM portable tanks

Small businesses or organizations

Other transportation, 200 responses, 17
hours; 1 form

Terry Grindstaff, 202-395-7340

These records are needed for proper
documentation of violations in
enforcement proceedings and are used
to ascertain whether an IM portable
tank has been manufactured and
properly tested in accordance with the
applicable DOT regulations. This
information collection is prescribed by
section 173.32A.

DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Ms. Joy
Tucker—202-634-5394

Extensions (Burden Change)

- United States Customs Service
Certificate of Manufacturing and
Delivery

CF-7585

On occasion

Businesses or other institutions

Manufacturers

SIC: 208

Small businesses or organizations

Federal law enforcement activities, 50
responses, 17 hours; \$1,227 Federal
cost, 1 form

Warren Topelius, 202-395-7340

Establish eligibility for refund of
Internal Revenue tax on domestic
alcohol.

Extensions (No Change)

- United States Customs Service
Drawback Entry for Exported Articles

CF-7573

On occasion

Businesses or other institutions

Manufacturers

SIC: All

Small businesses or organizations

Federal law enforcement activities,
18,000 responses, 3,600 hours; \$4,111
Federal cost, 1 form

Warren Topelius, 202-395-7340

Allows a manufacturer to file a drawback entry for exported articles if certificates of manufacture are filed prior to the filing of the entry or when completely manufactured are purchased for exportation and the drawback entry to be paid to the purchaser.

ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Mr. Mel Kollander—202-287-0754

Extensions (Burden Change)

- Open Dump Inventory Report
EPA T8700-14
Nonrecurring
State or local governments
State solid waste agencies
Pollution control and abatement, 1,568 responses, 784 hours; \$34,500 Federal cost, 1 form

Edward H. Clarke, 202-395-7340

Public Law 94-580, the "Resource Conservation and Recovery Act of 1976" (RCRA) required EPA to publish an inventory of all disposal facilities in the U.S. which are open dumps, in order to inform Congress and citizens of the magnitude and extent of problems resulting from land disposal of solid waste.

VETERANS ADMINISTRATION

Agency Clearance Officer—R. C. Whitt—202-389-2146

Extensions (Burden Change)

- Electrical Systems Inspection Report (Mobile Home)
26-8731B
On occasion
Businesses or other institutions/
individuals or households
Business, individual
SIC: 173
Small businesses or organizations
Veterans housing, 1,100 responses, 2,200 hours; \$8,490 Federal cost, 1 form

Robert Neal, 202-395-6880

Abstract: Completed by inspectors to record findings for electrical systems of used mobile home units proposed as security for guaranteed loans authorized by U.S.C. 1819, Section 1819(h)(1) of title 38 U.S.C. requires that such mobile home units meet VA standards. Information collected is used to determine acceptability of units for VA financing.

C. Louis Kincannon,
Assistant Administrator for Reports
Management.

[FR Doc. 81-8603-Filed 3-20-81; 8:45 am]

BILLING CODE 3110-01-M

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVIORAL RESEARCH

Notice is hereby given, pursuant to Section 10(a)(2) of the Federal Advisory Committees Act, that the eighth meeting of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research will be held in Room 924, Federal Building, 51 S.W. First Avenue, Miami, Florida, from 9:00 a.m. to 5:30 p.m. on Thursday, April 9, 1981 and from 9:00 a.m. to 4:00 p.m. on Friday, April 10, 1981.

The meeting will be open to the public, subject to limitations of available space. The agenda of this Commission meeting will include, among other things, (a) testimony on ethical and legal implications of decisions to prolong life and terminate treatment, and (b) discussion of a draft report on the provision of compensation for research injuries.

During the afternoon of April 9, 1981, one-half hour will be devoted to comments from the floor on the subject of any of the agenda items, limited to three minutes per comment. Written suggestions and comments will be accepted for the record from those who are unable to speak because of the constraints of time or those unable to attend the meeting.

Records shall be kept of all Commission proceedings and will be available for public inspection at the Commission's office, located in Suite 555, 2000 K Street, N.W., Washington, D.C. 20006. For further information, contact Andrew Burness, Public Information Officer, at (202) 653-8051. Alexander M. Capron,

Executive Director.

[FR Doc. 81-8756 Filed 3-20-81; 8:45 am]

BILLING CODE 6820-AV-M

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-0413]

Holding Capital Management Co.; Application for a License To Operate as a Small Business Investment Company

Notice is hereby given of the filing of an application with the Small Business Administration (SBA) pursuant to Section 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1980)), by Holding Capital Management Company (Applicant), 711 Fifth Avenue, 12th Floor, New York, New York 10022, for a license to operate as a limited

partnership small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 861 *et seq.*), and the Rules and Regulations promulgated thereunder.

The formation and licensing of a limited partnership SBIC is subject to the provisions of Section 107.4 of the Regulations. The application provides for a corporate general partner which must be a corporation, organized under State law solely for the purpose of managing the functions and activities of the limited partnership SBIC. There will be five limited partners.

The initial investors and their percent of ownership of the Applicant are as follows:

Holding Development Corp., general partner, 11.28 pct¹

*Bohemond Corp., limited partner, 18.80 pct¹

Mary M. Spencer, limited partner, 15.04 pct

Arie Gener, limited partner, 24.80 pct

Arnold Broser, limited partner, 15.04 pct

Alvin S. Trenk, limited partner, 15.04 pct

The Applicant proposes to commence operations with a maximum partnership capital of \$1,000,000 and a minimum of \$655,000. The Applicant anticipates it will primarily provide venture capital in the form of equity financing and long-term debt. It will have a broad financing policy. The Applicant intends to provide advisory and management services on a contractual basis to client small concerns.

The corporate general partner (Holding Development Corporation) will consist of the following officers, directors and shareholders:

Sash A. Spencer, president and director, 811 Ocean Drive, Town House 21, Key Biscayne, FL 33139, 100 pct

James W. Donaghy, vice president and director, 218 West Rocks Road, Norwalk, CT 06851

Alan P. Raines, director, 31 W. 70th Street, Apt. No. 5, New York, New York 10023

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed officers, directors, and shareholders of the corporate general partner, as well as the limited partners of the Applicant, and the probability of successful operation of the Applicant, in accordance with the Act and Regulations.

Notice is further given that any person may, not later than 15 days from the date of publication of this notice, submit to SBA, in writing, comments on the proposed licensing of this company. Any such communication should be

¹ Owned 100% by S. A. Spencer, husband of Mary M. Spencer.

addressed to: Acting Associate Administrator for Investment, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published by the Applicant in a newspaper of general circulation in New York, New York.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: March 17, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-8713 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 02/02-5367 et al.]

Japanese American Capital Corporation (Japanese) et al.; Application for Approval of a Conflict of Interest Transaction

Notice is hereby given that Japanese, 02/02-5367, 120 Broadway, New York, New York 10005, Pan Pac, 02/02-5386, 195 Hudson Street, New York, New York 10013, and Taroco, 02/02-5318, 120 Broadway, New York, New York 10005, Federal Licensees under the Small Business Investment Act of 1958, as amended (Act), (15 U.S.C. 661 *et seq.*), have filed an application with the Small Business Administration, pursuant to Section 312 of the Act and covered by Sections 107.1004(3)(g) and 107.1004(b)(1) of the Regulations governing small business investment companies (SBICs/Licensees) (13 FR 107.1004 (1980)), for approval of a conflict of interest transaction falling within the scope of the above Sections of the Act and Regulations.

The Licensees propose to provide the following financing to: Taroco Food Corporation, 189 Hudson Street, New York, New York 10013.

The participants in the joint financing are:

Japanese—\$100,000 equity; \$50,000 debt commitment

Pan Pac—\$100,000 equity; \$50,000 debt commitment

Taroco—\$100,000 equity; \$50,000 debt commitment

The names of the persons and the nature of the affiliation are:

No Associate of Japanese is an officer, director, or controlling shareholder of Taroco Food Corporation.

David R. C. Chang—Shareholder, Director and President of Taroco is a Shareholder and Director of Taroco Food Corporation, the small concern.

Jack Lee—Shareholder, Director and President of Pan Pac is a Shareholder,

Director and President of Taroco Food Corporation.

Need for financing:

(a) Taroco Food Corporation is unable to seek additional financing from traditional sources as it has already received a line of credit from a community bank and is unable to borrow additional funds.

(b) The ability of this Asian American business to raise additional capital, especially equity, is hampered by the size and nature of its capital structure.

(c) Taroco Food Corporation, which sells food products to the Asian American community cannot effectively compete with larger well financed companies unless it receives more equity capital.

(d) Taroco Food Corporation's share of the market is very small and the funds will be used to expand production and sales and to enlarge market share.

In light of the foregoing, the Section 301(d) companies will provide \$300,000 to Taroco Food Corporation through the purchase of 49% of its common stock. Each of the Section 301(d) companies will also commit to lend up to \$50,000 for straight debt financing at an agreed interest rate in light of market conditions and payable in three to five years. The funds will be used for working capital purposes and to expand its existing production.

Notice is hereby given that any interested person may, not later than ten (10) days from the date of this notice, submit written comments on the proposed transaction to the Acting Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in New York, New York.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: March 17, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-8714 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

[Proposed License No. 09/09-0287]

Bay Venture Group; Application for a License To Operate as a Small Business Investment Company

An application for a license to operate as a limited partnership small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 661 *et seq.*), has been

filed by Bay Venture Group (Applicant) with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1981).

The formation and licensing of a limited partnership SBIC is subject to the provisions of § 107.4 of the Regulations. The Regulations and the application provide for an individual general partner, and a corporate general partner, organized under State law solely for the purpose of managing the functions and activities of the limited partnership SBIC. There may be any number of limited partners.

The initial investors and their percent of ownership of the Applicant are as follows:

Bay Venture Management, Inc., 601

Montgomery Street, Suite 1125, San Francisco, California 94111, Corporate

General Partner; 1 percent

William R. Chandler, 160 Mt. Lassen Drive, San Rafael, California 94903, Individual General Partner; Beneficial owner of one-half of 1 percent

Frederick B. Henderson, 3541 Elmwood Avenue, Rochester, New York 14610,

Limited Partner; 10 percent

Russell R. Klein, M.D., One Cloud View Circle, Sausalito, California 94965, Limited Partner; 10 percent

There are 30 additional proposed limited partners, each owning less than 10 percent of the partnership interest (based on \$500,000 beginning Capital)

The Applicant, with its principal place of business at 601 Montgomery Street, San Francisco, California 94111, proposes to commence operations with a maximum partnership capital of \$990,101 and a minimum of \$500,000. The Applicant intends to primarily provide venture capital in the form of equity investments and long-term debt. Also, the Applicant intends to invest in start-up companies desiring to develop and exploit scientific and technological inventions.

Bay Venture Management, Inc., the corporate general partner, will consist of the following officers, directors and shareholders:

William R. Chandler, 160 Mt. Lassen Drive, Rafael, California 94903; Board Chairman,

President, Chief Financial Officer, 50 percent Shareholder

Peter M. Sturtevant, 49 Montecito Drive, Corona del Mar, California 92625; Vice

President, Director, 20 percent Shareholder

Charles H. Slutzkin, 10 Mesa Avenue, Piedmont, California 94611; Secretary,

Director, 20 percent Shareholder

William E. Horwich, 1129 Shattuck Avenue, Berkeley, California 94707; Assistant Secretary

Horwich & Warner, Attorneys at Law, 601 Montgomery Street, San Francisco, California 94111; 10 percent shareholder

There will be only one class of common stock of which approximately \$500 of the initial paid-in capital and paid-in surplus will be contributed to the capital of the partnership for a general partner's interest in the partnership.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed officers, directors, and shareholders of the corporate general partner, as well as the limited partners of the Applicant, and the probability of a successful operation of the Applicant in accordance with the Act and Regulations.

Notice is further given that any person may not later than April 7, 1981, submit to SBA, in writing, comments on the proposed licensing of this company.

Any such communication should be addressed to the Acting Associate Administrator for Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in San Francisco, California.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: March 18, 1981.

Peter F. McNeish,
Acting Associate Administrator for Investment.

[FR Doc. 81-8775 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 06/06-0242]

Commerce Southwest Capital, Inc.; Issuance of License To Operate as a Small Business Investment Company

On February 10, 1981, a notice was published in the *Federal Register* (46 FR 11749), stating that an application had been filed by Commerce Southwest Capital, Inc., Room 202, 1525 Elm Street, Dallas, Texas 75201, with the Small Business Administration (SBA), pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1980)), for a license to operate as a small business investment company (SBIC).

Interested parties were given until the close of business February 25, 1981, to submit their written comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, and after having considered the application and all other information, SBA issued License No. 06/06-0242, on February 27, 1981, to Commerce Southwest Capital, Inc. to operate as an SBIC.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: March 16, 1981.

Peter F. McNeish,
Acting Associate Administrator for Investment.

[FR Doc. 81-8776 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 1980]

New York; Declaration of Disaster Loan Area

The area of 600 West 110th Street, in the City of New York, New York, constitutes a disaster area because of damage resulting from a fire which occurred on January 8, 1981. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on May 11, 1981, and for economic injury until the close of business on December 14, 1981, at: Small Business Administration District Office, 26 Federal Plaza, Room 3100, New York, New York 10007, or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: March 12, 1981.

Roger H. Jones,
Acting Administrator.

[FR Doc. 81-8778 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 02/02-0350]

Quidnet Capital Corp.; Filing of Application for Approval of Conflict of Interest Transaction Between Associates

Notice is hereby given that Quidnet Capital Corporation (Quidnet), 909 State Street, Princeton, New Jersey 08540, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application pursuant to § 107.1004 of the Regulations governing small business investment companies (13 CFR 107.1004 (1981)), for approval of a conflict of interest transaction.

Quidnet desires to invest an additional \$252,000 in Fox-Vliet Holding Corporation (FVHC), 4529 Enterprise Place, Oklahoma City, Oklahoma 73124. This amount includes Quidnet's pro-rata share of \$154,000 plus the pro-rata shares of two associates, Commercial Union Life Insurance Company (\$73,000) and Quidnet Company (\$25,000). The investment represented by this transaction, or \$252,000 would increase

Quidnet's total investment in FVHC to \$384,000.

FVHC is considered an associate of Quidnet because Quidnet's associates own over ten percent of the stock of FVHC and Mr. Stephen W. Fillo, President of Quidnet, is a Director of FVHC. Consequently, the proposed transaction falls within the purview of Section 107.1004 of the Regulations and requires a written exemption granted by the SBA. SBA granted an exemption to Quidnet on February 14, 1980, for its initial investment in FVHC.

Notice is hereby given that any person may, not later than April 7, 1981 submit written comments on the proposed transaction. Any such comments should be addressed to the Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Princeton, New Jersey and Oklahoma City, Oklahoma.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: March 16, 1981.

Peter F. McNeish,
Acting Associate Administrator for Investment.

[FR Doc. 81-8777 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

Region II Advisory Council; Meeting

The U.S. Small Business Administration Region II Advisory Council, located in the geographical area of Syracuse, New York, will hold a public meeting at 9:00 a.m., on Friday, April 24, 1981, at the Syracuse Hilton Inn, 1308 Buckley Road, North Syracuse, New York, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others attending.

For further information, write or call J. Wilson Harrison, District Director, U.S. Small Business Administration, 1071 Federal Building, 100 South Clinton Street, Syracuse, New York 13260, (315) 423-5371

Dated: March 18, 1981.

Robert P. O'Malley,
Director, Office of Advisory Councils.

[FR Doc. 81-8779 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

Region III Advisory Council; Meeting

The U.S. Small Business Administration Region III Advisory Council, located in the geographical area

of Richmond, Virginia, will hold a public meeting at 10:00 a.m., on Thursday, May 14, 1981, through Noon on Friday, May 15, 1981, at the John Marshall Hotel, Richmond, Virginia, to discuss such business as may be presented by members, staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Willie E. Poe, Acting District Director, U.S. Small Business Administration, P.O. Box 10126, Richmond, Virginia 23240, (804) 771-2741.

Dated: March 18, 1981.

Robert P. O'Malley,
Director, Office of Advisory Councils.

[FR Doc. 81-8780 Filed 3-20-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Amendment of Type Certificate; McDonnell Douglas Model DC-10-30F (KC-10A)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Announcement of design approval and notice of availability of documents.

SUMMARY: This Notice announces the certification of a major derivative model of the DC-10-30F (freighter) aircraft and the public availability of the "Type Certification Decision Document" for this action.

SUPPLEMENTARY INFORMATION: On January 15, 1976, the McDonnell Douglas Corporation proposed design changes to the DC-10-30 freighter aircraft in response to the U.S. Air Force's Advanced Capability Tanker Program. The resulting aircraft has been designated KC-10A by the Air Force. Although purely military in nature, the Air Force has asked that the aircraft be certificated by the FAA in an effort to eliminate duplication of the certification activities already accomplished by the FAA and to allow the aircraft to be highly compatible with the commercial fleet.

The KC-10A has successfully demonstrated compliance with a set of regulations which have been upgraded from a safety standpoint in comparison to those standards originally applied to the basic DC-10-30F airplane. In addition, the Director of the FAA's, Northwest Region, the region having responsibility for the certification of all heavy transport category airplanes, has reviewed the major issues involved in the design approval of the KC-10A and

has discussed with his staff a certification summary document entitled "Summary of Decision Basis for Type Certification of the McDonnell Douglas DC-10-30F (KC-10A)." Based on this review the Director approved issuance of the KC-10A design approval, and the type certificate of the DC-10-30F has been amended to include approval of the KC-10A configuration.

A copy of the "Summary of Decision Basis for Type Certification of the McDonnell Douglas Model DC-10-30F (KC-10A)" is on file in the FAA Rules Docket. The bulk of this report is devoted to summarizing the tests and analysis required of McDonnell Douglas to demonstrate compliance with FAA certification requirements. Detailed appendices include a summary of the method by which compliance was established for each rule and a bibliography of the reports documenting that compliance. This report is available for examination and copying at the FAA Rules Docket, Room 918, 800 Independence Avenue, S.W., Washington, D.C. Copies of the report may be obtained by contacting the Los Angeles Area Aircraft Certification Office, ANW-106L, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

Issued in Seattle, Washington, on March 12, 1981.

Jonathan Howe,

Acting Director, Northwest Region.

[FR Doc. 81-8536 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA); Special Committee 135; Environmental Conditions and Test Procedures for Airborne Equipment; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of RTCA Special Committee 135 on Environmental Conditions and Test Procedures for Airborne Equipment to be held on April 16-17, 1981 in RTCA Conference Room 267, 1717 H Street, NW., Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Review of Revised Committee Terms of Reference; (3) Consideration of United Kingdom Draft Proposal on Explosion Testing; (4) Assignment of Tasks for Drafting Changes to Explosion Test Procedures of RTCA Document No. DO-160A, "Environmental Conditions and Test

Procedures for Airborne Equipment"; and (5) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1717 H Street, NW., Washington, D.C. 20006, (202) 296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C. on March 16, 1981.

Karl F. Bierach,

Designated Officer.

[FR Doc. 81-8712 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-13-M

Federal Railroad Administration

[FRA Waiver Petition Docket HS-81-2]

Auto-Train Corporation; Petition for Exemption From the Hours of Service Act

In accordance with 49 CFR Section 211.41 and Section 211.9, notice is hereby given that the Auto-Train Corporation (Auto-Train) has petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91-169, 45 U.S.C. 64a(e)). That petition requests that Auto-Train be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

Auto-Train seeks this exemption so that it can permit certain employees to remain continuously on duty for periods not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not

appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS-81-2, and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before April 30, 1981, will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 8211, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Section 5 of the Hours of Service Act of 1909 (45 U.S.C. 64a), 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49(d))
Issued in Washington, D.C. on March 10, 1981.

Joseph W. Walsh,
Chairman, Railroad Safety Board.
(FR Doc. 81-8701 Filed 3-20-81; 9:45 am)
BILLING CODE 4910-06-M

[Petition Docket Nos. RSGM-80-45 Through RSGM-81-4]

Requests for Waivers of Compliance With the Safety Glazing Standards

Notice is hereby given that seven petitioners have submitted requests for temporary or permanent waivers of compliance with the Safety Glazing Standards (49 CFR Part 223). The Federal Railroad Administration (FRA) published a final rule on December 31, 1979, that requires that all newly built and most existing railroad equipment have improved safety glazing materials installed in order to reduce the risk of death or serious injury resulting from flying objects, including bullets. The regulation provides for equipping the affected locomotives, passenger cars, and cabooses with certified glazing in all windows prior to June 30, 1983.

The individual petitions for a waiver of compliance with this regulation are described below. The description indicates the nature and extent of the relief requested as well as any information that has been submitted in support of the request for the waiver of compliance.

Interested persons are invited to participate in these proceedings by submitting written data, views, or comments. FRA does not anticipate scheduling an opportunity for oral comment since the facts do not appear to warrant it. All communications concerning these petitions must identify

the appropriate Docket Number (e.g., FRA Waiver Petition Docket Number RSGM-80-21) and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Nassif Building, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before April 30, 1981, will be considered by the FRA before the date final action is taken. All comments will be available for examination both before and after the closing date for comments, during regular business hours (9 a.m.-5 p.m.), in Room 8211, Nassif Building, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590.

Bangor and Aroostook Railroad

(FRA Waiver Petition Docket No. RSGM-80-45)

The Bangor and Aroostook Railroad (BAR) seeks this waiver for a fleet of forty-two locomotives and nineteen cabooses that are currently in operation.

The BAR states that it operates through rural areas and, in the last five years, has experienced only one incident of rock throwing by vandals. That single incident resulted in a minor injury to a train crew member when the rock entered the open caboose window. The BAR states that the glazing materials currently installed conform to standard motor vehicle requirements and are sufficient to protect crew members from a virtually non-existent hazard.

Seaboard Coastline Railroad

(FRA Waiver Petition Docket No. RSGM-80-52)

The Seaboard Coast Line Railroad (SCL) seeks both a temporary and permanent waiver of compliance with Part 223 for approximately 340 locomotives that are part of its present fleet of 1,240 locomotives.

The temporary waiver sought by SCL would apply to a group of approximately 100 locomotives that are currently scheduled for rebuilding. This rebuilding program is scheduled for completion in June of 1986 and currently completes one locomotive each week. The rebuilding program includes the installation of certified glazing and SCL desires to delay the installation of certified glazing until the rebuilding effort in order to avoid duplicative efforts. The temporary waiver would also apply to an additional group of 110 locomotives that will be retired by June 30, 1988. The short term use of these locomotives does not in SCL's judgment warrant the cost of installing the certified glazing.

Peoria and Pekin Union Railway

(FRA Waiver Petition Docket No. RSGM-80-58)

The Peoria and Pekin Union Railway (P&PU) seeks a permanent waiver of compliance with Part 223 for its present fleet of 13 locomotives and 10 cabooses. The P&PU notes that it basically provides switching service in a limited area that has a very minimal vandalism problem. The railroad has no record that indicate it has experienced any incident where trains were shot at or rocks thrown at locomotives or cabooses. Consequently, the installation of the required glazing materials would impose significant costs to protect against a nonexistent hazard.

Elgin, Joliet and Eastern Railway

(FRA Waiver Petition Docket No. RSGM-80-60)

The Elgin, Joliet and Eastern Railway (EJ&E) seeks a permanent waiver of compliance with Part 223 for a locomotive fleet that presently includes 103 units. The EJ&E indicates that it performs primarily switching and terminal type operations and has less than 60 miles of main track.

The EJ&E has experienced some limited incidents of vandalism between 1977 and 1979. The records maintained by the railroad indicate that in this period there were 15 incidents that resulted in damage to the windows on only five locomotives. None of these incidents caused a personal injury. The low incident rate is best reflected, according to EJ&E, by the fact that it has experienced roughly one incident for every 100,000 hours of locomotive operation.

Duluth, Missabe & Iron Range Railroad

(FRA Waiver Petition Docket No. RSGM-80-77)

The Duluth, Missabe & Iron Range Railroad (DM&IR) seeks a permanent waiver of compliance with Part 223 for its present fleet of locomotives and cabooses. That fleet currently includes 66 locomotives and 39 cabooses.

The DM&IR notes that it primarily operates in rural areas which are sparsely populated. This operating environment has produced a good record in terms of vandalism. The available records for a ten year period indicate that there have only been 19 instances of vandal damage to equipment and only one of these resulted in a minor personal injury. Based on this record the DM&IR seeks to avoid the cost of installing the improved glazing.

Oregon, California and Eastern Railway*(FRA Waiver Petition Docket No. RSGM-81-3)*

The Oregon, California and Eastern Railway (OC&E) seeks a permanent waiver of compliance for its present fleet of 14 locomotives and one caboose. The OC&E notes that it commenced operation in 1975 in basically open rural countryside. It currently operates approximately 70 miles of main track.

The OC&E states that there are no records to indicate any vandalism problems during the five years it has been operating. The installation of the improved glazing would not provide any needed safety benefit in the opinion of the OC&E.

Southern Railway System*(FRA Waiver Petition Docket No. RSGM-81-4)*

The Southern Railway System (Southern) seeks both a permanent and temporary waiver of compliance with Part 223. The permanent waiver would apply to approximately 555 cabooses currently operated by Southern and the temporary waiver would apply to 143 locomotives currently in service.

The waiver sought by Southern for its cabooses would apply only to a single end facing window located near the door on each caboose. This window is a small porthole type window that is primarily designed to allow light to enter the caboose. It is not located in a position where crew members would normally be in close proximity to the window. Additionally, the window is mounted fairly close to the roof overhang so that it is partially protected. Southern indicates that all other windows on these cabooses will meet the regulation.

The Southern also seeks a temporary waiver for a group of locomotives that are scheduled for retirement. These locomotives are all approximately 30 years old and most should be removed from service prior to the June 30, 1983, deadline for the installation of certified glazing. The waiver sought by Southern would permit some of these locomotives to remain in service for period not to exceed five years so that its orderly retirement program can be completed.

This notice is issued under the authority of Section 202 of the Federal Railroad Safety Act of 1979, 84 Stat. 97 (45 U.S.C. 431) and Sec. 1.49(n) of the regulations of the Office of the Secretary of Transportation 49 CFR 1.49(n).

Issued in Washington, D.C. on March 10, 1981.

J. W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 81-4700 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-06-M

[FRA Waiver Petition Docket HS-81-3]**City of Prineville Railway Co.; Petition for Exemption From the Hours of Service Act**

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the City of Prineville (COP) has petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91-169, 45 U.S.C. 64a(e)). That petition requests that the COP be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

The COP seeks this exemption so that it can permit certain employees to remain continuously on duty for periods not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS-81-3, and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

Communications received before April 10, 1981, will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 821,

Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Section 5 of the Hours of Service Act of 1969 (45 U.S.C. 64a), 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49(d))

Issued in Washington, D.C. on March 10, 1981

Joseph W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 81-4702 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-06-M

[FRA Waiver Petition Docket HS-81-1]**Duluth & Northeastern Railroad Co.; Petition for Exemption From the Hours of Service Act**

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the Duluth & Northeastern Railroad (D&NE) has petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91-169, 45 U.S.C. 64a(e)). That petition requests that the D&NE be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

The D&NE seeks this exemption so that it can permit certain employees to remain continuously on duty for periods not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS-81-1, and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

Communications received before April 30, 1981, will be considered by the FRA before final action is taken. Comments

received after that date will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 8211, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Section 5 of the Hours of Service Act of 1909 (45 U.S.C. 64a), 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49 (d))

Issued in Washington, D.C. on March 10, 1981

Joseph W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 81-8703 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-06-M

[Waiver Petition Docket Nos. RSGM-80-44 through RSGM-81-14]

Petitions for Waiver of Safety Glazing Standards

Notice is hereby given that nineteen railroads have submitted requests for permanent waivers of compliance with the Safety Glazing Standards (49 CFR Part 223). The Federal Railroad Administration (FRA) published a final rule on December 31, 1979, that requires that all newly built and most existing railroad equipment have improved safety glazing materials installed in order to reduce the risk of death or serious injury resulting from flying objects, including bullets. The regulations provide for the affected locomotives, passenger cars, and cabooses to be equipped with certified glazing in all windows after June 30, 1983.

The individual railroads seeking a waiver of compliance with this regulation are listed below. In this listing FRA has identified the railroad, the specific docket designation and the number of locomotives or cabooses that are involved in each request. Each of the petitions are similar in most respects. The railroad operates ten or less locomotives and has experienced no vandalism related damage to the windows of its equipment. Most of these railroads operate in rural surroundings and the others provide service in very compact industrial areas. The petitioners generally indicate that the cost of retrofitting would be very costly in terms of their limited operating budget.

The railroads seeking the waivers are as follows:

1. Georgetown Railroad (Docket No. RSGM-80-44) which operates ten locomotives.
2. Arcade and Attica Railroad (Docket No. RSGM-80-57) which operates two locomotives.

3. East Erie Commercial Railroad (Docket No. RSGM-80-59) which operates five locomotives.

4. Goodwin Railroad (Docket No. RSGM-80-88) which operates two locomotives.

5. Detroit Shore Line Railroad (Docket No. RSGM-80-69) which operates three locomotives.

6. Octoraro Railway (Docket No. RSGM-80-90) which operates three locomotives.

7. Lamoille Valley Railroad (Docket No. RSGM-80-81) which operates five locomotives.

8. Fore River Railroad (Docket No. RSGM-81-1) which operates two locomotives.

9. East Camden and Highland Railroad (Docket No. RSGM-81-2) which operates four locomotives.

10. Lenawee County Railroad (Docket No. RSGM-81-5) which operates two locomotives.

11. Madison Railroad (Docket No. RSGM-81-6) which operates one locomotive.

12. Grafton and Upton Railroad (Docket No. RSGM-81-7) which operates two locomotives.

13. Lackawaxen and Stourbridge Railroad (Docket No. RSGM-81-1) which operates one locomotive.

14. Cooperstown & Charlotte Valley Railway (Docket No. RSGM-81-9) which operates one locomotive.

15. Fonda Johnston & Gloversville Railroad (Docket No. RSGM-81-10) which operates two locomotives.

16. Central New York Railroad (Docket No. RSGM-81-11) which operates one locomotive.

17. Arkansas & Louisiana, Missouri (Docket No. RSGM-81-12) which operates four locomotives and two cabooses.

18. Little Rock Port Railroad (Docket No. RSGM-81-13) which operates one locomotive.

19. Lancaster & Chester Railway (Docket No. RSGM-81-14) which operates two locomotives.

Interested persons are invited to participate in these proceedings by submitting written data, views, or comments. FRA does not anticipate scheduling an opportunity for oral comment since the facts do not appear to warrant it. All communications concerning these petitions must identify the appropriate docket number (e.g., FRA Waiver Petition Docket Number RSGM-80-44) and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration (FRA), 400 Seventh Street, S.W., Washington, DC 20590. Communications received before April 30, 1981, will be considered by the

Federal Railroad Administration before the date final action is taken. All comments will be available for examination both before and after the closing date for comments during regular business hours (9 a.m.-5 p.m.), in Room 8211, Nassif Building, 400 Seventh Street, S.W., Washington, DC 20590.

(Sec. 202 of the Federal Railroad Safety Act of 1970, 84 Stat. 97 (45 U.S.C. 431) and Section 1.49(n) of the regulations of the Office of the Secretary of Transportation 49 CFR 1.49(n))

Issued in Washington, DC on March 10, 1981.

J. W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 81-8704 Filed 3-20-81; 8:45 am]

BILLING CODE 4910-06-M

National Highway Traffic Safety Administration

[Docket No. EX81-2; Notice 1]

Vintage Reproductions, Inc.; Petition for Temporary Exemption From Federal Motor Vehicle Safety Standards

Vintage Reproductions, Inc. of Fort Lauderdale, Florida, has applied for temporary exemption for its 1900 Series Horseless Carriages from certain safety standards on grounds of substantial economic hardship.

This notice of receipt of a petition for a temporary exemption is published in accordance with the NHTSA regulations on this subject (49 CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

The company produces replicas of turn-of-the-century vehicles. It appears to produce about 100 such each year. Petitioner's 1900 Series Horseless Carriages have received NHTSA exemptions twice previously (EX74-6, EX78-1). While its latest exemptions, which expired March 1, 1981, were in effect, it states that it has achieved conformance with Safety Standards Nos. 101, 102, 105, 106, 109, 110, 124, 207, 210, 212 and 301. The company now requests exemption from the following standards for the reasons indicated:

Standard No. 103, *Windshield Defrosting/Defogging Systems*
Standard No. 104, *Windshield Wiping and Washing Systems*

The vehicles are open, and not likely to be used in adverse weather. An electric wiping system is nonetheless supplied.

Standard No. 114, *Theft Protection*
Standard No. 115, *Vehicle Identification Number*

Due to its unique configuration, this vehicle would be readily identifiable if stolen. It has a VIN attached to the dash and number stamped into the frame.

Standard No. 201, Occupant Protection in Interior Impact

Standard No. 203, Impact Protection for the Driver From the Steering Control System

Standard No. 204, Steering Control Rearward Displacement

The steering column is mounted vertically from the floor rather than having "the conventional wheel which is aimed directly at driver's chest."

Standard No. 202, Head Restraints

The vehicle's maximum speed of 35 mph and use "for non-conventional purposes (parades, sales/marketing)" make it unlikely to be involved in accidents. Further, head restraints "would absolutely destroy the reproduction value."

Standard No. 208, Occupant Crash Protection

Petitioner's basis for its request is unclear; however, under its previous exemption it was required to provide a Type 1 seat belt assembly at each designated seating position, though relieved of compliance with the remainder of the standard.

Standard No. 302, Flammability of Interior Materials

The vehicle is open and occupants can easily jump free of it in the event of an accident.

A 3-year exemption is requested from each of the above standards.

In support of its petition the company argues that it is not likely that its replica vehicles will present a significant hazard to traffic safety. It believes the overall concept is such that the vehicles' appeal primarily is for occasional, limited use (e.g., auto shows, resort use) rather than extensive daily use on the public roads. The company has over 25 full-time employees. In its last 6 fiscal years (May 1, 1974–April 30, 1980) it had a cumulative net loss of about \$80,000. Therefore, compliance with any of the standards for which its requests exemption would cause it substantial economic hardship.

Interested persons are invited to submit comments on the petition of Vintage Reproductions, Inc. described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent possible. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: April 22, 1981.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on March 16, 1981.

Michael M. Finkelstein,

Associate Administrator for Rulemaking.

[FR Doc. 81-8600 Filed 3-19-81; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Comprehensive Review of Advisory Committees

The Department of the Treasury is conducting a comprehensive review of its advisory committees in accordance with the requirements of Pub. L. 92-463 and implementing regulations. This review is to determine if each committee is carrying out its purpose, whether responsibilities assigned to each committee should be revised and whether committees should be merged or abolished.

Treasury advisory committees under review include:

(1) Advisory Committee on Explosive Tagging—recommends and evaluates R&D of explosive detection and identification systems.

(2) Advisory Committee on the International Monetary System—advises on issues concerning the effective functioning of the international monetary system

(3) Advisory Group to the Commissioner of Internal Revenue—provides an organized forum for discussions of relevant tax administration issues.

(4) Foreign Portfolio Investment Survey Advisory Committee—furnishes expertise on international securities markets and technical advice to assist in meeting the requirements of the Foreign Investment Survey Act of 1976.

(5) Government Borrowing Committee of the American Bankers Association—provides financial information and

advice for Treasury debt management operations.

(6) Government and Federal Agencies Securities Committee of the Public Securities Association—provides financial information and advice for Treasury debt management operations.

(7) The Art Advisory Panel of the Commissioner of Internal Revenue—reviews and advises on the acceptability of property appraisals submitted by taxpayers.

(8) The Art Print Panel of the Commissioner of Internal Revenue—reviews and advises on the acceptability of art print appraisals submitted by taxpayers.

(9) Treasury Small Business Advisory Committee—provides information and advice on a broad range of economic issues that affect the small business community.

Interested persons or organizations are invited to comment. All queries and comments should be sent to William Coffman, Department of the Treasury, Room 4406, Main Treasury Building, 15th and Pennsylvania Avenues, N.W., Washington, D.C. 20220. Comments must be received no later than April 3 if they are to be considered in this review.

Arthur D. Kallen,

Acting Deputy Assistant Secretary (Administration).

March 19, 1981.

[FR Doc. 81-8925 Filed 3-20-81; 8:45 am]

BILLING CODE 4810-25-M

VETERANS ADMINISTRATION

Career Development Committee; Meeting

The Veterans Administration gives notice under the provisions of Pub. L. 92-463 that a meeting of the Career Development Committee, authorized by 38 U.S.C. 4101, will be held in the Conference Room 1104 of the Park Central Hotel, 705 18th Street, N.W., Washington, DC 20006, April 15 through 17, 1981 at 8:30 a.m. The meeting will be for the purpose of scientific review of applications for appointment to the Career Development Program in the Veterans Administration. The committee advises the Director, Medical Research Service on selection and appointment of Associate Investigators, Research Associates, Clinical Investigators, Medical Investigators, Senior Medical Investigators and William S. Middleton Award Nominees.

The meeting will be open to the public up to the seating capacity of the room from 8:30 a.m. to 9 a.m. to discuss the general status of the program. Because

of the limited seating capacity of the room, those who plan to attend should contact Mr. David D. Thomas, Executive Secretary of the Career Development Committee (151J), Veterans Administration Central Office, Washington, DC 20420 (Phone 202-389-2317) prior to April 6, 1981.

The meeting will be closed from 9 a.m. to 5 p.m. on April 15 through 17 for consideration of individual applications for positions in the Career Development Program. This necessarily requires examination of personnel files and discussion and evaluation of the qualifications, competence, and potential of the several candidates, disclosure of which would constitute a clearly unwarranted invasion of personal privacy. In addition, decisions recommended by the committee are strictly advisory in nature; other factors are considered in final decisions. Premature disclosure of committee recommendations as well as the disclosure of research information would be likely to significantly frustrate implementation of final proposed agency actions. Accordingly, closure of this portion of the meeting is permitted by section 10(d) of the Federal Advisory Committee Act, Public Law 92-463 as amended, in accordance with subsections (c)(6) and (c)(9)(B), 5 U.S.C. 552b.

Minutes of the meeting and rosters of the committee members may be obtained from Mr. David D. Thomas, Chief, Career Development Program, Medical Research Service (151J), Veterans Administration, Washington, DC 20420 (Phone 202-389-2317).

Dated: March 17, 1981
Rufus H. Wilson,
Acting Administrator.

[FR Doc. 81-8755 Filed 3-20-81; 8:45 am]
BILLING CODE 8320-01-M

Purchase of Land for Parking; Veterans Administration Medical Center, Oklahoma City, Okla.; Finding of No Significant Impact

The Veterans Administration (VA) has assessed the potential environmental impacts that may occur as a result of the Purchase of Land for Parking at the Veterans Administration Medical Center (VAMC) Oklahoma City, Oklahoma.

The VAMC is presently short of parking and some existing parking will

be temporarily lost to future construction. Future parking needs are projected to increase. To help reduce the parking problems, the Veterans Administration proposes to acquire 11 parcels totaling about 2 acres adjoining the hospital to the north. This land would be converted from residential to surface parking with the potential for future parking garage construction. Land acquisition and construction of surface parking is estimated at \$635,000. An additional \$3,300,000 would construct a 400 car parking structure.

In conjunction with this project proposal, a parking analysis will be conducted in accordance with the requirements of OMB Circular A-118. This will more clearly delineate the magnitude of parking requirements. The information will help in the decision among the alternatives of no action, surface parking or a parking structure.

In the past the VA investigated construction of a parking garage on other sites near the VAMC, but these proposals have not received favorable comment from the Capitol Medical Center Zoning Commission.

Attempts have been made to increase the efficiency and utilization of public transportation systems. The extremely spread out nature of Oklahoma City makes travel by public transportation impractical from many areas.

Carpooling and vanpooling is encouraged at the VAMC but does not eliminate the problem. Current alternatives are acquisition and construction of surface parking, acquisition and construction of a parking garage, and no action. No action would allow the lack of parking to continue. As the needs of VAMC increase, additional hardships will be placed on the patients and staff.

Development of this project would have impacts on the natural and human environments as it affects local residents through relocation; real property through acquisition and change in land use; neighborhood character by change in land use; and it will reduce land on the tax rolls.

Additional impacts from construction include increased surface runoff, potential erosion and sedimentation of stormwater, temporary increase in particulate emissions in air quality, temporary construction noise, generation of solid waste from

demolition, and removal of some local vegetation.

Acquisition and relocation would be accomplished in accordance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) dated January 2, 1971. Efforts should be made to accomplish relocation through a local agency and keep residents in the local neighborhood if they so desire. Sensitive handling will reduce any potential for controversy.

Design of the parking facility should be as aesthetically pleasing as possible to be compatible with the residences across the street. Landscaping will replace some of the removed vegetation.

Construction impacts should be mitigated by normal measures to control erosion, generation of dust and fumes and screening of visual impacts and implementation of noise control measures. All local and federal environmental regulations will be adhered to.

The significance of the identified impacts has been evaluated relative to the considerations of both context and intensity, as defined by the Council on Environmental Quality (40 CFR 1508.27).

This Environmental Assessment has been performed in accordance with the requirements of the National Environmental Policy Act Regulations, §§ 1501.3 and 1508.9, Title 40, Code of Federal Regulations. A "Finding of No Significant Impact" has been reached based on the information presented in this assessment.

The assessment is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office: Mr. Willard Sitler, P.E., Director, Office of Environmental Affairs (003A), Room 950, Veterans Administration, 1425 K Street, N.W., Washington, D.C. 20420, (202-389-2526). Questions or requests for single copies of the Environmental Assessment may be addressed to: Director, Environmental Affairs Office (003A), 810 Vermont Avenue, N.W., Washington, D.C. 20420.

Dated: March 13, 1981.

Rufus H. Wilson,
Acting Administrator.

[FR Doc. 81-8754 Filed 3-20-81; 8:45 am]
BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol 46, No. 55

Monday, March 23, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE.

TIME AND DATE: 3 p.m., Thursday, March 26, 1981.

PLACE: Officers of the Board of Governors of the Federal Reserve System, Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Effective date for new ceiling rates on money market certificates (MMCs) and small saver certificates (SSCs).
2. Consideration of penalty-free early withdrawals of time deposit funds in the event of bankruptcy of the depositor.
3. Reconsideration of rule permitting a phaseout of finders fees for qualifying institutions.
4. Ceiling rates on regular savings accounts and on interest-bearing transaction accounts.
5. Discussion of strategies for deregulation and consideration of petitions for ceiling rate adjustments.
6. Election of Chairman and Vice Chairman.

Note.—This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board of Governors of the Federal Reserve System's Freedom of Information Office, and copies may be ordered for \$5 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors for the Federal Reserve System, Washington, D.C. 20551.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Public Information Officer (202) 652-3204.

Dated: March 19, 1981.
Normand R. V. Bernard,
Executive Secretary of the Committee.
[S-460-81 Filed 3-19-81; 11:00 am]
BILLING CODE 6210-01-M

2

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 9:30 a.m. (eastern time), Tuesday, March 24, 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. 81-2-FOIA-4-AT, concerning material in a Commissioner's charge.
2. Freedom of Information Act Appeal No. 81-1-FOIA-5-SL, concerning an Investigator's Memorandum and Notes in a charge file.
3. Freedom of Information Act Appeal No. 81-1-FOIA-013-IN, concerning aggregate EEO-1 statistics for the 356 Standard Industrial Classification for Marshall and St. Joseph counties in Indiana.
4. Freedom of Information Act Appeal No. 80-12-FOIA-09-IN, concerning materials from charge file and data on EEOC Personnel.
5. Freedom of Information Act Appeal No. 81-1-FOIA-30-CH, concerning materials in a charge file.
6. Privacy Act Record System EEOC-1, Age and Equal Pay Act Discrimination Case Files.
7. Proposed Contract for Computer Programming Services.
8. 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 March 19, 1981.
[S-465-81 Filed 3-19-81; 3:19 pm]
BILLING CODE 6570-06-M

3

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 23, 1981, will be held instead at 11:30 a.m. on Monday, March 23, 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: March 19, 1981.
Federal Deposit Insurance Corporation.
Alan J. Kaplan,
Assistant Executive Secretary.
[S-466-81 Filed 3-19-81; 2:22 pm]
BILLING CODE 6714-01-M

4

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 23, 1981, will be held instead at 11:00 a.m. on Monday, March 23, 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: March 19, 1981.
Federal Deposit Insurance Corporation.
Alan J. Kaplan,
Assistant Executive Secretary.
[S-467-81 Filed 3-19-81; 3:22 pm]
BILLING CODE 6714-01-M

5

FEDERAL ENERGY REGULATORY COMMISSION.

March 18, 1981.

TIME AND DATE: 10 a.m., March 25, 1981.

PLACE: Room 9306, 825 North Capitol Street, N.E., Washington, D.C. 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE

INFORMATION: Kenneth F. Plumb, Secretary; telephone (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Division of Public Information.

Power Agenda—484th Meeting, March 25, 1981, Regular Meeting (10 a.m.)

- CAP-1. Project No. 3923-000, Sun Ventures, Ltd.
- CAP-2. Project No. 2697, Northern States Power Co.
- CAP-3. Project No. 3368, Continental Hydro Corp.
- CAP-4. Project No. 459, Union Electric Co.
- CAP-5. Project No. 3629, Keystone Hydro Ltd.
- CAP-6. Docket No. ER81-248-000, Wisconsin Electric Power Co.
- CAP-7. Docket No. ER80-569, Yankee Atomic Electric Co.; CAP-7. Docket No. ER80-570, Public Service Co. of New Hampshire
- CAP-8. Docket No. ER77-533, Louisiana Power & Light Co.
- CAP-9. Docket Nos. 8 ER77-488 and ER78-520 (phase II), El Paso Electric Co.
- CAP-10. Docket Nos. E-8586 and E-8587 (remand), Public Service Co. of Indiana, Inc.
- CAP-11. Docket No. ER80-337, Southwestern Electric Power Co.
- CAP-12. Docket No. EF79-3011, Southeastern Power Administration—Georgia-Alabama Projects

Miscellaneous Agenda—484th Meeting, March 25, 1981, Regular Meeting

- CAM-1. Docket No. RM81- , Establishment of Format No. FERC 561, annual report of interlocking positions
- CAM-2. Docket No. RM79-76 (New Mexico—2), high-cost gas produced from tight formations
- CAM-3. Docket No. GP80- , State of Mississippi, Section 107 NGPA determination, Tomlinson Interests, Inc., NGPA Docket No. 66-80-420, JD81-17507

Gas Agenda—484th Meeting, March 25, 1981, Regular Meeting

- CAG-1. Docket No. RP80-75, Southern Natural Gas Co.
- CAG-2. Docket No. TA81-2-33-000 (PGA81-2, IPR81-2, AP81-2, LFUT81-2 and TT81-2), El Paso Natural Gas Co.
- CAG-3. Docket No. TA81-2-34-000 (PGA81-2), Florida Gas Transmission Co.
- CAG-4. Docket No. TA81-2-41-000 (PGA81-2), Southwest Gas Corp.
- CAG-5. Docket No. RP81-41-000, ANR Storage Co.
- CAG-6. Docket No. RP81-32-000, Pacific Gas Transmission Co.; Docket No. TA81-2-5-002 (PGA81-2), Midwestern Gas Transmission Co.; Docket No. TA81-2-51-000 (PGA81-2), Great Lakes Gas Transmission Co.

- CAG-7. Docket No. CI68-915, Phillips Petroleum Co.; Docket No. CI68-951, Continental Oil Co.; Docket No. CI68-924, Cities Service Oil Co.; Docket No. CI69-220, Union Oil Co. of California; Docket No. CI69-245, Gulf Oil Corp.; Docket No. CI69-351, Mobil Oil Corp.; Docket No. CI69-337, Texaco Inc.; Docket No. CI70-775, Sun Oil Co.; Docket No. CI70-803, Marathon Oil Co.; Docket No. CI71-55, The Superior Oil Co.

- CAG-8. Docket No. RP80-84, Eastern Shore Natural Gas Co.

- CAG-9. Docket Nos. RP75-105 and RP76-94 (negative salvage element of offshore plant depreciation rate), Columbia Gulf Transmission Co.

- CAG-10. Docket Nos. CS71-92, et al., Amarex, Inc., et al.

- CAG-11. Docket No. RP72-6, El Paso Natural Gas Co.; Docket No. RP72-6 (ignition fuel and flame stabilization), El Paso Natural Gas Co.; Docket No. RP72-6 (gas turbines, etc.), El Paso Natural Gas Co.; Docket No. RP72-6 (pre-existing shortages), El Paso Natural Gas Co.; Docket No. RP72-6 (new sources of supply), El Paso Natural Gas Co.; Docket No. RP77-113, El Paso Natural Gas Co.; Docket No. RP77-135-1 (City of Denver City), El Paso Natural Gas Co.; Docket No. RP77-135-2 (Community Public Service Co.), El Paso Natural Gas Co.; Docket No. TC79-133, Citizens Utilities Co.; Docket No. RP76-38, Arizona Electric Power Cooperative, Inc., and the City of Willcox, Arizona v. El Paso Natural Gas Co.; Docket Nos. RP72-6 and RP76-38 (storage), El Paso Natural Gas Co.; Docket Nos. CP76-87, CP77-289 and CP78-172 (just and reasonable issues), El Paso Natural Gas Co.; Docket No. CP76-87, El Paso Natural Gas Co.; Docket No. CP80-497, El Paso Natural Gas Co.; Docket No. SA80-93, El Paso Natural Gas Co.; Docket No. CP76-285, Mountain Fuel Resources, Inc., Docket No. CP77-289, El Paso Natural Gas Co.; Docket No. CP77-511, Northwest Pipeline Corp.; Docket No. CP77-512, Clay Basin Storage Co.; Docket No. CP79-224, El Paso Natural Gas Co.; Docket No. CI72-519, Cities Service Co.; Docket No. CI79-350, Arapahoe Gas, Ltd.; Docket No. CI79-351, Black River Corp.; Docket Nos. CP80-222, et al. (consolidated El Paso Storage Certificates Proceeding), El Paso Natural Gas Co.; Docket No. TC79-142, El Paso Natural Gas Co.

- CAG-12. Docket No. CP75-93-003 (remand), Black Marlin Pipeline Co.

- CAG-13. Docket No. CP80-561, Locust Ridge Gas Co.

- CAG-14. Docket No. CP80-38, Northern Natural Gas Co.

- CAG-15. Docket No. CP80-546, Northern Natural Gas Co., a Division of Internorth Inc.

- CAG-16. Docket No. CP81-42-000, Florida Gas Transmission Co.

- CAG-17. Docket No. CP81-104-000, Natural Gas Pipeline Co. of America

Power Agenda—484th Meeting, March 25, 1981, Regular Meeting**I. Licensed Project Matters**

- P-1. Project No. 2545, Washington Water Power Co.

II. Electric Rate Matters

- ER-1. Docket Nos. ER76-304, ER76-317 and ER76-498, New England Power Co.
- ER-2. Docket No. ER77-614, Union Electric Co.
- ER-3. Docket No. ER78-522, Virginia Electric & Power Co.
- ER-4. Docket No. ER81-179-000, Arizona Public Service Co.

Miscellaneous Agenda—484th Meeting, March 25, 1981, Regular Meeting

- M-1. Docket No. RM79-52, implementation of Section 208 of the Public Utility Regulatory Policies Act of 1978, continuance of service
- M-2. Reserved
- M-3. Reserved
- M-4. Docket No. RM81-20, phase II delegations
- M-5. Docket No. RM81- , sales and transportation for pipelines and distributors
- M-6. (a) Docket No. RM79-76 (Ohio—1), high cost gas produced from tight formations; (b) Docket No. RM79-76 (Colorado—3), high cost gas produced from tight formations
- M-7. Docket No. RM79-3, Railroad Commission of Texas alternative filing plan under Section 274.207
- M-8. Docket No. GP80-17, Mississippi River Transmission Corp.
- M-9. Docket No. SA79-9, Partnership Properties Co.

Gas Agenda—484th Meeting, March 25, 1981, Regular Meeting**I. Pipeline Rate Matters**

- RP-1. Docket Nos. RP79-22 (storage) and RP80-61, Consolidated Gas Supply Corp.

II. Producer Matters

- CI-1. Docket No. CI64-26, Gulf Oil Corp.

III. Pipeline Certificate Matters

- CP-1. Docket No. TC81-21-000, Arkansas Louisiana Gas Co.
- CP-2. Docket No. CP75-104, High Island Offshore System; Docket No. CP76-118, U-T Offshore System
- CP-3. Docket No. CP81-43-000, Energy Gathering, Inc.; Docket No. CP80-520, Natural Gas Pipeline Co. of America

Kenneth F. Plumb,
Secretary.

(S-459-81 Filed 3-19-81; 9:09 am)

BILLING CODE 6450-85-M

6

FEDERAL ENERGY REGULATORY COMMISSION.

March 18, 1981.

TIME AND DATE: 10 a.m., March 20, 1981.

PLACE: 825 North Capitol Street, Room 9306, Washington, D.C. 20426.

STATUS: Closed.

MATTERS TO BE CONSIDERED: (1) Docket No. ER77-578, Kansas Gas & Electric Co.; (2) *New York State Electric & Gas Corp. v. FERC*, 2d Cir. No. 79-4185.

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary; telephone (202) 357-8400.

Kenneth F. Plumb,
Secretary.

[S-464-81 Filed 3-19-81; 2:20 pm]

BILLING CODE 0450-85-M

7

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: To be published.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 3 p.m., Monday, March 23, 1981.

PLACE: 1700 G Street NW., board room, 6th floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Marshall (202-377-6679).

CHANGES IN THE MEETING: The Bank Board meeting previously scheduled for Monday, March 23, 1981 at 3:00 p.m. has been changed to 4:00 p.m.

[S-466-81 Filed 3-19-81; 3:38 pm]

BILLING CODE 6702-01-M

8

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.

March 18, 1981.

TIME AND DATE: 10 a.m., Wednesday, March 25, 1981.

PLACE: Room 600, 1730 K Street, NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. Ideal Basic Industries—Cement Division, Docket No. SE 79-16-M (Issues include interpretation and application of 30 CFR § 56.9-2)

2. White Pine Copper Company, Docket No. LAKE 79-202-M, etc. (Petition for Discretionary Review; issues include interpretation and application of 30 CFR § 57.12-82).

CONTACT PERSON FOR MORE

INFORMATION: Jean Ellen, 202-653-5632.

[S-463-81 Filed 3-19-81; 2:05 pm]

BILLING CODE 6820-12-M

9

FEDERAL RESERVE SYSTEM.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Notice forwarded to Federal Register on March 17, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Wednesday, March 25, 1981.

CHANGES IN THE MEETING: One of the items announced for inclusion at this meeting was consideration of any agenda items carried forward from a previous meeting; the following such open item(s) was added:

1. Proposal to continue revised Senior Loan Officer Opinion Survey (FR 2018).

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452-3204.

Dated: March 18, 1981.

James McAfee,

Assistant Secretary of the Board.

[S-455-81 Filed 3-18-81; 4:19 pm]

BILLING CODE 6210-01-M

10

NATIONAL CREDIT UNION ADMINISTRATION.

TIME AND DATE: 9:30 a.m., Thursday, March 26, 1981.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Review of Central Liquidity Facility Lending Rate.

2. Federal Credit Union Insurance and Group Purchasing Activities.

3. Proposed policy limiting share withdrawals under Article III, Section 5 (a) of the Federal Credit Union Bylaws.

4. Final Rule—Business Relationship with Mortgage Lender.

5. Report of actions taken under delegations of authority.

6. Applications for charters, amendments to charters, bylaw amendments, mergers as may be pending at that time.

RECESS: 10:15 a.m.

TIME AND DATE: 10:30 a.m., Thursday, March 26, 1981.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Participation of state supervisory authority in the examination of a corporate Federal Credit Union. Closed pursuant to exemption (8).

2. Report of mergers approved under delegated authority. Closed pursuant to exemptions (8) and (9)(A)(ii).

3. Proposed mergers. Closed pursuant to exemptions (8) and (9)(A)(ii).

4. Administrative Action under Section 120 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

5. Administrative Action under Sections 120 and 207 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

6. Request for a continuance and amendment of an Administrative Action under Sections 120 and 207 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

7. Requests from federally insured credit unions for special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

8. Request from federally insured credit union for special assistance under Section 208 and for purchase and assumption under Sections 107 and 205 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

9. Organization structure. Closed pursuant to exemption (2).

FOR MORE INFORMATION CONTACT: Joan O'Neill, Program Assistant, telephone (202) 357-1100.

[S-456-81 Filed 3-18-81; 4:44 pm]

BILLING CODE 7535-01-M

11

NATIONAL CREDIT UNION ADMINISTRATION.

Change in Subject of Meeting

The National Credit Union Administration Board has determined that its business required that the previously announced closed meeting on Thursday, March 12, 1981 include the following additional item which was closed to public observation:

Proposed charter amendment. Closed pursuant to exemptions (8) and (9)(A)(ii).

Earlier announcement of this change was not possible.

The previously announced items were:

1. Administrative Adjudications. Closed pursuant to exemptions (8), (9)(A)(ii) and (10).

2. Report of mergers approved under delegated authority. Closed pursuant to exemptions (8) and (9)(A)(ii).

3. Proposed Mergers. Closed pursuant to exemptions (8) and (9)(A)(ii).

4. Administrative Action under Sections 205 and 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).

5. Recommendation from Executive Resources Board regarding performance appraisal review. Closed pursuant to exemption (2).

The meeting was held at 10:45 a.m., in the 7th Floor Board Room, 1776 G Street NW., Washington, D.C.

FOR MORE INFORMATION CONTACT: Rosemary Brady, Secretary of the Board, telephone (202) 357-1100.

[S-457-81 Filed 3-18-81; 4:45 pm]

BILLING CODE 7535-01-M

12

NATIONAL CREDIT UNION ADMINISTRATION.

Change in Subject of Meeting.

The National Credit Union Administration Board has determined that its business required that the

previously announced open meeting on March 12, 1981 include an additional item, which was open to public observation:

Waiver of Reserve for first quarter 1981.

Earlier announcement of this change was not possible.

The Previously announced items were:

1. Review of Central Liquidity Facility Lending Rate.
2. Federal Credit Union Insurance and Group Purchasing Activities.
3. Revised Long-Range Plan for Fiscal Years 1981-1983.
4. Consideration of revised procedures and instructions for processing standard bylaw amendments.
5. Proposed amendment to Part 701.11 of the NCUA Rules and Regulations regarding filing of Annual Report of Officials.
6. Proposed amendment to Part 749 of the NCUA Rules and Regulations, Records Preservation Program.
7. Final Rule—Deregulation of the real estate lending regulation, Section 701, which prohibits FCUs with assets of less than \$2,000,000 from granting long-term real estate loans and removal of regulatory restraints which limit the amount of loan origination fees that can be assessed.
8. Report of actions taken under delegations of authority.
9. Applications for charters, amendments to charters, bylaw amendments, mergers as may be pending at that time.

The meeting was held at 9:30 a.m., in the 7th Floor Board Room 1776 G Street, NW., Washington, D.C.

FOR MORE INFORMATION CONTACT: Rosemary Brady, Secretary of the Board, telephone (202) 357-1100.

[S-458-81 Filed 3-18-81; 4:45 pm]

BILLING CODE 7535-01-M

13

NATIONAL SCIENCE BOARD.

DATE AND TIME:

March 19, 1981: 8:30 a.m. open session; 4:00 p.m. closed session.¹

March 20, 1981: 9:00 a.m. open session; 10:00 a.m. closed session.

PLACE: National Science Foundation, Room 540, 1800 G Street N.W., Washington, D.C.

The Closed Session originally scheduled to begin at 10:00 a.m., Friday, March 21, was rescheduled to begin at 4:00 p.m., Thursday, March 20. This will be an Executive Closed Session to discuss Item C of the Closed Session Agenda: "NSF Budget Requests and Proposed Changes for Future Fiscal Years." The Closed Session will reconvene at 10:00 a.m., Friday, March 20, to cover the remaining agenda items.

Previous announcement of this Executive Closed Session was not possible since the decision was made by the Executive Committee which met at 7:00 p.m. on Wednesday, March 18.

CONTACT PERSON FOR MORE

INFORMATION: Miss Vernice Anderson, Executive Secretary, (202) 357-9582.

[S-461-81 Filed 3-19-81; 11:39 am]

BILLING CODE 7555-01-M

14

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF

PREVIOUS ANNOUNCEMENTS: 46 FR 1643, March 12, 1981.

STATUS: Open/closed meeting.

¹Status: Correction to previously published announcement.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Monday, March 9, 1981.

CHANGES IN THE MEETING: Deletion/additional items. The following items were not considered at an open meeting scheduled for Wednesday, March 18, 1981, at 10:00 a.m.:

1. Consideration of whether to authorize the transmission of a voluntary survey questionnaire to Form 146 filers. For further information, please contact Hugh R. Haworth at (202) 523-5629.
2. Consideration of whether to release two survey questionnaires: to (1) discount broker-dealers and (2) full-service firms. For further information, please contact Terry M. Chuppe at (202) 523-5624.

The following additional item was considered at a closed meeting scheduled for Wednesday, March 18, 1981, following the 10:00 a.m. open meeting.

Formal order of investigation.

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 postponed, please contact: Marcia MacHarg at (202) 272-2468.

March 18, 1981.

[S-462-81 Filed 3-19-81; 12:27 pm]

BILLING CODE 8010-01-M

federal register

**Monday
March 23, 1981**

Part II

Department of Energy

**Defense Programs; Criteria and
Procedures for Determining Eligibility for
Access to Classified Matter or Significant
Quantities of Special Nuclear Material;
Correction of Nomenclature**

DEPARTMENT OF ENERGY

10 CFR Part 710

Defense Programs; Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Significant Quantities of Special Nuclear Material; Correction of Nomenclature

AGENCY: Department of Energy.

ACTION: Final rule.

SUMMARY: The Department of Energy is amending 10 CFR Part 710 to reflect better its present character as a DOE Regulation. This Part previously published as an Energy Research and Development Administration (ERDA) Regulation and was revised as of May 31, 1979, to reflect its new status as a DOE Regulation. DOE is amending Part 710 and is correcting nomenclature throughout Part 710 to remove certain inaccuracies contained in the May 31, 1979 version. DOE is also amending the administrative review procedures used for granting, denying, or revoking an individual's access authorization. Such an authorization allows an individual access to national security information, Restricted Data, and special nuclear material. DOE is also requiring access authorization for individuals handling lesser amounts of special nuclear material than has previously been the case.

EFFECTIVE DATE: April 22, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Martin J. Dowd, Director, Division of Security, Office of Safeguards and Security, U.S. Department of Energy, Washington, DC 20545, 301/353-3652.

SUPPLEMENTARY INFORMATION:

A. Background

The DOE published its proposed rule in the Federal Register on September 24, 1980, 45 FR 63292. Public comments were invited on or before October 24, 1980. No public comments have been received.

B. Minor Changes

To clarify Definitions the phrase in § 710.5, "Manager of Operations", has been expanded to include the Manager of the Pittsburgh Naval Reactors Office and the Manager of the Schenectady Naval Reactors Office.

Issued in Washington, DC, on March 12, 1981.

Robert L. Morgan,
Acting Assistant Secretary for Defense Programs.

For the reasons set out in the preamble, Part 710 of Chapter III of Title 10 of the Code of Federal Regulations is amended as set forth below.

PART 710—CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO CLASSIFIED MATTER OR SIGNIFICANT QUANTITIES OF SPECIAL NUCLEAR MATERIAL

1. Part 710 is amended by deleting the words "Assistant Administrator for National Security", "Administrator", "Personnel Security Review Board" (or "Board"), and "Personnel Security Board" (or "Board") wherever they appear, and substituting the words, "Assistant Secretary for Defense Programs", "Secretary", "Personnel Security Review Examiner", and "Hearing Officer", respectively.

2. Section 710.5 is revised to read as follows:

§ 710.5 Definitions.

As used in this part:

(a) "Access Authorization" means an administrative determination that an individual (including a consultant) who is employed by, or is an applicant for employment with DOE contractors, agents, and access permittees of DOE is eligible for access to Restricted Data or national security information or is eligible for access to, or control over, significant quantities of special nuclear material; and an individual (including a consultant) who is a DOE employee or applicant for DOE employment or otherwise designated by the Secretary of DOE is eligible for security clearance.

(b) For the purposes of this Regulation, "significant quantities of special nuclear material" means unclassified special nuclear material, not subject to a Nuclear Regulatory Commission (NRC) license, in one facility or one shipment in the following quantities:

(1) Uranium 235 (contained in uranium enriched 20 percent or more in the Uranium 235 isotope) alone, or in combination with Plutonium and/or Uranium 233 when (multiplying the Plutonium and/or Uranium 233 content by 2½) the total is 1,000 grams or more.

(2) Plutonium and/or Uranium 233 when the Plutonium and/or Uranium 233 content is 400 grams or more.

(3) Special nuclear material in lesser quantities but which is located in the same area or shipment with other special nuclear material with which it could be selectively combined to produce the equivalent quantities in paragraph (b)(1) or (2) of this section.

(c) "DOE Personnel Security Review Examination" means a review process as described in § 710.31, in which the designated DOE Personnel Security Review Examiners individually and independently review questions

concerning the eligibility or continued eligibility of those individuals described in § 710.2, and offer findings and recommendations to the DOE Assistant Secretary for Defense Programs.

(d) "DOE Personnel Security Review Examiners" are persons appointed by the DOE Assistant Secretary for Defense Programs who are designated to review questions concerning the eligibility or continued eligibility of those individuals described in § 710.2. Examiners shall be U.S. citizens and have a DOE "Q" clearance and shall not otherwise be in the employ of the DOE.

(e) "Hearing Counsel" means a DOE attorney assigned to prepare and conduct hearings as provided in §§ 710.26 and 710.27.

(f) "Manager of Operations" means the Manager of a DOE Operations Office, the Manager of Pittsburgh Naval Reactors Office, the Manager of Schenectady Naval Reactors Office (and at Headquarters, the Director, Office of Safeguards and Security—see § 710.38).

(g) "Hearing Officer" is an individual appointed by the Manager of Operations who, upon considering the evidence at a hearing, makes specific findings as to the truth of the derogatory information, and determines whether to recommend to the Manager of Operations the granting, denial, or revocation of an individual's access authorization. Hearing Officers shall be U.S. citizens and have a DOE "Q" clearance.

(h) "Secretary" means the head of the Department of Energy as provided by section 201 of the Department of Energy Organization Act.

§ 710.20 [Amended].

3. § 710.20 is amended by deleting the words "Personnel Security Board" where they appear.

4. § 710.22 is amended by revising paragraphs (c), (e), and (f) to read as follows:

§ 710.22 Notice to individual.

(c) That in the event the individual desires a hearing the individual must, within twenty days of the date of receipt of the notification letter, indicate in writing to the Manager of Operations from whom the letter was received that the individual wishes a hearing before a Hearing Officer.

(e) That, if the individual so requests, a hearing will be scheduled before a Hearing Officer, with due regard for the convenience and necessity of the parties or their representatives, for the purpose of affording the individual an

opportunity of supporting his eligibility for access authorization.

(f) That, if the individual requests a hearing, the individual will be notified in writing of the Hearing Officer's identity when the Hearing Officer is appointed by the Manager of Operations.

5. § 710.25 is amended by revising paragraph (b) to read as follows:

§ 710.25 Selection of DOE hearing counsel.

(b) Hearing Counsel shall, prior to the scheduling of the hearings, review the information in the case and shall request the presence of witnesses and the production of physical evidence in accordance with the provisions of paragraphs (m), (n), (o), and (p) of § 710.27. When the presence of a witness is deemed by the Hearing Counsel to be necessary or desirable to a proper determination of the issues before the Hearing Officer, the Manager of Operations shall make arrangements by subpoena or otherwise for such witnesses to appear, be confronted by the individual, and be subject to examination and cross-examination.

(6) Section 710.26 is revised to read as follows:

§ 710.26 Appointment of hearing officers.

(a) Upon notification from the Hearing Counsel that arrangements for an expeditious hearing have been completed, the Manager of Operations shall appoint a Hearing Officer.

(b) No person shall serve as a Hearing Officer who has prejudged the case to be heard; who possesses information that would impair his ability to render impartial recommendations or advice; or who for bias or prejudice generated for any reason would be unable to render fair and impartial recommendations or advice.

(c) Immediately upon the appointment of a Hearing Officer, the Manager of Operations will notify the individual of the identity of the Hearing Officer and of the individual's right to challenge the Hearing Officer for cause. Such challenge, accompanied by the reasons therefor, must be submitted to the Manager of Operations within seventy-two hours of the receipt of the notice of the identity of the Hearing Officer.

(d) In the event the individual challenges the Hearing Officer, the Manager of Operations will rule on the challenge. Where the challenge of the individual is sustained, the Manager of Operations shall appoint a new Hearing Officer and notify the individual. The individual shall have the right to challenge the new Hearing Officer for

cause and such challenge shall be dealt with in the same manner as an original challenge. The Manager of Operations shall also notify the individual of the rejection of any challenge. The Hearing Officer shall convene a hearing as soon as is reasonably practicable.

(e) The Manager of Operations shall notify the individual in writing, at least one week in advance of the date, hour, and place the hearing will convene. In the event the individual fails to appear at the time and place specified, a recommendation as to the final action to be taken shall be made by the Manager of Operations to the Assistant Secretary for Defense Programs on the basis of the record in the case. At the request of the individual, however, the Manager of Operations may permit a hearing at a newly scheduled date, hour, and place for good-cause shown.

7. In § 710.27, paragraphs (a), (c)(2), (e), (f) and (j) are revised to read as follows:

§ 710.27 Conduct of proceedings.

(a) The proceedings shall be conducted by the Hearing Officer in an orderly, impartial, and decorous manner with every effort made to protect the interest of the Government and of the individual in determining the truth of the allegations. In no case will undue delay be tolerated or will the individual be hampered by unduly restricting the time necessary for proper preparation and presentation. In performing duties, the Hearing Officer shall always bear in mind and make clear to all concerned that the proceeding is an administrative hearing and not a trial.

(c) * * *

(2) Hearing Counsel shall express no opinion to the Hearing Officer concerning the merits of the case. Hearing Counsel shall advise the individual of the individual's rights under these procedures when the individual is not represented by counsel of the individual's own choosing.

(e) During the course of the hearing the Hearing Officer shall rule on all questions presented to the Hearing Officer for the Hearing Officer's determination.

(f) In the event it appears in the course of the hearing that Restricted Data or national security information may be disclosed, it shall be the duty of the Hearing Officer to assure that disclosure is not made to persons who are not authorized to receive it.

(j) The Hearing Officer shall endeavor to obtain all the facts that are

reasonably available in order to arrive at recommendations. If, prior to or during the proceedings, in the opinion of the Hearing Officer the allegations in the notification letter are not sufficient to cover all matters into which inquiry should be directed, the Hearing Officer shall recommend to the Manager of Operations concerned that, in order to give more adequate notice to the individual, the notification letter should be amended. Any amendment shall be made with the concurrence of the Director, Division of Safeguards and Security, DOE, and the Office of the General Counsel. If, in the opinion of the Hearing Officer, the circumstances of such an amendment may involve an undue hardship to the individual because of limited time to answer the new allegations in the notification letter, an appropriate adjournment shall be granted upon the request of the individual.

8. Section 710.28 is amended by revising paragraphs (c) and (d) to read as follows:

§ 710.28 Recommendation of the Hearing Officer.

(c) The Hearing Officer's recommendation shall be predicated upon the Hearing Officer's findings. If, after considering all the factors in light of the criteria set forth in this part, the Hearing Officer is of the opinion that it will not endanger the common defense and security and will be clearly consistent with the national interest to grant access authorization to the individual, the Hearing Officer shall make a favorable recommendation; otherwise the Hearing Officer shall make an adverse recommendation.

(d) The Hearing Officer's recommendation shall be submitted to the Manager of Operations accompanied by a statement of the findings and reasons supporting the Hearing Officer's conclusions.

10. Section 710.29 is amended by revising paragraph (b)(1) to read as follows:

§ 710.29 New evidence.

(b) * * *

(1) Refer the matter to the Hearing Officer who had been appointed in the individual's case when the Manager of Operations has not yet transmitted the record to the Assistant Secretary for Defense Programs. The Hearing Officer receiving the application for the presentation of the new evidence shall determine the form in which it shall be

received, whether by testimony before the Hearing Officer, by deposition, or by affidavit.

11. Section 710.30 is amended by revising paragraph (a) to read as follows:

§ 710.30 Actions on the recommendations.

(a) The recommendations of the Hearing Officer shall be signed by the Hearing Officer, and together with the record of the case, shall be transmitted with the least practicable delay to the Manager of Operations concerned.

11. Section 710.31 is revised to read as follows:

§ 710.31 Recommendation of the DOE Personnel Security Review Examiners.

(a) The Assistant Secretary for Defense Programs shall designate three DOE Personnel Security Review

Examiners to conduct a DOE Personnel Security Review Examination of the record of the case. The designated Examiners shall individually and independently, without consulting or otherwise communicating with one another, consider the matter under review based upon the record supplemented by such brief as the individual submits. Examiners may request such additional briefs as any of them deems appropriate, which will be obtained by the Assistant Secretary for Defense Programs and provided to each Examiner. In any case where an Examiner determines that additional evidence or further proceedings are necessary, the record may be returned to the Assistant Secretary for Defense Programs with a recommendation that the case be remanded to the Manager of Operations for appropriate action, which may include returning the case to the Hearing Officer and reconvening the hearing to obtain additional testimony.

(b) In the Examiner's consideration, each shall make individual findings and recommendations on the record supplemented by additional testimony or briefs as have previously been determined by an Examiner(s) as appropriate. When additional testimony is taken by the Hearing Officer, a verbatim transcript of such testimony shall be made part of the record.

(c) The Examiners shall not consider the possible impact of the loss of the individual's services upon the DOE program.

(d) After consideration, each Examiner shall individually prepare a report of findings and recommendations and submit the report in writing to the Assistant Secretary for Defense Programs. These findings and recommendations shall be fully supported by stated reasons supporting their conclusions.

[FR Doc. 81-8798 Filed 3-23-81; 8:45 am]

BILLING CODE 6450-01-M

federal register

**Monday
March 23, 1981**

Part III

Office of Management and Budget

**Proposed Budget Rescissions and
Deferral**

**OFFICE OF MANAGEMENT AND
BUDGET****Proposed Budget Rescissions and
Deferral****To the Congress of the United States**

In accordance with the Impoundment Control Act of 1974, I herewith report 81 proposals to rescind a total of \$11.1 billion in budget authority previously provided by the Congress. In addition, I am proposing to reduce authority to incur obligations for direct loans by a total of \$751.8 million and I am reporting one new deferral of \$3.4 million. These proposals are an integral part of my plan to reduce government spending.

The details of the rescission proposals and the deferral are contained in the attached reports.

THE WHITE HOUSE,

March 17, 1981.

BILLING CODE 3110-01-M

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Rescission #	Item	Budget Authority
	Executive Office of the President	
R81-38	Council on Environmental Quality and Office of Environmental Quality.....	703
	Office of Science and Technology Policy	
R81-39	Salaries and expenses.....	595
	Funds Appropriated to the President	
R81-40	Appalachian Regional Development Programs.....	110,000
R81-41	Disaster Relief.....	8,000
	International Development Assistance	
R81-42	Sahel development program.....	2,000
R81-43	Inter-American Foundation.....	133
	Department of Agriculture	
	Agricultural Stabilization and Conservation Service	
R81-44	Dairy and beekeeper indemnity programs.....	1,500
	Rural Electrification Administration	
R81-45	Rural communication development fund.....	16,341
	Farmers Home Administration	
R81-46	Rural development planning grants.....	2,000
R81-47	Rural community fire protection grants.....	1,500
R81-48	Rural housing supervisory assistance grants.....	500
	Department of Commerce	
	Economic Development Administration	
R81-49	Economic development assistance programs.....	342,350
	Regional Development Program	
R81-50	Regional development programs.....	21,000
	United States Travel Service	
R81-51	Salaries and expenses.....	41
	National Oceanic and Atmospheric Administration	
R81-52	Construction.....	9,000
R81-53	Coastal energy impact fund.....	40,000
	Science and Technical Research	
R81-54	Scientific and technical research and services.....	3,370
	National Telecommunications and Information Administration	
R81-55	Salaries and expenses.....	313
	Maritime Administration	
R81-56	Research and development.....	2,500
	Department of Education	
	Office of Elementary and Secondary Education	
R81-57	Equal educational opportunities.....	73,253
	Office of Special Education and Rehabilitation Services	
R81-58	Education for the handicapped, gifted and talented....	267,938
R81-59	Rehabilitation services and handicapped research.....	22,323
	Office of Postsecondary Education	
R81-60	College housing loans.....	14,550
	Office of Educational Research and Improvement	
R81-61	Libraries and learning technologies.....	42,750
R81-62	Institute of museum services.....	12,357
R81-63	School improvement programs.....	36,606

Rescission #	Item	Budget Authority
Department of Energy		
Energy Programs		
R81-64	Fossil energy construction.....	246,900
R81-65	Energy production demonstration and distribution.....	12,649
R81-66	Energy information administration.....	13,443
R81-67	Economic regulation.....	33,155
R81-68	Geothermal resources development fund.....	22,066
R81-69	Alternative fuels production.....	300,000
R81-70	Departmental administration.....	11,500
Department of Health and Human Services		
Health Services Administration		
R81-71	Indian health facilities.....	8,371
National Institutes of Health		
R81-72	National Institute of Allergy and Infectious Diseases.....	1,033
R81-73	National Institute of General Medical Sciences.....	19,682
Alcohol, Drug Abuse, and Mental Health Administration		
R81-74	Construction and renovation, St. Elizabeths Hospital..	1,020
Office of Assistant Secretary for Health		
R81-75	Salaries and expenses.....	30,724
Health Care Financing Administration		
R81-76	Payments to health care trust funds.....	3,693
R81-77	Program management.....	6,992
Social Security Administration		
R81-78	Refugee assistance.....	25,100
Department of Housing and Urban Development		
Housing Programs		
R81-79	Subsidized housing programs.....	5,099,104
Solar Energy and Energy Conservation Bank		
R81-80	Assistance for solar and conservation improvements....	121,000
Community Planning Development		
R81-81	Planning assistance.....	34,976
R81-82	Rehabilitation loan fund.....	110,357
Neighborhoods, Voluntary Associations and Consumer Protection		
R81-83	Housing counseling assistance.....	6,000
R81-84	Neighborhood self-help development program.....	8,119
Department of the Interior		
Office of Water Research and Technology		
R81-85	Salaries and expenses.....	11,800
United States Fish and Wildlife Service		
R81-86	Construction and anadromous fish.....	2,500
National Park Service		
R81-87	Urban park and recreation grants.....	35,000
R81-88	Land and water conservation fund.....	250,000
R81-89	Historic preservation fund.....	8,000
R81-90	Construction (trust fund).....	15,500
Office of Surface Mining Reclamation and Enforcement		
R81-91	Regulation and technology.....	1,954
Department of Labor		
Employment and Training Administration		
R81-92	Temporary employment assistance.....	234,475
Department of State		

Rescission #	Item	Budget Authority
	Bureau of Refugee Programs	
R31-93	Migration and refugee assistance.....	22,500
	Bureau for International Narcotics Matters	
R31-94	International narcotics control.....	3,100
	Department of Transportation	
	Urban Mass Transportation Administration	
R31-95	Urban mass transportation fund.....	24,700
	Research and Special Program Administration	
R31-96	Cooperative automotive research.....	11,500
	Department of the Treasury	
	Bureau of Government Financial Operations	
R31-97	Biomass energy development.....	1,245,500
	Environmental Protection Agency	
R31-98	Research and development (pollution and abatement)....	149
R31-99	Abatement, control and compliance.....	1,253
R31-100	Construction grants.....	1,700,000
	National Aeronautics and Space Administration	
R31-101	Research and development.....	4,500
	Veterans Administration	
R31-102	Construction, major projects.....	152,160
	Other Independent Agencies	
	Action	
R31-103	Operating expenses, domestic programs.....	3,207
	Arms Control and Disarmament Agency	
R31-104	Arms control and disarmament activities.....	1,500
	Corporation for Public Broadcasting	
R31-105	Public broadcasting fund.....	95,000
	Federal Mediation and Conciliation Service	
R31-106	Salaries and expenses.....	637
	Federal Trade Commission	
R31-107	Salaries and expenses.....	226
	Marine Mammal Commission	
R31-108	Salaries and expenses.....	4
	Merit Systems Protection Board	
R31-109	Salaries and expenses.....	210
	National Science Foundation	
R31-110	Research and related activities.....	66,000
R31-111	Science and engineering education activities.....	16,000
	Occupational Safety and Health Review Commission	
R31-112	Salaries and expenses.....	39
	Office of the Federal Inspector for the Alaska	
	Natural Gas Transportation System	
R31-113	Salaries and expenses.....	445
	Pennsylvania Avenue Development Corporation	
R31-114	Salaries and expenses.....	60
	Selective Service System	
R31-115	Salaries and expenses.....	1,940
	Small Business Administration	
R31-116	Salaries and expenses.....	1,405
	Tennessee Valley Authority	
R31-117	Tennessee Valley Authority fund.....	500

Rescission #	Item	Budget Authority
	Water Resources Council	
R81-118	Water resources planning.....	5,000
	Subtotal, rescission proposals.....	11,079,386

Rescissions of Authority to Incur Obligations for Direct Loans:

	Department of Agriculture	
	Farmers Home Administration	
R81-119	Rural housing insurance fund.....	316,000
R81-120	Agricultural credit insurance fund.....	89,850
R81-121	Rural development insurance fund.....	160,000
	Off-Budget Federal Entities:	
	Department of Agriculture	
	Rural Electrification Administration	
R81-122	Rural electrification and telephone revolving fund.....	187,000
	Subtotal, rescissions of loan authority...	751,350

Deferral #	Item	Budget Authority
	Department of Commerce	
	Minority Business Development Agency	
D81-103	Minority business development.....	3,400
	Subtotal, deferrals.....	3,400
	Total, rescission proposals and deferrals.....	11,834,636

SUMMARY OF SPECIAL MESSAGES
FOR FY 1981

(in thousands of dollars)

	<u>Rescissions</u>	<u>Deferrals</u>
Seventh special message:		
New items.....	11,831,236	3,400
Change to amounts previously submitted.....	<u> </u>	<u> </u>
Effect of seventh special message.....	11,831,236	3,400
Previous special message.....	<u>129,533</u>	<u>8,573,788</u>
Total amount proposed in special messages.....	11,960,769	a/ 8,577,188 b/

a/ This amount represents budget authority except for \$751.8 million involving authority to incur obligations for direct loans.

b/ This amount represents budget authority except for \$61,756 thousand involving the deferral of outlays only (D81-19B).

Rescission Proposal No: R81-38

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Executive Office of the President		New budget authority	\$ 3,250,000
Bureau			(P.L. 96-526)	
Appropriation title & symbol	Council on Environmental Quality and Office of Environmental Quality 1111-53		Other budgetary resources	242,000
			Total budgetary resources	3,492,000
			Amount proposed for rescission	\$ 708,000
OMB identification code: 11-1453-0-1-802			Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act	
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input type="checkbox"/> Other _____	
Type of account or fund: <input checked="" type="checkbox"/> Annual			Type of budget authority: <input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> Multiple-year _____ (expiration date)			<input type="checkbox"/> Contract authority	
<input type="checkbox"/> No-year			<input type="checkbox"/> Other _____	

Justification: The Council on Environmental Quality (CEQ) performs studies and analyses related to current environmental issues, as well as other activities related to the National Environmental Policy Act (NEPA).

This rescission proposal is an integral component of President Reagan's plan for reducing Federal spending and eliminating duplicative regulatory activities.

In compliance with NEPA Section 205(2), CEQ's activities will be reduced to those statutorily mandated which do not unnecessarily overlap or conflict with established agency activities.

Estimated Effect: The duplication of activities among established agencies and CEQ will be eliminated. Responsibility for various activities will be formally recognized in established agencies.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
3.2	2.6	0.6	0.1	---	---

R81-38

COUNCIL ON ENVIRONMENTAL QUALITY
AND OFFICE OF ENVIRONMENTAL QUALITY

Council on Environmental Quality
and Office of Environmental Quality

Of the funds appropriated under this head in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1981, \$708,000 are rescinded.

Rescission Proposal No: R81-39

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Executive Office of the President	New budget authority <u>\$ 2,658,000</u> (P.L. 96-526)
Bureau Office of Science and Technology Policy	Other budgetary resources <u>--</u>
Appropriation title & symbol	Total budgetary resources <u>2,658,000</u>
Salaries and Expenses 1112600	Amount proposed for rescission <u>\$ 595,000</u>
OBS identification code: 11-2600-0-1-802	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification:

This appropriation funds the activities of the Office of Science and Technology Policy, within the Executive Office of the President, to provide analysis and advice to the President and other agencies in the Executive Office. The proposed reductions would result in a reduced permanent staff and a decrease in the number of external researchers and advisors. Sufficient resources will remain available to meet the major goals and objectives of the office.

Estimated effect:

The permanent staff of the office will be reduced from 24 to 12 and positions for consultant appointees reduced from 30 to 10.

Outlay effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
2.6	2.0	.6	--	--	--

R81-39

FUNDS APPROPRIATED TO THE PRESIDENT
Office of Science and Technology Policy

Salaries and Expenses

Of the funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, \$595,000 are rescinded.

Rescission Proposal No: R81-40

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Funds Appropriated to the President	New budget authority <u>\$ 339,300,000</u>
Bureau Appalachian Regional Development Programs	(P.L. <u>96-367</u>)
Appropriation title & symbol	Other budgetary resources <u>50,233,279</u>
Appalachian Regional Development Programs 11X0090	Total budgetary resources <u>389,533,279</u>
	Amount proposed for rescission <u>\$ 110,000,000</u>
CMB identification code: 11-0090-0-1-452	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The Appalachian Regional Commission's mission is assisting the Appalachian region in promoting and managing growth through planning, research, technical assistance, administration, direct and supplemental funding of Federal grant-in-aid programs, and through construction of the Appalachian Development Highway System to improve access to Appalachia.

The remaining non-highway 1981 appropriations are proposed for rescission because Federal involvement is not required in general purpose, multi-state coordinating body. There are other means that States have for working together on mutual concerns. In addition, economic expansion and job creation in Appalachia will be stimulated through general tax, fiscal and regulatory reductions.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: No new projects will be funded for area development, local development district support, or Commission research. The highway program will be transferred to the Department of Transportation and funded out of the Highway Trust Fund beginning in 1982.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
325.0	319.1	5.9	50.0	46.5	4.5

R81-40

FUNDS APPROPRIATED TO THE PRESIDENT

Appalachian Regional Development
Programs

Of the funds appropriated under this head in the Energy and Water
Development Appropriation Act, 1981, \$110,000,000 are rescinded.

Rescission Proposal No: RB1-41

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Funds Appropriated to the President	New budget authority \$ <u>366,449,000</u> (P.L. <u>95-526</u>)
Bureau	Other budgetary resources <u>234,192,000</u>
Appropriation title & symbol	Total budgetary resources <u>600,641,000</u>
Disaster Relief 11X0039	Amount proposed for rescission \$ <u>8,000,000</u>
OMB identification code: 11-0039-0-1-453	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The Disaster Relief Act of 1974 (P.L. 93-288) authorizes a comprehensive program of disaster relief, response, and recovery. Supplemental assistance is provided to individuals and State and local governments in the event of a Presidentially-declared emergency or disaster.

Several cost-saving measures will be applied to tighten the administration of this program. These include:

- Placing Federal financial contributions on a 75% Federal/25% State-local basis as a way of insuring that Federal public assistance be supplemental in nature.
- Placing the administration of the temporary housing program with the States instead of the Federal Government.
- Eliminating the present year-long period during which the Federal Government provides rent-free temporary housing.
- Tightening disaster declaration criteria.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: These actions will contribute to a more efficient, cost-effective method of responding to disasters. They will not affect the provision of essential disaster relief activities.

R81-41

Outlay Effect: (In millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
640.0	632.0	8.0	---	---	---

R81-41

FUNDS APPROPRIATED TO THE PRESIDENT

Disaster Relief

Of the funds appropriated under this head in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1981, \$8,000,000 are rescinded.

Rescission Proposal No: R81-42

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Funds Appropriated to the President	New budget authority <u>\$65,600,00</u> (P.L. <u>96-536</u>)
Bureau International Development Assistance	Other budgetary resources <u>5,163,000</u>
Appropriation title & symbol	Total budgetary resources <u>\$71,763,00</u>
Sahel Development Program	
11X1012	Amount proposed for rescission <u>\$ 2,000,000</u>
OMB identification code: 11-1012-0-1-151	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The funds proposed for rescission were provided for the African Development Foundation as stipulated in Section 101b of P.L. 96-536. The Administration proposes that the Foundation not be funded, because the types of programs it would support will be carried out by the Agency for International Development without creating a new government entity.

This rescission proposal is a component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects: The African Development Foundation board will not be appointed and the Foundation will not begin operation.

Outlay Effect: (in millions of dollars for African Development Foundation)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
0.6	---	0.6	0.9	0.5	---

R81-42

FUNDS APPROPRIATED TO THE PRESIDENT

International Development Assistance
Sahel Development Program

Of the funds made available by P.L. 96-536 for the above-named account,
\$2,000,000 provided for transfer to the African Development Foundation
are rescinded.

Rescission Proposal No: 881-43

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Funds Appropriated to the President		New budget authority \$ 19,353,520 (P.L. 96-336)
Bureau Inter-American Foundation		Other budgetary resources 21,149,607
Appropriation title & symbol		Total budgetary resources <u>32,005,127</u>
Inter-American Foundation 11X4031		Amount proposed for rescission \$ <u>138,000</u>
OMB identification code: 11-4031-0-3-151		Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year		Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The Inter-American Foundation provides grants to indigenous, democratically structured groups which promote social change and community development among the poor in Latin America and the Caribbean.

The proposed rescission represents savings realized by the implementation of Administration guidelines for lower personnel ceilings and reduced expenditures for travel and equipment.

Estimated Effects: This proposal will rescind savings realized during FY 1981 from a 15 percent reduction in travel and procurement of equipment and a decrease in Inter-American Foundation employees from 69 to 66.

OUTLAY EFFECTS: (in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
5.2	5.1	.1	--	--	--

R81-43

FUNDS APPROPRIATED TO THE PRESIDENT
Inter-American Foundation

Of the funds provided for "Inter-American Foundation" for fiscal year 1981 in P.L. 96-536, \$138,000 are rescinded.

Rescission Proposal No: R31-44

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority \$ <u>1,700,000</u> (P.L. <u>95-528</u>)
Bureau Agricultural Stabilization and Conservation Service	Other budgetary resources <u>---</u>
Appropriation title & symbol	Total budgetary resources <u>1,700,000</u>
Dairy and Beekeeper Indemnity Programs 1213314	Amount proposed for rescission \$ <u>1,500,000</u>
OMB identification code: 12-3314-0-1-351	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification: This rescission proposal is for beekeeper indemnity payments and is part of the Administration's effort to reduce Federal spending.

This discretionary program provides payments to beekeepers who suffer losses of honey bees as a result of the use of insecticides near or adjacent to property on which the beehives of such beekeepers are located. Payments have been made to cover such losses incurred each year since 1967.

The program is difficult to administer in a way that is fair to both the intended beneficiaries and to taxpayers because:

- Recording and monitoring the movement of colonies is difficult because of the necessity of moving bees from one location to another either to provide pollination services or to escape pesticide contamination.
- Hard data on specific bee kills in the field is extremely difficult to develop, and scientific accuracy in determining the exact cause of bee deaths through a testing protocol is generally difficult.
- Available tests for determining pesticide residues in dead bees are expensive to run and many times inconclusive.
- Continuation of the program has not been demonstrated as necessary to a viable beekeeping industry. However, in areas of high risk of pesticide contamination, upward adjustments of pollination fees would probably be necessary in the absence of a program.

Estimated Effects: This rescission proposal will eliminate indemnity payments to beekeepers in FY 1981.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
<u>Without Rescission</u>	<u>With Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
1.7	.2	1.5	--	--	--

R81-44

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

Dairy and Beekeeper Indemnity Programs

Of the funds appropriated under this head in P.L. 96-528 making appropriations for fiscal year 1981, \$1,500,000 are rescinded.

Rescission Proposal No: R81-45

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority <u>\$ 34,000,000</u> (P.L. <u>96-528</u>)
Bureau Rural Electrification Administration	Other budgetary resources _____
Appropriation title & symbol	Total budgetary resources <u>34,000,000</u>
Rural Communication Development Fund 12X4142	Amount proposed for rescission <u>\$ 16,341,000</u>
OMB identification code: 12-4142-0-3-452	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input checked="" type="checkbox"/> Other Authority to Borrow

Justification: This fund is used to make or guarantee loans for community antenna television services or facilities. The Administration believes that it is more appropriate for the private sector to fund this activity. This rescission proposal is part of the Administration's effort to combat inflation. It has been determined that this reduction can be made without adversely affecting human health and safety or other critical needs. Also, it is believed that sufficient capital will be available from the private investors to fund this activity.

Estimated Effects: The proposed rescission would reduce the amount of insured Community Antenna Television Facility loans from \$31.4 million to \$15.1 million.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlays Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
18.9	12.1	6.8	9.5	---	---

R81-45

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

Rural Communication Development Fund

Of the loan levels authorized under section 3108 under this head in P.L. 96-528, making appropriations for fiscal year 1981, \$16,341,000 are rescinded.

Rescission Proposal No: R81-46

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority <u>\$ 5,000,000</u> (P.L. 96-528)
Bureau Farmers Home Administration	Other budgetary resources <u>---</u>
Appropriation title & symbol	Total budgetary resources <u>5,000,000</u>
Rural Development Planning Grants 1212068	Amount proposed for rescission <u>\$ 2,000,000</u>
OMB identification code: 12-2068-0-1-452	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other <u>---</u>
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year <u>---</u> (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other <u>---</u>

Justification: Under this program, grants are made to public bodies or such other agencies as the Secretary may select to prepare comprehensive plans for rural development.

The proposed rescission is part of the Administration's effort to reduce the inflationary impact of Federal spending on the economy. It has been determined that this program is of low priority and reductions can be made without adversely affecting human health and safety or other critical needs and that the benefits provided must be foregone in order to combat the high rate of inflation existing today. Furthermore, some funding for this activity may be obtained through other Federal programs such as HUD's Community Development Block Grant program.

Estimated Effects: The proposed rescission would reduce the number of grants estimated to be made in 1981 to 80 or 53 less than indicated in the January Budget.

Estimated Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
6.4	6.0	0.4	1.2	0.4	--

R81-46

DEPARTMENT OF AGRICULTURE

Farmers Home Administration
Rural Development Planning Grants

Of the funds appropriated under this head in P.L. 96-528, making appropriations for fiscal year 1981, \$2,000,000 are rescinded.

Rescission Proposal No: R81-47

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority <u>\$ 3,500,000</u> (P.L. <u>96-528</u>)
Bureau Farmers Home Administration	Other budgetary resources <u>3,500,000</u>
Appropriation title & symbol	Total budgetary resources _____
Rural Community Fire Protection Grants 1212067	Amount proposed for rescission <u>\$ 1,500,000</u>
OMB identification code: 12-2067-0-1-452	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

The Rural Community Fire Protection Grant program provides fire-fighting equipment and funds for organizing and training personnel in rural communities. Adequate credit assistance to provide equipment is available at reasonable interest rates and terms through the Community Facility Loan Program under the Rural Development Insurance Fund. Surplus government equipment which can be used for fire fighting is also available from the Forest Service. This rescission proposal is part of the Administration's effort to combat inflation. It has been determined that this reduction can be made without adversely affecting human health and safety or other critical needs.

Estimated Effects: The proposed rescission would reduce the number of grants to be made in 1981. Adequate credit assistance to provide equipment is available through the Community Facility Loan Program under the Rural Development Insurance Fund.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
3.5	2.7	0.8	0.7	--	--

R81-47

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

Rural Community Fire Protection Grants

Of the funds appropriated under this head in P.L. 96-528, making appropriations for fiscal year 1981, \$1,500,000 are rescinded.

Rescission Proposal No: R81-48

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	New budget authority <u>\$ 1,500,000</u> (P.L. 96-528)
Bureau Farmers Home Administration	Other budgetary resources <u>---</u>
Appropriation title & symbol	Total budgetary resources <u>1,500,000</u>
Rural Housing Supervisory Assistance Grants 1212062	Amount proposed for rescission <u>\$ 500,000</u>
OMB identification code: 12-2062-0-1-371	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

This program provides grants to local groups which aid low income families in obtaining assistance under the various FmHA housing programs. These groups also provide counseling to such families after they occupy FmHA assisted housing. Reduced FmHA lending workload under the revised 1982 budget should enable FmHA county office staff to perform these functions at equivalent levels to that provided under this program.

Estimated Effects: The proposed rescission would reduce the number of grants estimated to be made in 1981 to 11 or 6 less than indicated in the January Budget.

Outlay Effect: (in millions of dollars)

Without Rescission	With Rescission	Outlay Savings			
		1981	1982	1983	1984
1.8	1.8	--	--	.5	--

R81-48

DEPARTMENT OF AGRICULTURE
Farmers Home Administration

Rural Housing Supervisory Assistance Grants

Of the funds appropriated under this head in P.L. 96-528, making appropriations for fiscal year 1981, \$500,000 are rescinded.

Rescission Proposal No: R81-49

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority ----- \$ <u>624,650,000</u> (P.L. <u>96-536</u>)
Bureau Economic Development Administration	Other budgetary resources ----- <u>6,900,000</u>
Appropriation title & symbol	Total budgetary resources <u>631,550,000</u>
Economic Development Assistance Programs	Amount proposed for rescission \$ <u>342,350,000</u>
1312050	
OMB identification code: 13-2050-0-1-452	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other -----
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year ----- (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other -----

Justification: The objectives of the Economic Development Administration (EDA) are to reduce substantial and persistent unemployment in economically distressed areas and to deal with problems of economic adjustment. Aid provided includes grants, loans and loan guarantees.

There is no convincing evidence that these economic development programs have been effective in creating new jobs or capital investment, or are actually needed to promote local or regional economic development. Economic expansion and job creation in distressed areas will be stimulated through the Administration's general tax, fiscal and regulatory reduction measures, and more flexible community development support assistance. Development assistance to rural areas will be provided by the Farmers Home Administration.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens. FY 1981 funding available for Trade Adjustment Assistance and loan guarantee payments will not be proposed for rescission.

Estimated Effect: The EDA programs will be curtailed in an orderly fashion. No projects which have been approved to date will be cancelled. In addition, EDA will maintain sufficient funding authority to cover costs of collateral protection and to provide coverage for possible defaults on loan guarantees. EDA's current funding from direct appropriations for FY 1981 is \$624.6 million. The proposed revisions would reduce the FY 1981 funding level to \$282.3 million, which includes funds for Trade Adjustment Assistance, care and preservation of collateral, and defaults on guarantees, and would reduce the FY 1981 loan guarantee authority to \$163 million.

This reduction will eliminate the rest of the eligible projects that would have been funded this year. The effect on job losses will be minimal in 1981 and will be more than offset in 1982 and beyond once the President's overall economic program is in effect.

Outlay Effects:

1981 Outlay Estimates		Outlay Savings-----			
<u>Without</u>	<u>With</u>				
<u>Rescission</u>	<u>Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
508.7	501.0	7.7	163.3	92.2	39.4

R81-49

DEPARTMENT OF COMMERCE

Economic Development Administration

Economic Development Assistance Programs

Of the funds included under this head in H.R. 7584 making appropriations for the Department of Commerce for fiscal year 1981, and appropriated by Public Law 96-536, \$342,350,000 are rescinded and total commitments to guarantee loans shall not exceed \$163,000,000 of contingent liability for loan principal.

Rescission Proposal No: R81-50

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Commerce	New budget authority	\$ 43,838.00
Bureau	Regional Development Program	(P.L. 96-538)	
Appropriation title & symbol		Other budgetary resources	12,554.75
		Total budgetary resources	56,392.75
Regional Development Programs 13X2100		Amount proposed for rescission	\$ 21,000.00
OMB identification code:		Legal authority (in addition to sec. 1012):	
13-2100-0-1-452		<input type="checkbox"/> Antideficiency Act	
Grant program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other	
Type of account or fund:		Type of budget authority:	
<input type="checkbox"/> Annual		<input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> Multiple-year	(expiration date)	<input type="checkbox"/> Contract authority	
<input checked="" type="checkbox"/> No-year		<input type="checkbox"/> Other	

Justification: The Title V Regional Commissions' primary mission is to assist regions in promoting and managing growth through planning, research, technical assistance, administration programs, and direct and supplemental funding of Federal grant-in-aid programs.

The appropriations remaining for the second half of 1981 are proposed for rescission because Federal involvement is not required in general purpose, multi-state coordinating bodies. There are other means that States have for working together on mutual concerns and the Regional Commissions are, in fact, not advancing regional objectives.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: Upon approval of this proposed rescission, no new projects will be funded, all staff except those needed to process ongoing projects will be released, and the eight Regional Development Commissions and the Office of Regional Development will be closed no later than September 30, 1981. Funds will be reprogrammed among the Commissions in order to accommodate the rescission and to insure that funds will be available to pay termination costs.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimates	
Without	With
Rescission	Rescission
53.9	46.0

Outlay Savings			
1981	1982	1983	1984
7.9	6.6	4.1	1.4

R81-50

DEPARTMENT OF COMMERCE

Regional Development Program

Regional development programs

Of the funds included under this head in H.R. 7584, making appropriations for the Department of Commerce for fiscal year 1981, and appropriated by Public Law 96-536, \$21,000,000 are rescinded, and the balance remaining under this head shall be available only to the extent necessary to complete termination of the program.

Rescission Proposal No: R81-51

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority <u>\$ 8,000,000</u> (P.L. 96-536)
Bureau United States Travel Service	Other budgetary resources _____
Appropriation title & symbol	Total budgetary resources <u>8,000,000</u>
Salaries and Expenses 1310700	Amount proposed for rescission <u>\$ 41,000</u>
CMB identification code: 13-0700-0-1-376	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

This rescission proposal is for a reduction in travel as part of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects:

The effect of this action would be a reduction in staff travel in FY 1981. Low priority international travel and trips to and from regional offices will be reduced.

Outlay Effects: (in thousands of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
10,482	10,441	41	---	---	---

R81-51

DEPARTMENT OF COMMERCE

United States Travel Service

Salaries and expenses

Of the funds included under this head in H.R. 7584 making appropriations for the Department of Commerce for fiscal year 1981, and appropriated by Public Law 96-536, \$41,000 are rescinded.

Rescission Proposal No: R81-52

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority \$ _____ (P.L. _____)
Bureau National Oceanic and Atmospheric Administration	Other budgetary resources <u>51,944,360</u>
Appropriation title & symbol	Total budgetary resources <u>51,944,360</u>
Construction 13-1452	Amount proposed for rescission \$ <u>9,000,000</u>
CMB identification code: 13-1452-0-1-306	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions. This reduction will eliminate the construction of the Education Center portion of NOAA's Western Regional Center in Seattle, Washington. The Center is not necessary for NOAA to carry out its mission.

Estimated Effect: Training of NOAA personnel will not be affected since centralized training will continue at NOAA's present training facility in Kansas City, Missouri.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate	
Without Rescission	With Rescission
37.5	33.5

Outlay Savings			
1981	1982	1983	1984
4	5	---	---

R81-52

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Construction

Of the funds appropriated under this head in Public Law 95-86, making appropriations for the Department of Commerce, for fiscal year 1978, \$9,000,000 are rescinded.

Rescission Proposal No: R81-53

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority (P.L. _____) \$ _____
Bureau National Oceanic and Atmospheric Administration	Other budgetary resources 50,411,741
Appropriation title & symbol Coastal Energy Impact Fund 13x4315	Total budgetary resources 50,411,741
	Amount proposed for rescission \$ 40,000,000
OMB identification code: 13-4315-0-3-452	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions.

This program provides for Federal loan assistance to States and localities for the costs of planning for and meeting energy development impacts and front-end financing of public facilities. The local impacts from oil and gas development have proven to be far less than originally anticipated and well within the capability of States and localities to handle.

Estimated Effect: The rescission of these funds would reduce Federal spending for FY 1981 and 1982, without hampering the carrying out of NOAA's overall mission. No additional projects would receive Federal loan assistance from this program. The anticipated energy impacts are not that significant in eligible areas, and States/localities should be able to absorb them.

Outlay Effects: (in millions of dollars)

1981 Outlay Savings		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
60.4	56.4	4	12	12	12

R81-53

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Coastal energy impact fund

Of the funds appropriated under this head in Public Law 95-86, making appropriations for the Department of Commerce for fiscal year 1973, \$40,000,000 are rescinded.

Rescission Proposal No: R81-54

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority <u>\$ 113,100,000</u> (P.L. 96-536)
Bureau Science and Technical Research	Other budgetary resources <u>-1,370,757</u>
Appropriation title & symbol Scientific and Technical Research and Services <u>13X0500</u>	Total budgetary resources <u>111,729,243</u>
	Amount proposed for rescission <u>\$ 3,370,000</u>
OMB identification code: <u>13-0500-0-1-376</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The Cooperative Generic Technology Centers (COGENT's), the major program administered by the Department of Commerce's Office of Productivity, Technology, and Innovation (OPTI) have as their purpose under the Stevenson-Wydler Technology Innovation Act of 1980 (P.L. 96-480) the development and demonstration of new technologies with generic commercial applications as a means of enhancing public and private sector productivity.

Appropriations for 1981 are proposed for rescission because Federal involvement in COGENT's is not required as a means for enhancing productivity. The rate of increase in productivity will be stimulated through general tax, fiscal and regulatory reduction measures included in the President's Economic Recovery Program.

This rescission is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects: Upon approval of this rescission, the three planned COGENT's would not be funded. OPTI would be phased out in an orderly manner. Some generic technology development may be delayed in specific areas, but the Administration's economic program will encourage private sector investment in the more promising technology development areas.

Outlay Effects:

(in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
105.7	104.1	1.6	1.8	--	--

R81-54

DEPARTMENT OF COMMERCE

Science and Technical Research

Scientific and Technical Research and Services

Of the funds included under this head in H.R. 7584 making appropriations for the Department of Commerce for fiscal year 1981 and appropriated by Public Law 96-536, \$3,370,000 are rescinded.

Rescission Proposal No: R31-55

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Commerce</u>	New budget authority <u>\$ 17,400,000</u> (P.L. <u>96-526</u>)
Bureau <u>National Telecommunications and Information Administration</u>	Other budgetary resources <u>2,652,000</u>
Appropriation title & symbol	Total budgetary resources <u>20,052,000</u>
<u>Salaries and Expenses</u>	
<u>13x0550</u>	Amount proposed for rescission <u>\$ 313,000</u>
OMB identification code: <u>13-0550-0-1-376</u>	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification- This rescission proposal is an integral part of President Reagan's comprehensive economic package designed to reduce the tax burden on the American people by reducing and eliminating low priority programs. This rescission reflects decreases in the following areas considered, by the President, to fall under this low priority category: Public Telecommunications Facilities Program (administrative costs), \$100,000; Satellite Applications, \$15,000; Travel and transportation of persons, \$55,000; Equipment purchases and rentals, \$86,000; Consultant expenses, \$56,000 and other personnel costs, \$1,000.

Estimated Effects- The administration of Public Telecommunications Facilities grants would be substantially reduced (elimination of this program has been proposed in FY1981). This rescission reflects the lower level of funding required to effectively administer grants to projects already approved or under construction. In the Satellite Applications program, work performed on both the international and technical support missions assigned under the Civil Space Policy Presidential Directive (PD-42) would be phased out in FY1981. Encouragement of U.S. private industry and professional organizations to pursue these initiatives has already begun and will continue in FY1981 and thereafter.

Outlay Effect:(in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
16.8	16.5	.3	---	---	---

R91-55

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Salaries and expenses

Of the funds included under this head in H.R. 7584 making appropriations for the Department of Commerce for fiscal year 1981 and appropriated by Public Law 96-536, \$313,000 are rescinded.

Rescission Proposal No: R81-56

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Commerce	New budget authority <u>\$ 16,300,000</u> (P.L. 96-535)
Bureau Maritime Administration	Other budgetary resources <u>2,465,795</u>
Appropriation title & symbol	Total budgetary resources <u>18,765,795</u>
Research and Development 13x1716	Amount proposed for rescission <u>\$ 2,500,000</u>
CMB identification code: 13-1716-0-1-403	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification:

The purpose of the Maritime research and development program is to innovate concepts, methods, systems, and equipment to improve productivity and operating efficiency in the U.S. shipbuilding and ship operating industries.

Selected low priority long-term research activities will be limited in order to reduce Federal spending. Similar higher priority research will continue to be carried out by the Department of Defense.

This rescission proposal will contribute to President Reagan's comprehensive economic plan for spending reductions.

Estimated Effect:

Research Center: Navigation and communication research activities will be reduced.

Research Contracts: Research on the construction of new ship types and the potential market opportunities of Arctic shipping will not be expanded beyond existing activities.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate	
Without Rescission	With Rescission
17	16.4

Outlay Savings			
1981	1982	1983	1984
0.5	0.8	1.1	--

R81-56

DEPARTMENT OF COMMERCE
Maritime Administration
Research and development

Of the funds included under this head in H.R. 7584, making appropriations for the Department of Commerce for fiscal year 1981, and appropriated by Public Law 96-536, \$2,500,000 are rescinded.

Rescission Proposal No: R81-57

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Education	New budget authority \$292,008,000 (P.L. <u>96-536</u>)
Bureau Office of Elementary & Secondary Education	Other budgetary resources: _____
Appropriation title & symbol <u>Equal Educational Opportunities</u> <u>9110103</u>	Total budgetary resources <u>292,008,000</u>
	Amount proposed for rescission \$ <u>73,253,000</u>
OMB identification code: <u>91-0103-1-501</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year _____ (expiration date)	<input type="checkbox"/> Contract authority _____
<input type="checkbox"/> No-year	<input type="checkbox"/> Other _____

Justification:

Programs funded under the Equal Educational Opportunities appropriation include Emergency School Aid, Training and Advisory Services, and Women's Educational Equity. The purpose of the Emergency School Aid and Training and Advisory Services programs is to aid school districts engaged in desegregation in the areas of race, sex, or national origin. The Women's Educational Equity program supports development, demonstration, and dissemination projects that promote educational equity for women and girls at all levels of education.

As part of the President's overall budget reform plan, funding for all programs and agencies will be reduced on an equitable basis. The purpose of the rescission proposed here is to reduce government spending and thereby control one source of inflationary pressure.

Estimated Effect:

Emergency School Aid Act: The rescission proposal will decrease average awards for new and continuation proposals under Basic Grants (-\$26,950,000), and will reduce the number of new awards for Special Programs and Projects (-\$20,896,000), Magnet Schools, Neutral Sites, and Pairing (-\$7,500,000), Grants to Non-Profit Organizations (-\$1,875,000), Educational Television and Radio(-\$1,613,000), and Evaluation (-\$500,000).

Training and Advisory Services: The rescission proposal will decrease average awards for desegregation assistance centers, training institutes, and State and local educational agency projects (-\$11,419,000).

Women's Educational Equity: The rescission proposal will reduce the number of new awards for general and small grants and for contracts (-\$2,500,000).

Outlay Effect: (In millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
289.4	282.6	6.8	48.7	14.2	3.2

R81-57

DEPARTMENT OF EDUCATION
Office of Elementary and Secondary Education
Equal Educational Opportunities

Of the funds provided for Title IV of the Civil Rights Act of 1964, the Emergency School Aid Act, and Title IX, Part C of the Elementary and Secondary Education Act of 1965, for fiscal year 1981 in Public Law 96-536, \$73,253,000 are rescinded.

Rescission Proposal No.: R81-53

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Education	New budget authority <u>\$ 1,102,050,000</u>
Bureau Office of Special Education and Rehabilitative Services	(P.L. <u>96-536</u>)
Appropriation title & symbol	Other budgetary resources <u>593,627,268</u>
Education for the Handicapped, Gifted and Talented	Total budgetary resources <u>1,695,677,268</u>
9110300	Amount proposed for rescission <u>\$ 267,938,000</u>
911/20300	
910/10300	
OMB identification code: 91-0300-0-1-501	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
9/30/81 (593,627,268)	<input type="checkbox"/> Contract authority
<input checked="" type="checkbox"/> Multiple-year 9/30/82 (947,000,000)	<input type="checkbox"/> Other _____
(expiration date)	
<input type="checkbox"/> No-year	

Justification: This program provides funds to assure a free appropriate public education for handicapped children. In addition, funds are provided for deaf-blind centers, special projects for early childhood education and the severely handicapped, media resource services as well as for regional, vocational adult and postsecondary programs. Funds are also included for innovation and development, and training of special education personnel.

As part of the President's overall economic program to reduce federal spending, funding for these programs would be reduced. Obligated and unobligated balances currently available will minimize the impact of the proposed reduction.

Estimated Effect:State Grant Program

A rescission is requested of \$230,500,000 from the \$922,000,000 projected to be available for the Handicapped State Grant program funded under Part 8 of the Education of the Handicapped Act. The average Federal share per child will be \$180 compared to an average Federal share of \$239 under the amounts presently available.

Preschool Incentive Grants

A rescission is requested of \$6,250,000 from the \$25,000,000 projected to be available for Preschool Incentive Grants. The Federal contribution will be \$76 per child under the revised estimate as compared to a Federal contribution of \$102 per child under the amounts presently projected to be available.

Severely Handicapped Projects

A rescission is requested of \$1,250,000 from the \$5,000,000 available. It is estimated that, in addition to supporting \$1,750,000 in continuation projects, \$2,000,000 would be available for new Severely Handicapped Projects.

Early Childhood Education

A rescission is requested of \$5,000,000 from the \$20,000,000 available. It is estimated that, in addition to supporting \$10,000,000 in continuation projects, an additional \$5,000,000 would be available for new projects.

Media Services and Captioned Films

A rescission is requested of \$2,000,000 from the \$19,000,000 projected to be available for Media Services and Captioned Films. It is estimated that no new demonstration and development projects would be funded.

Regional Resource Centers

A rescission is requested of \$2,438,000 from the \$9,750,000 projected to be available for Regional Resource Centers. It is estimated that continuation projects will be reduced by this amount in 1981.

Regional Vocational, Adult, and Postsecondary Programs

A rescission of \$1,000,000 is requested from the \$4,000,000 available for Regional Vocational, Adult and Postsecondary programs. It is estimated that, in addition to supporting \$1,600,000 in continuation projects for vocational technical schools for the deaf, \$1,200,000 would be available for new demonstration projects.

Innovation and Development

A rescission of \$5,000,000 is requested from the \$20,000,000 available for Innovation and Development. Remaining funds would provide \$12,250,000 for new and continuation projects for research and development, as well as student research. Model demonstration projects and technical assistance would be funded at a level of \$2,750,000.

Special Education Personnel Development

A rescission of \$14,500,000 is requested from the \$58,000,000 available for Special Education Personnel Development. It is estimated that funding of continuation projects will be reduced by \$1,000,000 to \$43,500,000 and no new projects would be funded.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
1,074	1,069	5	152	99	12

R81-58

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services

Education for the Handicapped

Of the funds provided for "Education for the Handicapped" for fiscal year 1981 in P. L. 96-536, \$267,938,000 are rescinded: Provided, That notwithstanding other provisions of law, \$691,500,000 for section 611 and \$18,750,000 for section 619 of the Education of the Handicapped Act shall become available for obligation on July 1, 1981, and shall remain available until September 30, 1982.

Rescission Proposal No.: R81-59

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Education	New budget authority	\$ 965,875,000
Bureau	Office of Special Education and Rehabilitative Services	(P.L. 96-536) _____	1,795,170
Appropriation title & symbol	Rehabilitation Services and Handicapped Research	Other budgetary resources	967,670,170
9110301 _____		Total budgetary resources	
91X0301		Amount proposed for rescission	\$ 22,323,000
OMB identification code:	91-0301-0-1-506	Legal authority (in addition to sec. 1012):	
Grant program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Antideficiency Act	
Type of account or fund:		<input type="checkbox"/> Other _____	
<input checked="" type="checkbox"/> Annual		Type of budget authority:	
<input type="checkbox"/> Multiple-year _____ (expiration date)		<input checked="" type="checkbox"/> Appropriation	
<input checked="" type="checkbox"/> No-year		<input type="checkbox"/> Contract authority	
		<input type="checkbox"/> Other _____	

Justification: This program supports a wide variety of services aimed at maximizing the potential for employment and independent living of handicapped individuals.

Under Rehabilitation Services, basic State grants provide funding to State vocational rehabilitation agencies. This proposal does not affect basic State grants. Also funded are service projects, independent living projects, and professional training.

The National Institute of Handicapped Research (NIHR) was established to help promote the coordination of research with respect to handicapped persons, in collaboration with other Federal agencies. The National Council on the Handicapped establishes general policies for NIHR and reviews the operation of the Rehabilitation Service Administration and NIHR.

As part of the President's overall economic program to reduce Federal spending rescissions are proposed for most of the lower priority discretionary activities included in this account.

Estimated Effect:Service Projects

A rescission of \$6,572,000 is requested from the \$32,860,000 available for Service Projects. Priority will be placed on continuing projects initiated in prior years.

Independent Living

A rescission of \$3,600,000 is requested from the \$18,000,000 available for Independent Living Centers. It is estimated that this will allow for the continuation of 59 existing projects.

Training

A rescission of \$5,100,000 is requested from the \$25,500,000 available for training. The revised estimate will allow \$14,728,000 to complete the funding for the 1980-1981 academic year, and \$5,672,000 to provide initial funding for academic year 1981-1982.

National Institute of Handicapped Research

A rescission of \$7,000,000 is requested from the \$35,000,000 available for the National Institute of Handicapped Research. This level of funding will provide for the continuation of ongoing projects.

National Council on the Handicapped

A rescission of \$51,000 is requested from the \$256,000 available for the National Council on the Handicapped. The reduction will not affect the ability of the Council to properly function.

Outlay Effect: (in millions of dollars)

<u>1981 Outlay Estimate</u>		<u>Outlay Savings</u>			
<u>Without Rescission</u>	<u>With Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
960.0	956.0	4.0	16.0	2.0	--

R81-59

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services

Rehabilitation Services and Handicapped Research

Of the funds provided for "Rehabilitation Services and Handicapped Research" for fiscal year 1981 in P.L. 96-536, \$22,323,000 are rescinded: Provided, That notwithstanding other provisions of law, the appropriation for section 112 of the Rehabilitation Act of 1973 shall be \$2,800,000.

Recission Proposal No.: R81-60

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Education	New budget authority \$ 14,271,000
Bureau Office of Postsecondary Education	(P.L. 95-536) 356,935,713
Appropriation title & symbol	Other budgetary resources
	Permanent Indefinite Appropriation 279,000
	Total budgetary resources 371,485,713
College Housing Loans 91X4250	Amount proposed for recission \$ 14,550,000
OMB identification code: 91-4250-0-3-502	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant-program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year (expiration date)	<input type="checkbox"/> Contract authority
<input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification:

This appropriation is used to pay insufficiencies resulting from the sale of participation certificates. The insufficiency is the difference between the interest revenue received on the loans to institutions and the cost of interest paid on the participation certificate. It is proposed that budget authority no longer be used to pay for the insufficiencies but rather the expense be paid for out of the unobligated balance of the College Housing Loan revolving account.

Estimated Effect:

This action will eliminate the need for budget authority for this program. If new loan activity is authorized for the program, the revolving funds available for lending will decrease by an amount identical to the formerly required appropriation. This will reduce program activity by an estimated 10-15 projects.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
31.7	13.5	18.2	4.0	29.5	20.0

DEPARTMENT OF EDUCATION

R81-60

Office of Postsecondary Education

College Housing Loans

Of the funds appropriated for participation sales insufficiencies for fiscal year 1981 in Public Law 96-536, \$14,550,000 are rescinded. Payments of insufficiencies in fiscal year 1981 as may be required by the Government National Mortgage Association, as trustee, on account of outstanding beneficial interests or participations issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended (12 U.S.C. 1717), shall be made from the fund established pursuant to title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749), using loan repayments and other income available during fiscal year 1981. The excess of total loan repayments and other income available during fiscal year 1981, less operating costs including costs for participation insufficiencies, shall be used to reduce the balance of direct loans outstanding from the Department of the Treasury.

Rescission Proposal No: R81-61

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Education	New budget authority	\$ 263,655,000
Bureau	Office of Educational Research and Improvement	(P.L. 96-536)	
Appropriation title & symbol		Other budgetary resources	999,214
Libraries and Learning Resources		Total budgetary resources	264,553,214
9110104, 911/20104 and 910/10104		Amount proposed for rescission	\$ 42,750,000
OMB identification code:		Legal authority (in addition to sec. 1012):	
91-0104-0-1-503		<input type="checkbox"/> Antideficiency Act	
Grant program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other	
Type of account or fund:		Type of budget authority:	
<input checked="" type="checkbox"/> Annual		<input checked="" type="checkbox"/> Appropriation	
<input checked="" type="checkbox"/> Multiple-year	9/30/81 (\$898,214) 9/30/82 (\$171,000,000) (expiration date)	<input type="checkbox"/> Contract authority	
<input type="checkbox"/> No-year		<input type="checkbox"/> Other	

Justification: The Administration is proposing to include the School Libraries and Instructional Resources program as part of the Education State Block Grant program in 1982. This rescission proposes to reduce the 1981 level for this program by \$42.8 million. This reduction is proposed as a part of the Administration's overall effort to reduce federal spending.

Estimated Effect: The School Libraries and Instructional Resources program would be continued in its present form, but with a reduced funding level of \$128,250,000. The revised estimate would provide for a per-pupil expenditure of \$2.94, compared with the previous estimate of \$3.92.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
257	250	7	27	9	--

R81-61

DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
Libraries and Learning Resources

Of the funds provided for "Libraries and Learning Resources" for fiscal year 1981 in P.L. 96-536, \$42,750,000 of the amount provided for title IV, part B of the Elementary and Secondary Education Act are rescinded, and the remaining funds provided for fiscal year 1981 may be expended without regard to the provisions of section 402(a)(2)(A)(i) of title IV, part A of the Elementary and Secondary Education Act.

Rescission Proposal No: R81-62

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Education	New budget authority	\$12,857,000
Bureau	Office of Educational Research and Improvement	(P.L. 96-514)	--
Appropriation title & symbol	Institute of Museum Services	Other budgetary resources	
	9110801	Total budgetary resources	12,857,000
		Amount proposed for rescission	\$12,357,000
OMB identification code:	91-0801-0-1-503	Legal authority (in addition to sec. 1012):	
Grant program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Antideficiency Act	
Type of account or fund:		<input type="checkbox"/> Other	
<input checked="" type="checkbox"/> Annual		Type of budget authority:	
<input type="checkbox"/> Multiple-year (expiration date)		<input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> No-year		<input type="checkbox"/> Contract authority	
		<input type="checkbox"/> Other	

Justification. The Institute of Museum Services provides grants to aquaria, zoos, and botanical gardens to maintain, increase, and improve their services. Most grants are for general operating support, although some provide funds for emergency assistance and innovative projects.

This rescission proposal is a part of the Administration's effort to reduce Federal spending for low priority programs and activities.

Estimated Effects. The rescission would eliminate almost all funding for grants to museums. The remaining \$500,000 in the program will allow the staff of the Institute to begin the orderly phase-out of the program. The termination of the Institute is part of an overall Administration effort to reduce Federal involvement in cultural activities.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
13.0	12.9	0.1	8.4	3.9	--

R81-62

DEPARTMENT OF EDUCATION

Office of Educational Research and Improvement
Institute of Museum Services

Of the funds appropriated under this head in Public Law 96-514 for fiscal year 1981, \$12,357,000 of the amount appropriated for carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976 are rescinded.

Recission Proposal No: R81-63

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Education</u>	New budget authority <u>\$ 166,973,000</u>
Bureau <u>Office of Educational Research & Improvement</u>	(P.L. <u>96-536</u>)
Appropriation title & symbol	Other budgetary resources
<u>School improvement programs</u>	Total budgetary resources <u>166,973,000</u>
<u>9110502</u>	Amount proposed for rescission <u>\$ 36,606,000</u>
OMB identification code: <u>91-0502-0-1-501</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification: This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

This appropriation consists of a large number of relatively small discretionary grant programs. Many of these programs overlap services or offer "micro categorical" grants. A rescission of \$36,606,000 is proposed in 1981 covering 12 programs.

Estimated Effect: Since this rescission covers a large number of programs at relatively low dollar reduction levels, the general effect of the rescission is for most programs either to (1) reduce the number of awards made in individual program categories, or (2) to fund the same number of projects at lower dollar levels.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
171	167	4	24	9	--

R81-63

DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
School Improvement

Of the funds provided for "School Improvement" in Public Law 96-536 for fiscal year 1981, \$36,606,000 of the amount appropriated for title II, title III (part B, part C, and part L), and title IX, parts A and E of the Elementary and Secondary Education Act, title V (part A and part B), section 532 of the Higher Education Act, the Alcohol and Drug Abuse Education Act, part 8 of the Headstart-Follow Through Act, section 3(a)(1) of the National Science Foundation Act of 1950, as amended, are rescinded: Provided, That \$14,000,000 shall be made available under title I, part A of the Elementary and Secondary Education Act.

Rescission Proposal No: R81-64

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority (P.L. 96-514) \$ 423,300,000
Bureau Energy Programs	Other budgetary resources 162,766,000
Appropriation title & symbol Fossil Energy Construction 39x021a	Total budgetary resources 586,066,000
	Amount proposed for rescission \$ 246,900,000
OMB identification code: 39-0214-0-1-271	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification:

SRC I Demonstration Plant (78-2-d). A rescission is proposed for this project in FY 1981 totalling \$157,500,000. The nature of the demonstration and the technical risks are such that it could qualify for support from the Synthetic Fuels Corporation (SFC). An orderly closeout is possible by using the design work to date to provide a definitive mechanical configuration. This along with a definitive cost estimate to be completed by July 1981 will be made available to industry to pursue commercialization of this technology. It would also be sufficient to merit consideration for financial assistance by the SFC.

High Btu Pipeline Gas Demonstration Plants (76-1-b and 77-1-b). Projects 76-1-b and 77-1-b are proposed for rescission in FY 1981 for the amounts of \$2,000,000 and \$42,000,000 respectively. An evaluation of the competitive ICGG and CONOCO design efforts was scheduled in FY 1981. The nature of these demonstrations and the technical risks are such that both projects may qualify for financial assistance under the provisions of the SFC.

Low/Medium-Btu Demonstration Plant (76-1-c). Project 76-1-c is proposed for rescission in FY 1981 in the amount of \$45,400,000. It is the Administration's position that industry should develop and commercialize near term technologies to convert coal to synthetic fuels. By capturing the design work to date and finalizing the Environmental Impact Statement by use of prior year unobligated balances, industry would be able to continue the project. The technical risks and size of the Memphis Project may qualify it for financial assistance under the provisions of the SFC.

Estimated Effects: The Department is redirecting its research and development (R&D) funds to primarily long range and high risk activity. Near term R&D will continue only where the government has a unique resource or facility which is necessary to the development and commercialization of first-of-a-kind technologies by the private sector. Therefore, government support for SRC-I, the two high Btu pipeline projects and Memphis will be withdrawn. These plants may qualify as candidates to be supported by the SFC and will be recommended to the SFC by the Department.

Outlay Effects:

1981 Outlay Estimates (in millions of dollars)					
<u>Without</u>	<u>With</u>	<u>Outlay Savings</u>			
<u>Rescission</u>	<u>Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
163.3	0	163.3	83.6	0	0

R81-64

Department of Energy
Fossil Energy Construction

Of the funds provided under this head in Public Law 96-514, \$246,900,000 are rescinded.

Rescission Proposal No: R81-65

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority <u>\$ 226,062,000</u> (P.L. <u>96-514</u>)
Bureau Energy Programs	Other budgetary resources _____
Appropriation title & symbol	Total budgetary resources <u>226,062,000</u>
Energy Production, Demonstration, and Distribution	Amount proposed for rescission <u>\$ 12,649,000</u>
29X0219	
OMB identification code: 89-0219-0-1-271	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification

This rescission is proposed to phase down near term energy supply and commercialization activities. These activities cover a broad range of energy programs primarily aimed at subsidizing adoption and studying commercialization of energy technologies. Many of these activities were based upon a desire to assist the private sector in adopting new technologies in the synfuels, oil and gas and coal combustion areas. These relatively small programs have not been effective primarily because the economic incentives to adopt newer technologies were not sufficient. With the creation of the SFC and the decontrol of energy prices it is expected that private market forces will be sufficient to overcome commercialization obstacles without the need for continued Federal assistance in these areas.

DOE's Federal leasing activities would be phased down in FY 1981 except for the establishment of production goals pending the proposed consolidation of these activities to the Department of Interior. There will no longer be a need for continued DOE activity in this area in the future.

The Solar rescission for FY 1981 is predicated on the new healthier environment for commercial solar technologies, brought about by the establishment of sound energy pricing policies, primarily through the decontrol of crude oil prices, and extensive solar tax credits. The inequities and inefficiencies built into previous energy pricing policies have prevented solar energy from achieving its true potential. It is now possible to shift the focus of the Department's solar activities away from costly near-term development, demonstration, and commercialization efforts into longer-range research and development projects that are too risky for private firms to undertake. Therefore, a rescission is proposed for solar market development efforts since the private sector can pursue these activities on their own in response to market forces.

Estimated Effects:

The estimated effects of this rescission are:

- ° Reduction in Coal resource of \$5.5 million for monitoring projects funded under the Alternative Fuels Act because of the planned transfer of these responsibilities to the Synthetic Fuels Corporation.
- ° Reduction of Oil and Gas resources of \$5.9 million for municipal grants for demonstrations of unconventional gas sources.
- ° Terminate the coal loan guarantee reserve program which was established in FY 1978 and to date has not been utilized (\$6.0 million).
- ° Terminate initiation of oil shale production goals (\$120,000) given the creation of the SFC.
- ° Terminate oil shale and tar sands alternative bidding systems studies (\$90,000). These activities will be pursued by the DOI.
- ° Terminate new onshore oil and gas leasing initiatives given the Administration's policy to consolidate all Federal leasing activities in DOI (\$190,000).
- ° Reduction of solar market analysis activities (\$5.5 million).

Outlay Effects: (in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
238.0	234.1	3.9	2.8	--	--

R81-65

DEPARTMENT OF ENERGY
 Energy Programs
 Energy Production, Demonstration
 and Distribution

Appropriations under this heading contained in P.L. 96-514 and P.L. 95-240 are rescinded in the amounts of \$6,649,000 and \$6,000,000, respectively.

Rescission Proposal No: R81-66

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority <u>\$ 104,117,000</u> (P.L. 96-514)
Bureau Energy Programs	Other budgetary resources _____
Appropriation title & symbol	Total budgetary resources <u>104,117,000</u>
Energy Information Administration 8910216	Amount proposed for rescission <u>\$ 13,443,000</u>
OMB identification code: 89-0216-0-1-276	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The proposed rescission would reduce funds presently available to the Energy Information Administration. State level energy forecasts required by the Emergency Energy Conservation Act and conservation activities will be curtailed. Model updates, documentation verification, quick response analytical reports, schedules analyses reports, international analysis, longterm forecasts and quarterly reports on policy issues will be scaled down. The OGIS will scale down collection of information at the field level of detail. The Emergency Energy Management Information System function will be sharply curtailed. The curtailment of these activities is consistent with the Administration's goal to rely primarily on the private sector to meet energy needs.

Estimated Effects: The proposed rescission will require the scaling down of analytical, data collecting systems, development and validation activities currently underway.

Outlay Effects: (In millions of dollars)

1981 Outlay Estimate	
Without Rescission	With Rescission
13.4	-0-

Outlay Savings			
1981	1982	1983	1984
13.4	-0-	-0-	-0-

R81-66

DEPARTMENT OF ENERGY

Energy Information Administration

Of the funds provided under this head in Public Law 96-514, \$13,443,000 are rescinded.

Rescission Proposal No: 381-67

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Energy</u>	New budget authority <u>3175,867,000</u>
Bureau <u>Energy Programs</u>	(P.L. <u>96-514</u>)
Appropriation title & symbol	Other budgetary resources
<u>Economic Regulation</u>	Total budgetary resources <u>175,867,000</u>
<u>8910217</u>	Amount proposed for rescission <u>\$ 33,155,000</u>
OMB identification code:	Legal authority (in addition to sec. 1012):
<u>89-0217-0-1-270</u>	<input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund:	Type of budget authority:
<input checked="" type="checkbox"/> Annual	<input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification

The proposed rescission of \$33,155,000 represents the net effect of savings realized by a reduction in funding requirements for gasoline rationing less absorption of the costs of the FY 1981 pay raise by the agency. The detail of these savings is as follows:

Savings from Gasoline Rationing Appropriation	\$39,167,000
Less: Agency Absorption of Pay Raise Costs	
for Other Programs 1/	6,012,000
Net Rescission	\$33,155,000

As shown below, all but \$3.5 million of the amounts in the January budget for gasoline rationing are proposed for rescission. 2/ (\$ in millions)

	January Budget	Changes	Proposed Budget
Appropriation	\$42.7	\$-39.2	\$3.5
Proposed Supplemental	72.0	-72.0	-0-
Rationing Portion of			
Pay Supplemental	0.3	-0.3	-0-
Total	115.0	-111.5	3.5

1/ The total pay supplemental for this account was \$6,312,000. Of this amount, \$300,000 for gasoline rationing is being deleted by other action and \$6,012,000 is being absorbed by the agency.

2/ An additional \$7,433,000 was made available by Congressional direction from the Energy Policy and Conservation (EPCA) State grants appropriation. \$2,108,000 of this amount has been awarded. EPCA funds are not included in this account or the rescission figure.

The \$3.5 million remainder reflects cost incurred through February 1981, and estimated termination costs.

The program under development is being terminated because it is not expected to be a viable response to an energy emergency and because there are more efficient ways of dealing with energy emergencies. Work completed to date has shown that the program's effectiveness would be severely limited by the program's complexity and vulnerability to fraud. The program would also have resulted in an extraordinary regulatory burden imposed on gasoline consumers and suppliers. In lieu of this cumbersome coupon rationing system, the Department plans to pursue alternate programs relying on market forces.

Effects of the Rescission:

The direct effect of the rescission on budget outlays is shown below. In addition, termination of the rationing program reduces outlays over \$78 million in FY 1982 and \$42 million per year from FY 1983 through 1986.

Outlay Effect: (in millions of dollars)

<u>1981 Outlay Estimates</u>		<u>Outlay Savings</u>			
<u>Without</u>	<u>With</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
<u>Rescission</u>	<u>Rescission</u>				
176.9	143.7	33.2	-0-	-0-	-0-

R81-67

DEPARTMENT OF ENERGY Economic Regulation

Of the funds provided under this head in Public Law 96-514, \$33,155,000 are rescinded.

Rescission Proposal No: R81-68

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority <u>\$ 1,284,000</u> (P.L. 96-367)
Bureau Energy Programs	Other budgetary resources <u>42,233,417</u>
Appropriation title & symbol	Total budgetary resources <u>43,517,417</u>
Geothermal Resources Development Fund	Amount proposed for rescission <u>\$ 22,066,000</u>
89X0206	
OMB identification code: 89-0206-0-1-271	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification: The purpose of the program is to accelerate the commercial development and utilization of geothermal energy by providing loan guarantee commitments. The guarantee reserve fund was established to provide for a fund in the event of loan defaults. Also, a fund for interest differential payments for loans to municipalities is provided. The program has developed sufficient interest in the private sector to the point that private capital will be available to continue development of hydrothermal/geothermal resources. This will then allow market forces to determine the appropriate allocation of financial resources. Therefore, this rescission of \$22,066,000 is proposed to eliminate the reserve fund. The interest differential reserve would be continued.

Estimated Effects: The guarantee reserve fund does not contain sufficient resources to cover all possible defaults. If an existing loan guarantee defaults, a budget supplemental will be requested.

Outlay Effects: (In millions of dollars)

No outlays are associated with the guarantee reserve fund.

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
2.5	2.5	-	-	-	-

R81-68

DEPARTMENT OF ENERGY
Geothermal Resources Development Fund

Appropriations provided under this head in P.L. 94-355, P.L. 95-69, and P.L. 96-367 are hereby rescinded in the amount of \$22,066,000.

Rescission Proposal No: R81-69

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Energy	New budget authority	\$ 3,310,000,000
Bureau	Energy Programs	(P.L. 96-304)	2,208,000,000
Appropriation title & symbol		Other budgetary resources	5,518,000,000
Alternative Fuels Production 89X5180		Total budgetary resources	
		Amount proposed for rescission	\$ 300,000,000
OMB identification code: 89-5180-0-2-271		Legal authority (in addition to sec. 1012):	
Grant program	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Antideficiency Act	
Type of account or fund:		<input type="checkbox"/> Other	
<input type="checkbox"/> Annual		Type of budget authority:	
<input type="checkbox"/> Multiple-year (expiration date)		<input checked="" type="checkbox"/> Appropriation	
<input checked="" type="checkbox"/> No-year		<input type="checkbox"/> Contract authority	
		<input type="checkbox"/> Other	

Justification: This rescission is proposed for \$300 million in the Alternative Fuels program to phase out funding for additional feasibility studies and cooperative agreements. The Federal Government has already obligated \$200 million for such studies. Committing an additional \$300 million will do little to expand synfuel production capacity and will not be cost effective. Since these funds would be used primarily to subsidize private sector studies of the viability of potential synfuel projects, rescinding these funds will effect only those projects where there is not sufficient private sector interest or funds to proceed with such evaluations. Furthermore, because the cost of such studies is a minor percentage of the total costs of the typical project and because, for synfuels, funds will be available from the Synthetic Fuels Corporation to finance plant construction, there is a substantial incentive for private firms to continue with their project evaluations.

Estimated Effects: This rescission proposal will eliminate \$270.0 million in funding for additional feasibility studies and cooperative agreement awards and \$30.0 million for synthetic fuel facilities and direct coal combustion projects. No effect on the economic viability of these technologies is expected and the total number of projects ultimately funded by the SFC will not be reduced.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
200	100	100	125	75	0

DEPARTMENT OF ENERGY
Alternative Fuels Production

R81-69

Of the funds provided in P.L. 96-304, \$300,000,000 provided for support of preliminary alternative fuels commercialization activities are rescinded.

Rescission Proposal No: R81-70

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Energy	New budget authority \$ 38,065,000 (P.L. 96-367)
Bureau Departmental Administration	Other budgetary resources ---
Appropriation title & symbol	Total budgetary resources 38,065,000
Departmental Administration	Amount proposed for rescission \$ 11,500,000
89X0228	
OMB identification code: 89-0228-0-1-999	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: This program funds energy conservation retrofit projects, energy conservation surveys of DOE facilities, the acquisition and construction of real property and capital equipment, and other related and administrative activities.

In accordance with President Reagan's comprehensive economic plan to reduce Government spending, \$11.5 million is proposed for rescission for plant and capital equipment. The funding levels of lower priority projects are being reduced.

Estimated Effect: This rescission will defer one fuel conversion project start until 1982 and reduce the funding levels of several other energy conversion retrofit projects in the In-House Energy Management Program. The rescission complements programmatic spending reductions in other parts of the agency by reducing the number of advanced Architect-Engineer (A-E) designs in the Plant Engineering and Design program.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
44.7	43.2	1.5	10.0	---	---

R81-70

DEPARTMENT OF ENERGY

Departmental Administration
Plant and Capital Equipment

Of the funds appropriated under this head in Public Law 96-367 making appropriations for Energy and Water Development, \$11,500,000 are rescinded.

Rescission Proposal No: R81-71

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health and Human Services	New budget authority <u>\$ 84,469,000</u> (P.L. <u>96-514</u>)
Bureau Health Services Administration	Other budgetary resources <u>22,459,629</u>
Appropriation title & symbol	Total budgetary resources <u>106,928,629</u>
Indian Health Facilities	
75X0391	Amount proposed for rescission <u>\$ 8,871,000</u>
OMB identification code: 75-0391-0-1-551	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The Indian Health Facilities appropriation has as its primary purpose the construction of health facilities, the provision of sanitation facilities for Indian homes, and the construction of personnel quarters for employees of the health facilities. As part of an overall effort to reduce the level of Federal spending, a rescission is proposed to reduce new FY 1981 budget authority to the level originally requested for FY 1981.

Estimated Effects:

Hospitals--New and Replacement. A rescission of \$3.6 million is proposed for the New and Replacement program. The funds appropriated for this activity would have been used to plan and design replacement hospitals at Crownpoint, New Mexico, Kanakanak, Alaska, and Browning, Montana. As a result of the reduction these projects will not be undertaken. The remaining \$25,358,000 will fund second stage costs of construction for the replacement hospital at Tahlequah, Oklahoma, completion of the Chinle, Arizona hospital, and major modernization of hospitals at Sells, Arizona and Winnebago, Nebraska.

Outpatient Care Facilities. A rescission of \$4.5 million is proposed for the Outpatient Care Facilities activity. The funds appropriated for this activity would have been used to complete the first phase of construction of new health centers at Anadarko, Oklahoma, Tsalle, Arizona and Huerfano, New Mexico. As a result of the reduction these projects will not be undertaken.

Personnel Quarters. A rescission of \$0.8 million is proposed for this activity. The funds appropriated for this activity would have been used to construct 12 units of personnel quarters at Lodge Grass, Montana. These units would have been used to house the personnel needed to operate the health clinic under construction at this location. As a result of the reduction, this project will not be undertaken.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
84.2	82.8	1.4	5.6	1.9	---

R81-71

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Services Administration
Indian Health Facilities

Of the funds provided for "Indian Health Facilities" for fiscal year 1981 in P.L. 96-514, \$8,871,000 are rescinded.

Rescission Proposal No: R81-72

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Health and Human Services</u>	New budget authority <u>\$ 167,296,C</u> (P.L. <u>95-526</u>)
Bureau <u>National Institutes of Health</u>	Other budgetary resources <u>80,C</u>
Appropriation title & symbol <u>National Institute of Allergy and Infectious Diseases</u> <u>7510885</u>	Total budgetary resources <u>167,376,C</u>
	Amount proposed for rescission <u>\$ 1,088,C</u>
CMB identification code: <u>75-0885-9-1-550</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

The Administration is committed to Federal support of biomedical research activities, but as part of a general effort to achieve economies and reduce lower priority activities, a rescission of \$1,088,000 is proposed for this appropriation from the 1981 Continuing Resolution through June 5, 1981. If the Continuing Resolution is extended for the full fiscal year, an additional \$2,796,000 will be proposed for rescission.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects:

Research Training: The Administration is proposing to eliminate the indirect costs and institutional allowances paid under the National Research Service Awards program. This would reduce research training by \$588,000.

Research Grants: The number of competing research project grants awarded would be reduced from 235 to 230, a saving of about \$500,000, yielding a revised level of \$ 73,177,000 for total research project grants under the continuing resolution. The reduction would reflect a decrease of one competing research project in the immunology, allergic and immunologic diseases program and a decrease of four competing projects in microbiology and infectious diseases.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
<u>Without Rescission</u>	<u>With Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
226.4	225.8	0.6	0.5	---	---

R81-72

DEPARTMENT OF HEALTH AND HUMAN SERVICES
National Institutes of Health
National Institute of Allergy and Infectious Diseases

Of the funds provided for "National Institute of Allergy and Infectious Diseases" for fiscal year 1981 in P.L. 96-536, \$1,088,000 are rescinded, and funds under this head may be expended without regard to the provisions of section 472(b)(5) of the Public Health Service Act.

Rescission Proposal No: R81-73

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health and Human Services	New budget authority \$241,687,000 (P.L. 96-536)
Bureau National Institutes of Health	Other budgetary resources
Appropriation title & symbol	Total budgetary resources 241,687,000
National Institute of General Medical Sciences - 7510851	Amount proposed for rescission \$ 18,682,000
OMB identification code: 75-0851-5-1-550	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification:

The administration is committed to Federal support of biomedical research activities, but as part of a general effort to achieve economies and reduce lower priority activities, a rescission of \$18,682,000 is proposed for this appropriation from the 1981 Continuing Resolution through June 5, 1981. If the Continuing Resolution is extended for the full fiscal year, an additional \$2,368,000 will be proposed for rescission.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect:

Research Training: The Administration is proposing to eliminate the indirect costs and institutional allowances paid under the National Research Service Awards program. This would reduce research and training by \$15,545,000. Additionally, the proposal would reduce the number of trainees planned under the Continuing Resolution by 292 for a revised level of 3,765 trainees or a reduction of \$3,137,000.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
296.7	290.3	6.4	12.3	---	---

R81-73

DEPARTMENT OF HEALTH AND HUMAN SERVICES
National Institutes of Health

National Institute of General Medical Sciences

Of the funds provided for "National Institute of General Medical Sciences" for fiscal year 1981 in P.L. 96-536, \$13,582,000 are rescinded, and funds made available under this head may be expended without regard to the provisions of section 472 (b) (5) of the Public Health Service Act.

Rescission Proposal No: R81-74

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health and Human Services	New budget authority ----- \$ <u>1,020,000</u>
Bureau Alcohol, Drug Abuse, and Mental Health Administration	(P.L. 96-536) <u>46,727,231</u>
Appropriation title & symbol	Other budgetary resources <u>47,747,261</u>
Construction and Renovation, Saint Elizabeths Hospital	Total budgetary resources <u>47,747,261</u>
75X1312	Amount proposed for rescission \$ <u>1,020,000</u>
OMB identification code: 75-1312-0-1-550	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year _____ (expiration date)	<input type="checkbox"/> Contract authority
<input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Other _____

Justification:

This rescission proposal of \$1,020,000 is requested because large unobligated balances remain available in this account for high priority construction and renovation at Saint Elizabeths Hospital. An additional \$480,000 is planned to be proposed for rescission if additional 1981 funding is provided after the present Continuing Resolution expires on June 5, 1981.

Estimated Effects:

More than \$45 million in funds carried over from prior appropriations would be used to support repairs deemed to be most critical for both the proper operation of the hospital and for assuring the health and safety of hospital employees and patients.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
8.6	8.4	0.2	0.3	.5	--

R81-74

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration
Saint Elizabeths Hospital,
Construction and Renovation

Of the funds provided for "Saint Elizabeths Hospital, Construction and Renovation" for fiscal year 1981 in P.L. 96-536, \$1,020,000 are rescinded.

Rescission Proposal No: R31-75

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Health and Human Services</u>	New budget authority <u>\$ 127,333,400</u> (P.L. 96-536)
Bureau <u>Office of the Assistant Secretary for Health</u>	Other budgetary resources <u>14,815,000</u>
Appropriation title & symbol	Total budgetary resources <u>142,148,400</u>
Salaries and Expenses	Amount proposed for rescission <u>\$ 30,724,000</u>
7511101	
OMB Identification code: 75-1101-0-550	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

As a result of the President's efforts to reduce Federal spending, a rescission is proposed for the low priority activities within the following programs: health services research (\$728,000); smoking and health (\$933,000); and health promotion (\$969,000).

In addition, the HMO program is proposed for phase-out by the end of 1982. This rescission, which includes \$28,094,000 for HMO grants, marks the first stage of this phase-out. The HMO concept has been adequately demonstrated through 215 HMOs with over 9 million members located in every major city in the nation. Further assistance for HMO development should come from the private sector--particularly insurance companies and employers with large workforces--who have provided substantial amounts of HMO development capital in recent years. The Federal Government is now facing substantial losses in the HMO loan program in future years due to anticipated loan defaults. The HMOs that the Federal Government funds through this grant program are those least likely to become viable--since they could not obtain funding in private markets--and are most likely to need loan support following their grant cycle, thus aggravating the anticipated bankrupt status of the loan program.

Estimated Effects:

Health services research - \$728,000. The proposed rescission will eliminate low priority grant and contract activities.

Health maintenance organizations - \$28,094,000. This rescission will eliminate feasibility and planning grants in fiscal year 1981. Only initial development grants will be funded so that current, viable grantees can achieve Federal qualification status.

Health promotion - \$969,000. This rescission will reduce funding for low priority health promotion activities. The current program to produce and distribute health promotion films will be eliminated and the National Health Information Clearinghouse will reduce its capacity to respond to public inquiries.

Smoking and health - \$933,000. This rescission will eliminate low priority public and technical information activities. The scope of the annual report to Congress will also be reduced.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
138.3	128.2	10.1	5.4	15.2	--

R81-75

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Assistant Secretary for Health

Assistant Secretary for Health
Salaries and Expenses

Of the funds provided for "Salaries and Expenses" for fiscal year 1981 in P.L. 96-536, \$30,724,000 are rescinded.

Rescission Proposal No: R81-76

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Health and Human Services</u>	New budget authority <u>7,829,720,000</u> (P.L. <u>96-536</u>)
Bureau <u>Health Care Financing Administration</u>	Other budgetary resources _____
Appropriation title & symbol <u>Payments to Health Care Trust Funds</u> <u>7510580</u>	Total budgetary resources <u>7,829,720,000</u>
	Amount proposed for rescission <u>\$8,693,000</u>
OMB identification code: <u>75-0580- -1-551</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: This appropriation provides for payments from Federal funds to the health care trust funds for certain types of benefits and related administrative costs not financed by contributions from workers and employers. As part of the general effort to contain health care costs by stimulating competition in the health care industry, the Administration is proposing to phase out the professional standards review organizations (PSROs). Consistent with this phase-out, a rescission of \$8,693,000 is proposed for the Payments to Health Care Trust Funds for PSRO activities.

Estimated Effects: The proposal will reduce reimbursement to the Health Care Trust Funds by \$8,693,000. PSRO activity (for which the Trust funds were being reimbursed) is being phased out.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
9,619.3	9,610.6	8.7	---	---	---

R81-76

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration
Payments to Health Care Trust Funds

Of the funds provided for "Payments to Health Care Trust Funds" for fiscal year 1981 in P.L. 96-536, making further continuing appropriations for the fiscal year 1981, \$8,693,000 are rescinded.

Rescission Proposal No: R81-77

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Health and Human Services</u>	New budget authority <u>\$103,034,600</u> (P.L. <u>96-336</u>)
Bureau <u>Health Care Financing Administration</u>	Other budgetary resources <u>659,723,252</u>
Appropriation title & symbol	Total budgetary resources <u>762,757,852</u>
Program Management <u>7510511</u>	Amount proposed for rescission <u>\$ 6,992,000</u>
OMB identification code: <u>75-0511-0-1-550</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

PSROs. As part of the general effort to contain health care costs by stimulating competition in the health care industry, the Administration is proposing to phase-out the professional standards review organizations (PSROs). This program, which is administered through 185 relatively autonomous PSROs of widely varying effectiveness, regulates health care services for Medicare and Medicaid beneficiaries. The program is planned to be phased out over the 1981-1983 period, consistent with the 2-year Administration timetable to develop and carry out health financing reforms that encourage competition in the health sector. To begin the phase-out, contracts will be renewed with only those PSROs judged most effective in controlling health care costs. To initiate this phase-out (scheduled to begin in April, 1981), \$5,992,000 is being proposed for rescission.1/

State certification. Consistent with other proposals to reduce regulatory burdens upon American society, the Administration is revising current policies that call for annual provider surveys for Medicare and Medicaid certification. This reduction is consistent with efforts to reduce Federal expenditures and includes a reduction of \$1,560,000 from amounts which otherwise would be transferred from the Medicare trust funds pursuant to P.L. 96-536. 1/

1/ An additional \$11,083,000 reduction from amounts which would otherwise be transferred from the health care trust funds is planned to be proposed if additional 1981 funding is provided for State certification (\$4,440,000) and PSROs (\$6,643,000) after the Present continuing resolution expires on June 5, 1981.

Research. For 1981, the Administration is proposing a rescission of \$1,000,000 and a reduction of \$3,000,000 from amounts which would otherwise be transferred from the health care trust funds. These reductions are for low priority activities that are not essential to accomplishment of the Administration's goals.

Estimated Effects:

Based on this rescission proposal, 40 PSROs would be phased out beginning April 1, 1981. This would reduce the number of PSROs from 185 to 145 in FY 1981. The reduction in the health care trust funds transfer authorizations for State certification would cause a retargeting of planned annual surveys of all providers to specific problem areas. HCFA research would remain focused on high priority activities to fulfill the Administration's responsibilities for Medicare and Medicaid.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
115.8	109.3	6.5	0.5	---	---

R81-77

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration
Program Management

Of the funds provided for "Program Management" for fiscal year 1981 in P.L. 96-536, \$6,992,000 are rescinded. Further, the amount to be transferred to this appropriation as authorized by section 201(q)(1) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust funds referred to therein, is reduced by \$4,560,000.

Rescission Proposal No: R81-78

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Health and Human Services	New budget authority \$ <u>467,000,000</u> (P.L. <u>96-536</u>)
Bureau Social Security Administration	Other budgetary resources _____
Appropriation title & symbol	Total budgetary resources <u>467,000,000</u>
Refugee Assistance	Amount proposed for rescission \$ <u>25,100,000</u> ^{1/}
7510473	
OMB identification code: 75-0473-0-1-609	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: Funds totalling \$18 million for cash payments and medical assistance to Indochinese refugees and voluntary agency grants for Soviet Jewish refugee resettlement are proposed for rescission. This proposal reflects savings realized because actual refugee admissions to the U.S. during the first quarter of FY 1981 were 40% lower than expected.

In addition, a reduction of \$5 million is proposed for an earlier phase-out than previously planned of the Cuban program which reimburses States for cash and medical assistance to pre-1978 arrivals. These funds are no longer needed due to the successful economic resettlement of the pre-1978 arrivals and lower State reestimates of anticipated costs.

Reductions totalling \$2,100,000 are also proposed for low priority, non-State administered, non-direct social service projects (\$2,000,000), and for a reduction of four full-time permanent positions in Federal Administration (\$100,000).

Estimated Effects: This rescission proposal will not affect the Refugee Assistance Program due to the lower than anticipated refugee admissions in the first quarter of 1981.

The proposed rescission of grant funds for the Voluntary Agency Program would reduce Federal aid in FY 1981 for Soviet Jewish and other refugees served by the voluntary agencies.

The reduction proposed for the Cuban program will have no effect on the program since the current estimated level of need can be met with the lower 1981 amount.

^{1/} An additional \$24,705,000 for cash and medical assistance and State administration (\$4,000,000), Services for Asylum Applicants (\$7,000,000), Social Services/non-State programs (\$2,000,000), Cuban Program Phasedown (\$3,000,000), Voluntary Agency grants (\$8,400,000), and Federal Administration (\$305,000) are planned to be proposed for rescission if additional 1981 funding is provided for these programs after the present Continuing Resolution expires on June 5, 1981.

The \$2,000,000 rescission for Social Services would affect Federal low priority non-direct social services.

Outlay Effects: (in millions of dollars)

<u>1981 Outlay Estimate</u>		<u>Outlay Savings</u>			
<u>Without</u>	<u>With</u>				
<u>Rescission</u>	<u>Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
		<u>15.1</u>	<u>7.5</u>	<u>2.5</u>	<u>---</u>
579.4	564.3				

R81-78

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Social Security Administration
Refugee Assistance

Of the funds provided for "Refugee Assistance" for fiscal year 1981 in P.L. 96-536, making further continuing appropriations for the fiscal year 1981, \$25,100,000 are rescinded.

Rescission Proposal No: R81-79

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of Housing and Urban Development</u>		New budget authority <u>\$30,169,767.00</u> (P.L. <u>96-526</u>)
Bureau <u>Housing Programs</u>		Other budgetary resources <u>5,019,960.44</u>
Appropriation title & symbol <u>Subsidized Housing Programs -</u> <u>86X0139</u>		Total budgetary resources <u>35,189,727.44</u>
		Amount proposed for rescission <u>\$ 5,099,104.15</u>
OMB identification code: <u>86-0139-0-1-604</u>		Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other _____
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year _____		Type of budget authority: <input type="checkbox"/> Appropriation <input checked="" type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

This account provides budget authority to enter into contracts for the Lower Income Housing Assistance Payments program (Section 8), the Public Housing program and the Public Housing Modernization program. These programs are executed in part through grants to State and local housing authorities.

Budget Authority totalling \$5,099,104,150 is proposed for rescission in FY 1981. The rescission has two components: (1) \$4,799,104,150 is a reduction in the planned number of additional subsidized housing (Section 8 and public housing) units in 1981 from 254,550 to 210,000 units; (2) \$300 million is a reduction in the 1981 Public Housing Modernization program level.

A reduction of 44,550 additional subsidized housing units in 1981 is being taken as part of President Reagan's comprehensive economic plan. As a result of examining the current demand for subsidized housing, the resources available, and HUD's ability to provide housing units given delays in 1981 processing, it has been determined that the 1981 level of subsidized housing should be reduced. A 1981 program level of 210,000 units is now believed to be both realistic and consistent with the goals of this program.

The Public Housing Modernization rescission relates to delays in the start-up of the new Comprehensive Improvement Assistance Program authorized by the Housing and Community Development Act of 1980. Although the 1981 appropriation for Annual Contributions for Assisted Housing calls for \$2 billion in budget authority to be set aside for Public Housing Modernization, a more feasible program level is now projected at \$1.7 billion in light of the timing considerations involved in getting final regulations issued, staff trained, and funding applications received from Public Housing agencies and approved by HUD.

Estimated Effects:

This rescission action will reduce the number of households to be assisted under the subsidized housing programs by approximately 44,550. The rescission will not affect the over 3 million families already receiving rental assistance in HUD subsidized housing projects. The 210,000 units which will still be provided in 1981 will assist an estimated additional 532,000 persons. There is no estimate available at this time on the number of Public Housing Modernization projects which will not be approved in 1981 as a result of the rescission in Public Housing Modernization funding.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate

<u>Without Rescission</u>	<u>With Rescission</u>	<u>Outlay Savings</u>			
		<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
4471.0	4467.6	3.4	15.0	42.0	94.0

R81-79

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Subsidized Housing Programs

Annual Contributions for Assisted Housing

Of the amounts of additional contract authority provided under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, as authorized by Section 5 of the United States Housing Act of 1937, \$15,000,000 for the modernization of existing low-income housing projects, \$30,611,609 for existing units under Section 8, including Section 8(j), of such Act, and \$182,102,148 for newly constructed and substantially rehabilitated units assisted under such Act, and \$5,099,104,150 of budget authority, are rescinded.

Rescission Proposal No: R81-80

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Housing and Urban Development	New budget authority <u>\$121,250,00</u> (P.L. 96-526)
Bureau Solar Energy and Energy Conservation Bank	Other budgetary resources _____
Appropriation title & symbol Assistance for Solar and Conservation Improvements 861/20179	Total budgetary resources <u>121,250,00</u>
	Amount proposed for rescission <u>\$121,000,00</u>
OMB identification code: 86-0179-0-1-272	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year <u>September 30, 1982</u> (expiration date) <input type="checkbox"/> No-year _____	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

The Reagan Administration does not intend to start-up this new program, which is designed to subsidize investments in energy conservation measures and solar technologies. Instead, existing tax credits and rising energy prices will be relied upon to provide incentives for these types of investments in residences and agricultural and commercial buildings.

Estimated Effects:

Had this program been implemented, it was expected that the 1981 appropriation would have supported loan subsidies or grants to about 75,000 lower income households making energy conservation investments 11,000 households would have received payments to reduce their mortgage costs on purchases of new homes with passive solar design features. These loan subsidies, grants and payments will not be made.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
47	(less than \$500,000)	47	69	5	

R81-80

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Solar Energy and Energy Conservation Bank

Assistance for Solar and Conservation Improvements

Of the funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, any unobligated balances and amounts becoming unobligated are rescinded.

Rescission Proposal No: R81-81

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Housing and Urban Development	New budget authority (P.L. 96-526)	\$ 33,750,000
Bureau	Community Planning and Development	Other budgetary resources	1,425,709
Appropriation title & symbol Planning Assistance 86X0104		Total budgetary resources	35,175,709
		Amount proposed for rescission	\$ 34,975,709
OMB identification code: 86-0104-0-1-451		Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act	
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Other	
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year		Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other	

Justification: The Planning Assistance program provides discretionary grants to States, area-wide organizations, and localities to support, in part, planning and management activities. This program was established in 1954 to develop local planning capabilities and help finance local planning activities.

All available budgetary resources are being proposed for rescission because: (1) the program has already accomplished its primary purpose of developing local planning capabilities; (2) it is a low-priority program; and (3) other Federal and non-Federal funds are available to promote planning activities at the discretion of localities.

Estimated Effect: It is estimated that no States, areawide organizations, or localities will receive Planning Assistance funds as a result of this rescission. However, other sources of planning assistance funds, such as block grant or general revenue sharing funds, are available to these entities.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
40.0	37.0	3.0	21.3	10.7	---

1/ Estimated balance available for rescission.

R81-81

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Community Planning and Development
Planning Assistance

Any amounts not reserved from appropriations provided under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Acts, for 1981 and prior years, including any amounts becoming available from cancellation of prior year reservations, are rescinded.

Rescission Proposal No: R81-82

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Housing and Urban Development	New budget authority \$ 129,980,000 (P.L. 96-526)
Bureau Community Planning and Development	Other budgetary resources 87,149,954
Appropriation title & symbol Rehabilitation Loan Fund 86X4036	Total budgetary resources 217,129,954
	Amount proposed for rescission \$ 110,856,954 a/
OMB identification code: 86-4036-0-3-451	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year	

Justification: The Rehabilitation Loan Fund provides low-interest loans for single-family and multifamily, as well as some commercial, rehabilitation in order to promote the revitalization of selected distressed areas.

All unreserved funds from 1981 appropriations and prior years currently available, and all recoveries of prior reservations, will be rescinded except for balances which may be necessary for operating expenses to service loans and provide for property acquisition and property management and for funds needed to capitalize delinquent interest. In addition, the authority to make further commitments for the principal amounts of direct loans will be terminated. This program is being terminated because it unnecessarily duplicates the rehabilitation efforts eligible under the Community Development Block Grant program.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: It is estimated that this rescission will result in approximately 9,150 units not being rehabilitated which otherwise would have been rehabilitated through this program. However, should localities use more of their own funds or more of their Block Grant funds for rehabilitation, this estimate can be reduced.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984 ^{b/}
132.9	93.9	39.0	98.0	6.0	-10.2

a/ Estimated balance available for rescission.

b/ Reflects reduced program income due to termination of program in 1981.

381-82

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Rehabilitation Loan Fund

All unreserved funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Acts, 1981 and prior years, including any recoveries of prior reservations, but excluding necessary funds for operating costs and the capitalization of delinquent interest on delinquent or defaulted loans, are rescinded. No further commitments for principal amounts of direct loans shall be made.

Rescission Proposal No: R81-83

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Housing and Urban Development	New budget authority (P.L. 96-526)	\$ <u>10,000,000</u>
Bureau	Neighborhoods, Voluntary Associations, and Consumer Protection	Other budgetary resources	
Appropriation title & symbol	Housing Counseling Assistance 8610156	Total budgetary resources	<u>10,000,000</u>
		Amount proposed for rescission	\$ <u>6,000,000</u>
OMB identification code: 86-0156-0-1-506		Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other	
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year		Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other	

Justification: The Housing Counseling Assistance program provides grants and technical assistance to HUD-approved private and public non-profit housing counseling agencies. In turn, these agencies provide information and advice to current and prospective tenants and homeowners of HUD-assisted or HUD-insured housing.

\$6,000,000 in budgetary resources are being proposed for rescission because: (1) the effectiveness of most types of counseling has never been proven; (2) it is a low-priority program; and (3) other Federal funds are available to provide housing counseling at the discretion of localities. The remaining \$4,000,000 in budgetary resources will be used solely for homeowner default counseling, which studies indicate to be an effective Federal expenditure.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: It is estimated that about 70 counseling agencies will not receive funding in 1981 as a result of this proposal. However, other Federal and non-Federal funds could be used for housing counseling at the discretion of localities.

Outlay Effect: (in millions of dollars)

1981 Outlay Savings		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
9.4	6.5	2.9	1.8	0.7	0.6

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

R81-83

Housing Counseling Assistance

Of the funds provided under this head in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1981, \$6,000,000 are rescinded.

Rescission Proposal No: R81-84

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Housing and Urban Development	New budget authority \$ <u>9,000,000</u> (P.L. <u>96-526</u>)
Bureau Neighborhoods, Voluntary Associations, and Consumer Protection	Other budgetary resources <u>230,000</u>
Appropriation title & symbol Neighborhood Self-Help Development Program 860/10175 861/20175	Total budgetary resources <u>9,230,000</u>
	Amount proposed for rescission \$ <u>8,118,534</u> ^{1/}
OMB identification code: 86-0175-0-1-451	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual September 30, 1981 <input checked="" type="checkbox"/> Multiple-year <u>September 30, 1982</u> (expiration date) <input type="checkbox"/> No-year _____	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: The Neighborhood Self-Help Development Program provides grants and technical assistance to neighborhood organizations to undertake neighborhood preservation and revitalization activities in lower-income areas.

All available budgetary resources are being proposed for rescission because (1) the program unnecessarily duplicates the neighborhood efforts of the Neighborhood Reinvestment Corporation and the Community Development Block Grant program, (2) it is a low-priority program, and (3) other Federal funds are available to promote neighborhood efforts at the discretion of localities.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: As a result of this rescission, it is estimated that sixty neighborhood organizations will not receive neighborhood self-help grants. However, localities may use more of their own funds or more of their Block Grant funds for neighborhood activities.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
15.4	11.0	4.4	3.7	0	0

^{1/} Estimated balance available for rescission does not include estimates from recoveries of cancelled prior commitments.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Neighborhoods, Voluntary Associations, and Consumer Protection
Neighborhood Self-Help Development Program

All unobligated funds provided under this head in the Department of Housing and Urban Development-Independent Agencies appropriation Acts, 1981, and previous years, are rescinded. In addition all recoveries of prior obligations are rescinded as they become available.

Rescission Proposal No: R81-85

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of the Interior	New budget authority <u>(P.L. 96-514)</u> \$ 30,485,000
Bureau Office of Water Research & Technology	Other budgetary resources 3,914,570
Appropriation title & symbol	Total budgetary resources 34,399,570
Salaries and Expenses	Amount proposed for rescission \$ 11,800,000
141/20115	
1410115	
OMB identification code: 14-0115-0-1-301	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input checked="" type="checkbox"/> Multiple-year September 30, 1982 (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification: The programs carried out by the Office of Water Research & Technology include support of State water institutes, grants for basic research and development, and grants for water desalting research and development.

This rescission will reduce the carry over into 1982 of funding appropriated for 1981 and prior years. Together with withdrawal of the request for 1982 appropriations, this will result in termination of the agency's activities early in 1982. These activities are more appropriately conducted by private industry.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: This rescission will allow speedy termination of all activities of the agency. It will terminate Federal support for State water institutes, as well as ending basic R&D assistance.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
28.7	22.9	5.8	6.0	--	--

R81-85

DEPARTMENT OF THE INTERIOR

Office of Water Research and Technology

Salaries and Expenses

Of the funds appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1981, \$11,800,000 are rescinded.

Rescission Proposal No: R81-86

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of the Interior	New budget authority ----- \$ <u>37,897,000</u> (P.L. 96-514)
Bureau U.S. Fish and Wildlife Service	Other budgetary resources ----- 29,530,967
Appropriation title & symbol Construction and Anadromous Fish 14X1612	Total budgetary resources ----- 67,427,967
	Amount proposed for rescission \$ <u>2,500,000</u>
OMB identification code: 14-1612-0-1-303	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Other P.L. 93-344
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification

Funds proposed for rescission were appropriated for the first phase of construction for an additional national fishery research laboratory. Seventeen fish and wildlife research laboratories are already operated by the Fish and Wildlife Service, as well as over ninety national fish hatcheries and development centers. Given the present climate of fiscal restraint, it is not appropriate to begin construction on an additional laboratory at this time.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects

This proposal will rescind all construction funds for the Gainesville National Fishery Research Laboratory, Florida.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
55.1	54.6	.5	2.0	--	--

R81-86

DEPARTMENT OF THE INTERIOR

United States Fish and Wildlife Service

Construction and Anadromous Fish

Of the funds appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1981, \$2,500,000 are rescinded.

Rescission Proposal No: R81-87

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of the Interior	New budget authority <u>\$ 20,000,000</u> (P.L. 96-514)
Bureau National Park Service	Other budgetary resources <u>69,647,665</u>
Appropriation title & symbol	Total budgetary resources <u>89,647,665</u>
Urban Park and Recreation Grants 14X0720	Amount proposed for rescission <u>\$ 35,000,000</u>
OMB identification code: 14-0720-0-1-303	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Other <u>93-344</u>
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year _____	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: To bring the budget under control and refocus the Department's conservation and preservation programs, this grant program is proposed for elimination. The Urban Park and Recreation Fund provides grants to aid the rehabilitation of local recreation systems and to encourage planning for and demonstration of innovative approaches to park and recreation management.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects: The rescission would reduce available funds by \$35 million. It will halt grant approvals for the remainder of fiscal year 1981. Approximately \$4 million is now estimated to be available to fund grants previously announced but not yet obligated. Local efforts to improve planning and management of local recreation programs, begun in response to this Urban Park program, are expected to continue at a somewhat diminished level.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
\$53.2	\$43.2	\$10.0	\$9.6	\$7.7	\$6.0

R81-87

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

Urban Park and Recreation Fund

Of the funds appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1981 and prior years, \$35,000,000 are rescinded.

Rescission Proposal No: 831-88

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of the Interior	New budget authority \$ 378,593,000 (P.L. 96-514)
Bureau National Park Service	Other budgetary resources 251,786,852
Appropriation title & symbol	Total budgetary resources 630,379,852
Land and Water Conservation Fund 14X5005	Amount proposed for rescission \$ 250,000,000
OMB identification code: 14-5005-0-2-303	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <u>1/</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification: The Land and Water Conservation Fund provides support for Federal land acquisition and State recreation grants. In order to refocus Interior's conservation and preservation programs, a moratorium on Federal land purchases is proposed. This will allow for a thorough policy review of existing park and recreation legislation, as well as making additional funds available for restoration and improvement of existing national park lands. An aggressive land exchange program will be initiated to round out the Federal conservation estate.

In addition, assistance to States for low priority recreation grants is proposed for rescission as part of President Reagan's comprehensive plan for reducing Federal spending.

Estimated Effects: The rescission would reduce available funds by \$250 million. Rescission of \$105 million for Federal purchases for parks, recreation, trails, wild and scenic rivers, and other purchases would halt all land acquisition activities for the remainder of FY 1981, and may require the Federal acquisition agencies to reduce staff. Rescission of \$145 million for recreation project grants to States would essentially end the program. Many local projects will continue to completion in the next two fiscal years due to large unliquidated balances available to many States.

The rescission would require redistribution of any unobligated balances of the FY 1981 appropriation in a manner which will result in total apportionments differing from the formula established by section 6 of the Land and Water Conservation Fund Act, as amended (16 U.S.C. 4601). Therefore it is proposed that the Secretary be given the discretion to allocate the funds in a manner which will assure that the purposes of the Land and Water Conservation Fund Act are achieved.

1/ These funds support both grant and non-grant programs.

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
518.0	443.0	75.0	66.4	72.3	21.8

R81-88

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

Land and Water Conservation Fund

Of the funds appropriated under this head, \$250,000,000 are rescinded in the following amounts: \$145,000,000 for payments to the States; \$105,000,000 combined amounts for the Bureau of Land Management, Forest Service, the United States Fish and Wildlife Service, the National Park Service, and for Pinelands National Reserve: Provided, that notwithstanding the provisions of section 6 of the Land and Water Conservation Fund Act, as amended, the unobligated balance of the contingency reserve and of funds appropriated and apportioned for the various States and unobligated upon the date of this Act shall be made available to the States in the most equitable means practicable, in the judgment of the Secretary, consistent with the general purposes of the Land and Water Conservation Fund Act.

Rescission Proposal No: R81-99

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of the Interior	New budget authority <u>\$ 32,500,000</u> (P.L. <u>96-516</u>)
Bureau National Park Service	Other budgetary resources <u>10,545,980</u>
Appropriation title & symbol	Total budgetary resources <u>43,045,980</u>
Historic Preservation Fund	
141/25140	Amount proposed for
140/15140	rescission <u>\$ 8,000,000</u>
OMB identification code: <u>14-5140-0-2-303</u>	Legal authority (in addition to sec. 1012):
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Antideficiency Act
Type of account or fund:	<input type="checkbox"/> Other
<input type="checkbox"/> Annual	Type of budget authority:
<input checked="" type="checkbox"/> Multiple-year <u>September 30, 1981</u> <u>September 30, 1982</u> (expiration date)	<input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> No-year	<input type="checkbox"/> Contract authority
	<input type="checkbox"/> Other

Justification: To bring the budget under control and refocus the Department's conservation and preservation programs, a moratorium on providing grants to States under this Fund is proposed. No changes are proposed for grants to the National Trust for Historic Preservation or for the current tax incentives for historic preservation. This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects: The proposed rescission of \$8 million in State grants will reduce funding for State operations and acquisition and development by \$7.4 million and would eliminate \$.6 million for the Secretary's Discretionary Fund. Most of these funds are for specific State projects which can be deferred or completed with State or private funds.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
49.0	46.0	3.0	2.5	1.5	1.0

R81-89

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

Historic Preservation Fund

Of the funds appropriated under this head in the Department of the Interior and Related Agencies Appropriation Act, 1981, and prior years, \$8,000,000 are rescinded.

Rescission Proposal No: 881-90

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of the Interior	New budget authority <u> </u> \$ <u> </u> (P.L. <u> </u>)
Bureau National Park Service	Other budgetary resources <u> </u> 15,500,000
Appropriation title & symbol	Total budgetary resources <u> </u> 15,500,000
Construction (Trust Fund) 14X8215	Amount proposed for rescission <u> </u> \$ <u> </u> 15,500,000
OMB identification code: 14-8215-0-7-401	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other <u> </u>
Type of account or fund: <input type="checkbox"/> Annual	Type of budget authority: <input type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year <u> </u> (expiration date)	<input checked="" type="checkbox"/> Contract authority
<input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Other <u> </u>

Justification: The amount proposed for rescission would have funded the first phase of a multi-year project to construct a 4,100 foot highway tunnel under the Cumberland Gap National Historic Park. The total cost of the project is presently estimated at \$150,000,000. Because of the high cost of the tunnel, the Administration does not consider it appropriate to initiate construction when a less costly alternative is available. This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects: The tunnel would not be constructed and U.S. Route 25E would not be relocated.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimate	
Without Rescission	With Rescission
7.5	---

Outlay Savings			
1981	1982	1983	1984
7.5	7.5	.5	---

R81-90

DEPARTMENT OF THE INTERIOR

National Park Service

Construction

Of the funds appropriated under this head in Public Law 96-126, making appropriations for the Department of the Interior and related agencies, 1980, \$15,500,000 are rescinded.

Rescission Proposal No: 881-91

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of the Interior	New budget authority	\$ 92,833,000
Bureau	Office of Surface Mining Reclamation and Enforcement	(P.L. 94-513)	
Appropriation title & symbol		Other budgetary resources	--
		Total budgetary resources	92,833,000
	Regulation and Technology	Amount proposed for rescission	\$ 1,954,000
	1411801		
OMB identification code: 14-1801-0-1-302		Legal authority (in addition to sec. 1012):	
		<input checked="" type="checkbox"/> Antideficiency Act	
Grant program	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other	
Type of account or fund:		Type of budget authority:	
<input checked="" type="checkbox"/> Annual		<input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> Multiple-year (expiration date)		<input type="checkbox"/> Contract authority	
<input type="checkbox"/> No-year		<input type="checkbox"/> Other	

Justification: The regulatory programs funded under this appropriation include inspection of coal mining operations under the provisions of the interim surface mining regulatory program and monitoring of states with approved permanent regulatory programs. Other activities include provision of technical assistance to Federal and State surface mining regulatory staffs, review of mine plans on Federal lands, and processing of petitions to designate lands unsuitable for mining.

The funds being proposed for rescission include savings resulting from hiring limitations and reductions in travel and consulting services.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: Inspection and enforcement activities, evaluation of state programs and technical assistance will be curtailed slightly through this \$1.9 million reduction. These curtailments will reduce the regulatory burden imposed on states and mine operators.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
96.9	94.9	2.0	-0-	-0-	-0-

881-91

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Regulation and Technology

Of the funds appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1981, \$1,954,000 are rescinded.

Rescission Proposal No: R81-92

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Labor	New budget authority ----- \$ <u>729,000,000</u> (P.L. <u>96-536</u>)
Bureau Employment and Training Administration	Other budgetary resources ----- <u>54,252,350</u>
Appropriation title & symbol	Total budgetary resources ----- <u>783,252,350</u>
Temporary Employment Assistance 161/20173	Amount proposed for rescission \$ <u>234,475,000</u>
OMB identification code: 16-0173-0-1-504	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other -----
Type of account or fund: - <input type="checkbox"/> Annual - <input checked="" type="checkbox"/> Multiple-year <u>September 30, 1982</u> (expiration date) - <input type="checkbox"/> No-year -----	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other -----

Justification: This appropriation provides resources for the CETA Title VI program of temporary public service employment (PSE) for low-income individuals in times of high unemployment. Evidence suggests that the program has been an ineffective counter-cyclical tool and indicates that net job creation has been relatively small in the long term. Therefore, it is proposed to phase out the Title VI PSE program by the end of 1981. The phase out will be accomplished by not hiring individuals to fill vacancies as they occur, by placing people in unsubsidized jobs, or, if necessary to achieve the phase-out by the end of the fiscal year, by layoffs.

Estimated Effects: 1981 enrollment in the program would average 85,600 instead of the 100,000 financed by Continuing Resolution, P.L. 96-536. All participants would be out of the program before October 1, 1981.

Outlay Effects: (In millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
974	844	130	105	---	---

R81-92

DEPARTMENT OF LABOR
Employment and Training Administration
Temporary Employment Assistance

Of the funds made available under this head in Public Law 96-536 making continuing appropriations through June 5, 1981, and in previous years, any unobligated balances, including amounts becoming unobligated, are rescinded as they become available.

Rescission Proposal No: R81-93

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of State	New budget authority (P.L. 96-536) \$ 328,494,000
Bureau Bureau of Refugee Programs	Other budgetary resources
Appropriation title & symbol	Total budgetary resources 328,494,000
Migration and Refugee Assistance	Amount proposed for rescission \$ 22,500,000
1911143	
OMB identification code: 19-1143-0-1-151	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification: The Continuing Resolution (P.L. 96-536) in effect through June 5, 1981, provides \$328.5 million for State Department's refugee assistance activities. For FY 1981, \$40 million was originally planned as the appropriate U.S. share of the international famine relief program in Kampuchea and \$25 million for special assistance to Soviet refugees resettling in Israel.

Improved conditions in Kampuchea, due primarily to the large amounts of relief aid provided over the last year, have reduced food and other emergency relief requirements below the level originally anticipated. As a result, the United States will contribute \$30 million for Kampuchean relief in 1981. The amount of assistance to Soviet refugees resettling in Israel is halved because of the sizable and continued decline in the number of refugees allowed to emigrate from the Soviet Union and lower percentage of those refugees electing to go to Israel.

This rescission proposal, totalling \$22.5 million, is an integral part of the President's comprehensive economic plan for spending and tax reductions and regulatory reform.

Estimated Effect:

This proposal will capture budget savings due to diminished requirements while maintaining an appropriate level of U.S. support for these activities.

In addition, this proposal is consistent with the U.S. position of responding to emergency relief needs in Kampuchea rather than to longer-term rehabilitation activities.

(in millions of dollars)

Outlay Effect:

1981 Outlay Estimate		Outlays Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
\$353.8	\$335.8	18.0	4.5	--	--

R81-93

DEPARTMENT OF STATE
Other
Migration and Refugee Assistance

Of the funds provided for "Migration and Refugee Assistance" for fiscal year 1981 in P.L. 96-536, \$22,500,000 are rescinded.

Rescission Proposal No: R81-94

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-34

Agency <u>Department of State</u>	New budget authority <u>\$ 35,106,000</u> (P.L. <u>96-536</u>)
Bureau <u>Bureau for International Narcotics Matters</u>	Other budgetary resources <u>---</u>
Appropriation title & symbol <u>International Narcotics Control</u> <u>1111022</u>	Total budgetary resources <u>35,106,000</u>
	Amount proposed for rescission <u>\$ 3,100,000</u>
OMB identification code: <u>11-1022-0-1-151</u>	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other <u>---</u>
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year <u>---</u> (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year <u>---</u>	<input type="checkbox"/> Other <u>---</u>

Justification: The Continuing Resolution (P.L. 96-536) in effect through June 3, 1981, provides \$35.1 million for State Department's international narcotics control activities. Funds totalling \$3.3 million were planned in FY 1981 for U.S. narcotics control assistance to Bolivia to enhance enforcement and customs capability and support alternative agricultural projects in that country.

Current circumstances in Bolivia preclude continuing effective narcotics control activities as originally planned. Therefore, \$3.1 million is proposed for rescission.

This rescission proposal is an integral part of the President's comprehensive economic plan for spending and tax reductions and regulatory reform. This proposal is made in accordance with the Antideficiency Act (31 U.S.C. 665).

Estimated Effect: This proposal will effect savings due to eliminated requirements without damaging overall U.S. international narcotics control efforts.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
35.7	33.7	2.0	0.8	0.3	---

R81-94

DEPARTMENT OF STATE
Other
International Narcotics Control

Of the funds provided for "International Narcotics Control" for fiscal year 1981 in P.L. 96-536, \$3,100,000 are rescinded.

Rescission Proposal No: R81-95

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Department of Transportation	New budget authority	4,615,200,000
Bureau	Urban Mass Transportation Administration	(P.L. 96-400)	705,955,115
Appropriation title & symbol	Urban Mass Transportation Fund (Waterborne Transportation Demonstration Project) 69X1119 699/11119 690/11119	Other budgetary resources	
		Total budgetary resources	5,321,155,115
		Amount proposed for rescission	\$ 24,700,000
OMB identification code:	69-1119-0-1-401	Legal authority (in addition to sec. 1012):	
Grant program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Antideficiency Act	
Type of account or fund:	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year <u>September 30, 1981</u> (expiration date) <input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Other	
		Type of budget authority:	
		<input checked="" type="checkbox"/> Appropriation	
		<input type="checkbox"/> Contract authority	
		<input type="checkbox"/> Other	

JUSTIFICATION: The Waterborne Transportation Demonstration grant program was authorized by the Urban Mass Transportation Act of 1964, as amended by Title III of the Surface Transportation Assistance Act of 1978. It provides Federal financing to carry out a demonstration project using high-speed waterborne transportation equipment and facilities, and operating in the vicinity of New York, New York. The purpose of the project is to determine the feasibility of utilizing this technology in providing certain public mass transportation service.

A 1981 program level of \$13 million was planned, consisting of 1979 and 1980 carryover appropriations. A 1982 program level of \$12 million was planned, consisting of 1981 carryover appropriations. At this time, only \$300 thousand has been obligated, with a balance of \$24.7 million available for rescission.

This rescission is intended to eliminate this low priority program as part of the President's plan for economic recovery.

Estimated Effect: This rescission action will terminate the program.

Outlay Effect (in millions of dollars):

1981 Outlay Estimate					
Without Rescission	With Rescission	1981	1982	1983	1984
3	---	3	5	8	9

DEPARTMENT OF TRANSPORTATION
Urban Mass Transportation Administration
Urban Mass Transportation Fund
Waterborne Transportation Demonstration Project

R81-95

Of the funds appropriated under this head in P.L. 96-38, P.L. 96-131, and P.L. 96-400, making appropriations for a waterborne transportation demonstration project for fiscal years 1979, 1980, and 1981, \$24,700,000 are rescinded.

Rescission Proposal No: R81-96

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Transportation	New budget authority <u>\$ 12,000,000</u> (P.L. <u>96-400</u>)
Bureau Research and Special Program Administration	Other budgetary resources _____
Appropriation title & symbol Cooperative Automotive Research 69X0107	Total budgetary resources <u>12,000,000</u>
	Amount proposed for rescission <u>\$ 11,500,000</u>
OMB identification code: 69-0107-0-1-401	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year _____ (expiration date)	<input type="checkbox"/> Contract authority
<input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Other _____

Justification:

The Cooperative Automotive Research Program was developed in cooperation with the domestic automobile industry, to provide a substantial body of basic research aimed at fundamentally improving U.S. automotive technology for development of advanced, fuel-efficient automobiles during and beyond the 1990's. The Administration has decided, that financing long term research to benefit a particular industry is not an appropriate Federal role and that the auto industry is in a better position to decide what research to undertake. This lower priority item is being proposed for rescission as part of the Administration's overall plan to reduce Federal spending.

Estimated Effects:

There are no programmatic impacts upon the current RSPA mission or activities that result from this rescission action. The impact upon the industry's support of basic research is not precisely known. In the short run, the current financial condition of the industry will probably defer any changes in the levels of support provided to basic research in auto-related disciplines. In the long run, increases should be expected through tax incentives and other Federal actions.

Outlay Effects:

(in millions of dollars)

1981 Outlay Estimate	
Without Rescission	with Rescission

6.0	0.5
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Outlay Savings			
1981	1982	1983	1984

5.5	6.0	--	--
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R81-96

DEPARTMENT OF TRANSPORTATION

Research and Special Program Administration
Cooperative Automotive Research Program

Appropriations under this heading contained in Public Law 96-400 are hereby rescinded in the amount of \$11,500,000.

Rescission Proposal No: R81-97

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Department of the Treasury</u>	New budget authority <u> </u> \$ <u> </u> (P.L. <u> </u>)
Bureau <u>Bureau of Government Financial Operations</u>	Other budgetary resources <u>1,270,000,000</u>
Appropriation title & symbol <u>Biomass Energy Development</u> <u>20X0114</u>	Total budgetary resources <u>1,270,000,000</u>
OMB identification code: <u>20-0114-0-1-271</u>	Amount proposed for rescission <u>\$1,245,500,000</u>
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other <u> </u>
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year <u> </u> (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other <u> </u>

Justification: Funds totalling \$1,245,500,000 for financial incentive programs for alcohol fuels, biomass and energy from municipal waste are proposed for rescission. This action would terminate the feasibility study, cooperative agreement, loan and loan guarantee programs for alcohol fuels and biomass in the Departments of Energy and Agriculture (proposed rescission amounts of \$521.6M and \$505.0M respectively), and would terminate feasibility studies, cooperative agreements, loan guarantees and price support loans for the energy from municipal waste program of the Department of Energy (proposed rescission of \$218.9M).

These financial incentive programs would be terminated as part of the general effort to adopt market principles to achieve national energy goals. Additional direct government spending programs are not needed in light of the following incentives for the development of alcohol fuels, biomass and urban waste energy:

- The 4¢ per gallon excise tax exemption for gasohol (a mixture of 10% alcohol and 90% unleaded gasoline) results in a subsidy of \$16.80 per barrel of alcohol. This subsidy reduces the cost of gasohol to the point where it is competitive with gasoline. In addition, approximately 30 States provide tax credits for gasohol. The federal excise tax exemption will result in an estimated tax expenditure of approximately \$2 billion over the next 5 years.
- Capital investment in alcohol fuels, biomass and urban waste projects are made more attractive because certain types of plant and equipment are eligible for an investment tax credit of 20%. In 1982, these costs will result in tax expenditures of over \$200 million.
- The removal of price controls from domestic crude oil will restore market forces in the energy field and make alternative energy sources more competitive with petroleum.

- The President's program for economic recovery is designed to result in a significant increase in the amount of capital formation in the private sector for all types of investment projects. This should increase capital availability for alcohol fuels, biomass and urban waste projects without the need for government intervention through loan guarantees and other financial incentives. Also, unlike other forms of alternative fuels, alcohol fuels, biomass and urban waste projects are a less risky investment because the technology is proven and the economic feasibility can be estimated relatively accurately.

These incentives will ensure that alcohol fuels, biomass and energy from municipal waste will be able to compete effectively with conventional energy alternatives without the need for additional government subsidies through loan guarantees, feasibility studies and cooperative agreements.

Estimated Effect: As a result of this rescission, alcohol fuels, biomass and urban waste energy development projects selected by the Departments of Energy and Agriculture for feasibility studies, cooperative agreements, loan guarantee awards and price support loans will not be funded. The responsibility for financing these activities will shift to the private sector. While there may be instances of delays while alternative sources of funding are secured for individual projects, it is not anticipated that there will be any significant effect on the overall rate of development of these alternative energy sources.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
163.0	14.5	148.5	122.0	16.0	19.0

R81-97

DEPARTMENT OF THE TREASURY

Bureau of Government and Financial Operations
Biomass Energy Development

Of the funds provided under this head for Fiscal Year 1980 in Public Law 96-304, \$1,245,500,000 are rescinded.

Rescission Proposal No: R81-98

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Environmental Protection Agency</u>	New budget authority <u>\$ 253,520,000</u> (P.L. <u>96-526</u>)
Bureau	Other budgetary resources
Appropriation title & symbol	Total budgetary resources <u>253,520,000</u>
<u>681/20107 Research and Development</u> (Pollution Control and Abatement)	Amount proposed for rescission <u>\$ 149,300</u>
OMB identification code: <u>68-0107-0-1-304</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year <u>September 30, 1982</u> (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification:

The President has directed a reduction of 5 percent for consulting services for fiscal year 1981. The 5 percent reduction also applies to certain procurements for management and professional services, and special studies and analyses that are reported to the Federal Procurement Data System.

The planned 5 percent reduction is part of the President's program to reduce Federal spending in fiscal year 1981, and to eliminate excessive and unnecessary expenditures for consulting and related services.

Estimated Effects:

This proposal will allow the savings associated with this reduction in consulting services to be achieved.

Outlay Effect: (in thousands of dollars)1981 Outlay EstimateOutlay Savings

Without Rescission	With Rescission	1981	1982	1983	1984
230,000	229,900	100	49	---	---

ENVIRONMENTAL PROTECTION AGENCY

R81-98

Research and Development

Of the funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, \$149,300 are rescinded.

Rescission Proposal No: 881-99

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Environmental Protection Agency</u>	New budget authority <u>\$ 545,183,000</u> (P.L. <u>96-526</u>)
Bureau _____	Other budgetary resources _____
Appropriation title & symbol _____	Total budgetary resources <u>545,183,000</u>
Abatement, Control and Compliance <u>681/20108</u>	Amount proposed for rescission <u>\$1,253,100</u>
OMB identification code: <u>68-0108-0-1-304</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input checked="" type="checkbox"/> Multiple-year <u>September 30, 1982</u> (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other _____

Justification:

The President has directed a reduction of 5 percent for consulting services for fiscal year 1981. The 5 percent reduction also applies to certain procurements for management and professional services, and special studies and analyses that are reported to the Federal Procurement Data System.

The planned 5 percent reduction is part of the President's program to reduce Federal spending in fiscal year 1981, and to eliminate excessive and unnecessary expenditures for consulting and related services.

Estimated Effects:

This proposal will allow the savings associated with this reduction in consulting services to be achieved.

Outlay Effect: (in millions of dollars)

<u>1981 Outlay Estimate</u>		<u>Outlay Savings</u>			
<u>Without Rescission</u>	<u>With Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
\$495.2	494.1	1.1	0.2	---	---

Rescission Proposal No: 881-100

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Environmental Protection Agency</u>	New budget authority <u>\$ 3,304,837,000</u> (P.L. <u>96-525</u>)
Bureau	Other budgetary resources <u>3,316,758,185</u>
Appropriation title & symbol	Total budgetary resources <u>6,621,595,185</u>
<u>Construction Grants</u> <u>68X0103</u>	Amount proposed for rescission <u>\$ 1,700,000,000</u>
OMB identification code: <u>68-0103-0-1-304</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification

A total of \$1,700,000,000 of unobligated wastewater treatment construction grant funds are proposed for rescission by the President. These funds were appropriated in 1981, 1980, and under the Public Works Employment Appropriation Act of 1977. The reductions are an integral part of the President's overall Economic Recovery Program which includes lower near term levels of Federal funding for capital investment. In addition to these reductions, the President is also proposing major legislative reforms which will ensure the long term viability of this program. The combination of lower funding levels and program reforms will relieve the burden on the Federal government for financing projects that improve the environment marginally or not at all.

Estimated effects

The proposed reductions will primarily impact new, yet to be initiated projects or segments of projects, and will fall more heavily on those States with relatively large unobligated balances. An estimated \$14 billion in appropriated but unspent funds remain for continuing or completing ongoing projects.

Outlay Effect: (in millions of dollars)

2

1981 Outlay Estimate

Outlay Savings

Without Rescission	With Rescission	1981	1982	1983	1984
4,200	4,180	20	275	510	440

R81-100

ENVIRONMENTAL PROTECTION AGENCY

Construction Grants

Of the funds appropriated under this head, \$586,382,091 in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1980, and \$1,000,000,000 in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1981, are rescinded. The reduction in each appropriation will be distributed among the States according to the allotment formula specified in Sec. 205(c) of P.L. 92-500 as amended by P.L. 95-217. However, whenever a State's share of the reduction from an appropriation, as determined by the formula, is greater than its March 4, 1981 unobligated balance for that appropriation, the shortfall will be distributed according to the allotment formula among all the States which still have funds remaining from that appropriation. This process of distributing the shortfall will continue until the amount of the reduction has been allocated among the States.

In addition, all remaining funds, in the amount of \$113,617,909, appropriated under this head in the Public Works Employment Appropriation Act, 1977, are rescinded.

Rescission Proposal No: R81-101

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency National Aeronautics and Space Administration		New budget authority ----- \$ <u>4,340,788.0</u> (P.L. <u>96-526</u>)
Bureau		Other budgetary resources -----
Appropriation title & symbol		Total budgetary resources <u>4,340,788.0</u>
Research and Development		Amount proposed for rescission \$ <u>4,500.0</u>
801/20108		
OMB identification code: 50-0108-0-1-999		Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Other -----
Type of account or fund: <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year <u>Sept. 30, 1982</u> (expiration date) <input type="checkbox"/> No-year		Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other -----

Justification: This rescission is the net effect of required 1981 adjustments to the NASA research and development programs as part of the President's Budget Reform Plan. Because of the urgent need for fiscal restraint, reductions are proposed for numerous relatively lower priority research and development programs. Included as part of the adjustment is an upward reestimate in funding required to maintain progress in the highest priority space shuttle program to meet civilian and critical defense needs.

Estimated Effect: The orderly development and procurement of an operational fleet of space shuttle orbiters will continue as currently planned. As noted above, some lower priority research and development programs will be reduced; however, core programs will be continued in space science, space applications, aeronautical technology, and advanced space technology.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
4,054.2	4,051.9	2.3	2.2	---	---

R81-101

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Research and Development

Of the funds appropriated under this head in the Department of Housing and Urban Development—Independent Agencies Appropriation Act, 1981, \$4,500,000 are rescinded.

Deferral No: R81-102

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency Veterans Administration	New budget authority, \$ 423,774,0
Bureau	(P.L. 96-526)
Appropriation title & symbol	Other budgetary resources 853,523,0
Construction, Major Projects	Total budgetary resources 1,277,297,0
36X0110	Amount to be deferred:
	Part of year \$ 162,160,0
	Entire year
CMB identification code: 36-0110-0-1-703	Legal authority (in addition to sec. 1013):
Grant program <input type="checkbox"/> Yes - <input checked="" type="checkbox"/> No	<input type="checkbox"/> Antideficiency Act
Type of account or fund:	<input type="checkbox"/> Other
<input type="checkbox"/> Annual	Type of budget authority:
<input type="checkbox"/> Multiple-year (expiration date)	<input checked="" type="checkbox"/> Appropriation
<input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Contract authority
	<input type="checkbox"/> Other

Justification:

This account provides funds for constructing, altering and improving the facilities under the jurisdiction of the Veterans Administration. This rescission proposes the cancellation of construction plans for VA hospitals in Baltimore, Maryland and Camden, New Jersey. These two areas are heavily overbedded and well-served by community and private hospitals. In each instance, there are three other VA hospitals within commuting distance which are underutilized at present.

Estimated Effects:

Two proposed VA hospitals will not be built. However, adequate health for eligible veterans will continue to be available.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
277	261	16	41	32	58

R81-102

VETERANS ADMINISTRATION

Construction, Major Projects

Of the funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, \$162,160,000 are rescinded.

Rescission Proposal No: R81-103

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency ACTION	New budget authority \$ 113,760,000
Bureau	(P.L. 96-536) 3,271,000
Appropriation title & symbol	Other budgetary resources 117,031,000
Operating Expenses, Domestic Programs	Total budgetary resources
4410103	Amount proposed for rescission \$ 3,207,000
OMB identification code: 44-0103-0-1-506	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification: Volunteers in Service to America (VISTA) supports full-time volunteers who work with community groups to solve poverty problems. The Senior Companion Program supports poor or near poor volunteers age 60 and over. These volunteers help other older people, who have moderate impairments and inadequate family support, achieve and maintain the highest possible degree of independent living.

Reductions are proposed for these two programs as a part of the Administration's overall plan to reduce spending throughout the Federal Government. A revised 1982 request eliminates the expansion of these programs that was proposed in the January Budget. This rescission will prevent 1981 expansion toward 1982 levels that are no longer planned. The proposed reductions represent a 2.7 percent decrease in the total budgetary resources available for domestic program operations.

Estimated Effect:

Volunteers in Service to American (VISTA): A savings of \$1,727,000 will be realized through the reduction of 1,800 trainees and 273 volunteer service years from the planned level in FY 1981.

Senior Companion Program: Thirteen new projects with 819 volunteers serving the needs of the homebound or potentially institutionalized elderly will not be funded as originally planned in FY 1981. The savings will be \$1,480,000.

2

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
153.7	151.8	1.9	1.1	0.2	---

R81-103

ACTION

Operating Expenses, Domestic Programs

Of the funds provided under this heading for ACTION for fiscal year 1981 in Public Law 96-536, \$3,207,000 are rescinded.

Rescission Proposal No: R81-104

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Arms Control and Disarmament Agency		New budget authority	\$18,500,000
Bureau			(P.L. 96-536)	
Appropriation title & symbol			Other budgetary resources	550,000
			Total budgetary resources	19,050,000
Arms Control and Disarmament Activities 9410100			Amount proposed for rescission	\$ 1,500,000
OMB identification code: 94-0100-0-1-153			Legal authority (in addition to sec. 1012):	
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input type="checkbox"/> Antideficiency Act	
Type of account or fund:			<input type="checkbox"/> Other	
<input checked="" type="checkbox"/> Annual			Type of budget authority:	
<input type="checkbox"/> Multiple-year (expiration date)			<input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> No-year			<input type="checkbox"/> Contract authority	
			<input type="checkbox"/> Other	

Justification: Reduced activity for arms control negotiations, slow obligation of research funds, realignment of agency staffing and responsibilities, and general administrative savings have allowed reductions of \$300,000 in program operations and \$1,700,000 in research.

These savings will be achieved by withdrawal of the pending \$500,000 pay supplemental and by proposing this rescission of \$1,500,000.

Estimated Effects: This will reduce the agency's operating margin and would slow reprogramming of lower-priority research funds into operational support of negotiations, should negotiating opportunities arise. Revival of an active international arms control agency would require supplemental appropriations to allow agency participation.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
16.8	16.2	.6	.6	.2	.1

R81-104

ARMS CONTROL AND DISARMAMENT AGENCY

Arms Control and Disarmament Activities

Of the funds provided for "Arms control and disarmament activities" for fiscal year 1981 in P.L. 96-536, \$1,500,000 are rescinded.

Rescission Proposal No. R81-105

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Corporation for Public Broadcasting	New budget authority (1982) \$172,000.00 (P.L. 95-205, 96-38)
Bureau	Other budgetary resources (1981) \$172,000
Appropriation title & symbol	Total budgetary resources \$344,000.000
Public Broadcasting Fund	
2020151	Amount proposed for rescission \$ 95,000.00
2030151	
OMB identification code: 20-0151-0-1-503	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or funds: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification

CPB is the primary vehicle for providing Federal financial assistance to the 217 radio and 170 television stations that currently compose the non-commercial broadcasting system.

Because non-commercial stations should determine the need for and type of programs they require and finance their own productions funds for CPB's national program production and administrative activities should be cut. This pattern of reductions will provide an opportunity for private and corporate donations to play a greater role in financing local public radio and television productions.

Estimated Effects

The reductions will be primarily directed at CPB's administrative costs and national program production while CPB support for local stations will be maintained at as high a level as possible.

A proposed distribution of funds for 1982 could allow for \$82 million for Community service grants for radio and television, \$30 million for national radio and television program productions and \$11.5 million for Administration, Research and Training.

A proposed distribution of funds for 1983 would allow for \$77 million for Community Service Grants to local radio and television stations, \$27 million for national radio and television productions and \$10 million for Administration, Research and Training.

Outlay effects (in millions of dollars)

	Outlay Estimates		Outlay Savings			
	1982	1983	1981	1982	1983	1984
Without Rescission	172	172	--	\$43	--	--
With Rescission	129	120	--	--	\$52	--

R81-105

CORPORATION FOR PUBLIC BROADCASTING

Of the funds provided for "The Corporation for Public Broadcasting" for fiscal year 1982 in P.L. 95-205, \$43 million are rescinded, and of the funds provided for "The Corporation for Public Broadcasting" for fiscal year 1983 in P.L. 96-38, \$52 million are rescinded.

R01-106

Rescission Proposal No: _____

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Federal Mediation and Conciliation Service Bureau	New budget authority \$18,942,000 (P.L. 96-536)
Appropriation title & symbol Salaries and Expenses 9310100	Other budgetary resources Total budgetary resources 18,942,000
	Amount proposed for rescission \$ 687,000
CMS identification code: 93-0100-0-1-505	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	

Justification

This appropriation provides for mediation, technical assistance, and arbitration services to aid parties to collective bargaining disputes to settle their disputes. Funds are also provided for a new program of grants to support the establishment of labor-management committees. The grant program is a low priority program which cannot be afforded in a truly austere budget, and this rescission eliminates funds rendered excess by the decision not to implement the program. Remaining grant funds of \$313 thousand are being reprogrammed to cover the increased cost of civilian pay.

The supplemental request for civilian pay increases for this account is being withdrawn due to this decision as well as to reductions in Federal employment and in spending on items like travel and equipment.

Estimated Effects:

Approximately 10 to 12 grants would not be awarded for the establishment and operation of plant, area, and industry committees. The effect of not awarding these grants on the number of committees which will or will not be formed is not known.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
24.5	24.5	--	0.7	--	--

R81-106

FEDERAL MEDIATION AND CONCILIATION SERVICE

Salaries and Expenses

Of the funds provided for the Federal Mediation and Conciliation Service, "Salaries and expenses," for fiscal year 1981 in P.L. 96-536, \$687,000 are rescinded.

Rescission Proposal No: R31-107

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Federal Trade Commission	New budget authority \$ 71,000,000 (P.L. 96-536)
Bureau	Other budgetary resources -
Appropriation title & symbol	Total budgetary resources 71,000,000
Salaries and Expenses 2910100	Amount proposed for rescission \$ 226,000
OMB identification code: 29-0100-0-1-376	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year (expiration date)	<input type="checkbox"/> Contract authority
<input type="checkbox"/> No-year	<input type="checkbox"/> Other

Justification: This appropriation finances expenses necessary for antitrust enforcement, consumer protection, and economic reporting. In support of these activities, the Commission operates ten regional offices in the United States. This rescission in conjunction with the withdrawal of the pay supplemental now pending before the Congress would initiate the phase-out of these offices and a reduction in the Washington headquarters office. The Administration believes that this action would allow the Commission to focus more on problems of a nationwide scope, reduce multigovernmental regulatory burdens, and permit State and local agencies, as well as private business on its own, to reduce antitrust problems. This action is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effects: The phasing out of the regional offices would allow the Federal Trade Commission to focus on issues of national importance and would shift activities to State and local governments. The reductions described would result in an overall agency savings of 30% by 1986.

Outlay Effect (in millions of dollars)

1981 Outlay Estimates ^{1/}		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
70.0	69.8	.2	---	---	---

^{1/} The 1981 outlay estimate does not include the effect of withdrawal of the pay supplemental now pending before the Congress

R81-107

FEDERAL TRADE COMMISSION

Salaries and Expenses

Of the funds provided for Federal Trade Commission, "Salaries and Expenses" for fiscal year 1981 in P.L. 96-536, \$226,000 are rescinded.

Rescission Proposal No: R81-108

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Marine Mammal Commission	New budget authority	\$ 734,000
Bureau		(P.L. 96-536)	
Appropriation title & symbol		Other budgetary resources	
		Total budgetary resources	734,000
Salaries and Expenses 9512200		Amount proposed for rescission	\$ 4,000
OMB identification code: 95-2200-0-1302		Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act	
Grant program <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Other	
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year		Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other	

Justification: This rescission is proposed to achieve the savings realized by a reduction of \$4,000 in FY 1981 travel expenses.

This proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: On site reviews of Federal marine mammal programs will be limited to priority oversight activities.

Outlay Effect: (in thousands of dollars)

1981 Outlay Estimate		Outlay Savings			
Without	With	1981	1982	1983	1984
Rescission	Rescission				
725	721	4	-	-	-

R81-108.

MARINE MAMMAL COMMISSION
Salaries and Expenses

Of the funds provided for "Marine Mammal Commission" for fiscal year 1981 in P.L. 96-536, \$4,000 are rescinded.

Rescission Proposal No: R81-109

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Merit Systems Protection Board	New budget authority <u>\$ 10,905,000</u> (P.L. 96-536)
Bureau	Other budgetary resources <u>432,000</u>
Appropriation title & symbol	Total budgetary resources <u>11,337,000</u>
Salaries and Expenses	
4110100	Amount proposed for rescission <u>\$ 210,000</u>
OMB identification code: 41-0100-0-1-805	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification: The Merit Systems Protection Board was created in 1978 to assume the adjudicatory functions of the former Civil Service Commission. The Board processes employee appeals and conducts studies of merit system abuse. This proposal would reduce the funds available for these activities by \$210,000.

This rescission is proposed as a part of the Administration's overall effort to reduce Federal spending.

Estimated Effect: It is anticipated that this rescission will cause the Board to target studies at potential merit abuse patterns, rather than general Civil Service evaluation, as well as to reduce administrative support functions. A temporary case backlog is also expected to result.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
16.1	15.9	.2	---	---	---

R81-109

MERIT SYSTEMS PROTECTION BOARD

Salaries and Expenses

Of the funds provided for the Merit Systems Protection Board, "Salaries and Expenses" for fiscal year 1981 in P.L. 96-536, \$210,000 are rescinded.

Rescission Proposal No: 881-110

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>National Science Foundation</u>	New budget authority <u>\$ 987,900,000</u> (P.L. <u>96-526</u>)
Bureau	Other budgetary resources <u>25,000,000</u>
Appropriation title & symbol <u>Research and Related Activities 491/20100</u>	Total budgetary resources <u>1,012,900,000</u>
	Amount proposed for rescission <u>\$ 66,000,000</u>
OMB identification code: <u>49-0100-0-1-251</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year <u>September 30, 1982</u> (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification

Programs funded from this appropriation support basic and applied research in all scientific disciplines, engineering and related activities. Support is also provided for the U.S. Antarctic Program, International Cooperative Science, and Science Policy Activities.

Programs which are substantially affected by the proposed reductions are those which are narrowly focused or of less immediate priority in meeting the National Science Foundation's major goals and objectives. Less severe reductions are proposed in core programs. However, the adjusted funding levels will not impair the foundation's ability to maintain its support of critical research or its ability to meet statutory responsibilities for the advancement of science.

These reductions are proposed in order to reduce Federal spending.

Estimated Effect

Research support in the behavioral and neural sciences will be reduced by approximately 13 percent from the planned FY 1981 level; social and economic science programs by 31 percent; industry/university cooperative research projects by 45 percent; the Small Business Innovation Program by 36 percent; University-Based Innovation Centers by 29 percent; 2/4 year college instrumentation support by 42 percent; minority research initiation projects by 6 percent; international science programs by 28 percent; and the Experimental Program to Stimulate Competitive Research by 27 percent. Programs for which all FY 1981 appropriation funding is eliminated are: intergovernmental science programs, the Appropriate Technology Program, Visiting Professorships for Women, National Research Opportunity Grants, and Research Improvement in Minority Institutions.

Programs supporting research in the basic sciences and engineering will be reduced by a total of \$20 million or approximately 2.5 percent.

Outlay Effect: (in millions of dollars)

<u>1981 Outlay Estimate</u>		<u>Outlay Savings</u>			
<u>Without Rescission</u>	<u>With Rescission</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
922.9	901.4	21.5	31.3	13.2	—

R81-110

NATIONAL SCIENCE FOUNDATION

Research and Related Activities

Of the funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, \$66,000,000 are rescinded.

Rescission Proposal No: R81-111

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>National Science Foundation</u>	New budget authority <u>\$ 80,704,000</u> (P.L. <u>96-526</u>)
Bureau _____	Other budgetary resources <u>5,000,000</u>
Appropriation title & symbol _____	Total budgetary resources <u>85,704,000</u>
Science and Engineering Education Activities 4910106	Amount proposed for rescission <u>\$ 16,000,000</u>
OMB identification code: 49-0106-0-1-251	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification:

This appropriation funds the National Science Foundation's programs to strengthen science education at all academic levels. It includes the programs for scientific personnel improvement, science education resources improvement, science education development and research, and a science education communications program.

Specific reductions in these areas are proposed for programs which are less critical to meeting the major goals and objectives of the Foundation and are being made in order to reduce Federal spending.

Estimated Effect:

The proposed reductions will reduce funding from the planned FY 1981 level by the following percentages: Comprehensive Assistance to Undergraduate Education, 38 percent; Development in Science Education, 56 percent; Research in Science Education, 33 percent; Public Understanding of Science, 25 percent; and the Science for Citizens program, 35 percent. Funding for the Information Dissemination in Science Education program would be eliminated.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
72.8	58.3	14.5	1.5	—	—

R81-111

NATIONAL SCIENCE FOUNDATION
Science Education Activities

Of the funds appropriated under this head in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1981, \$16,000,000 are rescinded.

Rescission Proposal No: R81-112

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency	Occupational Safety and Health Review Commission		New budget authority (P.L. 96-536)	\$ 5,659,200
Bureau			Other budgetary resources	--
Appropriation title & symbol			Total budgetary resources	\$5,659,200
Salaries and Expenses 9512100			Amount proposed for rescission	\$ 39,000
OMB identification code:	95-2100-0-1-554		Legal authority (in addition to sec. 1012):	
Grant program	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Antideficiency Act	
Type of account or fund:			<input type="checkbox"/> Other	
<input checked="" type="checkbox"/> Annual			Type of budget authority:	
<input type="checkbox"/> Multiple-year	(expiration date)		<input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> No-year			<input type="checkbox"/> Contract authority	
			<input type="checkbox"/> Other	

Justification:

The Occupational Safety and Health Review Commission adjudicates contested enforcement actions of the Department of Labor.

This rescission proposal reflects reductions in obligations for personnel, travel, and equipment procurement and is a component of President Reagan's comprehensive economic plan.

Estimated Effects:

Reductions in personnel and travel may cause some delays in hearings and decisions. However, the Commission's workload in the first part of 1981 has fallen below the estimates on which the budget was based. Moreover, the workload is determined in large part by enforcement activity in the Occupational Safety and Health Administration. Since this activity is expected to decrease, the decline in the Commission's workload is expected to continue and to counteract much of the effects of reduced personnel and travel resources.

Outlay Effects:(in thousands of dollars)

1981 Outlays		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
5,662	5,625	37	2	--	--

R81-112

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
Salaries and Expenses

Of the funds provided for the Occupational Safety and Health Review Commission, "Salaries and expenses," for fiscal year 1981 in P.L. 96-536, \$39,000 are rescinded.

Rescission Proposal No: 881-113

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Office of the Federal Inspector, ANGTS	New budget authority \$21,483,000 (P.L. 96-514)
Bureau	Other budgetary resources 341,000
Appropriation title & symbol Salaries and Expenses	Total budgetary resources <u>21,824,000</u>
5210100	Amount proposed for rescission \$ <u>445,000</u>
OMB identification code: 52-0100-0-1-276	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority _____ <input type="checkbox"/> Other _____

Justification: The proposed rescission of \$445,000 represents the net effect of savings realized from reduction in travel, procurement of furniture and equipment, and personnel, less the additional absorption of FY 1981 pay raise costs by the agency. The details of these savings is as follows:

Savings from Travel Cut	\$165,000
Savings from Procurement Cut	76,000
Savings from Hiring Freeze	<u>500,000</u>
Total Savings	\$741,000
Less-Agency Absorption of Pay Raise Costs	<u>\$296,000</u>
Net Rescission	\$445,000

Estimated Effects: The effect of this proposal is to allow savings to be achieved from reductions in travel, procurement of equipment, and personnel.

Outlay Effects: (in millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
20.3	19.9	0.4	---	---	---

R81-113

FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE
Permitting and Enforcement

Appropriations under this heading contained in Public Law 96-514
are hereby rescinded in the amount of \$445,000.

Rescission Proposal No: R81-114

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Pennsylvania Avenue Development Corporation</u>	New budget authority <u>\$ 2,443,000</u> (P.L. <u>96-514</u>)
Bureau _____	Other budgetary resources _____
Appropriation title & symbol _____	Total budgetary resources <u>2,443,000</u>
Salaries and expenses <u>4210100</u>	Amount proposed for rescission <u>\$ 60,000</u>
OMB identification code: <u>42-0100-0-1-451</u>	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: This appropriation provides funds for the Corporation's staff, space rental, office expenses, and other operating expenses that are not directly related to land acquisition and development activities.

Funds totalling \$60,000 are proposed for rescission as a result of equipment and staff reductions. This proposal is part of President Reagan's efforts to reduce Federal spending.

Estimated Effect: The Corporation will experience a staff and equipment reduction that is commensurate with the proposed reduction in land acquisition and public development operations.

Outlay effect: (In thousands of dollars)

1981 Outlay Estimate	
Without Rescission	With Rescission
2,443	2,383

Outlay Savings			
1981	1982	1983	1984
60	--	--	--

R81-114

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Salaries and expenses

Of the funds appropriated under this head in the Department of the Interior and Related Agencies Appropriation Act, 1981, \$60,000 are rescinded.

Rescission Proposal No: R81-115

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Selective Service System</u>	New budget authority -- \$ <u>26,594,000</u> (P.L. <u>96-526</u>)
Bureau _____	Other budgetary resources _____
Appropriation title & symbol	Total budgetary resources <u>26,594,000</u>
<u>Salaries and Expenses</u>	Amount proposed for rescission \$ <u>1,940,000</u>
<u>9010400</u>	
OMB identification code: <u>90-0400-0-1-54</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: Funds for the pre-mobilization procurement of area office telecommunication equipment are proposed for rescission. These funds would be used to equip each of the approximately 400 area offices with an on-line computer terminal to transmit data directly to the headquarter's computer system. This low priority item is proposed for reduction as part of President Reagan's plan to reduce Federal spending. Upon mobilization, data would be transmitted via mail service until adequate telecommunication gear could be installed.

Estimated Effect: Pre-mobilization procurement of area-office terminals will not be funded as planned in 1981. Several area offices would have demonstration terminals. Installation of the complete system would be delayed one to two months after mobilization.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimate		Outlays Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
34.0	32.1	1.9	---	---	---

R81-115

SELECTIVE SERVICE SYSTEM

Salaries and Expenses

Of the funds appropriated under this head in the Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1981, \$1,940,000 are rescinded.

Rescission Proposal No: 881-116

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Small Business Administration</u>	New budget authority <u>\$ 238,245,000</u> (P.L. 96-536)
Bureau	Other budgetary resources <u>3,927,000</u>
Appropriation title & symbol <u>Salaries and Expenses</u>	Total budgetary resources <u>242,172,000</u>
<u>7310100</u>	Amount proposed for rescission <u>\$ 1,405,000</u>
CMB identification code: <u>73-0100-Q-1-376</u>	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other
Type of account or fund: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other

Justification: This account funds several special purpose management and technical assistance programs, as well as salaries and administrative expenses of the Small Business Administration (SBA). To constrain Federal spending, the Administration proposes to integrate, wherever possible, special interest group assistance programs with on-going SBA management and technical assistance programs. Moreover, enhancements to special purpose programs will be eliminated, particularly in those cases where SBA's efforts are being supplemented by those of other Federal agencies. These efforts to achieve program economies and to reduce administrative overhead costs will result in savings of \$1.4 million in 1981, which are now proposed for rescission.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: The activities of the Women's Business Enterprise program will be performed through on-going SBA programs, and the 1981 budget enhancement for the 7(j) Development Assistance program will be eliminated. This rescission will also reduce the level of consulting service, travel, and procurement obligations originally planned for 1981.

Outlay Effect (in millions of dollars):

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
235.9	234.5	1.4	--	--	--

881-116

SMALL BUSINESS ADMINISTRATION

Salaries and expenses

Of the funds included under this head in H.R. 7584 making appropriations for the Small Business Administration for fiscal year 1981 and appropriated by Public Law 96-536, \$1,405,000 are rescinded.

R81-117

Rescission Proposal No: _____

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Tennessee Valley Authority</u>	New budget authority <u>\$287,563,000</u> (P.L. <u>96-367</u>)
Bureau _____	Other budgetary resources <u>87,394,000</u>
Appropriation title & symbol <u>Tennessee Valley Authority Fund</u>	Total budgetary resources <u>374,957,000</u>
<u>64X4110</u>	Amount proposed for rescission \$ <u>500,000</u>
OMB identification code: <u>64-4110-0-3-999</u>	Legal authority (in addition to sec. 1012): <input checked="" type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other _____

Justification: This rescission proposal provides a \$300,000 decrease in travel and a \$200,000 decrease in procurements in support of President Reagan's comprehensive economic plan for spending reductions. These selected lower priority activities will be curtailed or postponed to reduce Federal spending. In addition, TVA also proposes to administratively reduce travel and procurement by another \$2.5 million in its power program.

Estimated Effect: The effect of the rescission proposal is to reduce TVA travel and procurement activities by a total of \$0.5 million in 1981.

Outlay Effect:

(in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
2227.0	2226.5	.5	-	-	-

R81-117

TENNESSEE VALLEY AUTHORITY

Payment to the Tennessee Valley Authority Fund

Of the funds appropriated under this head in P.L. 96-367 making appropriations for Energy and Water Development \$500,000 are rescinded.

Rescission Proposal No: R81-118

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency <u>Water Resources Council</u>	New budget authority <u>\$ 24,777,000</u> (P.L. 96-367)
Bureau	Other budgetary resources <u>--</u>
Appropriation title & symbol	Total budgetary resources <u>24,777,000</u>
<u>Water Resources Planning</u> <u>85X0100</u>	Amount proposed for rescission <u>\$ 5,000,000</u>
CMS identification code: <u>85-0100-C-1-301</u>	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual	Type of budget authority: <input checked="" type="checkbox"/> Appropriation
<input type="checkbox"/> Multiple-year _____ (expiration date)	<input type="checkbox"/> Contract authority
<input checked="" type="checkbox"/> No-year	<input type="checkbox"/> Other _____

Justification: The programs carried out by the Water Resources Council have as their primary purpose the improvement of Federal, State, and regional water resource planning, and the coordination of Federal water resource policy.

This rescission will reduce the carryover into 1982 of funds appropriated for fiscal year 1981. Together with withdrawal of the request for 1982 appropriations, this will terminate the activities of the Water Resources Council, because high priority activities have been completed, and remaining programs are carried out ineffectively.

This rescission proposal is an integral component of President Reagan's comprehensive economic plan for spending reductions, tax reductions, and actions to remove unnecessary regulatory burdens.

Estimated Effect: This rescission will allow speedy termination of all Water Resources Council activities. Elimination of all funding for the Water Resources Council in 1982 will allow redirection of Federal policy to develop a more effective process for coordination of water resource programs. The proposal will terminate Federal participation in six river basin commissions and will also eliminate the \$10 million program of cost shared grants to states for water planning and management.

Outlay Effect: (In millions of dollars)

1981 Outlay Estimates		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
22.6	27.6	--	5.0	--	--

R81-118

WATER RESOURCES COUNCIL
Water Resources Planning

Of the funds provided for "Water Resources Planning" in P.L. 96-367,
\$5,000,000 are rescinded.

Rescission Proposal No: R81-112

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	Current direct loan limitation \$ <u>4,099,600,000</u> (P.L. <u>96-528</u>)
Bureau Farmers Home Administration	Other budgetary resources <u>---</u>
Appropriation title & symbol	Total loan limitation <u>4,099,600,000</u>
Rural Housing Insurance Fund	Amount proposed for rescission \$ <u>316,000,000</u>
12X4141	
OMB identification code: 12-4141-0-3-371	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input checked="" type="checkbox"/> Other <u>Authority to incur obligations for direct loans.</u>

Justification:

The Rural Housing Insurance Fund program finances a variety of loans to purchase, develop, improve, repair and rehabilitate housing in rural areas. This proposal reduces the authority to incur obligations for direct loans under the moderate income homeownership loan program by \$316,000,000. This proposal is part of the Administration's effort to combat inflation, reduce subsidies and limit Federal involvement in the credit market.

Estimated Effects:

The proposed \$316 million reduction of authority to incur obligations for moderate income housing direct loans (from \$825 million to \$509 million) would reduce the number of estimated housing units assisted in 1981 to 14,700 (7,700 less than in the January budget).

Outlay Effects: (in millions of dollars)

1981 Outlay Estimate	
Without Rescission	With Rescission
762.1	760.5

Outlay Savings			
1981	1982	1983	1984
1.6	31.1	35.3	34.9

DEPARTMENT OF AGRICULTURE

R81-119

Farmers Home Administration

Rural Housing Insurance Fund

The fiscal year 1981 appropriations language for the above account is amended as follows:

Loans and related advances pursuant to section 517(m) of the Housing Act of 1949, as amended, \$24,000,000 shall be available from funds in the rural housing insurance fund, and for insured loans as authorized by title V of the Housing Act of 1949, as amended, \$3,759,600,000, of which \$3,195,600,000 shall be available for subsidized interest loans to low-income borrowers as determined by the Secretary; and not to exceed \$5,000,000 for advances as authorized by section 501(e) of such Act and not to exceed \$2,000,000 for compensation of construction defects as authorized by section 509(c) of such Act: Provided, That unsubsidized interest guaranteed loans of not to exceed \$25,000,000 shall be in addition to these amounts.

Rescission Proposal No: R91-120

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	Current direct-loan limitation \$ <u>7,973,600.00</u> (P.L. <u>96-528</u>)
Bureau Farmers Home Administration	Other budgetary resources _____
Appropriation title & symbol	Total loan limitation <u>7,973,600.00</u>
Agricultural Credit Insurance Fund	Amount proposed for rescission \$ <u>88,950.00</u>
12X4140	
OMB identification code: 12-4140-0-3-351	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input checked="" type="checkbox"/> Authority to incur obligations <input checked="" type="checkbox"/> Other for direct loans.

Justification:

The Agricultural Credit Insurance Fund finances a number of Agricultural Credit Programs. This rescission proposes to reduce the authority to incur obligations for direct loans by \$80.0 million for the Farm Ownership Program, \$5.0 million for the Soil and Water Conservation Program, and \$3.8 million for the Resource Conservation and Development program. These activities can be financed through private sources of credit. The \$3,850,000 reduction in the Resource Conservation and Development Loans is consistent with the phase down of the Resource Conservation and Development program. This proposal is part of the Administration's effort to combat inflation and reduce the role of the Federal government in the credit market. It has been determined that this reduction can be made without adversely affecting human health and safety or other critical needs.

Estimated Effects:

The proposed reduction of \$80 million of authority to incur obligations for direct loans under the farm ownership program (from \$870 million to \$790 million) would reduce the number of loans estimated to be made in 1981 to 10,700 (470 less than indicated in the January budget). A \$5 million reduction of authority to incur loan obligations under the soil and water loan program would reduce the number of loans to 2,050 in 1981 (210 less than indicated in the January budget).

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
753.6	753.6	---	1.4	1.5	1.5

DEPARTMENT OF AGRICULTURE

R81-120

Farmers Home Administration

Agricultural Credit Insurance Fund

The fiscal year 1981 appropriations language for the above account is amended as follows:

Loans may be insured, or made to be sold and insured, under this fund in accordance with and subject to the provisions of 7 U.S.C. 1928-1929, or guaranteed, as follows: real estate loans, \$914,600,000, including, \$840,000,000 for farm ownership loans of which \$50,000,000 shall be guaranteed loans; and \$55,500,000 for water development use, and conservation loans of which \$6,000,000 shall be guaranteed loans; operating loans, \$875,000,000 of which \$25,000,000 shall be guaranteed loans; and emergency insured and guaranteed loans in amounts necessary to meet the needs resulting from natural disasters.

DEPARTMENT OF AGRICULTURE

Soil Conservation Service
Resource Conservation and Development

The loan level authorized under this head in Public Law 96-528, making appropriations for fiscal year 1981 is reduced to \$150,000.

Rescission Proposal No: R81-121

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	Current direct loan limitation \$ <u>1,010,000,000</u> (P.L. <u>96-528</u>)
Bureau Farmers Home Administration	
Appropriation title & symbol Rural Development Insurance Fund 12X4155	
	Other budgetary resources <u>---</u>
	Total loan limitation <u>1,010,000,000</u>
	Amount proposed for rescission \$ <u>160,000,000</u>
CMB identification code: 12-4155-0-3-452	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other _____
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year _____ (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input checked="" type="checkbox"/> Other Authority to incur obligations for direct loans.

Justification:

The Rural Development Insurance Fund finances three loan programs: Water and Waste Disposal Loans, Community Facility Loans, and Business and Industry Loans. This proposal, which reduces the authority to incur obligations for direct loans under the Water and Waste Disposal Loan Program, is part of the Administration's effort to combat inflation and reduce Federal involvement in the credit market.

Estimated Effects:

The proposal to reduce by \$160 million authority to incur obligations for direct loans under the water and sewer program (from \$750 million to \$590 million) would reduce the number of loans estimated to be made in 1981 to 1,398 (379 less than indicated in the January budget).

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without Rescission	With Rescission	1981	1982	1983	1984
280.4	280.4	--	0.8	4.2	7.8

DEPARTMENT OF AGRICULTURE

R81-121

Farmers Home Administration

Rural Development Insurance Fund

The fiscal year 1981 appropriations language for the above account is amended as follows:

Loans to be insured, or made to be sold and insured, under this fund in accordance with and subject to the provisions of 7 U.S.C. 1928 and 86 Stat. 661-664, as follows: insured water and sewer facility loans, \$596,000,000; guaranteed industrial development loans, \$741,000,000; and insured community facility loans, \$260,000,000.

Rescission Proposal No: R31-122

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency Department of Agriculture	Current direct loan limitation \$ <u>1,100,000,000</u> (P.L. <u>96-528</u>)
Bureau Rural Electrification Administration	Other budgetary resources <u>---</u>
Appropriation title & symbol Rural Electrification and Telephone Revolving Fund	Total loan limitation <u>1,100,000,000</u>
12X4230	Amount proposed for rescission \$ <u>187,000,000</u>
OMB identification code: 72-4230-0-3-271	Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act
Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Other <u>---</u>
Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year <u>---</u> (expiration date) <input checked="" type="checkbox"/> No-year	Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority Authority to incur obligations <input checked="" type="checkbox"/> Other for direct loans

Justification:

These proposed actions are based on the fact that REA has largely accomplished its purpose to provide the basic investment capital necessary to provide electric and telephone service in rural areas. More than 99% of all farms and rural establishments now have electric service, and more than 90% have telephone service. The bulk of borrowing is now for power generation and system improvements, costs that could be born by system users.

Estimated Effects:

The rescission would reduce direct lending to rural telephone systems (\$125 million) and direct lending to rural electric systems for power generation and transmission facilities (\$62 million).

The major reason that these systems have not already converted to using the private sector as a major capital source is the highly favorable term structure—for both the direct and guaranteed lending—offered by REA. As a consequence, the availability of these subsidies reduces the necessity for recipients to improve their financial positions in order to attract private capital.

Taking these actions will result in a dramatic reduction in direct Federal lending. At the same time, rural electric and telephone consumers served by these systems will continue to receive adequate service at rates comparable to those charged to customers of non-REA-financed utilities.

Outlay Effect: (in millions of dollars)

1981 Outlay Estimate		Outlay Savings			
Without	With				
Rescission	Rescission	1981	1982	1983	1984
---	---	---	---	---	---

R81-122

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

Rural Electrification and Telephone Revolving Fund

Loan authorizations provided for the Rural Electrification and Telephone Revolving Fund for fiscal year 1981 in P.L. 96-528, for Section 305 of the Rural Electrification Act of 1936, as amended, are reduced as follows: a reduction of \$62,000,000 in rural electrification loans and \$125,000,000 in rural telephone loans to provide for a total level of \$788,000,000 for rural electrification loans; and a reduction of \$125,000,000 for rural telephone loans: Provided, That loans made pursuant to section 306 of that Act are in addition to these amounts, but during 1981, total commitments to guarantee loans pursuant to section 306, shall not exceed \$5,145,000,000 of contingent liability for loan principal.

Deferral No: 081-103

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency	Department of Commerce	New budget authority	\$ 44,400,000
Bureau	Minority Business Development Agency	(P.L. 96-536)	4,586,291
Appropriation title & symbol		Other budgetary resources	
Minority Business Development		Total budgetary resources	48,986,291
13X0201		Amount to be deferred:	
		Part of year	\$
		Entire year	3,400,000
OMB identification code:		Legal authority (in addition to sec. 1013):	
13-0201-0-1-376		<input type="checkbox"/> Antideficiency Act	
Grant program	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other	
Type of account or fund:		Type of budget authority:	
<input type="checkbox"/> Annual		<input checked="" type="checkbox"/> Appropriation	
<input type="checkbox"/> Multiple-year	(expiration date)	<input type="checkbox"/> Contract authority	
<input checked="" type="checkbox"/> No-year		<input type="checkbox"/> Other	

Justification: This appropriation provides for the delivery of management and technical assistance to minority businesses through private business consulting firms. While this deferral will reduce the number of locations where services can be provided, it will still enable the Minority Business Development Agency (MBDA) to offer management assistance in 65 out of the 100 metropolitan areas with the highest concentration of minority businesses.

This deferral action is taken as a part of the Administration's effort to reduce Federal spending.

Estimated Effects: By deferring resources in the three components of the Enterprise Development program, the effect of reduction on any client group, particularly those benefitting from the General Business Service Centers, will be minimized.

Outlay Effect: This deferral action will reduce 1981 outlays by \$3.4 million and will reduce the need for budget authority in 1982.

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Federal Register

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Monday, March 23, 1981

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE 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.

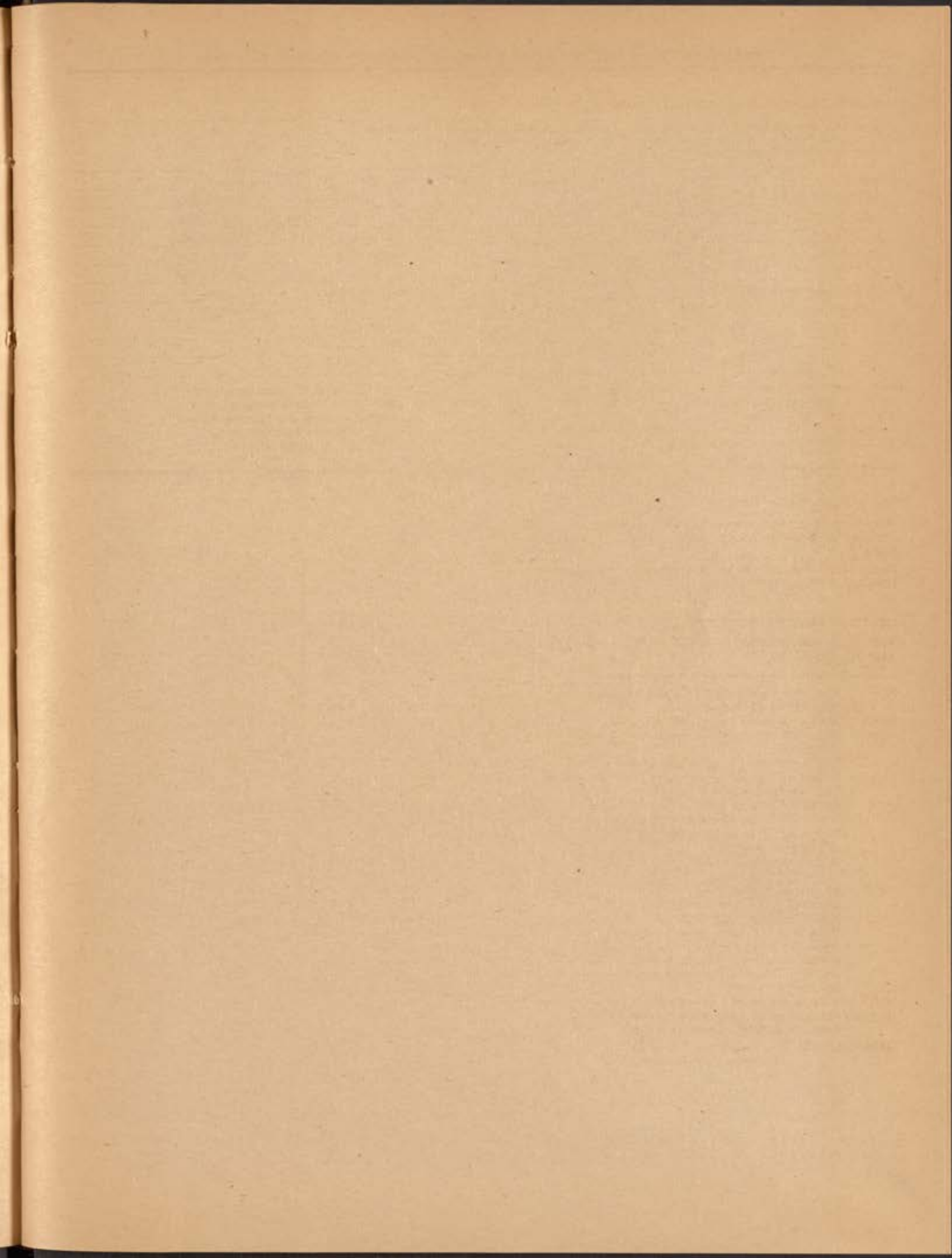
List of Public Laws

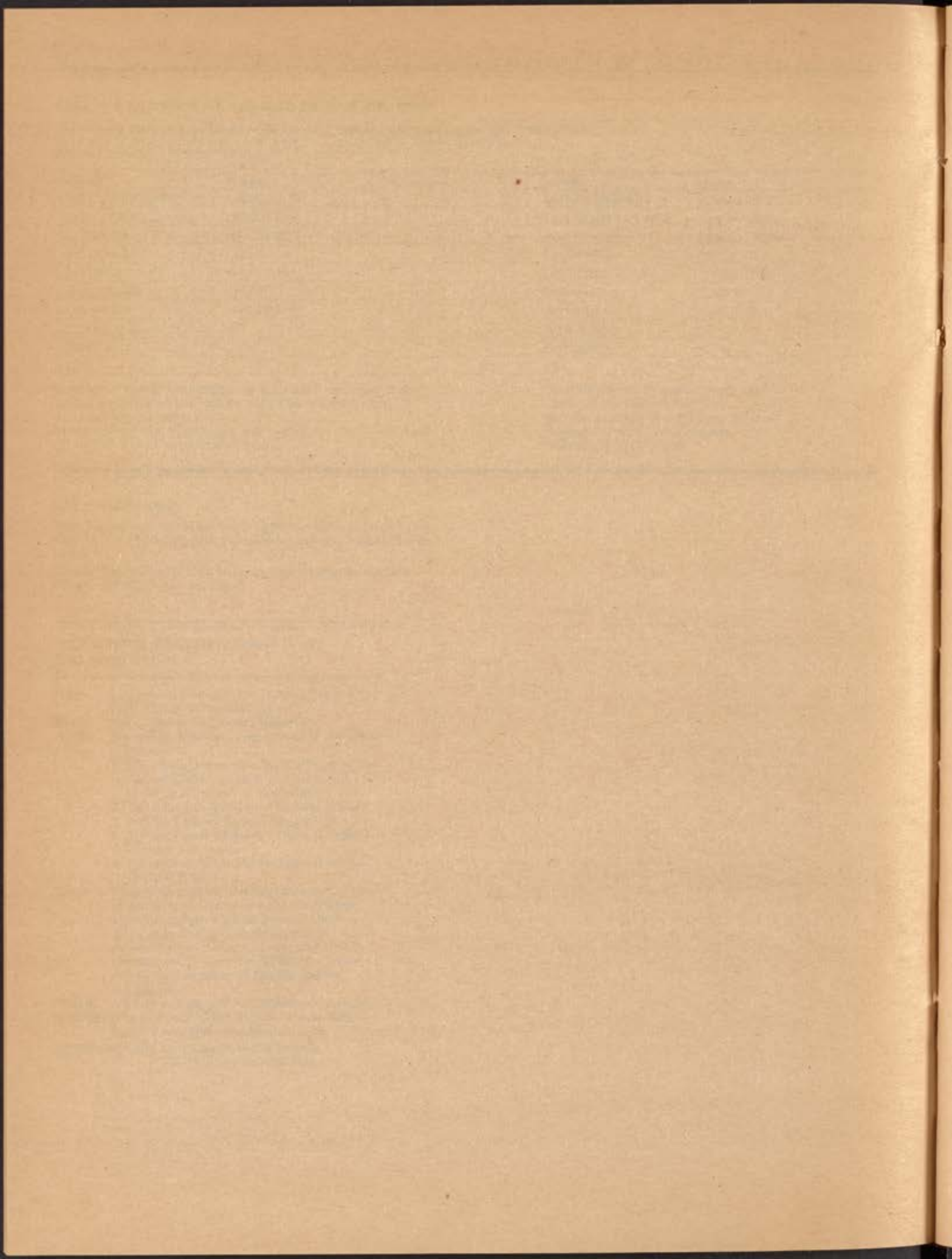
Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

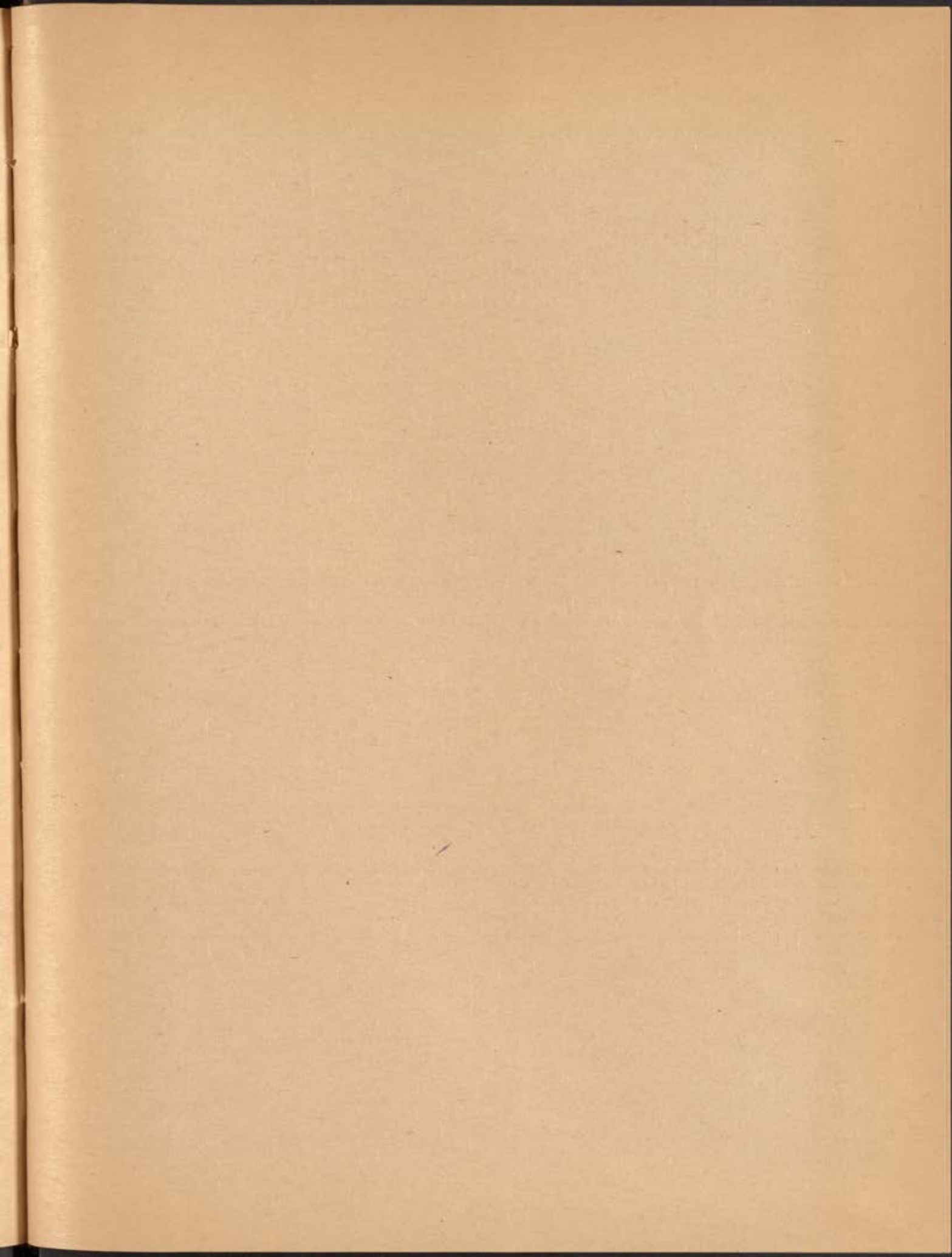
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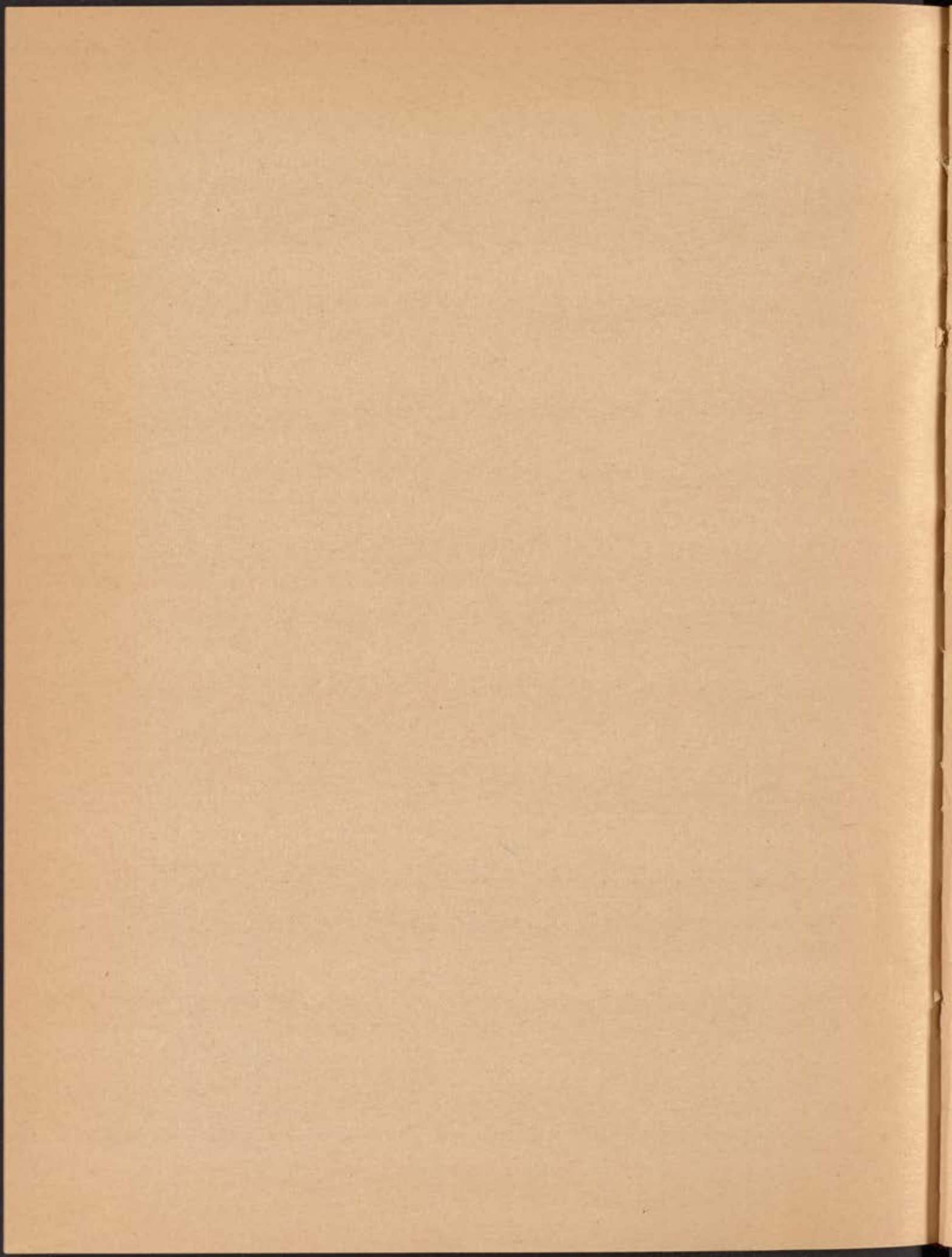
THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

- 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:** 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.

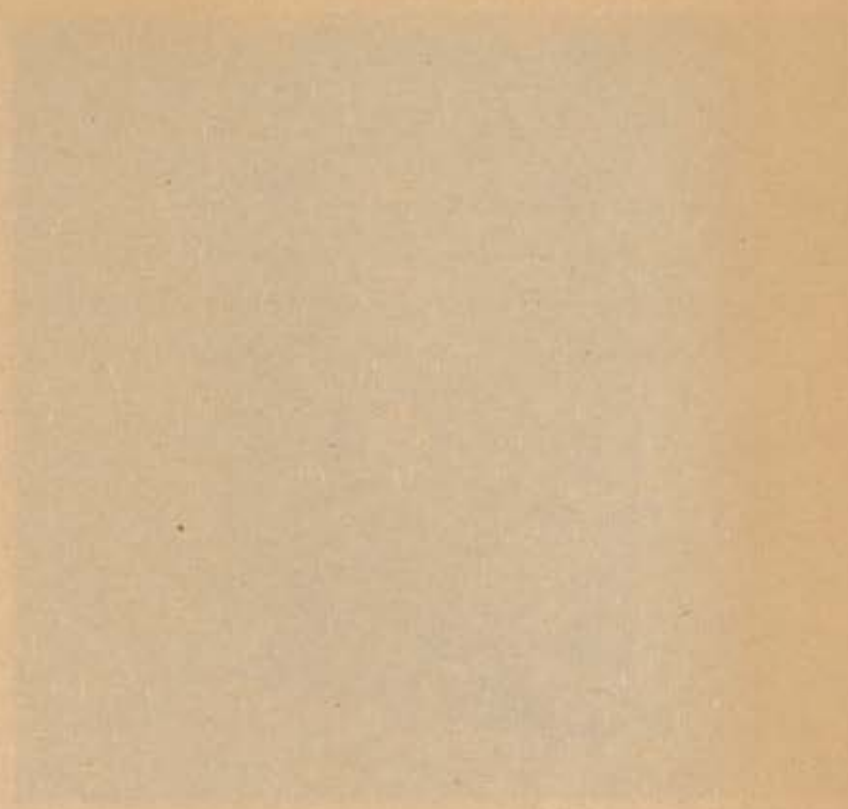








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