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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.

19901 **Amending the Generalized System of Preferences** Executive order

20036 **Regulatory Agenda** DOT/Sec'y (Part III of this issue)

19992 **Continental Shelf** Interior/GS issues receipt of a proposed development and production plan for oil and gas and sulphur operations.

19996 **Grant Programs—Minority Business** Commerce/MBDA seeks applications under its program to operate one project for a twelve month period beginning 8-1-81. The Specialized Consultants Services Program of the MBDA provides technical and management services to minority business-persons and firms for the purpose of improving their stability by increasing their management and marketing capabilities.

19927 **Mortgages** NCUA permits a Federal credit union to enter into a business relationship with a mortgage lender that will grant first mortgage loans to members of the Federal credit union. This rule is necessary so that a Federal credit union that cannot meet its members demand for mortgage loans can still serve as a source of mortgage funds for its membership.

CONTINUED INSIDE

Highlights

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

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

20300 **Gas-Fired Space Heaters** CPSC prohibits manufacturers from significantly increasing production of unvented gas-fired space heaters which do not comply with the Safety Standard requiring Oxygen Depletion Safety Shutoff Systems (ODS). The purpose of this "stockpiling" rule is to prevent marketing of excessive numbers of products that do not comply with the safety standard between the date the safety standard was issued and the date it goes into effect (Part II of this issue).

20032 **Gas-Fired Space Heaters** CPSC grants petition to extend effective date until 12–31–81, for the safety standard requiring Oxygen Depletion Safety Shutoff Systems (ODS) for unvented gas-fired space heaters (Part II of this issue).

19937 **Television** FCC amends rules regarding subscription (pay) television broadcasting.

19991 **Medical Research** HHS/PHS announces that it is conducting an evaluation of the safety and clinical effectiveness of hyperbaric oxygen therapy for treatment of actinonycosis. Based on this evaluation, a recommendation will be formulated to assist the HCFA in establishing Medicare coverage policy.

20024 **Sunshine Act Meetings**

Separate Parts of This Issue

20030 **Part II, CPSC**
20036 **Part III, DOT/Sec'y**

Contents

Federal Register
Vol. 46, No. 63
Thursday, April 2, 1981

The President
Executive Orders
19901 Generalized System of Preferences, amendments (EO 12302)

Executive Agencies

Agricultural Marketing Service
RULES
19927 Oranges (Navel) grown in Ariz. and Calif.
PROPOSED RULES
19946 Filberts grown in Oreg. and Wash.; correction
Milk marketing orders:
19946 Upper Midwest

Agriculture Department
See Agricultural Marketing Service; Forest Service; Soil Conservation Service.

Air Force Department
NOTICES
Meetings:
19968 Air Force Academy Board of Visitors

Army Department
NOTICES
Meetings:
19969 Medical Research and Development Advisory Panel (2 documents)

Civil Rights Commission
NOTICES
20024 Meetings; Sunshine Act

Commerce Department
See International Trade Administration; Maritime Administration; Minority Business Development Agency; National Oceanic and Atmospheric Administration.

Coast Guard
RULES
Incorporations by reference, approved (Editorial note: This document appeared at page 19660 in the Federal Register for March 31, 1981).
PROPOSED RULES
Regulatory agenda. See entry under Transportation Department.

Commodity Futures Trading Commission
NOTICES
20024 Meetings; Sunshine Act

Community Services Administration
NOTICES
Grants; availability, etc.:
19968 Grantee program management system; forms approved

Consumer Product Safety Commission
RULES
20030 Space heaters, unvented gas-fired; stockpiling
PROPOSED RULES
20032 Space heaters, unvented gas-fired; stockpiling; proposed effective date extension

Defense Department
See also Army Department; Navy Department.
NOTICES
Meetings:
19970 Electron Devices Advisory Group (2 documents)

Drug Enforcement Administration
NOTICES
Registration applications, etc.; controlled substances:
20009 Smith Kline & French Labs.
20009 Sterling Drug Inc.

Economic Regulatory Administration
NOTICES
Consent orders:
19972 Marion Corp. et al.
Natural gas; fuel oil displacement certification applications:
19972 Consolidated Edison Co. of New York, Inc.
Powerplant and industrial fuel use; prohibition orders, exemption requests, etc.:
19973 Georgia Power Co.
19973 Gulf States Utilities Co.

Energy Department
See also Economic Regulatory Administration; Federal Energy Regulatory Commission.
NOTICES
Meetings:
19970, 19971 National Petroleum Council (4 documents)

Environmental Protection Agency
RULES
19936 Final rules; deferral of effective dates
NOTICES
Air quality prevention of significant deterioration:
19986 Indianapolis Power & Light Co.; permit extension
Pesticides; temporary tolerances:
19987 2,3,-dihydro-5,6-dimethyl-1,4-dithiin-1,1,4,4-tetraoxide
19986 Ethephon
19987 Paraquat dichloride

Ethical Problems in Medicine and Biomedical and Behavioral Research, President's Commission for the Study of
NOTICES
20017 Meetings; agenda change

Federal Aviation Administration
RULES
Airworthiness directives:
19932 Dowty Rotol
Incorporations by reference, approval (Editorial note: This document appeared at page 19660 in the Federal Register for March 31, 1981).

19933 Standard instrument approach procedures
PROPOSED RULES
Regulatory agenda. See entry under Transportation Department.
19947 Transition areas; withdrawn
NOTICES
Aircraft certification status, etc.:
20019 McCauley

Federal Communications Commission
RULES
Television broadcasting:
19937 Subscription television service; policy statement
PROPOSED RULES
Satellite communications:
19947 Securities issuance authorization, borrowing of money, or assumption of obligations; termination of docket; correction
NOTICES
Organization and functions:
19988 Field Operations Bureau; Philadelphia, Pa., relocated
19988 Television broadcast applications accepted for filing and notification of cut-off date

Federal Deposit Insurance Corporation
NOTICES
20024, 20025 Meetings; Sunshine Act (3 documents)

Federal Election Commission
NOTICES
20025 Meetings; Sunshine Act

Federal Energy Regulatory Commission
NOTICES
Committees; establishment, renewals, terminations, etc.:
19974 Revision of Rules of Practice and Procedure Advisory Committee
Hearings, etc.:
19976 California Renewable Resources, Inc.
19977 Coleman Falls Development, Ltd.
19978, 19979 Consolidated Hydroelectric, Inc. (2 documents)
19980 Edison Electric Institute
19981 Enagenics et al.
19982 Gleeson, Lawrence, et al.
19982 Howell, James B.
19983 Liberty County, Mont., et al.
19984 Mason County Public Utility District No. 3
19985 Truckee-Donner Public Utility District, Calif., et al.
19975 Williamson, Richard V.
19976 Yolo County Flood & Water Conservation District

Federal Highway Administration
RULES
Incorporations by reference, approval (Editorial note: This document appeared at page 19660 in the Federal Register for March 31, 1981).
PROPOSED RULES
Regulatory agenda. See entry under Transportation Department.
NOTICES
Environmental statements; availability, etc.:
20020 Bloomington, Ind.; intent to prepare
20020 Gunnison and Chaffee Counties, Colo.; intent to prepare
20021 Hamilton-Marion County, Ind.; intent to prepare
20021 Oakland, Calif.; intent to prepare

Federal Home Loan Bank Board
NOTICES
20025 Meetings; Sunshine Act (2 documents)

Federal Maritime Commission
NOTICES
Energy and environmental statements; availability, etc.:
19988 Tampa Port Authority and Mitsui & Co. (U.S.A.), Inc.; lease and construction of phosphoric acid storage tanks at Big Bend Terminal, Hillsborough County, Fla.

Federal Railroad Administration
PROPOSED RULES
Regulatory agenda. See entry under Transportation Department.

Federal Reserve System
NOTICES
Applications, etc.:
19989 Barclays Interamerican Corp.
19989 Columbine Valley Corp.
19989 European American Bancorp
19990 United Bank Corp. of New York
Bank holding companies; proposed de novo nonbank activities:
19988 Chase Manhattan Corp. et al.
20026 Meetings; Sunshine Act

Forest Service
NOTICES
Environmental statements; availability, etc.:
19949 Siskiyou National Forest, site preparation and conifer release vegetation management program, Oreg.

General Services Administration
NOTICES
Authority delegations:
19990 Defense Department Secretary
Public utilities; hearings, etc.; proposed intervention:
19990 Federal Communications Commission
19991 Texas Public Utility Commission

Geological Survey
RULES
Outer Continental Shelf; oil, gas, and sulphur operations:
19935 Oil and gas, unavoidable discharges; exemption from royalty payments; correction
NOTICES
Authority delegations:
19992 Chief, Conservation Division; Outer Continental Shelf lessees; rental and royalty payments
Coal resource areas:
19992 Texas; correction
Outer Continental Shelf; oil, gas, and sulphur operations; development and production plans:
19992 Oxy Petroleum, Inc.
19992 Union Oil Co. of Calif.

Health and Human Services Department
See National Institutes of Health; Public Health Service.

Indian Affairs Bureau
NOTICES
Irrigation projects; operation and maintenance charges:
19993 Wind River Irrigation Project, Wyo.

Interior Department
See Geological Survey; Indian Affairs Bureau; Land Management Bureau.

Internal Revenue Service
RULES
Excise taxes:
19935 Crude oil windfall profit tax, administrative provisions; temporary; correction
PROPOSED RULES
Excise taxes:
19947 Crude oil windfall profit tax, administrative provisions; cross reference; correction

International Trade Administration
NOTICES
Antidumping:
19963 Leather wearing apparel from Colombia
19965 Viscose rayon staple fiber from France
Organizations, functions, and authority delegations:
19956 Export Development, Deputy Assistant Secretary, et al.
19950 International Economic Policy, Assistant Secretary

Interstate Commerce Commission
RULES
Railroad car service orders; various companies:
19940 Burlington Northern Inc.
19941 Chicago, Milwaukee, St. Paul & Pacific Railroad Co.; track use by various railroads
19942 Chicago, Rock Island & Pacific Railroad Co.; track use by various railroads
PROPOSED RULES
Freight forwarders:
19948 Cargo insurance, bonds or other security; minimum amounts required to be filed; advance notice; extension of time
NOTICES
Motor carriers:
19998 Finance applications
19999–20001 Permanent authority applications (3 documents)
19998, 20008 Permanent authority applications; corrections (4 documents)

Justice Department
See also Drug Enforcement Administration.
RULES
19935 Inmate grievance procedures; standards; partial deferral of effective date
NOTICES
Pollution control; consent judgments:
20008 Warren, Ohio

Land Management Bureau
NOTICES
Airport leases:
19997 Idaho
Classification of lands:
19997 Arizona
19998 California; correction
Environmental statements; availability, etc.:
19997 Shoshone Management Framework Plan, Idaho
19995 Sonoma-Gerlach Resource Area, Winnemucca District, Nev.; livestock grazing management program
Jurisdictional transfer:
19996 Bad River Indian Reservation, Wisc.; correction
Management framework plans, review and supplement etc.:
19994 North Dakota
Meetings:
19994 Richfield District Multiple Use Advisory Council
19998 Socorro District Grazing Advisory Board
19993 Susanville District Grazing Advisory Board
19998 Worland District Grazing Advisory Board
Opening of public lands:
19993 California
Withdrawal and reservation of lands, proposed, etc.:
19996 Montana
19995, 19996 Wyoming (2 documents)

Legal Services Corporation
RULES
19936 Eligibility for legal assistance; maximum income levels

Management and Budget Office
NOTICES
20012, 20014 Agency forms under review (2 documents)

Maritime Administration
NOTICES
Meetings:
19966 U.S. Merchant Marine Academy Advisory Board
Trustees; applicants approved, disapproved, etc.:
19966 Rhode Island Hospital Trust National Bank

Minority Business Development Agency
NOTICES
19966 Financial assistance application announcements

National Aeronautics and Space Administration
NOTICES
Meetings:
20010 Advisory Council
20009 Advisory Council; postponement
20009 Aeronautics Advisory Committee

National Credit Union Administration
RULES
Federal credit unions:
19927 Business relationship with mortgage lender

National Highway Traffic Safety Administration
RULES
Incorporations by reference, approval (Editorial note: This document appeared at page 19660 in the **Federal Register** for March 31, 1981).
PROPOSED RULES
Motor vehicle safety standards:
19947 Passenger vehicles; crashworthiness performance rating program; extension of time

Regulatory agenda. See entry under Transportation Department.

National Institutes of Health
NOTICES
Meetings:
19991 Child Health and Human Development National Advisory Council
19991 National Library of Medicine, Scientific Counselors Board

National Oceanic and Atmospheric Administration
NOTICES
Coastal zone management programs:
19967 Alaska

National Transportation Safety Board
NOTICES
20010 Accident reports, safety recommendations and responses, etc.; availability

Navy Department
NOTICES
Meetings:
19969 Naval Discharge Review Board

Nuclear Regulatory Commission
PROPOSED RULES
Environmental protection; licensing and regulatory policy and procedures:
19946 Uranium fuel cycle environmental data; correction
NOTICES
20026 Meetings; Sunshine Act
Reports; availability, etc.:
20012 Nuclear power plant simulators; correction

Public Health Service
NOTICES
Medical technology scientific evaluations:
19992 Blood glucose analyzers for use in patient's home
19991 Hyperbaric oxygen therapy for treatment of actinomycosis

Railroad Retirement Board
NOTICES
20026 Meetings; Sunshine Act

Research and Special Programs Administration, Transportation Department
RULES
Incorporations by reference, approval (Editorial note: This document appeared at page 19660 in the Federal Register for March 31, 1981).
PROPOSED RULES
Regulatory agenda. See entry under Transportation Department.

Securities and Exchange Commission
NOTICES
Hearings, etc.:
20017 Arkansas Power & Light Co.
20018 Central & South West Corp. et al.
20026 Meetings: Sunshine Act
Self-regulatory organizations; proposed rule changes:
20017 Bradford Securities Processing Services, Inc., et al.

Soil Conservation Service
NOTICES
Environmental statements; availability, etc.:
19949 East End Farm Irrigation RC&D Measure, Idaho
19950 Eno River Park RC&D Measure, N.C.

Transportation Department
See also Coast Guard; Federal Aviation Administration; Federal Highway Administration; Federal Railroad Administration; National Highway Traffic Safety Administration; Research and Special Programs Administration, Transportation Department; Saint Lawrence Seaway Development Corporation; Urban Mass Transportation Administration.
PROPOSED RULES
Regulatory agenda. See entry under Transportation Department.

Treasury Department
See also Internal Revenue Service.
NOTICES
Bonds, Treasury:
20022 2001 series
Meetings:
20022 Debt Management Advisory Committees

Urban Mass Transportation Administration
PROPOSED RULES
20022 Regulatory agenda. See entry under Transportation Department.

Veterans Administration
NOTICES
Meetings:
20022 Health-Related Effects of Herbicides Advisory Committee

MEETINGS ANNOUNCED IN THIS ISSUE

COMMERCE DEPARTMENT
Maritime Administration—
19966 U.S. Merchant Marine Academy Advisory Board, Kings Point, N.Y. (open), 4–23–81

DEFENSE DEPARTMENT
Air Force Department—
19968 Air Force Academy Board of Visitors, Colorado Springs, Colo. (partially open), 4–14 and 4–15–81
Army Department—
19969 United States Army Medical Research and Development Advisory Panel, Medical Entomology Subcommittee, Washington, D.C. (partially open), 4–27–81
19969 United States Army Medical Research and Development Advisory Panel, Medicinal Chemistry, Washington, D.C. (partially open), 4–24–81
Office of the Secretary—
19970 DoD Advisory Group on Electron Devices (AGED), Arlington, Va. (closed), 5–4–81

19970 DoD Advisory Group on Electron Devices (AGED), Working Group D (Mainly Laser Devices), Arlington, Va. (closed), 5–20 and 5–21–81

ENERGY DEPARTMENT
19970 National Petroleum Council, Environmental Conservation Committee, Coordinating Subcommittee, Washington, D.C. (open), 6–10–81
19970 National Petroleum Council, Environmental Conservation Committee, Synthetic Fuels Task Group (open), Washington, D.C., 4–14–81 and Denver, Colo., 5–14–81
19971 National Petroleum Council, Environmental Conservation Committee, Water Quality Task Group, Denver, Colo. (open), 4–2–81 changed to 4–30–81
19971 National Petroleum Council, Water Quality Task Group of the Environmental Conservation, New York City, N.Y. (open), 5–21–81

HEALTH AND HUMAN SERVICES DEPARTMENT
National Institutes of Health—
19991 Board of Scientific Counselors, National Library of Medicine, Bethesda, Md. (open), 4–30 and 5–1–81
19991 National Advisory Child Health and Human Development Council, Bethesda, Md. (open), 5–18 and 5–19–81

INTERIOR DEPARTMENT
Land Management Bureau—
19994 Richfield District Multiple Use Advisory Council, Near Nephi, Utah (open), 4–28–81
19998 Socorro District Grazing Advisory Board, Socorro, N. Mex. (open), 4–24–81
19997 Shoshone Management Framework Plan Amendment and Environmental Impact Statement, Gooding, Idaho (open), 5–5–81
19993 Susanville District Grazing Advisory Board, Susanville, Calif. (open), 5–14–81
19998 Worland District Grazing Advisory Board, Worland, Wyo. (open), 5–13–81

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
20009 NASA Advisory Council, Aeronautics Advisory Committee, Aeronautical Propulsion Technology Informal Advisory Subcommittee, Washington, D.C. (open), 4–29, 4–30 and 5–1–81
20010 NASA Advisory Council, Informal Ad Hoc Solar System Exploration Committee, Washington (open), 4–20 through 4–22–81

TREASURY DEPARTMENT
Office of the Secretary—
20022 Debt Management Advisory Committees, Washington, D.C. (closed), 4–27 through 4–29–81

VETERANS ADMINISTRATION
20022 Health-related effects of herbicides, Washington, D.C. (open), 5–5–81

CHANGED MEETINGS

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVORIAL RESEARCH
20017 Meeting, Miami, Fla. (open), 4–9 and 4–10–81 (agenda change)

RESCHEDULED MEETINGS

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
20009 NASA Advisory Council, Kennedy Space Center, Fla. (open), rescheduled from 4–7 and 4–8–81 to 4–9 and 4–10–81

HEARINGS

DEFENSE DEPARTMENT
Navy Department—
19969 Naval Discharge Review Board, Memphis, Tenn. and Kansas City, Mo., 3–23 through 4–3–81; Tampa, Fla. and Atlanta, Ga., 4–20 through 5–1–81; Minneapolis, Minn and Chicago, Ill., 4–27 through 5–8–81; Helena, Mont., Portland, Oreg., Salt Lake City, Utah and Denver, Colo., 5–11 through 5–22–81; Boston, Mass., 6–1 through 6–5–81; Dallas, Tex., 6–1 through 6–5–81; San Diego, Calif., 6–12 through 7–24–81

INTERIOR DEPARTMENT
Land Management Bureau—
19995 Sonoma—Gerlach Resource Area, Lovelock, Nev., 4–28; Winnemucca, Nev., 4–29 and Reno, Nev., 4–30–81

CFR PARTS AFFECTED IN THIS ISSUE

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

3 CFR
Executive Orders:
11888 (Amended by EO 12302)..... 19901
12302..... 19901
Proclamations:
4707 (Amended by EO 12302)..... 19901
4768 (Amended by EO 12302)..... 19901

7 CFR
907..... 19927
Proposed Rules:
982..... 19946
1068..... 19946

10 CFR
Proposed Rules:
51..... 19946

12 CFR
701..... 19927

14 CFR
39..... 19932
97..... 19933
Proposed Rules:
Ch. I..... 20036
71..... 19947

16 CFR
1212..... 20030
Proposed Rules:
1212..... 20032

23 CFR
Proposed Rules:
Ch. I..... 20036
Ch. II..... 20036

26 CFR
150..... 19935
Proposed Rules:
51..... 19947

28 CFR
0..... 19935
40..... 19935

30 CFR
250..... 19935

40 CFR
52..... 19936
403..... 19936
429..... 19936

41 CFR
Proposed Rules:
Ch. 12..... 20036

45 CFR
1611..... 19936

46 CFR
Ch. I..... 20036
Ch. III..... 20036

47 CFR
73 (3 documents)..... 19937-19942
Proposed Rules:
25..... 19947

49 CFR
1033..... 19940
Proposed Rules:
Subtitle A
Ch. I..... 20036
Ch. II..... 20036
Ch. III..... 20036
Ch. IV..... 20036
583..... 19947
1043..... 19948
1084..... 19948

Federal Register
Vol. 46, No. 63
Thursday, April 2, 1981

Presidential Documents

Title 3—

The President

Executive Order 12302 of April 1, 1981

Amending the Generalized System of Preferences

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including Title V of the Trade Act of 1974 (88 Stat. 2066, 19 U.S.C. 2461 *et seq.*) as amended, Section 604 of the Trade Act of 1974 (88 Stat. 2073, 19 U.S.C. 2483), and Section 503(a)(2)(A) of the Trade Agreements Act of 1979 (93 Stat. 251), and as President of the United States of America, in order to modify, as provided by Sections 504 (a) and (c) of the Trade Act of 1974 (88 Stat. 2070, 19 U.S.C. 2464 (a) and (c)), the limitations on preferential treatment for eligible articles from countries designated as beneficiary developing countries, to adjust the original designation of eligible articles taking into account information and advice received in fulfillment of Sections 503(a) and 131–134 of the Trade Act of 1974 (88 Stat. 2069, 19 U.S.C. 2463; 88 Stat. 1994, 19 U.S.C. 2151 *et seq.*) and to modify the designations of beneficiary developing countries in accord with my notification to the Congress of March 17, 1981, and in accord with technical changes in the identification of certain beneficiary developing countries, it is hereby ordered as follows:

Section 1. In order to subdivide existing items for purposes of the Generalized System of Preferences (GSP), the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202) are modified as provided in Annex I, attached hereto and made a part hereof.

Sec. 2. Annex II of Executive Order No. 11888 of November 24, 1975, as amended, listing articles that are eligible for benefits of the GSP when imported from any designated beneficiary developing country, is amended by substituting therefor the new Annex II attached hereto and made a part hereof.

Sec. 3. Annex III of Executive Order No. 11888, as amended, listing articles that are eligible for benefits of the GSP when imported from all designated beneficiary countries except those specified in General Headnote 3(c)(iii) of the TSUS, is amended by substituting therefor the new Annex III, attached hereto and made a part hereof.

Sec. 4. General Headnote 3(c)(iii) of the TSUS, listing articles that are eligible for benefits of the GSP except when imported from the beneficiary countries listed opposite those articles, is amended by substituting therefor the General Headnote 3(c)(iii) set forth in Annex IV, attached hereto and made a part hereof.

Sec. 5. In order to provide staged reductions in the rates of duty for those new TSUS items created by Annex I to this Order, Annex III to Proclamation 4707 of December 11, 1979, and Annex III to Proclamation 4768 of June 28, 1980, are amended by Annex V to this Order, attached hereto and made a part hereof.

Sec. 6. General Headnote 3(c)(i) of the TSUS is modified as provided in Annex VI, attached hereto and made a part hereof.

Sec. 7. In order to provide special treatment for the least developed developing countries (LDDC's) with regard to TSUS items 387.25 and 387.35, Annex IV of Proclamation 4707 of December 11, 1979, is amended by Annex VII to this Order, attached hereto and made a part hereof.

Sec. 8. Whenever the column 1 rate of duty in the TSUS for any item specified in Annex I to this Order is reduced to the same level as, or to a lower level

than, the corresponding rate of duty inserted in the column entitled "LDDC" by Annex I or VII of this Order, the rate of duty in the column entitled "LDDC" for such item shall be deleted from the TSUS.

Sec. 9. Annexes III and IV of Proclamation 4707 of December 11, 1979, and Annex III of Proclamation 4768 of June 28, 1980, are superseded to the extent inconsistent with this Order.

Sec. 10. The amendments made by this Order shall be effective with respect to articles both: (1) imported on and after January 1, 1976, and (2) entered, or withdrawn from warehouse for consumption, on and after March 31, 1981.

Ronald Reagan

THE WHITE HOUSE,
April 1, 1981.

[FR Doc. 81-10239
Filed 4-1-81; 10:43 am]
Billing code 3195-01-M

ANNEX I

GENERAL MODIFICATIONS OF THE TARIFF SCHEDULES OF THE UNITED STATES

NOTES:

1. Bracketed matter is included to assist in the understanding of ordered modifications.

2. The following items, with or without preceding superior descriptions, supersede matter now in the Tariff Schedules of the United States (TSUS). The items and superior descriptions are set forth in columnar form, and material in such columns is inserted in the columns of the TSUS designated "Item", "Articles", "Rates of Duty 1", "Rates of Duty LDDC", and "Rates of Duty 2", respectively.

Subject to the above notes the TSUS is modified as follows:

Effective as to articles entered, or withdrawn from warehouse for consumption, on and after March 31, 1981.

1. Item 112.22 is superseded by:

	[Fish...:]			
	[Sardines:]			
	[In containers...:]			
	"Other:			
112.21	In tomato sauce		6.25% ad val.	25% ad val.
112.23	Other		6.25% ad val.	25% ad val."

2.(a) Item 137.87 is superseded by the following new items which are to be inserted in numerical sequence:

	[Vegetables...:]			
	[Other:]			
"137.84	Water chestnuts, frozen		25% ad val.	50% ad val.
137.95	Other		25% ad val.	50% ad val."

(b) Conforming changes:

Items 137.81 and 137.83 are redesignated as 137.88 and 137.89, respectively. The article description for item 903.45 is modified by substituting therein "137.84" for "137.87".

3.(a) Item 138.45 is superseded by:

	[Vegetables:]			
	"Other:			
138.40	Bamboo shoots and water chestnuts, sliced and frozen		17.5% ad val.	35% ad val.
138.42	Other		17.5% ad val.	35% ad val."

(b) Conforming change:

The article description for item 903.45 is modified by substituting therein " ,138.40 or 138.42" for "or 138.45".

4.(a) Item 141.88 is superseded by:

	[Vegetables:]			
	[Other:]			
	[Other:]			
	"Other:			
141.89	Frozen		17.5% ad val.	35% ad val.
	Other:			
141.92	Artichokes		17.5% ad val.	35% ad val.
141.93	Asparagus		17.5% ad val.	35% ad val.
141.98	Other		17.5% ad val.	35% ad val."

(b) Conforming change:

The article description for item 903.60 is modified by substituting therein "141.98" for "141.88".

5. Item 146.77 is superseded by the following new items which are to be inserted in numerical sequence:

	[Berries...:]			
	[Frozen:]			
"146.70	Boysenberries		14% ad val.	35% ad val.
146.78	Other berries		14% ad val.	35% ad val."

ANNEX I

-2-

6.(a) Item 148.24 is superseded by:

	[Melons...]		
	[Fresh:]		
	"Watermelons:		
148.25	If entered during the period from December 1, in any year to the following March 31, inclusive.....	20% ad val.	35% ad val.
148.28	If entered at any other time.....	20% ad val.	35% ad val."

(b) Conforming changes:

Items 148.26 and 148.27 are redesignated as 148.29 and 148.30, respectively.

7.(a) Item 170.64 is superseded by:

	[Cigarettes:]		
	"Other:		
170.65	Paper-wrapped.....	$1.06 per lb. + 5% ad val.	$4.50 per lb. + 25% ad val.
170.67	Other.....	$1.06 per lb. + 5% ad val.	$4.50 per lb. + 25% ad val."

(b) Conforming change:

Item 170.66 is redesignated as 170.69.

8. Item 184.53 is superseded by:

	[Soy bean...:]		
	"Other:		
184.52	Soy bean and cottonseed oil cake and oil-cake meal.....	0.3¢ per lb.	0.3¢ per lb.
184.53	Other.....	0.3¢ per lb.	0.3¢ per lb."

9.(a) Item 360.05 is superseded by:

	[Floor...:]		
	[In which...:]		
	[With pile...:]		
	"With over 50 percent by weight of the pile being hair of the alpaca, guanaco, huarizo, llama, misti, suri or any combination of these hairs:		
360.04	Certified hand-loomed and folklore products.....	[See Annex V]	45% ad val.
360.06	Other.....	[See Annex V]	45% ad val."

(b) Conforming change:

The schedule 3 headnotes are modified by adding thereto the following new headnote; this new headnote shall be deleted effective January 1, 1982:

"10. For the purposes of this schedule, the term "Certified hand-loomed and folklore products" refers to hand-loomed fabrics of the cottage industry, hand-made cottage industry products made of such hand-loomed fabrics, and traditional folklore handicraft textile products, provided such fabrics and products have been certified, in accordance with regulations issued by the Secretary of the Treasury, by an official of a government agency of the country where the fabrics or products were produced, to have been so made."

ANNEX I

-3-

10.(a) Item 361.22 is superseded by:

	[Floor coverings...:]		
	[Other:]		
	"Other:		
	In chief weight of the named material:		
361.23	Vegetable fibers, except cotton.....	[See Annex V]	35% ad val.
361.24	Wool or man-made fibers.....	[See Annex V]	35% ad val.
361.26	Other.....	[See Annex V]	35% ad val."

(b) Conforming change:

The schedule 3, part 5A headnotes are modified by adding thereto:

"4. For the purposes of items 361.23 through 361.26, a floor covering is in chief weight of the named material if the weight of that component material is greater than the weight of each other textile component (i.e., cotton, vegetable fibers except cotton, wool, silk, man-made fibers, or other textile materials) of the article.".

11. Item 361.44 is superseded by:

	[Floor coverings...:]		
	[Of wool:]		
	[Woven...:]		
	"Valued over 30 cents per square foot:		
361.43	Certified hand-loomed and folklore products.....	[See Annex V]	45% ad val.
361.45	Other.....	[See Annex V]	45% ad val."

12. Item 364.22 is superseded by:

	[Tapestries...:]		
	[Other:]		
	[Of wool:]		
	"Valued over $2 per pound:		
364.21	Certified hand-loomed and folklore products.....	[See Annex V]	64.5% ad val.
364.23	Other.....	[See Annex V]	64.5% ad val."

13. Item 367.30 is superseded by:

	[Other furnishings...:]		
	[Of wool:]		
	"Other:		
	Certified hand-loomed and folklore products:		
367.28	Pillow covers.....	[See Annex V]	50% ad val.
367.31	Wall hangings.....	[See Annex V]	50% ad val.
367.34	Other.....	[See Annex V]	50% ad val."

14. Item 387.34 is superseded by the following items which are to be inserted in numerical sequence:

	[Articles...:]		
	[Other articles...:]		
	[Of vegetable...:]		
	[Other:]		
"387.25	Of coir.....	[See Annex V]	40% ad val.
387.35	Other.....	[See Annex V]	40% ad val."

15. Item 642.16 is superseded by:

	[Strands...:]		
	[Not fitted...:]		
	[Not covered...:]		
	[Ropes...:]		
	[Valued 13c...:]		
	"Other:		
	Of iron or steel (except stainless):		
642.15	Of brass plated wire.....	4% ad val.	35% ad val.
642.16	Other.....	4% ad val.	35% ad val.
642.17	Other.....	4% ad val.	35% ad val."

ANNEX I

-4-

16. Item 650.49 is superseded by:

	[Forks, spoons...:]			
	[Forks:]			
	[With their handles:]			
	[Other:]			
	"Other:			
650.48	Table forks (including table serving forks)	[See Annex V]	0.3c each + 4.5% ad val.	8c each + 45% ad val.
650.50	Other	[See Annex V]	0.3c each + 4.5% ad val.	8c each + 45% ad val.

17. Item 654.01 is superseded by the following new items which are to be inserted in numerical sequence:

	[Articles...:]			
	[Articles...:]			
	[Of iron or steel:]			
	[Not enameled...:]			
	[Other:]			
"653.94	Cooking and kitchen ware, of stainless steel	[See Annex V]	3.4% ad val.	40% ad val.
[653.96]	[Toilet...]			
[653.98]	[If certified...]			
	[Other:]			
[653.99]	[Cooking ware...]			
654.00	Other	[See Annex V]	3.4% ad val.	40% ad val."

18. Items 687.58 and 687.62 are superseded by:

	[Electronic...:]			
	[Other:]			
	"Other:			
687.65	Diodes and rectifiers	[See Annex V]	4.2% ad val.	35% ad val.
687.70	Transistors	[See Annex V]	4.2% ad val.	35% ad val.
687.75	Other	[See Annex V]	4.2% ad val.	35% ad val.
687.76	If Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free"		

19. Items 706.23, 706.24 and 706.30 are superseded by:

	[Luggage...:]			
	[Of textile...:]			
	[Other:]			
	[Of vegetable fibers...:]			
	"Other:			
706.25	Flat goods	6.5% ad val.		40% ad val.
706.26	Other	6.5% ad val.		40% ad val.
	Other:			
706.27	Flat goods, of textile materials except cotton	20% ad val.		65% ad val.
706.28	Other	20% ad val.		65% ad val.
	Of reinforced or laminated plastics:			
706.31	Flat goods	[See Annex V]	5.5c per lb. + 4.6% ad val.	50c per lb. + 40% ad val.
706.35	Other	[See Annex V]	5.5c per lb. + 4.6% ad val.	50c per lb. + 40% ad val."

20. Item 706.60 is superseded by:

	[Luggage...:]			
	[Of other materials:]			
	"Other:			
706.61	Flat goods	20% ad val.		45% ad val.
706.62	Other	20% ad val.		45% ad val."

ANNEX I

-5-

21. Item 715.53 is superseded by:

	[Apparatus...:]			
	[Other:]			
	"Valued over $10 each:			
715.55	Time locks	[See Annex V]	45¢ each + 7% ad val. + 2.5¢ for each jewel, if any	$4.50 each + 65% ad val. + 25¢ for each jewel, if any"
715.57	Other	[See Annex V]	45¢ each + 7% ad val. + 2.5¢ for each jewel, if any	$4.50 each + 65% ad val. + 25¢ for each jewel, if any"

22.(a) Item 748.40 is superseded by:

	"Feathers, whether or not on the skin, colored or otherwise processed; feathers suitable for use as millinery ornaments; feather flowers, feather trees, and similar ornamental articles, of feathers; articles not specially provided for, of feathers:		
	Wearing apparel containing 50% or more by weight of cotton, wool, or man-made fibers, or any combination thereof, or containing 50% or more by weight of textile materials with wool comprising 17% or more by weight:		
748.45	Coats, jackets and vests	4.7% ad val.	60% ad val.
748.50	Other	4.7% ad val.	60% ad val.
748.55	Other	4.7% ad val.	60% ad val."

(b) Conforming change:

The superior heading for item 748.20 is modified by substituting therein "748.55" for "748.40".

ANNEX II

ARTICLES THAT ARE ELIGIBLE FOR PREFERENTIAL TREATMENT WHEN IMPORTED FROM ANY BENEFICIARY DEVELOPING COUNTRY

100.25	124.40	141.05	154.60
100.31	124.60	141.20	155.30
105.30	124.65	141.35	155.35
105.60	124.70	141.45	155.40
105.84	124.80	141.50	155.60
106.70	125.01	141.70	155.75
106.75	125.10	141.78	156.25
107.10	125.15	141.85	156.30
107.15	125.20	141.98	156.40
107.20	125.32	145.02	156.47
107.25	125.34	145.09	157.10
107.40	125.50	145.24	161.37
107.45	125.82	145.28	161.43
107.65	125.84	145.30	161.45
107.70	126.41	145.50	161.53
107.78	127.10	145.52	161.61
107.80	130.20	145.53	161.65
110.28	130.30	145.54	161.69
110.35	130.32	145.65	161.71
110.45	130.37	145.70	161.75
111.10	130.40	146.12	161.83
111.15	130.45	146.42	161.92
111.18	130.63	146.66	161.96
111.56	131.20	146.69	162.03
111.60	131.35	146.78	162.07
112.03	131.80	146.82	162.11
112.21	132.55	146.87	162.15
112.36	135.30	147.21	165.55
112.40	135.41	147.29	166.10
112.94	135.50	147.33	166.20
113.30	135.51	147.36	166.30
113.40	135.60	147.80	166.40
113.50	135.70	147.85	167.05
113.60	135.80	148.02	167.15
114.06	135.94	148.19	167.25
114.25	136.10	148.25	167.34
114.55	136.40	148.35	167.40
117.65	136.50	148.52	167.50
117.67	136.90	148.65	168.12
119.50	136.92	148.77	168.13
119.55	136.95	149.15	168.14
120.17	137.04	149.60	168.16
121.10	137.75	152.00	168.36
121.15	137.84	152.05	168.37
121.25	138.40	152.43	168.39
121.30	140.10	152.54	168.41
121.35	140.11	152.58	168.42
121.52	140.16	152.60	168.54
121.54	140.20	152.72	168.57
121.56	140.35	153.16	168.59
121.64	140.38	153.24	168.61
121.65	140.46	153.28	168.96
123.50	140.54	153.32	168.98
124.20	140.56	154.10	169.07
124.25	140.70	154.40	169.08
124.30		154.43	169.32

ANNEX II

-2-

169.37	186.50	240.10	253.15
169.38	188.30	240.12	253.20
169.39	188.34	240.14	253.25
169.46	188.50	240.16	253.30
169.47	190.10	240.19	253.35
169.48	190.25	240.30	253.40
169.49	190.68	240.32	253.45
169.58	191.18	240.34	254.05
169.59	192.17	240.36	254.09
170.63	193.10	240.40	254.15
170.67	200.06	240.50	254.18
175.36	200.45	240.52	254.20
176.01	202.38	240.54	254.25
176.14	202.54	240.56	254.30
176.29	202.56	240.58	254.35
176.30	202.60	240.60	254.40
176.49	202.66	245.00	254.42
176.50	203.10	245.10	254.44
176.70	203.20	245.30	254.46
177.12	203.30	245.45	254.48
177.16	204.05	245.50	254.50
177.22	204.10	245.60	254.54
177.24	204.20	245.70	254.56
177.26	204.30	245.80	254.58
177.40	204.35	251.10	254.63
177.58	204.40	251.15	254.65
177.62	206.30	251.20	254.70
177.69	206.45	251.25	254.80
177.72	206.50	251.30	254.85
178.30	206.52	251.45	254.90
182.05	206.53	252.05	254.95
182.10	206.54	252.10	256.05
182.11	206.65	252.13	256.10
182.15	206.95	252.15	256.13
182.20	207.00	252.17	256.15
182.30	220.10	252.20	256.20
182.32	220.15	252.25	256.25
182.35	220.31	252.27	256.30
182.36	220.35	252.30	256.35
182.40	220.36	252.35	256.40
182.45	220.37	252.40	256.42
182.46	220.39	252.42	256.44
182.49	220.41	252.45	256.48
182.52	220.47	252.50	256.52
182.58	220.50	252.57	256.54
182.90	222.30	252.59	256.56
182.96	222.32	252.61	256.58
183.05	222.34	252.63	256.60
184.50	222.36	252.70	256.65
184.51	222.40	252.73	256.67
184.53	222.41	252.75	256.70
184.58	222.42	252.77	256.75
184.65	222.44	252.81	256.80
186.10	222.55	252.84	256.84
186.15	222.57	252.86	256.90
186.20	222.60	252.90	270.45
186.30	222.62	253.05	270.50
186.40	222.64	253.10	273.30

ANNEX II

-3-

273.50	308.20	365.14	408.64
273.55	308.30	365.15	408.68
273.65	308.35	365.25	408.72
273.70	308.45	365.29	408.76
273.75	308.47	365.72	408.81
273.85	308.51	365.76	408.84
273.90	308.55	365.84	408.88
273.95	308.80	365.91	408.92
274.00	308.90	366.84	408.96
274.05	312.10	367.28	409.02
274.10	312.30	367.31	409.06
274.15	312.40	370.17	409.10
274.20	312.50	370.19	409.14
274.23	315.30	370.22	409.18
274.27	315.55	372.60	409.22
274.29	315.75	372.65	409.26
274.33	315.85	385.45	409.28
274.35	315.90	385.95	409.30
274.60	315.95	386.09	409.34
274.65	316.50	387.25	409.38
274.70	316.70	387.32	409.42
274.75	319.07	390.16	410.36
274.80	335.50	402.00	410.40
274.85	335.70	402.04	410.44
274.90	335.85	402.08	410.48
304.10	337.20	402.12	410.52
304.12	337.72	402.16	410.56
304.14	339.10	402.20	410.60
304.22	347.20	402.24	410.64
304.40	347.28	402.28	410.66
304.44	347.35	402.32	410.68
304.48	347.72	406.20	410.72
304.58	347.75	406.72	410.76
305.20	355.04	406.86	410.80
305.22	355.20	406.96	410.84
305.28	355.42	407.00	410.88
305.30	355.55	407.09	410.92
305.40	356.25	407.16	410.96
305.50	356.40	408.00	411.00
306.42	360.04	408.08	411.04
306.52	360.36	408.12	411.08
306.53	360.77	408.16	411.10
306.60	360.79	408.21	411.20
306.61	360.82	408.22	412.22
306.70	360.84	408.23	412.72
306.71	361.21	408.24	412.76
306.72	361.23	408.28	412.80
306.80	361.26	408.29	412.84
306.81	361.43	408.31	412.88
306.82	361.53	408.32	412.92
307.02	363.02	408.36	412.96
307.04	364.09	408.38	413.00
307.06	364.14	408.41	413.04
307.16	364.18	408.44	413.08
308.06	364.21	408.48	413.12
308.10	364.25	408.52	413.16
308.16	374.35	408.54	413.20
308.18	365.05	408.61	413.24

ANNEX II

-4-

413.28	418.74	421.08	425.22
413.30	418.76	421.10	425.24
413.32	418.78	421.14	425.26
413.36	418.94	421.16	425.28
413.40	419.00	421.18	425.32
413.50	419.02	421.22	425.34
413.51	419.04	421.34	425.36
415.20	419.10	421.36	425.38
415.27	419.20	421.44	425.41
415.50	419.22	421.46	425.42
416.05	419.24	421.52	425.52
416.10	419.28	421.54	425.70
416.30	419.32	421.60	425.72
416.45	419.34	421.62	425.74
417.10	419.38	421.72	425.76
417.14	419.40	421.74	425.78
417.16	419.42	421.76	425.82
417.18	419.44	421.84	425.86
417.20	419.50	421.86	425.87
417.22	419.52	421.90	425.88
417.24	419.54	422.00	425.94
417.26	419.70	422.10	426.00
417.28	419.74	422.12	426.04
417.32	419.76	422.14	426.08
417.34	419.80	422.20	426.10
417.36	419.82	422.24	426.12
417.38	419.84	422.26	426.14
417.42	419.90	422.30	426.18
417.44	420.00	422.58	426.22
417.50	420.02	422.60	426.24
417.52	420.04	422.62	426.26
417.54	420.06	422.70	426.28
417.64	420.08	422.72	426.32
417.70	420.14	422.74	426.34
417.72	420.16	422.78	426.36
417.74	420.18	422.80	426.42
417.76	420.20	422.82	426.44
417.78	420.22	422.90	426.46
417.80	420.24	422.92	426.52
417.90	420.26	422.94	426.54
417.92	420.28	423.00	426.56
418.00	420.30	423.80	426.58
418.14	420.34	423.84	426.62
418.18	420.36	423.86	426.64
418.22	420.40	423.88	426.72
418.24	420.54	423.94	426.76
418.26	420.60	423.96	426.77
418.28	420.68	425.00	426.78
418.32	420.70	425.02	426.82
418.40	420.78	425.04	426.84
418.42	420.82	425.06	426.86
418.44	420.84	425.08	426.88
418.50	420.86	425.09	426.92
418.52	420.88	425.10	426.94
418.60	420.94	425.12	426.96
418.62	420.98	425.14	426.98
418.68	421.04	425.18	427.02
418.72	421.06	425.20	427.04

427.06	428.72	437.58	460.25
427.08	428.80	437.64	460.30
427.12	428.82	437.65	460.35
427.14	428.84	437.68	460.45
427.16	428.86	437.69	460.50
427.18	428.88	437.70	460.55
427.20	428.90	437.72	460.60
427.22	428.92	437.74	460.65
427.24	428.94	437.82	460.70
427.25	428.96	437.84	460.75
427.28	429.00	437.86	460.80
427.30	429.10	438.01	460.85
427.40	429.12	438.02	460.90
427.42	429.19	439.30	461.05
427.44	429.22	439.50	461.10
427.45	429.24	440.00	461.15
427.46	429.26	445.05	461.20
427.48	429.29	445.10	461.30
427.53	429.30	445.15	461.35
427.54	429.32	445.20	461.40
427.56	429.34	445.25	461.45
427.58	429.38	445.30	465.05
427.60	429.42	445.35	465.10
427.62	429.44	445.42	465.15
427.64	429.46	445.44	465.20
427.70	429.47	445.46	465.25
427.72	429.48	445.48	465.30
427.74	429.60	445.52	465.35
427.82	429.70	445.54	465.40
427.84	429.85	445.56	465.45
427.92	429.95	445.75	465.50
427.94	432.15	446.10	465.55
427.97	435.10	446.12	465.60
427.98	437.02	446.15	465.65
428.04	437.04	446.30	465.70
428.06	437.06	450.10	465.75
428.12	437.10	450.20	465.80
428.20	437.12	452.24	465.85
428.22	437.13	452.48	465.87
428.24	437.14	452.54	465.90
428.26	437.16	452.58	465.92
428.30	437.18	452.80	465.95
428.32	437.20	455.02	466.05
428.34	437.22	455.06	466.10
428.36	437.30	455.16	466.15
428.40	437.32	455.18	466.20
428.41	437.36	455.20	466.25
428.42	437.38	455.22	466.30
428.44	437.40	455.24	470.18
428.47	437.44	455.30	470.85
428.50	437.49	455.32	472.06
428.52	437.50	455.34	472.10
428.54	437.51	455.36	472.12
428.58	437.52	455.38	472.14
428.62	437.54	455.44	472.24
428.64	437.55	455.46	472.30
428.66	437.56	460.10	472.40
428.68	437.57	460.15	472.42

ANNEX II

-6-

472.44	485.30	514.21	522.41
472.48	490.05	514.24	522.45
472.50	490.10	514.34	522.71
473.02	490.12	514.41	522.81
473.06	490.24	514.44	523.31
473.10	490.30	514.51	523.33
473.12	490.32	514.54	523.35
473.14	490.40	514.57	523.37
473.16	490.42	514.61	523.51
473.18	490.44	514.65	523.61
473.19	490.46	514.81	523.91
473.20	490.48	515.11	523.94
473.24	490.50	515.14	531.01
473.28	490.90	515.24	531.04
473.30	490.92	515.31	531.11
473.32	490.94	515.34	531.21
473.36	493.10	515.51	531.24
473.38	493.14	515.54	531.33
473.44	493.17	515.61	531.35
473.46	493.18	515.64	531.37
473.48	493.20	516.21	531.39
473.50	493.22	516.24	532.14
473.54	493.25	516.73	532.22
473.58	493.26	516.74	532.41
473.60	493.30	516.76	532.61
473.62	493.46	516.91	533.11
473.66	493.47	516.94	533.15
473.70	493.50	517.11	533.54
473.72	493.67	517.21	534.11
473.74	493.68	517.24	534.21
473.76	493.82	517.51	534.31
473.78	494.04	517.61	534.74
473.80	494.40	517.71	534.76
473.82	494.52	517.74	534.81
473.84	494.60	517.81	534.84
473.86	495.05	517.91	534.87
473.88	495.10	518.21	534.91
473.90	495.15	518.51	534.97
474.02	495.20	519.11	535.11
474.04	511.11	519.14	535.12
474.06	511.25	519.31	535.14
474.08	511.41	519.37	535.21
474.20	511.51	519.51	535.24
474.22	511.61	519.83	535.27
474.26	511.71	519.84	535.31
474.30	512.24	519.86	535.41
474.35	512.31	519.91	536.11
474.40	512.35	519.93	536.15
474.42	512.41	519.95	540.11
474.44	512.44	519.97	540.13
474.46	513.21	520.31	540.14
474.50	513.36	520.37	540.15
474.60	513.41	520.39	540.21
474.62	513.51	520.51	540.37
475.55	513.74	520.54	540.41
475.60	513.81	520.61	540.43
485.10	513.84	520.71	540.47
485.20	513.94	521.87	540.51

ANNEX II

-7-

540.55	602.28	612.31	620.30
540.61	603.10	612.32	620.40
540.63	603.15	612.34	620.42
540.65	603.25	612.35	620.46
540.67	603.30	612.36	620.50
540.71	603.49	612.38	622.15
541.11	603.50	612.39	622.17
541.21	603.54	612.40	622.20
541.31	603.55	612.41	622.22
543.11	603.70	612.43	622.25
544.11	605.03	612.44	622.35
544.14	605.05	612.45	622.40
544.16	605.06	612.50	624.02
544.18	605.08	612.52	624.04
544.31	605.27	612.55	624.10
544.41	605.48	612.56	624.12
544.51	605.60	612.60	624.14
544.54	605.65	612.61	624.16
544.61	606.11	612.62	624.18
544.64	606.15	612.63	624.20
545.11	606.26	612.64	624.22
545.17	606.28	612.70	624.24
545.21	606.30	612.71	624.30
545.25	606.33	612.72	624.32
545.27	606.36	612.73	624.34
545.31	606.37	612.80	624.40
545.34	606.44	612.81	624.42
545.35	606.48	612.82	624.50
545.37	606.57	613.02	624.52
545.55	606.59	613.03	624.54
545.57	606.60	613.04	626.15
545.61	606.62	613.06	626.17
545.63	606.64	613.08	626.18
545.67	606.71	613.10	626.20
545.81	606.73	613.11	626.22
545.85	606.75	613.12	626.24
545.87	606.77	613.15	626.30
546.21	609.14	613.18	626.31
546.23	609.15	618.02	626.35
546.25	609.88	618.06	626.40
546.39	609.90	618.10	626.42
546.47	610.56	618.15	626.45
547.11	610.58	618.17	628.05
547.13	610.63	618.20	628.10
547.15	610.65	618.22	628.15
547.21	610.66	618.25	628.20
547.31	610.70	618.27	628.25
547.41	610.71	618.29	628.30
547.43	610.74	618.40	628.35
547.51	610.80	618.42	628.40
547.53	612.02	618.47	628.45
547.55	612.05	620.08	628.50
548.01	612.08	620.10	628.55
548.03	612.10	620.12	628.59
548.05	612.15	620.16	628.70
601.33	612.17	620.20	628.74
601.54	612.20	620.22	628.90
602.20	612.30	620.26	628.95

ANNEX II

-8-

629.05	644.09	646.76	649.47
629.10	644.11	646.77	649.48
629.20	644.12	646.78	649.49
629.25	644.15	646.82	649.53
629.26	644.17	646.85	649.57
629.50	644.18	646.86	649.67
629.60	644.20	646.87	649.71
629.65	644.22	646.88	649.73
632.04	644.24	646.89	649.75
632.12	644.26	646.92	649.77
632.18	644.28	646.95	649.79
632.34	644.30	646.97	649.81
632.42	644.32	646.98	649.83
632.60	644.36	647.01	649.35
632.62	644.38	647.03	649.87
632.66	644.40	647.05	649.89
633.00	644.42	647.10	649.91
640.05	644.46	648.51	650.01
640.10	644.48	648.53	650.05
640.20	644.52	648.55	650.07
640.25	644.56	648.57	650.13
640.30	644.60	648.61	650.15
640.35	644.64	648.63	650.17
640.40	644.68	648.67	650.19
642.06	644.72	648.69	650.21
642.08	644.76	648.71	650.31
642.09	644.80	648.73	650.35
642.15	644.84	648.75	650.37
642.18	644.88	648.80	650.43
642.20	644.92	648.85	650.45
642.25	644.95	648.89	650.47
642.27	644.98	648.91	650.48
642.30	646.02	648.93	650.51
642.45	646.04	648.95	650.53
642.47	646.06	649.01	650.56
642.50	646.17	649.03	650.57
642.52	646.20	649.05	650.61
642.54	646.22	649.07	650.63
642.56	646.27	649.11	650.65
642.58	646.28	649.14	650.71
642.60	646.30	649.17	650.73
642.62	646.32	649.19	650.75
642.64	646.34	649.21	650.77
642.66	646.36	649.23	650.79
642.68	646.40	649.24	650.81
642.70	646.41	649.25	650.83
642.72	646.42	649.26	650.85
642.74	646.45	649.27	650.87
642.76	646.47	649.29	650.90
642.78	646.51	649.31	651.01
642.80	646.53	649.32	651.03
642.82	646.54	649.33	651.04
642.85	646.56	649.35	651.07
642.87	646.57	649.37	651.09
642.93	646.65	649.41	651.11
644.02	646.72	649.43	651.15
644.06	646.74	649.44	651.23
644.08	646.75	649.46	651.25

ANNEX II

-9-

651.27	653.62	661.12	670.25
651.29	653.65	661.15	670.27
651.31	653.70	661.20	670.29
651.33	653.75	661.25	670.33
651.37	653.80	661.30	670.35
651.45	653.90	661.35	670.40
651.47	653.96	661.40	670.41
651.49	653.99	661.45	670.42
651.51	654.00	661.50	670.43
651.53	654.02	661.54	670.50
651.55	654.03	661.56	670.52
651.60	654.05	661.65	670.54
651.62	654.09	661.67	670.56
652.03	654.11	661.68	670.58
652.06	654.14	661.85	670.64
652.09	654.15	661.90	670.66
652.13	654.20	661.92	670.68
652.14	656.05	661.95	670.70
652.15	656.15	662.10	670.72
652.18	656.20	662.15	670.74
652.21	656.25	662.18	670.90
652.24	656.30	662.20	672.10
652.27	656.35	662.26	672.14
652.30	657.10	662.30	672.16
652.33	657.15	662.50	672.20
652.35	657.25	664.06	672.22
652.36	657.30	664.07	672.25
652.38	657.35	664.08	674.10
652.41	657.40	664.10	674.20
652.42	657.50	666.10	674.30
652.45	657.60	666.25	674.32
652.50	657.70	668.00	674.40
652.55	657.75	668.02	674.42
652.65	657.80	668.04	674.50
652.70	657.90	668.06	674.52
652.72	658.00	668.07	674.53
652.75	660.10	668.10	674.55
652.80	660.15	668.15	674.56
652.86	660.20	668.21	674.60
652.88	660.22	668.23	674.70
652.90	660.25	668.32	674.75
652.92	660.30	668.34	674.80
652.93	660.35	668.36	674.90
653.00	660.48	668.38	676.07
653.01	660.56	668.50	676.10
653.03	660.59	670.00	676.12
653.05	660.62	670.02	676.15
653.07	660.67	670.04	676.22
653.10	660.71	670.06	676.23
653.15	660.74	670.12	676.25
653.20	660.76	670.14	676.30
653.25	660.77	670.16	676.50
653.35	660.80	670.17	678.20
653.37	660.85	670.18	678.30
653.39	660.92	670.19	678.32
653.45	660.96	670.20	678.35
653.52	660.97	670.22	678.40
653.60	661.05	670.23	678.45

ANNEX II

-10-

680.05	685.42	702.35	708.78
680.07	685.60	702.37	708.80
680.12	685.70	702.40	708.82
680.13	686.18	702.45	708.85
680.14	686.40	702.85	708.87
680.17	686.60	702.90	708.89
680.19	686.70	702.95	708.91
680.25	686.80	703.20	708.93
680.27	686.90	703.25	709.01
680.42	687.10	703.30	709.03
680.46	687.20	703.35	709.05
680.49	687.65	703.40	709.06
680.59	687.70	703.45	709.07
680.62	688.04	703.50	709.09
680.92	688.06	703.60	709.10
681.10	688.20	703.70	709.11
681.13	688.25	703.72	709.13
681.15	688.30	703.75	709.15
681.21	688.35	703.80	709.17
681.27	688.44	703.85	709.19
681.33	690.05	704.34	709.21
681.36	690.10	704.75	709.23
681.39	690.15	704.80	709.25
682.05	690.20	704.95	709.27
682.07	690.35	705.30	709.45
682.20	690.40	705.82	709.50
682.25	692.04	705.83	709.54
682.30	692.14	705.90	709.55
682.35	692.16	706.04	709.56
682.41	692.29	706.25	709.57
682.45	692.35	706.31	709.61
682.50	692.40	706.45	709.63
682.52	692.45	706.47	709.66
682.55	692.50	706.50	710.04
682.70	692.55	708.01	710.06
682.80	692.60	708.03	710.08
682.90	694.31	708.05	710.12
682.95	694.50	708.07	710.14
683.10	694.61	708.09	710.16
683.20	694.63	708.21	710.20
683.30	694.64	708.23	710.21
683.32	694.65	708.25	710.26
683.40	694.66	708.27	710.27
683.50	694.67	708.29	710.30
683.60	694.70	708.41	710.34
683.65	696.05	708.43	710.36
683.90	696.15	708.45	710.40
683.95	696.30	708.47	710.42
684.10	696.40	708.56	710.46
684.20	696.60	708.58	710.50
684.25	700.54	708.61	710.60
684.28	702.08	708.63	710.61
684.40	702.14	708.65	710.63
684.62	702.15	708.71	710.65
684.64	702.20	708.72	710.67
685.10	702.25	708.73	710.68
685.26	702.28	708.75	710.70
685.34	702.30	708.76	710.72

ANNEX II

-11-

710.76	722.46	725.52	730.80
710.78	722.50	726.05	730.81
710.80	722.52	726.10	730.85
710.86	722.55	726.15	730.86
710.88	722.56	726.20	730.38
710.90	722.60	726.25	730.90
711.04	722.64	726.40	730.91
711.08	722.70	726.45	730.92
711.25	722.72	726.50	730.93
711.30	722.75	726.52	731.05
711.31	722.78	726.55	731.06
711.32	722.80	726.60	731.10
711.38	722.82	726.62	731.24
711.40	722.83	726.63	731.26
711.42	722.85	726.65	731.42
711.45	722.86	726.70	731.44
711.47	722.88	726.75	731.50
711.49	722.90	726.90	731.70
711.55	722.92	727.02	732.35
711.60	722.94	727.04	732.38
711.67	722.96	727.15	732.43
711.75	723.05	727.25	732.50
711.78	723.10	727.27	732.60
711.86	723.15	727.40	732.62
711.88	723.20	727.45	734.05
711.90	723.25	727.50	734.30
711.98	723.30	727.52	734.32
712.05	723.32	727.55	734.40
712.10	723.35	727.86	734.42
712.12	724.10	728.05	734.45
712.20	724.12	728.10	734.60
712.25	724.20	728.15	734.70
712.27	724.25	728.20	734.71
712.47	724.35	728.25	734.72
712.49	724.40	730.05	734.75
713.05	724.45	730.23	734.77
713.07	725.01	730.25	734.80
713.09	725.03	730.27	734.85
713.11	725.04	730.29	734.86
713.17	725.05	730.31	734.88
713.19	725.07	730.37	734.91
715.20	725.08	730.39	734.93
715.55	725.12	730.41	734.95
720.80	725.14	730.43	735.01
720.92	725.16	730.45	735.02
721.10	725.18	730.51	735.04
722.02	725.20	730.53	735.06
722.04	725.22	730.55	735.07
722.10	725.24	730.57	735.10
722.12	725.26	730.59	735.11
722.14	725.30	730.63	735.12
722.16	725.32	730.65	735.15
722.18	725.34	730.67	735.17
722.30	725.36	730.71	735.18
722.32	725.40	730.73	737.07
722.34	725.46	730.74	737.09
722.40	725.47	730.75	737.35
722.42	725.50	730.77	737.40

ANNEX II

-12-

737.45
737.55
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737.70
740.05
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ANNEX III

ARTICLES THAT ARE ELIGIBLE FOR PREFERENTIAL TREATMENT WHEN IMPORTED FROM BENEFICIARY DEVELOPING COUNTRIES OTHER THAN THOSE SPECIFIED IN GENERAL HEADNOTE 3(c)(iii) OF THE TSUS

107.48	337.40	661.06	731.30
113.01	347.30	662.35	732.52
114.04	355.81	674.35	734.10
121.55	360.35	676.20	734.15
121.62	389.61	676.52	734.20
135.90	418.80	678.50	734.25
136.00	419.60	682.60	734.34
136.30	422.76	683.15	734.51
136.80	425.84	683.70	734.54
136.97	437.60	683.80	734.56
137.02	473.52	684.15	734.87
137.40	473.56	684.50	734.90
137.71	511.31	684.70	735.09
137.79	516.71	685.24	735.20
137.88	518.41	685.29	737.15
138.05	522.21	685.40	737.21
138.35	532.31	685.90	737.25
140.14	534.94	686.24	737.30
140.21	545.53	686.30	737.50
141.77	545.65	686.50	737.60
146.22	547.37	687.30	737.80
146.44	602.10	687.42	737.95
147.98	603.40	688.10	740.11
148.12	603.45	688.12	740.12
148.30	605.66	688.15	740.13
148.72	610.62	688.45	740.14
149.50	612.03	692.32	740.15
154.53	612.06	696.10	740.30
155.20	632.02	696.35	740.34
176.15	642.14	696.50	740.70
192.21	642.16	702.32	740.75
192.45	642.17	702.47	741.25
192.85	646.90	703.55	750.25
200.91	648.97	703.65	750.50
202.62	650.89	706.27	751.05
206.47	651.13	706.40	755.25
206.60	651.21	706.61	772.03
206.98	652.60	708.47	772.35
220.20	652.84	709.40	772.51
220.25	653.30	711.77	772.97
220.48	653.47	712.15	774.45
222.10	653.48	713.15	774.55
240.21	653.85	722.44	790.10
240.38	653.93	727.06	790.39
245.20	653.94	727.11	790.61
256.87	654.07	727.12	790.62
315.25	654.12	727.23	790.70
315.80	654.13	727.29	791.28
319.01	656.10	727.35	792.50
319.03	657.24	727.47	792.60
319.05	660.42	731.20	792.75

ANNEX IV

"(iii) The following designated eligible articles provided for in TSUS item numbers preceded by the designation "A*", if imported from a beneficiary developing country set opposite the TSUS item numbers listed below, are not entitled to the duty-free treatment provided for in subdivision (c)(ii) of this headnote:

107.48	Brazil	319.03	India
113.01	Thailand	319.05	India
114.04	Thailand	337.40	Hong Kong
121.55	India		Republic of Korea
121.62	India	347.30	India
135.90	Mexico	355.81	Taiwan
136.00	Dominican Republic	360.35	India
136.30	Mexico	389.61	Hong Kong
136.80	Mexico	418.80	Argentina
136.97	Taiwan	419.60	Chile
137.02	Dominican Republic	422.76	Mexico
137.40	Mexico	425.84	Netherlands Antilles
137.71	Mexico	437.60	Argentina
137.79	Mexico	473.52	Mexico
137.88	Colombia	473.56	Mexico
138.05	Mexico	511.31	Mexico
138.35	Costa Rica	516.71	India
140.14	Thailand	518.41	Mexico
140.21	Mexico	522.21	Mexico
141.77	Mexico	532.31	Mexico
146.22	Turkey	534.94	Taiwan
146.44	Philippines	545.53	Mexico
147.98	Haiti	545.65	Mexico
	Mexico	547.37	Taiwan
148.12	Mexico	602.10	Peru
148.30	Mexico	603.40	Chile
148.72	Chile	603.45	Chile
149.50	Mexico	605.66	Argentina
154.53	Taiwan	610.62	Republic of Korea
155.20	Argentina	612.03	Chile
	Brazil	612.06	Chile
	Colombia		Peru
	Dominican Republic		Zambia
	Guatemala	632.02	Bolivia
	Mozambique	642.14	Republic of Korea
	Panama	642.16	Republic of Korea
	Philippines	642.17	Republic of Korea
176.15	Brazil	646.90	Mexico
192.21	Colombia	648.97	Taiwan
192.45	Israel	650.89	Hong Kong
192.85	Mexico		Taiwan
200.91	Honduras	651.13	Hong Kong
202.62	Mexico	651.21	Taiwan
206.47	Taiwan	652.60	Taiwan
206.60	Mexico	652.84	Mexico
206.98	Taiwan	653.30	Hong Kong
220.20	Portugal	653.47	Taiwan
220.25	Portugal	653.48	Taiwan
220.48	Portugal	653.85	Taiwan
222.10	Hong Kong	653.93	Taiwan
240.21	Philippines	653.94	Republic of Korea
240.38	Philippines	654.07	Taiwan
245.20	Brazil	654.12	Taiwan
256.87	Mexico	654.13	Hong Kong
315.25	Mexico	656.10	Argentina
315.80	Thailand	657.24	Taiwan
319.01	India	660.42	Brazil

661.06	Hong Kong	727.35	Taiwan
662.35	Mexico	727.47	Taiwan
674.35	Taiwan	731.20	Republic of Korea
676.20	Hong Kong	731.30	Taiwan
676.52	Hong Kong, Mexico	732.52	Taiwan
		734.10	Taiwan
678.50	Hong Kong, Republic of Korea, Taiwan	734.15	Taiwan
		734.20	Hong Kong, Taiwan
682.60	Mexico	734.25	Hong Kong
683.15	Mexico	734.34	Hong Kong
683.70	Hong Kong	734.51	Taiwan
683.80	Hong Kong	734.54	Republic of Korea
684.15	Singapore	734.56	Haiti
684.50	Hong Kong	734.87	Taiwan
684.70	Republic of Korea, Taiwan	734.90	Taiwan
		735.09	Taiwan
685.24	Hong Kong, Republic of Korea, Singapore, Taiwan	735.20	Taiwan
		737.15	Hong Kong
		737.21	Hong Kong
		737.25	Taiwan
685.29	Singapore	737.30	Republic of Korea
685.40	Taiwan	737.50	Hong Kong
685.90	Mexico	737.60	Hong Kong
686.24	El Salvador	737.80	Hong Kong
686.30	Taiwan	737.95	Hong Kong, Taiwan
686.50	Mexico		
687.30	Malaysia	740.11	Hong Kong, Israel
687.42	Taiwan		
688.10	Taiwan	740.12	Hong Kong
688.12	Mexico	740.13	Hong Kong
688.15	Mexico	740.14	Hong Kong
688.45	Hong Kong	740.15	Hong Kong
692.32	Brazil, Mexico	740.30	Hong Kong
		740.34	Hong Kong
696.10	Taiwan	740.70	Israel
696.35	Taiwan	740.75	Republic of Korea
696.50	Brazil	741.25	Hong Kong
702.32	Mexico	750.25	Hong Kong
702.47	Mexico	750.50	Republic of Korea
703.55	Portugal	751.05	Taiwan
703.65	Mexico	755.25	Hong Kong
706.27	Hong Kong, Taiwan	772.03	Hong Kong
		772.35	Taiwan
706.40	Hong Kong	772.51	Republic of Korea
706.61	Hong Kong, Taiwan	772.97	Hong Kong
		774.45	Hong Kong
708.47	Hong Kong	774.55	Taiwan
709.40	Hong Kong	790.10	Taiwan
711.77	Mexico	790.39	Taiwan
712.15	Israel	790.61	Taiwan
713.15	Mexico	790.62	Taiwan
722.44	Hong Kong	790.70	Republic of Korea
727.06	Mexico	791.28	Mexico
727.11	Hong Kong, Philippines	792.50	Philippines
		792.60	Hong Kong
727.12	Philippines	792.75	Hong Kong"
727.23	Republic of Korea		
727.29	Yugoslavia		

ANNEX V

Annex III to Presidential Proclamation 4707 of December 11, 1979, is amended—

a) by deleting from Section A of that Annex the following TSUS item numbers with their corresponding rates of duty and footnotes:

360.05	364.22	650.49	715.53
361.22	367.30	654.01	
361.44	387.34	687.58	

b) by inserting in Section A of that Annex the following TSUS item numbers in numerical sequence, with their corresponding rates of duty and footnotes, as follows:

Item in TSUS as modified by Annex II	Rate from which staged	Rates of duty 1/, effective with respect to articles entered on and after January 1—							
		1980	1981	1982	1983	1984	1985	1986	198[illegible]
360.04 4/	5.5% ad val.	5.5% 4/	5.5% 4/	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
360.05 4/	5.5% ad val.	5.5%	5.5% 4/	4/	4/	4/	4/	4/	4/
360.06 4/	5.5% ad val.	5.5% 4/	5.5% 4/	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
361.22 5/	8% ad val.	8% 5/	8% 5/	5/	5/	5/	5/	5/	5/
361.23 5/	8% ad val.	8% 5/	8% 5/	7.5%	7%	6.6%	6.1%	5.6%	5.1%
361.24 5/	8% ad val.	8% 5/	8% 5/	7.5%	7%	6.6%	6.1%	5.6%	5.1%
361.26 5/	8% ad val.	8% 5/	8% 5/	7.5%	7%	6.6%	6.1%	5.6%	5.1%
361.43 6/	11% ad val.	11% 6/	11% 6/	10%	9%	8%	6.9%	5.9%	4.9%
361.44 6/	11% ad val.	11%	11% 6/	6/	6/	6/	6/	6/	6/
361.45 6/	11% ad val.	11% 6/	11% 6/	10%	9%	8%	6.9%	5.9%	4.9%
364.21 8/	37.5¢ per lb. + 7% ad val.	37.5¢/lb. + 7% 8/	37.5¢/lb. + 7%	31¢/lb. + 6.4%	25¢/lb. + 5.8%	18¢/lb. + 5.3%	12¢/lb. + 4.7%	6¢/lb. + 4.1%	5.5%
364.22 8/	37.5¢ per lb. + 7% ad val.	37.5¢/lb. + 7%	37.5¢/lb. + 7%	8/	8/	8/	8/	8/	8/
364.23 8/	37.5¢ per lb. + 7% ad val.	37.5¢/lb. + 7%	37.5¢/lb. + 7%	31¢/lb. + 6.4%	25¢/lb. + 5.8%	18¢/lb. + 5.3%	12¢/lb. + 4.7%	6¢/lb. + 4.1%	5.5%
367.28 3/	16% ad val.	16% 3/	16% 3/	13%	10%	7.5%	7.5%	7.5%	7.5%
367.30 3/	16% ad val.	16%	16% 3/	3/	3/	3/	3/	3/	3/
367.31 3/	16% ad val.	16% 3/	16% 3/	13%	10%	7.5%	7.5%	7.5%	7.5%
367.34 3/	16% ad val.	16% 3/	16% 3/	13%	10%	7.5%	7.5%	7.5%	7.5%
387.25 2/	6.5% ad val.	6.5% 2/	6.5% 2/	6.2%	5.8%	5.3%	5.1%	4.8%	4.4%
387.34 2/	6.5% ad val.	6.5%	6.5% 2/	2/	2/	2/	2/	2/	2/
387.35 2/	6.5% ad val.	6.5% 2/	6.5% 2/	6.2%	5.8%	5.3%	5.1%	4.8%	4.4%
650.48 3/	0.5¢ each + 8.2% ad val.	0.4¢ each + 8%	0.4¢ each + 7.5% 3/	0.4¢ each + 7%	0.4¢ each + 6.5%	0.3¢ each + 6%	0.3¢ each + 5.5%	0.3¢ each + 5%	0.3¢ each + 4.5%
650.49 3/	0.5¢ each + 8.5% ad val.	0.4¢ each + 8%	0.4¢ each + 7.5% 3/	3/	3/	3/	3/	3/	3/
650.50 3/	0.5¢ each + 8.5% ad val.	0.4¢ each + 8% 3/	0.4¢ each + 7.5% 3/	0.4¢ each + 7%	0.4¢ each + 6.5%	0.3¢ each + 6%	0.3¢ each + 5.5%	0.3¢ each + 5%	0.3¢ each + 4.5%
653.94 2/	8.5% ad val.	7.8% 2/	7.2% 2/	6.6%	6%	5.3%	4.7%	4%	3.4%
654.00 2/	8.5% ad val.	7.8% 2/	7.2% 2/	6.6%	6%	5.3%	4.7%	4%	3.4%
654.01 2/	8.5% ad val.	7.8%	7.2% 2/	2/	2/	2/	2/	2/	2/
687.58 7/	6% ad val.	5.8%	5.6% 7/	2/	2/	2/	2/	2/	2/
687.65 7/	6% ad val.	5.8% 7/	5.6% 7/	5.3%	5.1%	4.9%	4.7%	4.6%	4.2%
687.70 7/	6% ad val.	5.8% 7/	5.6% 7/	5.3%	5.1%	4.9%	4.7%	4.6%	4.2%
687.75 7/	6% ad val.	5.8% 7/	5.6% 7/	5.3%	5.1%	4.9%	4.7%	4.6%	4.2%

Footnote 4 for items 360.04, 360.05, and 360.06:
4/ Item 360.05 is discontinued effective March 31, 1981, and is superseded by items 360.04 and 360.06.

Footnote 5 for items 361.22, 361.23, 361.24, and 361.26:
5/ Item 361.22 is discontinued effective March 31, 1981, and is superseded by items 361.23, 361.24, and 361.26.

Footnote 6 for items 361.43, 361.44, and 361.45:
6/ Item 361.44 is discontinued effective March 31, 1981, and is superseded by items 361.43 and 361.45.

Footnote 8 for items 364.21, 364.22, and 364.23:
8/ Item 364.22 is discontinued effective March 31, 1981, and is superseded by items 364.21 and 364.23.

Footnote 3 for items 367.28, 367.30, 367.31, and 367.34:
3/ Item 367.30 is discontinued effective March 31, 1981, and is superseded by items 367.28, 367.31, and 367.34.

Footnote 2 for items 387.25, 387.34, and 387.35:
2/ Item 387.34 is discontinued effective March 31, 1981, and is superseded by items 387.25 and 387.35.

Footnote 3 for items 650.48, 650.49, and 650.50:
3/ Item 650.49 is discontinued effectie March 31, 1981, and is superseded by items 650.48 and 650.50.

Footnote 2 for items 653.94, 654.00, and 654.01:
2/ Item 654.01 is discontinued effective March 31, 1981, and is superseded by items 653.94 and 654.00.

Footnote 7 for items 687.58, 687.65, 687.70, and 687.75:
7/ Item 687.58 is discontinued effective March 31, 1981, and is superseded by items 687.65, 687.70 and 687.75.

ANNEX V

-2-

b) by inserting in Section A of that Annex the following TSUS item numbers in numerical sequence, with their corresponding rates of duty and footnotes, as follows (continued):

Item in TSUS as modified by Annex II	Rate from which staged	Rates of duty 1/, effective with respect to articles entered on and after January 1,—							
		1980	1981	1982	1983	1984	1985	1986	1987
715.53 2/	$1.12 each + 17.5% ad val. + 6.25¢ for each jewel, if any	$1.03 each + 16.2% + 5.7¢ for each jewel, if any	95¢ each + 14.9% + 5.3¢ for each jewel, if any 2/	2/	2/	2/	2/	2/	2/
715.55 2/	$1.12 each + 17.5% ad val. + 6.25¢ for each jewel, if any	$1.03 each + 16.2% + 5.7¢ for each jewel, if any 2/	95¢ each + 14.9% + 5.3¢ for each jewel, if any 2/	86¢ each + 13.6% + 4.8¢ for each jewel, if any	78¢ each + 12.2% + 4.3¢ for each jewel, if any	70¢ each + 10.9% + 3.9¢ for each jewel, if any	61¢ each + 9.6% + 3.4¢ for each jewel, if any	53¢ each + 8.3% + 2.9¢ for each jewel, if any	45¢ each + 7% + 2.5¢ for each jewel, if any
715.57 2/	$1.12 each + 17.5% ad val. + 6.25¢ for each jewel, if any	$1.03 each + 16.2% + 5.7¢ for each jewel, if any 2/	95¢ each + 14.9% + 5.3¢ for each jewel, if any 2/	86¢ each + 13.6% + 4.8¢ for each jewel, if any	78¢ each + 12.2% + 4.3¢ for each jewel, if any	70¢ each + 10.9% + 3.9¢ for each jewel, if any	61¢ each + 9.6% + 3.4¢ for each jewel, if any	53¢ each + 8.3% + 2.9¢ for each jewel, if any	45¢ each + 7% + 2.5¢ for each jewel, if any

Footnote 3 for items 715.53, 715.55, and 715.57:

3/ Item 715.53 is discontinued effective March 31, 1981, and is superseded by items 715.55 and 715.57.

Annex III to Presidential Proclamation 4768 of June 28, 1980, is amended by deleting from Section B of that Annex TSUS item number 706.30, with its corresponding rates of duty and footnotes and by inserting the following TSUS item numbers, rates of duty, and footnotes therein:

Item in TSUS as modified by Annex II	Rate from which staged	Rates of duty 1/, effective with respect to articles entered on and after —							
		July 1, 1980	January 1, 1981	January 1, 1982	January 1, 1983	January 1, 1984	January 1, 1985	January 1, 1986	January 1, 1987
706.30 2/	10.5¢ per lb. + 8.5% ad val.	9.[illegible]¢/lb. + 8%	9.3¢/lb. + 7.5% 2/	2/	2/	2/	2/	2/	2/
706.31 2/	10.5¢ per lb. + 8.5% ad val.	9.9¢/lb. + 8% 2/	9.3¢/lb. + 7.5% 2/	8.4¢/lb. + 7%	8¢/lb. + 6.6%	7.3¢/lb. + 6.1%	6.7¢/lb. + 5.6%	6.1¢/lb. + 5.1%	5.5¢/lb. + 4.6%
706.35 2/	10.5¢ per lb. + 8.5% ad val.	9.9¢/lb. + 8% 2/	9.3¢/lb. + 7.5% 2/	8.4¢/lb. + 7%	8¢/lb. + 6.6%	7.3¢/lb. + 6.1%	6.7¢/lb. + 5.6%	6.1¢/lb. + 5.1%	5.5¢/lb. + 4.6%

Footnote 2 for items 706.30, 706.31, and 706.35:

2/ Item 706.30 is discontinued effective March 31, 1981, and is superseded by items 706.31 and 706.35.

ANNEX VI

General headnote 3(c)(i) of the TSUS is modified--

(a)(i) by deleting

"(i) The following countries and territories are designated beneficiary developing countries for purposes of the Generalized System of Preferences, provided for in Title V of the Trade Act of 1974 (88 Stat. 2066, 19 U.S.C. 2461 et seq.):", and

(ii) by substituting the following in lieu thereof:

"(i) The following countries, territories, and associations of countries eligible for treatment as one country (pursuant to section 502(a)(3) of the Trade Act of 1974 (19 U.S.C. 2462(a)(3))) are designated beneficiary developing countries for the purposes of the Generalized System of Preferences, provided for in Title V of the Trade Act of 1974, as amended (19 U.S.C. 2461 et seq.):";

(b) by adding to the headnote, following the list of non-independent countries and territories, the following:

"Associations of Countries (treated as one country)

Member Countries of the Cartagena Agreement (Andean Group)	Association of South East Asian Nations (ASEAN)
Consisting of:	Consisting of:
Bolivia	Indonesia
Colombia	Malaysia
Ecuador	Philippines
Peru	Singapore
Venezuela	Thailand ";

(c)(i) by deleting from the list of designated beneficiary independent countries "Malagasy Republic",

(ii) by deleting from the list of designated beneficiary non-independent countries and territories "British Solomon Islands", "Macao", "New Hebrides Condominium", "Southern Rhodesia (Zimbabwe)", "Tokelau Islands", and "Wallis and Futuna Islands",

(iii) by adding, in alphabetical order, "Madagascar", "Solomon Islands", "Vanuatu", and "Zimbabwe" to the list of designated beneficiary independent countries, and

(iv) by adding, in alphabetical order, "Macau", "Tokelau", and "Wallis and Futuna" to the list of designated beneficiary non-independent countries and territories.

ANNEX VII

Annex IV to Proclamation 4707 of December 11, 1979, is amended--

a) by deleting from section B(3) of that Annex the following:

TSUS Item No.	Rate of Duty
387.34	4.4% ad val.

b) by inserting in section B(3) of that Annex the following:

TSUS Item No.	Rate of Duty
387.25	4.4% ad val.
387.35	4.4% ad val.

BILLING CODE 3195-01-C

Rules and Regulations

Federal Register
Vol. 46, No. 63
Thursday, April 2, 1981

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Reg. 516]

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

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period April 3–April 9, 1981. Such action is needed to provide for orderly marketing of fresh navel oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: April 3, 1981.

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

SUPPLEMENTARY INFORMATION: *Findings.* This rule has been reviewed under USDA procedures and Executive Order 12291 and has been classified "not significant," and is not a major rule. This regulation is issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendations and information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

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

The committee met again publicly on March 31, 1981, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navels deemed advisable to be handled during the specified week. The committee reports the demand for navel oranges is generally good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared policy of the act to make this regulatory provision effective as specified, and handlers have been apprised of such provisions and the effective time.

1. Section 907.816 is added as follows:

§ 907.816 Navel Orange Regulation 516.

The quantities of navel oranges grown in Arizona and California which may be handled during the period April 3, 1981, through April 9, 1981, are established as follows:

(1) District 1: 1,610,000 cartons;
(2) District 2: 140,000 cartons;
(3) District 3: Unlimited cartons;
(4) District 4: Unlimited cartons.

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

Dated: April 1, 1981.

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

[FR Doc. 81-10250 Filed 4-1-81; 11:23 am]
BILLING CODE 3410-02-M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operations of Federal Credit Unions; Business Relationship With Mortgage Lender

AGENCY: National Credit Union Administration.

ACTION: Final rule.

SUMMARY: This rule permits a Federal credit union to enter into a business relationship with a mortgage lender that will grant first mortgage loans to members of the Federal credit union. The rule is necessary so that a Federal credit union that cannot meet its members' demand for mortgage loans can still serve as a source of mortgage funds for its membership.

EFFECTIVE DATE: May 1, 1981, except that § 701.21–6A(e) will be effective no earlier than May 1, 1981 and no later than June 1, 1981, pending OMB clearance under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

ADDRESS: National Credit Union Administration, 1776 G Street, N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: Robert M. Fenner, Deputy General Counsel, Todd A. Okun, Assistant General Counsel, or John L. Culhane, Senior Attorney, Office of General Counsel, at the above address. Telephone: (202) 357–1030.

SUPPLEMENTARY INFORMATION:

Background

Public Law 95–22 amended the Federal Credit Union Act to permit Federal credit unions to grant first mortgage loans with maturities of up to 30 years, subject to regulations adopted by NCUA. Congress indicated that in promulgating regulations NCUA should ensure that Federal credit unions provide this service without adversely affecting their primary function of providing low cost consumer loans to their members. *See* H.R. Rep. No. 23, 95th Cong., 1st Sess. 9 (1977). Congress also indicated that in promulgating regulations NCUA should ensure that Federal credit unions take maximum advantage of secondary mortgage market programs, such as those operated by state and Federal housing

authorities. *See* H.R. Rep. No. 23, 95th Cong., 1st Sess. 12, 16–17 (1977).

When it became apparent that the vast majority of Federal credit unions were not able to provide mortgage loans to their members under existing regulations, either because they lacked sufficient funds or because they lacked the ability to participate effectively in the secondary mortgage market, the Administration proposed to permit Federal credit unions to act as agents for other mortgage lenders. 44 FR 50850 (1979). NCUA believed this would allow Federal credit unions to channel needed capital to housing markets without affecting either their liquidity or their ability to provide low cost consumer loans to their members. It would also allow Federal credit unions and their members to take greater advantage of programs operated by state and Federal housing authorities.

Comments

Counting two people who asked questions about the scope of the proposed regulation, twenty-four comments were received. Twelve Federal credit unions commented. Two comments came from state credit union leagues. Four trade groups commented. One bank commented. One consumer group commented. Comments were also received from a consulting firm with mortgage banker clients and from the Office of the Comptroller of the Currency.

The commenters generally supported the concept of a regulation that would permit Federal credit unions to act as agents for other mortgage lenders. They focused their attention on those portions of the proposed regulation that they believed might preclude or discourage certain segments of the financial community from making mortgage loans through credit unions to credit union members. Several commenters urged NCUA to take sufficient time to reexamine carefully the bases for the regulation. NCUA was also requested to delay implementation of a final regulation until such time as mortgage rates settled or until such time as the usury ceiling for Federal credit unions should exceed prevailing mortgage rates.

As a result of these comments, NCUA conducted an exhaustive review of all available options. Based on this review, the final regulation has been extensively revised and simplified, in keeping with the NCUA Board's ongoing program of clarifying and simplifying regulations. In brief, the final regulation permits a Federal credit union to perform certain activities for a mortgage lender that will grant first mortgage loans to creditworthy members of the credit union *if* the mortgage lender agrees that (1) the loan terms will meet certain requirements placed on a Federal credit union first mortgage loan, (2) interest or dividends will be paid on escrow accounts, (3) the borrower will not be required to contract with any specific person or organization for related services, and (4) master copies of loan documents will be provided to the credit union and records of individual loan transactions will be made available to NCUA on request, to the extent permitted by law.

Scope

The proposed regulation would have permitted a Federal credit union to enter into an arrangement, referred to as an "agency relationship," with an approved mortgage lender that would grant long term real estate loans to members of the Federal credit union. The proposed regulation would have required the approved mortgage lender to comply with major portions of NCUA's real estate lending regulation anytime a loan was made to a member of a Federal credit union as a result of the arrangement. Several commenters expressed concern about the range of activities meant to be within the scope of any final regulation.

The final regulation does not apply when a Federal credit union merely makes informational material available to its members or when it merely refers potential borrowers to a mortgage lender. Nor does the regulation apply if the Federal credit union, without receiving any compensation from the mortgage lender, makes monthly payments to the mortgage lender at the request of the member. A Federal credit union has traditionally been permitted to make these third party payments. The mortgage lender may even reimburse the Federal credit union for the actual costs of transmitting the loan payments without coming within this regulation, provided it is clear to the mortgage lender that the Federal credit union has assumed no responsibility for collecting the money from the member.

By contrast, the regulation applies when, in order to facilitate lending to its members, the Federal credit union agrees to perform certain activities for the mortgage lender. Minor changes have been made in the list illustrating the permissible activities a credit union may perform in order to reflect this distinction. For example, the phrase "providing a site for closings" has been replaced by the phrase "assisting at closings" to clarify that this regulation will not apply when a credit union simply makes office space available to another lender without participating in the closing process.

The activities a Federal credit union may perform include, but are not limited to, any one or more of the following: accepting and forwarding loan applications from its members, processing loan applications from its members, recommending either granting or denying loans or offering loans on different terms and conditions than those requested, assisting at closings, distributing loan proceeds provided by the mortgage lender, and servicing loans granted by the mortgage lender. NCUA is not requiring a Federal credit union to perform all of these activities for a mortgage lender. For example, a Federal credit union may agree to accept and forward loan applications without recommending either granting or denying loans or offering loans on different terms and conditions than those requested.

Since these activities will not necessarily result in the credit union becoming the agent of the mortgage lender, in a strict legal sense, the term used to describe the relationship between the mortgage lender and the Federal credit union has been changed from "agency relationship" to "business relationship." And NCUA notes that even if a Federal credit union has entered into a business relationship with a mortgage lender, the regulation will not apply when the mortgage lender makes loans outside of the business relationship. Thus the mortgage lender may make loans directly to members of a Federal credit union without this regulation being applicable.

Conditions on Mortgage Lender

Under the proposed regulation, a lender would have had to be approved by the Administration before it could make loans through a Federal credit union to the credit union's members. To be approved, the mortgage lender would have had to agree (1) that certain terms would be in the contract between the mortgage lender and the Federal credit union, (2) that no officials or employees of the Federal credit union would have any financial interest in or receive monies from the mortgage lender, (3) that the mortgage lender would be subject to a limited examination by NCUA, (4) that it would pay interest on escrow accounts at a rate at least equal to that the Federal credit union would pay, and (5) that a disclaimer would be used in the event the lender were to advertise that it was an approved mortgage lender.

Approval Process

Several commenters felt strongly that the approval process was unnecessary and unduly cumbersome. Other commenters felt that the condition for which approval might be withdrawn were unwarranted. NCUA had proposed to reserve the right to terminate the designation of a lender as an approved mortgage lender (1) if the program were operated in an unsafe and unsound manner, (2) if the mortgage lender, when requested to do so by NCUA, failed to remove or suspend any official whose conduct would warrant removal or suspension if the official were an official of the credit union, (3) if the mortgage lender violated any conditions of its approval, or (4) if it violated the regulation. The NCUA Board is convinced that the approval mechanism is unnecessary and has therefore deleted this mechanism from the final rule. (As a result, the proposed advertising disclaimer referred to above has also been deleted.)

Contract Requirement

The proposed regulation would have required the Federal credit union and the mortgage lender to enter into a written contract and then would have further required that certain terms be in the contract. Several commenters essentially questioned the need to regulate the relationship between the mortgage lender and the Federal credit union by dictating contract terms. NCUA agrees that in this case the contract is not an appropriate vehicle for regulation. Consequently, the final regulation merely requires an agreement between the Federal credit union and the mortgage lender, which will alert the lender to the conditions imposed by this regulation, without specifically requiring that the agreement take the form of a written contract with specific terms.

As a result of this change, NCUA reviewed the two sets of contract terms that had been proposed to ascertain which restrictions were essential to the regulation. One set of terms was proposed so that the loan process would resemble that used by the Federal credit union, since that process provides substantial protections for the borrower. Those terms included a prohibition on membership fees, a requirement that the credit union follow standard procedures for reviewing loan applications, a requirement that transactions be kept confidential, and a requirement that the mortgage lender be subject to the same anti-discrimination provisions that would apply to the Federal credit union. The second set of terms was proposed so that the Federal credit union would not exceed the scope of its powers. Those terms included a provision limiting reimbursement by the mortgage lender to actual costs incurred by the credit union, a requirement that the loans be made on the same terms and conditions that would apply if the Federal credit union granted the loans, and a restriction on the loans the Federal credit union could service.

Loan Procedures

Several commenters felt that it was unnecessary for NCUA to regulate loan procedures so that the loan process would resemble that used by a Federal credit union. One commenter felt that the requirement that the credit union follow standard procedures for reviewing loan applications was not relevant to the relationship between the credit union and the mortgage lender. This commenter felt that the duty, if essential to the regulation, should be placed exclusively on the credit union. Two commenters stated that the requirement that transactions be kept confidential was unnecessary. One commenter added that the provision would merely overlap the duty of confidentiality generally required of banks and savings and loan associations. Commenters also felt it was unnecessary for the mortgage lender to agree to be subject to the anti-discrimination provisions that would apply to Federal credit unions given the existing statutes regulating mortgage credit, such as the Fair Housing Act and the Equal Credit Opportunity Act. These commenters pointed out that, in addition, most mortgage lenders are already subject to anti-discrimination regulations adopted by other financial institution supervisory agencies. The NCUA Board is persuaded by these comments and has deleted the provisions of the proposed regulation that would have required the loan process to resemble that used by the Federal credit union.

Scope of FCU's Powers

Most of the comments received were directed at those provisions that were proposed to assure that the Federal credit union would not exceed the scope of its powers. NCUA was urged by many commenters to permit a Federal credit union to receive a fee for its services based on a percentage of the loan amount. Commenters argued that the proposed restriction limiting any fee to the actual costs incurred by the credit union in performing the services (1) would be unworkable, (2) would be contrary to industry custom, and (3) would be an incentive for the credit union to undertake other profit-making programs instead of providing mortgage services to its members.

While the NCUA Board recognizes these concerns, it has chosen to retain this requirement, for the time being, and to place the duty for compliance directly on the credit union. This requirement has been consistently applied throughout NCUA's regulations whenever a credit union is involved in business transactions with a third party and may serve as a deterrent to undue financial influence in selecting a business partner. The Board notes, however, that this matter is currently being reviewed in connection with proposed revisions to NCUA's regulations on insurance and group purchasing activities. If a new policy on compensation is adopted, revisions to this regulation will be considered.

NCUA was also urged to eliminate the requirement that the terms and conditions of the loan be the same as if the loan were granted by the Federal credit union. Essentially the commenters did not object to the requirements (1) that the loan be granted to finance or refinance the acquisition of a one-to-four family dwelling for the principal residence of the borrower, (2) that the sales price be not more than 150 percent of the median sales price of residential real property situated in the geographical area in which the property is located, (3) that the loan be secured by a first lien on the dwelling, and (4) that the maturity be not more than thirty years. Consequently, these requirements have been retained and will apply to all loans (both conventional, i.e. non-insured or non-guaranteed loans, and insured or guaranteed loans) granted through a business relationship.

However, the commenters objected to all other requirements. In fact most commenters argued that the low interest rate ceiling in effect at the time the regulation was proposed (12 percent per annum on the unpaid balance inclusive of all service charges), the restrictions on origination fees in effect at the time the regulations was proposed (one-half percent of the loan amount for conventional loans, one percent for government insured or guaranteed loans), and the prohibition on prepayment penalties would make it commercially unfeasible for a mortgage lender to make loans through a Federal credit union. In addition, the commenters felt it was unnecessary for NCUA to regulate the loan-to-value ratio and to require the use of specific loan application, security instrument and appraisal forms.

The statutory and regulatory restrictions on Federal credit union

lending that the commenters objected to are of two types—the first are designed to protect the member, while the second are designed to protect the credit union. The NCUA Board agrees with those commenters who argued that the second set of restrictions should not apply. But NCUA continues to believe that the first set of restrictions should apply regardless of whether a loan is made directly by or indirectly through a Federal credit union. These restrictions include the interest rate ceiling, the amortization schedule, and the prohibition on prepayment penalties.

As a result of recent regulatory developments and as a result of changes to the final regulation, NCUA is satisfied that the restrictions imposed by the final regulation should not prevent Federal credit unions from entering into business relationships with other lenders. The interest rate ceiling is currently set at 21 percent per annum on the unpaid balance inclusive of all finance charges. 45 FR 81032 (1980). The restrictions on loan origination fees have been lifted for Federal credit unions and so have been deleted from the final regulation. 46 FR 17538 (1981). The amortization requirement has been amended so that loans may be amortized by substantially equal monthly installments or by any other schedule approved for use by Federal credit unions. Thus, once NCUA concludes its rulemaking proceeding on the use of alternative mortgage instruments by Federal credit unions, other amortization schedules approved for Federal credit unions will automatically be available. Finally, the regulation has also been amended to permit government insured or guaranteed mortgage loans to be made through the business relationship on certain terms and conditions specified by the laws and regulations governing those programs.

NCUA does caution that if points or other front end charges are assessed in connection with a loan granted through the business relationship, and the loan is paid prior to maturity, a refund or readjustment of the final payment may be necessary. This must be done to assure that the maximum permissible rate of interest when the loan was granted has not been exceeded. But a recomputation and refund will not be necessary on government insured or guaranteed loans unless required by the laws and regulations governing the insured or guaranteed loan program.

Several commenters believed it unfair to restrict a Federal credit union from servicing loans that are granted by the mortgage lender contrary to the credit union's recommendations. As one commenter observed, the restriction would reduce a lender's incentive to enter into a business relationship with a Federal credit union. Another commenter noted that if a credit union were prohibited from servicing loans that it recommended the lender deny, the credit union might have to choose between performing full credit reviews and not making recommendations. But the process of making recommendations on the basis of the same information that is available to the mortgage lender is one of the more promising avenues by which small and medium sized Federal credit unions may gain real estate lending experience. Prohibiting them from servicing loans granted contrary to their recommendations would frustrate this learning process. The NCUA Board agrees and has removed this restriction from the final regulation.

Insider Transactions

The proposed regulation would have prevented an official or employee of a Federal credit union from having any direct or indirect pecuniary interest in the approved mortgage lender. Although endorsing the intent of this prohibition on insider transactions, one commenter expressed concern that this might prohibit an employee of a state housing agency from serving as a volunteer official of a state employees' credit union. Similarly, the concern was expressed that an employee of the Department of Housing and Urban Development who serves on a credit union board of directors might be violating the provision if the Federal Housing Authority becomes involved with the credit union's program. Recognizing that there may be exceptional circumstances, the final regulation has been revised to provide for a waiver by obtaining approval in advance from NCUA. In addition, the regulation has been revised to place the duty for compliance directly on the credit union.

Limited Examination

The proposed regulation would have required an approved mortgage lender to be subject to an examination by NCUA that would have been limited to its activities as an approved mortgage lender, unless this requirement would conflict with applicable Federal law. Several commenters objected to this requirement. The NCUA Board has concluded that NCUA's needs can be met with a less burdensome requirement. As a result, the regulation has been revised to require (1) that master copies of all loan documents be provided to the credit union and that the credit union maintain those documents in its loan files until after its next examination, and (2) that records of individual loan transactions be made available to NCUA, upon request, unless otherwise prohibited by law.

NCUA does not intend to exercise jurisdiction over lending institutions under the supervision of state and Federal regulatory agencies. However, NCUA continues to believe that access to records generated in connection with a business relationship between a Federal credit union and a mortgage lender will be necessary if NCUA is to assure that a Federal credit union performs its actions in accordance with applicable laws and regulations. For example, NCUA may need to review loan applications processed by a Federal credit union if an allegation is made that the credit union has, without the knowledge or acquiescence of the mortgage lender, discouraged applications on a basis prohibited under the Equal Credit Opportunity Act and Regulation B.

Interest on Escrow Accounts

The proposed regulation would have required the approved mortgage lender to agree that in the event the borrower was required to maintain an escrow account at an institution other than the Federal credit union, that account would earn interest or dividends at a rate at least equal to the rate paid by the Federal credit union on its regular share accounts. Several commenters objected to this provision. They pointed out that it would preclude other federally insured financial institutions from making loans through Federal credit unions because of the statutory and regulatory ceilings on the payment of interest, that it would place an administrative burden on the mortgage lender by requiring the mortgage lender to keep track of the dividend rates paid by different Federal credit unions, and that it would result in an interest rate on escrow accounts that would be based on the earnings of the Federal credit union rather than on the earnings of the financial institution holding the accounts. The NCUA Board concurs and has therefore modified the regulation to require only that interest or dividends be paid on escrow accounts; although it is not specifying any particular rate, the Board would not consider this requirement to be met if a sham rate, such as .01 percent, were paid on escrow accounts.

Conditions on FCU Participation

As discussed above, the credit union will be required to verify that its officials and employees have no direct

or indirect pecuniary interest in and are not receiving any compensation from the mortgage lender. Compensation to the credit union will be limited to reimbursement for actual costs incurred. And the credit union will have to maintain master copies of all documents to be completed in connection with loans granted through the business relationship until after its next examination.

Only one other requirement will be imposed. To enter into a business relationship with a mortgage lender, the Federal credit union will need to have adequate surety bond coverage. This requirement will be met if the credit union's regular surety bond covers its officers and employees when it is involved in a business relationship with a mortgage lender.

The proposed regulation would have required the credit union to notify the appropriate Regional Director before the relationship with a mortgage lender could begin. This procedure was proposed to permit NCUA to monitor those credit unions engaging in agency relationships. Although not specifically addressed by the commenters, the notice requirement has been deleted. The NCUA Board believes that NCUA can monitor these relationships through its normal examination process.

Regulatory Procedures

This final regulation has been prepared in accordance with NCUA's Final Report on Improving Government Regulations, 12 CFR 720, App. I. A regulatory analysis was not prepared because it was determined that this regulation would not result in an annual effect on the economy of $100 million or more nor would it result in a major increase in costs or expenses for all, or a significant portion of, Federal or federally insured credit unions with assets under $1 million or for other financial institutions.

Accordingly, NCUA amends its existing rules and regulations by adding a new § 701.21–6A as set forth below.

(12 U.S.C. 1757, 1766(a), 1789(a)(11))

Rosemary Brady,

Secretary, NCUA Board.

March 27, 1981.

§ 701.21–6A Business relationship with mortgage Lender.

(a) For purposes of this section:

(1) "Mortgage Lender" includes, but is not limited to, banks, savings and loan associations, Federal credit unions, state chartered credit unions, mortgage banking firms, insurance companies, pension funds, and Federal and state housing authorities.

(2) "Business Relationship" means the relationship between a mortgage lender and a Federal credit union where the mortgage lender agrees to grant loans to creditworthy borrowers/members of the Federal credit union and the Federal credit union agrees to perform certain activities for the mortgage lender. The activities the credit union may perform include, but are not limited to, any one or more of the following: accepting and forwarding loan applications from its members, processing loan applications from its members, recommending either granting or denying the loans or offering loans on different terms and conditions than those requested, assisting at closings, distributing loan proceeds provided by the mortgage lender, and servicing loans granted by the mortgage lender.

(b) A Federal credit union with adequate surety bond coverage may enter into a business relationship with a mortgage lender granting loans to the members of the Federal credit union if the mortgage lender agrees to the following conditions:

(1) *General Loan Terms.* A loan will only be granted to finance or refinance the acquisition of a one-to-four family dwelling that will be the principal residence of the borrower. The sales price will not exceed more that 150 percent of the median sales price of residential real property situated in the geographical area in which the property is located. The maturity will not exceed thirty years. The loan will be secured by a first lien on the dwelling.

(2) *Conventional Mortgage Loan.* A conventional loan will be made on the following additional terms and conditions:

(i) *Interest Rate.* The interest rate charged on the loan will not exceed the maximum rate permitted under the Federal Credit Union Act at the time the loan is granted.

(ii) *Amortization.* The loan will be amortized by substantially equal monthly installments sufficient to retire the loan at maturity or will be amortized on any other schedule approved for use by Federal credit unions.

(iii) *Prepayment.* The borrower will be able to repay the loan prior to maturity in whole or in part on any business day without penalty.

(3) *Insured or Guaranteed Mortgage Loan.* A loan made under a Federal or State insured or guaranteed loan program may be made under the additional terms and conditions specified by the laws and regulations governing the program.

(4) *Interest on Escrow Accounts.* If the borrower is required to maintain an escrow account, that account will earn interest or dividends.

(5) *Related Services.* The mortgage lender will not grant any loan on the prior condition, agreement, or understanding that the borrower will contract with any specific person or organization for any of the following:

(i) Insurance services (as an agent, broker, or underwriter) except insurance or a guarantee provided by a government agency;

(ii) Building materials or construction services;

(iii) Legal services rendered to the borrower; and

(iv) Services of a real estate agent as broker.

(6) *Records.* Master copies of all documents to be completed in connection with loans granted to members of a Federal credit union as a result of the business relationship between the credit union and the mortgage lender will be provided to the credit union. In addition, the records maintained by the mortgage lender with respect to loans granted to members of a Federal credit union as a result of the business relationship between the credit union and the mortgage lender will be made available to the National Credit Union Administration upon request, unless otherwise prohibited by law.

(c) Unless approval is obtained in advance from the National Credit Union Administration, a Federal credit union may not enter into a business relationship with a mortgage lender if any official or employee of the Federal credit union has any direct or indirect pecuniary interest in the mortgage lender or if any official or employee of the Federal credit union receives any salary, fee, or other compensation from the mortgage lender.

(d) A Federal credit union may be reimbursed only for the actual cost of any actions performed on behalf of the mortgage lender. Reimbursement may not be based on a percentage of the amount of any loan.

(e) The master copies of all documents to be completed in connection with loans granted to members of a Federal credit union as a result of the business relationship shall be maintained in the Federal credit union files until after the next examination of the credit union.

[FR Doc. 81-9945 Filed 4-1-81; 8:45 am]

BILLING CODE 7535-01-m

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81-GL-3-AD; Amdt. 39-4076]

Dowty Rotol (c)R.289/3 Propellers; Airworthiness Directive

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) applicable to Dowty Rotol (c)R.289/3-110-F/1 and (c)R.289/3-110-F/11 propellers installed on the WSK-Pezetel Model PZL-3S engine used on Gulfstream American (formerly Grumman) Model G-164A, B, C airplanes modified by Supplemental Type Certificate (STC) SA2731SW, and Ayres (formerly Rockwell) Model S2R-R3S, and Model S2R airplanes modified by STC SA3897WE. Additional stress survey work accomplished by the propeller manufacturer indicates it is necessary to relocate propellers in a precise angular relationship to the engine crankshaft and to withdraw from service all propeller blades which have not been operated in the optimum position to preclude operation in an area of high propeller blade stresses which could lead to catastrophic blade failures and possible loss of life or property. Additionally, a 600-hour safe life is established on all new blades installed after relocating the propellers to the precise angular relationship to the engine crankshaft as required by this AD.

DATES: Effective April 2, 1981.

Comments related to this amendment must be received on or before May 29, 1981. Depending on the comments received, the requirements of this amendment may be modified.

Compliance required within 50 operating hours after the effective date of the AD or by April 30, 1981, whichever occurs first, unless already accomplished.

ADDRESSES: Send written comments in duplicate to the Office of Regional Counsel, Federal Aviation Administration, Attn: Rules Docket (AGL-7), Docket No. 81-GL-3-AD, 2300 East Devon Avenue, Des Plaines, Illinois 60018. The applicable service information may be obtained from:

Dowty Rotol, Inc., Staverton West, Sully Road, Box 5000, Sterling, VA 22170; or Dowty Rotol, Ltd., Chltenham Road. Gloucester, England GL29HQ

A copy of the service information is contained in the Rules Docket, Room 415, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT:

Bob Alpiser, Flight Standards Division, Engineering and Manufacturing Branch, AGL-214, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone 312-694-7130.

SUPPLEMENTARY INFORMATION: As a result of three recent blade failures, Dowty Rotol Ltd. completed a new vibration stress survey on this engine/propeller combination and discovered that there is a significant difference in blade stress levels depending on the angular relationship between the propeller blade and the engine crankshaft. The engine crankshaft spline is not currently indexed to the propeller shaft and is randomly located in one of thirty different angular positions. The high stress levels associated with improper indexing necessitates replacement of all blades that have been operated prior to performing the reindexing operation required by this AD. This AD requires reindexing the propeller shaft to the engine crankshaft, replacement of all blades that have been operated prior to performing the reindexing operation, and establishes a 600-hour safe life on the new baldes installed after performing the reindexing operation.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedures hereon are impracticable, and good cause exists for making this amendment effective as an immediate adopted rule.

Although this action is in the form of a final rule, which involves requirements affecting immediate flight safety and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule.

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 AD:

Dowty Rotol. Applies to Dowty Rotol (c)R.289/3-110-F/1 and (c)R.289/3-110-F/11 propellers installed on the WSK-Pezetel Model PZL-3S engine used on Gulfstream American (formerly Grumman) Model G-164A, B, C airplanes modified by STC SA2731SW, and Ayres (formerly Rockwell) Model S2R-R3S, and Model S2R airplanes modified by STC SA3897WE.

Compliance is required as indicated unless previously accomplished. To preclude the possibility of blade tip failures, accomplish the following: Within the next 50 hours time in service after the effective date of this AD or by April 30, 1981, whichever occurs first, perform the following:

(a) Reindex propeller shaft to engine crankshaft in accordance with Dowty Rotol Service Bulletin No. 61-941 dated February 5, 1981, and PZL-Rzeszow Service Instruction No. 28/PZL-3S/81 dated January 30, 1981, or FAA approved equivalent.

(b) After reindexing propeller shaft to engine crankshaft, replace all blades P/N 660705335 that have been operated prior to reindexing in accordance with paragraph (a) above with new blades P/N 660705335 per Dowty Rotol Service Bulletin No. 61-941 dated February 5, 1981, or FAA approved equivalent.

(c) Establish a 600-hour safe life limit on all new blades P/N 660705335 installed per paragraph (b) above.

(d) Upon request of an operator, the Chief, Engineering and Manufacturing Branch, AGL-210, Federal Aviation Administration, Great Lakes Region, may adjust the compliance time specified in this AD provided such requests are made through an FAA Maintenance inspector and the request contains substantiating data to justify the request for that operator.

(e) For purposes of this AD, an equivalent must be approved by the Chief, Engineering and Manufacturing Branch, AGL-210, Federal Aviation Administration, Great Lakes Region.

This amendment becomes effective April 1, 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)); 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 Des Plaines, Illinois on March 23, 1981.

Wayne J. Barlow,

Director, Great Lakes Region.

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

[FR Doc. 81-9660 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 97

[Docket No. 21577; Amdt. No. 1187]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

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

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

For Examination—

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

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

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

For Purchase—Individual SIAP copies may be obtained from:

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

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

By Subscription—

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

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

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

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

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to 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 June 11, 1981

Madison, WI—Dane County Regional/Truax Field, VOR Rwy 13, Amdt. 14
Madison, WI—Dane County Regional/Truax Field, VOR Rwy 18, Amdt. 13

Effective June 1, 1981

Lihue, HI—Lihue, VOR-D, Original
Lihue, HI—Lihue, VOR/DME-3 Rwy 21, Original
Lihue, HI—Lihue, VOR/DME-C, Original

Effective May 14, 1981

Winslow, AZ—Winslow Muni, VOR Rwy 11, Amdt. 2
Springdale, AR—Springdale Muni, VOR/DME Rwy 36, Amdt. 1
Lincoln, CA—Lincoln Muni, VOR Rwy 15, Original

Lincoln, CA—Lincoln Muni, VOR-A, Amdt. 1, cancelled
Visalia, CA—Visalia Muni, VOR Rwy 12, Amdt. 2
Visalia, CA—Visalia Muni, VOR/DME Rwy 30, Amdt. 2
Marco Island, FL—Marco Island, VOR/DME Rwy 17, Original
Plains, GA—Peterson Field, VOR/DME-B, Original, cancelled
Muscatine, IA—Muscatine Muni, VOR Rwy 5, Amdt. 1
Muscatine, IA—Muscatine Muni, VOR Rwy 23, Amdt. 1
Muscatine, IA—Muscatine Muni, VOR Rwy 30, Amdt. 1
Muscatine, IA—Muscatine Muni, VOR/DME Rwy 12, Amdt. 1
Ocean City, MD—Ocean City, VOR-A, Original
Ocean City, MD—Ocean City, VOR-A, Amdt. 5, cancelled
Hancock, MI—Houghton County Memorial, VOR Rwy 13, Amdt. 10
Hancock, MI—Houghton County Memorial, VOR Rwy 25, Amdt. 12
Hancock, MI—Houghton County Memorial, VOR Rwy 31, Amdt. 9
Howell, MI—Livingston County, VOR Rwy 31, Amdt. 6
New Hudson, MI—New Hudson, VOR-A, Amdt. 3
Minneapolis, MN—Anoka County-Blaine Arpt (Janes Field), VOR/DME Rwy 26, Amdt. 1
New York, NY—John F. Kennedy Intl, VOR Rwy 13L/13R, Amdt. 14
Willard, OH—Willard, VOR-A, Amdt. 2
Pottstown, PA—Pottstown Limerick, VOR-A, Amdt. 2, cancelled
Pottstown, PA—Pottstown Limerick, VOR/DME-A, Original
Chester, SC—Chester Muni, VOR/DME Rwy 23, Amdt. 2
Smyrna, TN—Smyrna, VOR/DME Rwy 14, Amdt. 3
Smyrna, TN—Smyrna, VOR/DME Rwy 32, Amdt. 9
McKinney, TX—McKinney Muni, VOR/DME-A, Original
Chesterfield, VA—Chesterfield County, VOR Rwy 15, Amdt. 5
Galax-Hillsville, VA—Twin County, VOR/DME Rwy 18, Amdt. 1
Laramie, WY—General Brees Field, VOR/DME Rwy 30, Amdt. 2

Effective April 30, 1981

Smithville, NJ—Smithville Airfield, VOR-A, Amdt. 1, cancelled
Smithville, NJ—Smithville Airfield, VOR-B, Original, cancelled

Effective March 13, 1981

Stillwater, OK—Stillwater Muni, VOR Rwy 17, Amdt. 5

Note.—The FAA published an amendment in Docket No. 21372, Amdt. No. 1184 to Part 97 of the Federal Aviation Regulations (Vol. 46 FR No. 48 page 16250; dated March 12, 1981) under Section 97.23 effective March 19, 1981, which is hereby amended as follows: Baudette, MN—Baudette Intl, VOR Rwy 12, original and VOR Rwy 30, Amdt. 5, change effective date to April 16, 1981.

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

Effective May 14, 1981

Hancock, MI—Houghton County Memorial, LOC/DME (BC) Rwy 13, Amdt. 5
Chesterfield, VA—Chesterfield County, SDF Rwy 33, Amdt. 1

Effective April 16, 1981

South Bend, IN—Michiana Regional, LOC Rwy 9, Original, cancelled

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

Effective June 11, 1981

Windsor Locks, CT—Bradley Intl, NDB Rwy 6, Amdt. 23

Effective May 14, 1981

Freeport, IL—Albertus, NDB Rwy 24, Amdt. 9
Muncie, IN—Delaware County-Johnson Field, NDB Rwy 32, Amdt. 5
Muscatine, IA—Muscatine Muni, NDB Rwy 5, Amdt. 7
Staples, MN—Staples Municipal, NDB Rwy 14, Amdt. 2
Cabool, MO—Cabool Memorial, NDB Rwy 3, Original
Cabool, MO—Cabool Memorial, NDB Rwy 21, Original
East Liverpool, OH—Columbiana County, NDB Rwy 24, Amdt. 1
Kent, OH—Kent State Univ, NDB Rwy 1, Amdt. 8
La Porte, TX—La Porte Muni, NDB Rwy 30, Original
Chesterfield, VA—Chesterfield County, NDB Rwy 33, Amdt. 3
Smyrna, TN—Smyrna, NDB Rwy 32, Amdt. 5
Galax-Hillsville, VA—Twin County, NDB-A, Amdt. 3
Bremerton, WA—Kitsap County, NDB Rwy 1, Amdt. 11
Shelton, WA—Sanderson Field, NDB Rwy 23, Original

Effective April 16, 1981

Northway, AK—Northway, NDB Rwy 4, Original
Northway, AK—Northway, NDB Rwy 22, Original
Northway, AK—Northway, NDB-A, Original, cancelled
Santa Fe, NM—Sante Fe County Muni, NDB Rwy 2, Original

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

Effective June 11, 1981

Windsor Locks, CT—Bradley Intl, ILS Rwy 6, Amdt. 27

Effective May 14, 1981

Tucson, AZ—Ryan Field, ILS/DME Rwy 6, Amdt. 2
Muncie, IN—Delaware County-Johnson Field, ILS Rwy 32, Amdt. 2
Boston, MA—General Edward Lawrence Logan Intl, ILS Rwy 4R, Amdt. 2
Boston, MA—General Edward Lawrence Logan Intl, ILS Rwy 22L, Amdt. 2
Boston, MA—General Edward Lawrence Logan Intl, ILS Rwy 33L, Amdt. 16
Hyannis, MA—Barnstable Muni, ILS Rwy 24, Amdt. 12
Hancock, MI—Houghton County Memorial, ILS Rwy 31, Amdt. 6
Smyrna, TN—Smyrna, ILS Rwy 32, Amdt. 1
Bremerton, WA—Kitsap County, ILS Rwy 19, Amdt. 8

Effective April 16, 1981

South Bend, IN—Michiana Regional, ILS Rwy 9, Original
Sante Fe, NM—Sante Fe County Muni, ILS Rwy 2, Original

Effective March 25, 1981

Martinsburg, WV—Eastern WV Regional/Shepherd Field, ILS Rwy 26, Amdt. 2

Note.—The FAA published an amendment in Docket No. 21372, Amdt No. 1184 to Part 97 of the Federal Aviation Regulations (Vol 46 FR No. 48 page 16251; dated March 12, 1981) under section 97.29 effective March 19, 1981, which is hereby amended as follows: Louisville, KY-Standiford Field, ILS Rwy 1, Amdt. 5, change effective date to April 16, 1981.

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

Effective May 14, 1981

Wilkes-Barre-Scranton, PA—Wilkes Barre-Scranton Intl, RADAR 1, Amdt. 9

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

Effective May 14, 1981

Freeport, IL—Albertus, RNAV Rwy 6, Amdt. 2
Hillsboro, WI—Kickapoo, RNAV Rwy 23, Amdt. 1, cancelled

(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 27, 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. 81-9861 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 150

[LR-48-80; LR-4-81]

Windfall Profit Tax; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Temporary regulation; correction.

SUMMARY: This document corrects an error in the publication of Treasury Decision 7755 on the windfall profits tax notice of proposed rulemaking cross-reference.

EFFECTIVE DATE: This correction is effective as of the same date as Treasury Decision 7755. Treasury Decision 7755 is effective with respect to oil removed after February 29, 1980, except as specifically provided otherwise in the regulations.

FOR FURTHER INFORMATION CONTACT: David B. Cubeta of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR:T 202-566-3297.

SUPPLEMENTARY INFORMATION:

Background

On January 19, 1981, the **Federal Register** published Treasury Decision 7755 (46 FR 4873) which amended the temporary regulations under the Crude Oil Windfall Profit Tax Act of 1980 (26 CFR Part 150). The new temporary regulations related primarily to administrative aspects of the tax. The text of the temporary regulations also served as the text of proposed regulations under 26 CFR Part 51 (46 FR 4950).

Need for Correction

The need for correction arises from a typographical error in example (1) of § 150.4995-3(g)(2)(ii). This document corrects the error by changing "September 30, 1980" to "September 30, 1981".

Drafting Information

The principal author of this correction is David B. Cubeta of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service.

Correction of Treasury Decision

Accordingly, FR Doc. 81-1850 (46 FR 4873) is amended as follows:

In Par. 4 on page 4880, third column, seventeenth line from the top, example (1) of § 150.4995-3(g)(2)(ii) is amended by removing "September 30, 1980" and inserting in lieu thereof "September 30, 1981".

David E. Dickinson,

Acting Director, Legislation and Regulations Division.

[FR Doc. 81-9396 Filed 4-1-81; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF JUSTICE

28 CFR Parts 0 and 40

[Order No. 937-81]

Office of Inmate Grievance Procedures Certification Methods for Inmate Grievance Procedures; Deferral of Effective Date

AGENCY: Department of Justice.

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

SUMMARY: On January 12, 1981, the Attorney General issued a final rule (Attorney General Order No. 924-81, **Federal Register** Document No. 81-1528, appearing at 46 FR 3843, January 16, 1981) promulgating minimum standards for inmate grievance procedures, establishing methods of certifying such procedures, and creating an Office of Inmate Grievance Procedures, as required by "The Civil Rights of Institutionalized Persons Act." That rule was to become effective thirty legislative days after publication. On March 6, 1981, Attorney General Order No. 935-81 (**Federal Register** document No. 81-7592, appearing at 46 FR 16100, March 11, 1981) deferred to March 30, 1981 the effective dates of those parts of Attorney General Order No. 924-81 which established methods of certification and an Office of Inmate Grievance Procedures under the terms of the "Civil Rights of Institutionalized Persons Act". At the same time, Attorney General Order No. 935-81 gave notice that the minimum standards for inmate grievance procedures promulgated by Attorney General Order No. 924-81 would be subjected to further review in accordance with the President's memorandum to agency heads of January 29, 1981, and that revisions would be proposed for public comment, if necessary. Since it is expected that revised minimum standards will presently be proposed, the certification procedure envisioned by the Act will not be complete until another period of public comment has passed. Accordingly, the effective dates of those parts of Attorney General Order No. 924-81 which were to become effective on March 30, 1981 are hereby deferred until June 30, 1981.

EFFECTIVE DATE: The new effective date of the parts of Attorney General Order No. 924-81 covered by this order (i.e. that part of paragraph (1) of the Order which added Part 40 Subpart B to Title 28, Code of Federal Regulations, and paragraph (2) of the Order which added § 0.18 to Part 0) is June 30, 1981.

FOR FURTHER INFORMATION CONTACT: William R. Yeomans, Attorney-Advisor, Office for Improvements in the Administration of Justice, Department of Justice, Room 4250, Main Justice Building, Washington, D.C. 20530 (202-633-4582).

Dated: March 30, 1981.

William French Smith,

Attorney General.

[FR Doc. 81-9663 Filed 4-1-81; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF THE INTERIOR

Geological Survey

30 CFR Part 250

Royalty on Unprocessed Gas; Correction

AGENCY: U.S. Geological Survey.

ACTION: Erratum notice.

SUMMARY: In FR Doc. 80-38451, appearing at page 81563 in the issue of December 11, 1980, 30 CFR 250.66 is corrected in the second sentence by deleting the words "either" and "or outside," so taht the second sentence reads as follows: Royalty is not due on gas or liquids produced from, and reinjected to, a reservoir within the same lease or unit until such time as they are finally produced from a reservoir.

FOR FURTHER INFORMATION CONTACT: Platt Clark, Branch of Rules and Regulations, (703) 860-7571.

Dated: March 6, 1981.

Robert C. Rioux,

Deputy Division Chief, Offshore Minerals Regulation Conservation Division.

[FR Doc. 81-9868 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-31-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52, 403, and 429

[AS FRL 1793-6]

Deferral of Effective Dates

AGENCY: Environmental Protection Agency.

ACTION: Deferral of Effective Dates.

SUMMARY: On February 12, 1981, pursuant to the President's Order of January 29, 1981 EPA postponed the effective date of several pending regulations until March 30, 1981, 46 FR 11972. The regulations covered by that notice will take effect on March 30, 1981, except as provided below.

DATE: The effective date of the three regulations listed below is deferred until further notice. This action is taken pursuant to Executive Order 12291.

FOR FURTHER INFORMATION CONTACT: Faith Halter, Special Assistant to the General Counsel, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, 202-755-0709.

SUPPLEMENTARY INFORMATION:

The effective date of the best conventional pollutant control technology (BCT) effluent limitation guidelines in the Timber Products Point Source Category (Wet Process Hardboard Subcategory and Insulation Board Subcategory) are deferred pending EPA's current review of the methodology for determining the "cost reasonableness" of the BCT effluent limitations. The effective date of the amendments to the general pretreatment regulations are deferred pending further examination.

In addition, the effective date of EPA's final action concerning the Ohio Sulfur Dioxide Strategy (46 FR 8481 (Jan. 27, 1981)) is being further postponed pending further evaluation.

On March 20, 1981, EPA amended its notice of deferral of effective dates for the pesticide regulations which classify uses of active ingredients for restricted use and establish provisions for State registration of pesticides to meet local needs, 46 FR 17779. These were postponed until completion of Congressional review. The new effective dates will be announced.

The following is the list of the regulations whose effective dates are deferred by this notice.

CFR part affected	FR citation	Subject matter	Old effective date	New effective date
40 CFR 403	46 FR 9404 (Jan. 28, 1981).	Clean Water Act General Pretreatment Regulations for New and Existing Sources.	Mar. 30, 1981	To be announced.
40 CFR 429.62 429.152	46 FR 8260 (Jan. 26, 1981).	Clean Water Act Timber Products Point Source Category: Provisions Establishing Best Conventional Pollutant Control Technology (BCT).	do	Do.
40 CFR §§ 52.1870(c) (25), 52.1881 (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), (a)(8).	46 FR 8481 (Jan. 27, 1981).	Clean Air Act Approval and Promulgation of Implementation Plans: Ohio Sulfur Dioxide Control Strategy.	do	Do.

Dated: March 27, 1981.

Walter C. Barber,

Acting Administrator.

[FR Doc. 81-9963 Filed 4-1-81; 8:45 am]

BILLING CODE 6560-36-M

LEGAL SERVICES CORPORATION

45 CFR Part 1611

Eligibility; Revised Appendix

AGENCY: Legal Services Corporation.

ACTION: Final rule; revised appendix.

SUMMARY: The Legal Services Corporation is required by law to establish maximum income levels for individuals eligible for legal assistance. This document revises specified income levels to reflect amendments to the Official Poverty Threshold as defined by the Office of Management and Budget.

EFFECTIVE DATE: May 4, 1981.

FOR FURTHER INFORMATION CONTACT: Phyllis Fong, Legal Services Corporation, 733 Fifteenth Street NW., Suite 700, Washington, D.C. 20005, (202) 272-4010.

SUPPLEMENTARY INFORMATION: Section 1007(a)(2) of the Legal Services Corporation Act, 42 U.S.C. 2996f(a)(2), requires the Corporation to establish maximum income levels for individuals eligible for legal assistance, and the Act provides that income shall be taken into account along with other specified factors. Section 1611.3(b) of the Corporation's Regulations establishes a maximum income level equivalent to one-hundred and twenty-five percent (125%) of the Official Poverty Threshold as defined by the Office of Management and Budget. The revised figures equivalent to 125% of the Official Poverty Threshold are as follows:

Legal Services Corporation Poverty Guidelines Appendix A of Part 1611 is revised to read as follows:

For all States except Alaska and Hawaii

	Maximum income
Size of family unit: [1]	
1	$5,388
2	7,113
3	8,838
4	10,563
5	12,288
6	14,013
For Alaska: [2]	
1	6,763
2	8,913
3	11,063
4	13,213
5	15,363
6	17,513
For Hawaii: [3]	
1	6,225
2	8,200
3	10,175
4	12,150
5	14,125
6	16,100

[1] For family units with more than six members, add $1,725 for each additional member in a family.

[2] For each family unit with more than six members, add $2,150 for each additional member in a family.

[3] For family units with more than six members, add $1,975 for each additional member in a family.

Dated: March 30, 1981.

Mario Lewis,

General Counsel, Legal Services Corporation.

[FR Doc. 81-9929 Filed 4-1-81; 8:45 am]

BILLING CODE 6820-35-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[Docket No. 21502; RM-2737; FCC 81-13]

Amendment Affecting Aspects of the Subscription Television Service

AGENCY: Federal Communications Commission.

ACTION: Second Report and Order (policy statement).

SUMMARY: This action resolves one of the six issues raised in a proceeding evaluating the rules governing subscription (pay) television broadcasting. This document establishes the new policy that mutually exclusive applications for a new broadcast television station where one or more contemplate a subscription television broadcast operation be compared by traditional comparative criteria; *e.g.*, diversification of mass media, integration of ownership and management and efficient use of spectrum. Comparing one subscription television proposal with another subscription television proposal would provide little meaningful information as to which would better serve the public. Comparing subscription television and conventional (free) television proposals is also inadvisable in that the public will refuse to subscribe to subscription television if pay programming is not desired. This is especially so because there is substantial conventional (free) service presently available. It appears that the marketplace will more efficiently serve the public interest in the programming sphere than will regulation. Thus, program proposals are not to be a basis for comparison.

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

FOR FURTHER INFORMATION CONTACT: Freda Lippert Thyden, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Second Report and Order

Adopted: January 8, 1981.

Released: March 25, 1981.

By the Commission: Chairman Ferris absent.

1. This document is the *Second Report and Order* in the ongoing subscription television ("STV")[1] proceeding. Now before the Commission for consideration is one of six issues raised in a *Memorandum Opinion and Order and Notice of Inquiry and Notice of Proposed Rule Making* (the *"Notice"*),[2] FCC 77-848, 67 F.C.C. 2d 202 (1977) (43 FR 1516; January 10, 1978), which was not resolved in the *First Report and Order*, FCC 79-535, adopted September 25, 1979 (44 FR 60091; October 18, 1979).

2. In the *First Report and Order*, three STV issues were addressed. The Commission decided: (1) to eliminate the rule providing that only one station in a community may engage in STV operations (the "one-to-a-community" rule); (2) to refuse to require compatibility in STV systems; and (3) to reject a cut-off procedure for applications for STV authorization as neither necessary nor beneficial. For consideration in this *Report and Order* is the question of whether the Commission should establish criteria for comparing competing STV applications, as well as for comparing competing applications for new television station when one or more contemplate STV operation.

3. At present, though more than one station in a community may operate as a pay broadcast facility, there is still a limitation on STV entry to communities within the Grade A contour of at least four commercial television stations in operation and providing a total conventional television service (the "complement of four" rule). This potentially gives rise to a mutually exclusive STV situation when the grant of STV authorization to all those licensees, permittees or applicants in a community desiring to operate on an STV basis would reduce the number of conventional stations below four.[3] Mutually exclusive STV applications would also occur where two or more applicants for a construction permit for a new television station seek to operate an STV facility on the same channel. Another exclusivity situation, and thus a subject for comparative treatment, is the case of two applicants for a construction permit for a new television station on the same channel where one contemplates a conventional facility and the other proposes an STV operation.

4. Although the Commission has established criteria for comparing mutually exclusive applications for conventional stations in fulfilling its responsibility to choose the best of the qualified new applicants for the same broadcast facilities,[4] it has not yet done so for mutually exclusive STV situations. Thus, no criteria exist for comparing two competing applications for a new station when one is for conventional use and the other contemplates STV operation or when both propose STV operation or for comparing mutually exclusive applications for STV authorization.

5. Mutually exclusive applications for STV authorization have been designated for hearing by the Commission on only a few occasions. For instance, five years ago, in *Lincoln Television, Inc.* FCC 75-1274, 56 F.C.C. 2d 904, two STV proposals were designated for comparative hearing. The Commission found both applicants for STV authorization, one holding a construction permit for a new television station and one already operating a television station, to be legally, technically and otherwise qualified to undertake the proposed STV operations. The only purpose of the designated hearing was the comparative consideration of the proposals. General guidelines for such a comparison were provided in the *Lincoln* designation order. Those factors, regarded as signficant in a comparative analysis of STV systems, were the following: (1) diversification of control of the mass media with the area of comparison possibly including those providing STV services; (2) programming proposals, including survey efforts to ascertain the sports and entertainment needs and interests of the community; (3) cost of the service to subscribers; (4) ability to promptly initiate the new service and the ability to extend service to a significantly greater number of subscribers during the period prior to commencement of operation and the

[1] Briefly described, subscription television broadcasting involves the broadcasting of a scrambled television signal which, on payment of a fee, subscribers are authorized to unscramble through use of a decoder. See *In the Matter of Subscription Television Program Rules*, 52 F.C.C. 2d 1, at 2 (1974).

[2] A list of parties filing formal comments and/or reply comments to the *Notice* is contained in Appendix A.

[3] Although an STV authorization can be given to an applicant for a construction permit for a new commercial television broadcast station, such authorization will not be issued prior to issuance of the construction permit for the new station. (§ 73.642(a) of the Commission's Rules.)

[4] These comparative criteria include, among others, diversification of control of the media of mass communications, integration of ownership and management and efficient use of frequency. For a review of the criteria governing the disposition of comparative broadcast hearings, see *Policy Statement on Comparative Broadcast Hearings ("Comparative Policy Statement")* 1 F.C.C. 2d 393 (1965). See also, *TV 9 Inc.* v. *F.C.C.* 495 F. 2d 929, 937 (1973), for a holding by the U.S. Court of Appeals requiring ". . . the Commission in a comparative license proceeding to afford favorable consideration to an applicant who, not as a mere token, but in good faith as broadening community representation, gives a local minority group media entrepreneurship." This can be read as adding an element for comparison in addition to those in the original *Comparative Policy Statement*.

first year of operation; and (5) technical characteristics which clearly affect the quality of transmission or reception, continuity of service, convenience to subscribers and the security of the scrambling/unscrambling system against unauthorized access to the scrambled signal.[5] However, because a settlement agreement was reached between the *Lincoln* parties, no Initial Decision was released in the case to indicate how the comparative issues were resolved.[6]

6. Another STV proceeding designated for hearing by the Commission was *Vue Metrics*, FCC 76–590. Two mutually exclusive applications for a new television station (proposed for use as STV facilities) were consolidated for hearing with the applications for STV authorization. Unlike the *Lincoln* case, however, the STV applications were not to be analyzed on a comparative basis. Rather, they were designated only for the purpose of trying specific non-comparative issues concerning the STV proposals.

7. Because we recognized a need for a uniform policy in regard to the STV comparative criteria question, in the *Notice* we raised the issue of whether criteria should be established for comparing STV proposals with each other or with conventional applications. Almost all comments addressing the question are to some degree in favor of establishing comparative criteria. Although most feel that at this early stage in the development of the STV service guidance is needed, they believe the Commission should not limit the scope of comparative presentation. Rather, the commenting parties urge that criteria should be permitted to evolve as comparative decisions accumulate.

8. Turning to what criteria should be utilized, a number of commenters believe proposed programming to be an appropriate subject on which to adduce evidence in any proceeding involving an STV applicant. These program showings, they explain, should be directed to the ultimate issue of which proposal would contribute most to overall diversity of program service available in the market. Others commenting, however, assert that where only STV proposals are involved, the Commission should not make comparisons on programming proposals. Otherwise, they note, STV stations may be committed to a particular format and then have difficulty becoming a viable service in the face of competitors who can quickly change the nature and content of programming sold to the public by other means. As to use of the standard comparative criteria, such as diversification of control of the media and integration of ownership and management, outlined in the *Comparative Policy Statement*, some commenters favor their use in any type of case which involves an STV applicant. Other parties state a belief that the use of the standard comparative criteria would be inappropriate in cases involving only STV applicants.

9. In addition or in the alternative to the above criteria, such factors as the following are suggested by commenters for comparing STV applicants for a new television station: (1) the applicants' ability to obtain and deliver adequate STV programming; (2) the applicants' proposed technical systems, including reliability of the service offered and security of the systems; (3) rates to be charged subscribers; and (4) compatibility of STV systems.

10. In fashioning standards for choosing between a conventional and an STV applicant for a new television station, a few parties suggest that a determination must be made as to whether STV or conventional service is more in the public interest in a given market. Specifically, the American Subscription Television Companies recommend that the Commission, either by rule or policy statement, declare that where it is shown that there is only one remaining channel allocated or there is only one channel which can be allocated in the market, a proposal to use the channel to provide STV service will be entitled to a substantial comparative preference over any proposal for any other form of broadcast service. Otherwise, they argue, the particular market in question will be foreclosed from receiving a service which is being offered to millions of other persons in dozens of other markets.

11. As is indicated in the above discussion, even those who call for the establishment of comparative criteria for use in mutually exclusive STV situations disagree about the criteria to use. In regard to comparing mutually exclusive applications for STV authorization of those already licensed as commercial television stations, or holding construction permits, or seeking construction permits for non-exclusive channels, we believe it inadvisable to resolve the comparative criteria issue until we decide in further proceedings whether to continue the restriction of STV operation to communities within the Grade A contour of at least four operating commercial television stations.[7] It appears that a decision on the issue of establishing criteria for such situations, and even more significantly, the issue of what criteria should be set, may depend to a considerable degree on whether the "complement of four" rule is modified. First, if that rule is relaxed, there will be substantially fewer cases involving mutually exclusive STV applications. Thus, the need for establishing comparative criteria for this type of case is of less moment. Second, and of greater importance, the significance of a number of factors, such as the nature of the pay programming in question, would likely be limited by the opportunity for the establishment of numerous and varied STV facilities. Comparison in such a situation may then be close to meaningless.

12. At this juncture, however, we believe it is in the public interest to set a policy with regard to criteria for comparing applications for a new television station when one or more are to operate as STV facilities. Whatever the resolution of the "complement of four" question, the comparative criteria issue concerning new stations, when one or more propose operation on a pay basis, still remains. Thus, action may appropriately be taken in this regard now. By establishing guidelines for comparing mutually exclusive applications for new facilities involving STV use, we will enable Commission staff to expedite the processing of applications long delayed by the lack of a uniform and established policy. It is for this reason that we must reject the view of those commenting parties who advocate that criteria for comparing applications involving STV use be permitted to evolve as comparative decisions by the Commission accumulate. Such a procedure is of limited assistance in determining what

[5] Two factors, integration of ownership and management and efficient use of frequency, both of which are criteria for comparison of conventional services, were not regarded as appropriate factors in a comparison of STV systems in *Lincoln*.

[6] See *Lee W. Cowan*, FCC 76-619, 60 F.C.C. 2d 544, where mutually exclusive applications for STV authorization were designated for comparative hearing in a consolidated proceeding to determine which proposal, if granted, would better serve the public interest. A general comparison of the STV proposals was to be conducted according to the guidelines set forth in *Lincoln Television, Inc., supra*. This case did not go to trial. The elimination of the "one-to-a-community" rule made a summary decision possible.

[7] One of the issues raised in the *Notice* not yet resolved is whether the Commission should consolidate proceedings where an applicant is involved in two mutally exclusive hearings, one in which he seeks a construction permit for a new television station and the other in which he seeks STV authorization. This issue will be decided at the time we resolve the question of whether to modify the "complement of four" rule. If it is concluded that no comparison of STV proposals is necessary, then there is no need to consolidate the proceedings.

factors are significant for a comparative evaluation. Although there has been extensive experience with broadcast hearing cases generally, there still are serious questions on whether, and if so which, present comparative criteria are meaningful in this context. The disparity in the views of commenters responding to the *Notice* on what criteria should be set further substantiates this point. Also, a case-by-case development of significant comparative criteria, if any, will only delay an already time-consuming administrative hearing process.

13. Having determined that the time is ripe for a uniform policy on the method of comparing competing mutually exclusive applications for a new television station when one or more contemplate STV use, we now address the policy itself. We have carefully evaluated the criteria suggested for comparing such applicants and are concerned because they ask us to involve ourselves in a comparison of program proposals.[8] As noted in the *Comparative Policy Statement*, the feasibility of making a comparative program evaluation is not obvious and thus comparative program issues are not ordinarily designated.

14. Comparing one STV proposal with another would be a lengthy exercise resulting in little meaningful information as to which proposal would better serve the public. Even where STV program proposals differ to a substantial degree, there is nothing to be gained by comparing proposals which, in direct response to consumer preference, may change radically within a very short period of time. The purpose of the STV system is to react to actual consumer preference measured by the real purchase of the product. Thus, even if the Commission decided a particular type of programming fare at a specific financial cost was in the public interest, once the STV operation commenced the consumer might well decide that he does not desire that particular programming and that he prefers a different program selection even at a higher financial cost. Since it would be in the STV operator's economic interest to supply the consumer with the desired programming, he would do just that. Therefore, there would be no point in comparing programming proposals since the consumer has a direct method of expressing his desires without need of Commission intervention. Not only will the STV entrepreneur respond to cohsumer wants as to type of programming fare, but in his own self interest he will set subscriber costs so as to encourage consumers to purchase his service. Further, a number of subscribers might wish to view less popular types of programming even if more costly than traditional fare. Therefore, cost comparisons do not appear to correlate to real consumer service. As to comparing technical equipment, we believe that using good business judgment the STV operator will seek to maximize his profits by employing the best technical equipment at the least expensive price. Furthermore, the Communications Act and the Commission's rules require initial FCC approval of STV technical systems. For all of the above reasons, mutually exclusive applications for new stations where all are seeking to operate as STV facilities are to be compared by traditional comparative criteria, such as, diversification of control of the media of mass communications, integration of ownership and management and efficient use of frequency. STV program proposals are not to be a basis for comparison except under circumstances that would allow for such comparison under our traditional criteria. *George E. Cameron, Jr.* Communications, 71 F.C.C. 2d 460 (1979).

15. Turning to mutually exclusive applicants for a construction permit, one for STV use and the other contemplating a conventional facility, we do not believe a programming comparison should be made in this situation either. Although conventional programming comparisons are made where programming is specialized, we do not consider STV specialized programming since it consists, in theory and in fact, of a variety of program fare such as feature films, sports events, foreign language programs and children's programming. If the public does not wish to pay for programming generally or any particular type of program, it will refuse to do so especially since there is substantial conventional service presently available. It appears that the marketplace will more efficiently serve the public interest in the programming sphere than we could. Furthermore, STV may prove to be a transitory phenomena. If so, pay broadcast television stations will probably convert to conventional facilities. For this reason as well as the above made points, an initial program comparison seems inadvisable. Consequently, our policy in regard to mutually exclusive applications for a new station where one contemplates STV operation and the other a conventional facility is the same as where all contemplate STV use, that is to compare the applications by employing traditional comparative criteria and not compare the program proposals.[9]

16. Accordingly, the issues in this proceeding concerning this *Second Report and Order* are terminated.

17. For further information concerning this proceeding, contact Freda Lippert Thyden, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix A

Parties Filing Comments

American Broadcasting Companies, Inc.
American Civil Liberties Union
American Television and Communications Corp.
Blonder-Tongue Laboratories, Inc.
Buford Television, Inc.
Cleveland Associates Co.
Jesus Lives, Inc.
KCAU-TV, et al.
Ledbetter, Theodore S., Jr.
Motion Picture Association of America, Inc.
National Association of Broadcasters
*National Business Network, Inc.
National Subscription Network, Inc.
New Life Evangelistic Center, Inc.
Oak Broadcasting System, Inc.
Pay TV Corporation
Peter and John Radio Fellowship, Inc.
*Radio Broadcasting Company
Subscription Television of America
*Tarshis, Mark, B.
Teleglobe Pay-TV System, Inc.
The American Subscription Television Companies
The National Cable Television Association, Inc.
Universal Subscription Television, Inc.
Video 44
Wometco Blonder-Tongue Broadcasting Corporation

[8] We believe that the criteria outlined in the *Lincoln* designation order also leads one in the less than desirable direction of comparing program proposals. However, *Lincoln* involved two applications for mutually exclusive STV authorizations, one filed by a licensee and the other submitted by a permittee, the situation we are waiting to resolve until the "complement of four" rule is revisited. Therefore, no final conclusions will be drawn in this document as to the appropriateness of the *Lincoln* criteria for the *Lincoln* situation where both applicants were licensees. It should be noted that in the *Vue Metrics* case, where there were two mutually exclusive applications for a new television station proposed for use as STV facilities (the situation being discussed in this *Report and Order*), no comparative issues were designated concerning the STV proposals.

[9] Our considering an STV proposal as a program package does not alter our view that STV, as one of the many subscription services presently available, is a hybrid broadcast service.

Wometco Enterprises, Inc.
Wometco Home Theatre, Inc.

Parties Filing Reply Comments

American Subscription Television Companies, Inc.
Blonder-Tongue Laboratories, Inc.
National Business Network, Inc.
*Pay TV Corp.
Radio Broadcasting Company
*Subscription Television of America, Inc.
Wometco Blonder-Tongue Broadcasting Corp.
Wometco Enterprises, Inc.
Wometco Home Theatre, Inc.

Note.—The comments marked with an asterisk were late-filed but since their consideration is not prejudicial to any party and their lateness did not exceed a few days, we shall consider them in this proceeding.

[FR Doc. 81-10005 Filed 4-1-81; 8:45 am]

BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[Service Order No. 1495]

Burlington Northern Inc. Authorized To Use Tracks and/or Facilities of the Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee)

AGENCY: Interstate Commerce Commission.

ACTION: Service order No. 1495.

SUMMARY: Pursuant to Section 122 of the Rock Island Transition and Employee Assistance Act, Pub. L. 96-254, this order authorizes the Burlington Northern to provide interim service over the Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee), and to use such tracks and facilities as are necessary for operations. This order permits carriers to continue to provide service to shippers which would otherwise be deprived of essential rail transportation.

EFFECTIVE DATE: 11:59 p.m., March 31, 1981, and continuing in effect until 11:59 p.m., July 31, 1981, unless otherwise modified, amended or vacated by order of this Commission.

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

Decided March 27, 1981.

Pursuant to Section 122 of the Rock Island Transition and Employee Assistance Act, Pub. L. 96-254 (RITEA), the Commission is authorizing various railroads to provide interim service over Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee) (RI), and to use such tracks and facilities as are necessary for that operation.

In view of the urgent need for continued service over RI's lines pending the implementation of long-range solutions, this order permits Burlington Northern Inc. (BN) to continue to provide service to shippers which would otherwise be deprived of essential rail transportation.

This order is established to accommodate BN's request for an extension of time greater than that granted to interim operators under Service Order No. 1473.

It is the opinion of the Commission that an emergency exists requiring that the BN, as indicated in the attached appendix, be authorized to conduct operations using RI tracks and/or facilities; that notice and public procedure are impracticable and contrary to the public interest; and good cause exists for making this order effective upon less than thirty days' notice.

It is ordered.

§ 1033.1495 Service Order No. 1495.

(a) *Burlington Northern Inc. authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee).* Burlington Northern Inc. (BN) is authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company (RI), as listed in Appendix A to this order, in order to provide interim service over the RI.

(b) The Trustee shall permit the BN to enter upon the property of the RI to conduct service as authorized in paragraph (a).

(c) The Trustee will be compensated on terms established between the Trustee and the BN; or upon failure of the parties to agree as hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by Section 122(a) Pub. L. 96-254.

(1) The authority contained in Item 1.(E) of Appendix A of this order, previously operated by the Union Pacific Railroad Company (UP) between Colby and Caruso, Kansas (milepost 397.8 to 429.3), is conditioned upon the assumption by Burlington Northern Inc. (BN) of the negotiated agreement between UP and the Rock Island Trustee with regard to the compensation to be paid the Trustee for that line segment until a new agreement is reached between the Trustee and the BN.

(d) BN, as authorized in Appendix A to this order, shall, within thirty days of commencing operations under authority of this order, notify the RI Trustee of those facilities they believe are necessary or reasonably related to the authorized operations.

(f) During the period of operations over the RI lines authorized in paragraph (a), BN shall be responsible for preserving the value of the lines, associated with each operation, to the RI estate, and for performing necessary maintenance to avoid undue deterioration of lines and associated facilities.

(g) Any operational or other difficulty associated with the authorized operations shall be resolved through agreement between the affected parties, or failing agreement, by the Commission's Railroad Service Board.

(h) Any rehabilitation, operational, or other costs related to the authorized operations shall be the sole responsibility of the interim operator incurring the costs, and shall not in any way be deemed a liability of the United States Government.

(i) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(j) *Rate applicable.* Inasmuch as the operations described in Appendix A by BN over tracks previously operated by the RI are deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed to, from, or via these lines which were formerly in effect on such traffic when routed via RI, until tariffs naming rates and routes specifically applicable become effective.

(1) The operator under this temporary authority will not be required to protect transit rate obligations incurred by the RI or the directed carrier, Kansas City Terminal Railway Company, on transit balances currently held in storage.

(k) In transporting traffic over these lines, the interim operator described in Appendix A shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(l) To the maximum extent practicable, the carrier providing service under this order shall use the employees who normally would have performed the work in connection with traffic moving over the lines subject to this order.

(m) *Effective date.* This order shall become effective at 11:59 p.m., March 31, 1981.

(n) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., July 31, 1981, unless otherwise modified, amended or vacated by order of this Commission.

This action is taken under the authority of 49 U.S.C. 10304, 10305, and Section 122, Pub. L. 96-254.

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington, and John H. O'Brien.

Agatha L. Mergenovich,

Secretary.

Appendix A—RI Lines Authorized To Be Operated by Interim Operator

1. *Burlington Northern Inc. (BN):*

A. Burlington, Iowa (milepost 0 to milepost 2.06).

B. Fairfield, Iowa (milepost 275.2 to milepost 274.7).

C. Henry, Illinois (milepost 126) to Peoria, Illinois (milepost 164.35) including the Keller Branch (milepost 1.55 to 8.62).

D. Phillipsburg, Kansas (milepost 282) to CBQ Junction, Kansas (milepost 325.9).

E. CBQ Junction, Kansas (milepost 325.9) to Seibert, Colorado (milepost 487).

F. At Okeene, Oklahoma.

[FR Doc. 81-9936 Filed 4-1-81; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[Service Order No. 1474]

Various Railroads Authorized To Use Tracks and/or Facilities of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor (Richard B. Ogilvie, Trustee)

AGENCY: Interstate Commerce Commission.

ACTION: Seventh revised service order No. 1474.

SUMMARY: Seventh Revised Service Order No. 1474 modifies Appendix A of the previous order by deleting the authority of various carriers recently granted permanent authority by the Commission. Service Order No. 1474 is further revised by adding to Appendix A, the authority for the Raccoon River Railroad to operate between Lohrville and Rockwell City, Iowa.

EFFECTIVE DATE: 12:01 a.m., April 1, 1981.

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

Decided: March 27, 1981.

Pursuant to Section 122 of the Rock Island Transition and Employee Assistance Act, Pub. L. 96-254, the Commission is authorizing various railroads to provide interim service over Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor (Richard B. Ogilvie, Trustee), (MILW) and to use such tracks and facilities as are necessary for that operation.

Appendix A of Sixth Revised Service Order No. 1474 is revised by deleting, in this order, the following authorities.

Item 1.A. Illinois Central Gulf Railroad Company to operate between Cedar Rapids and Louisa (including Marion), Iowa.

Item 3. Cedar Rapids and Iowa City Railway Company.

Item 5. La Salle and Bureau County Railroad Company.

Item 6. Chicago, Madison and Northern Railway Company.

Item 7. Wisconsin Central Railroad Company.

Item 10. Chippewa River Railroad Company.

Item 11. Wisconsin and Southern Railroad Company.

Item 12. Burlington Northern, Inc.

B. From Linton, North Dakota (milepost 74.41), to Eureka, South Dakota (milepost 25.67), a distance of approximately 48.74 miles.

C. From Sappington, Montana (milepost 1464), to Three Forks, Montana (milepost 1450), a distance of approximately 14 miles.

Appendix A is renumbered accordingly.

The deletion of the temporary authorities occurring in this order resulted from recent Commission decisions which granted permanent authority to those carriers; and in the case of items 12.B. and C., at the request of the carrier. Carriers recently granted permanent authority are reminded to comply with all conditions stipulated in the order to assure that the decision remains in force.

This order further revises the previous order by adding, as item 7 to Appendix A of this order, the authority for the Raccoon River Railroad, Inc., to operate between Lohrville and Rockwell City, Iowa.

It is the opinion of the Commission that an emergency exists requiring that the railroads listed in the attached appendix be authorized to conduct operations, also identified in the attachment, using MILW tracks and/or facilities; that notice and public procedure are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered.

§ 1033.1474 Service Order No. 1474.

(a) *Various railroads authorized to use tracks and/or facilities of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor (Richard B. Ogilvie, trustee).* Various railroads are authorized to use tracks and/or facilities of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW), as listed in Appendix A to this order, in order to provide interim service over the MILW.

(b) The Trustee shall permit the affected carriers to enter upon the property of the MILW to conduct service essential to these interim operations.

(c) The Trustee will be compensated on terms established between the Trustee and the affected carrier(s); or upon failure of the parties to agree as hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by Section 122(a), Public Law 96-254.

(d) Interim operators, authorized in Appendix A to this order, shall, within fifteen (15) days of its effective date, notify the Railroad Service Board of the date on which interim operations were commenced on the expected commencement date of those operations.

(e) Interim operators, authorized in Appendix A to this order, shall, within thirty days of commencing operations under authority of this order, notify the MILW Trustee of those facilities they believe are necessary or reasonably related to the authorized operations.

(f) During the period of these operations over the MILW lines, interim operators shall be responsible for preserving the value of the lines, associated with each interim operation, to the MILW estate, and for performing necessary maintenance to avoid undue deterioration of lines and associated facilities.

(g) Any operational or other difficulty associated with the authorized operations shall be resolved through agreement between the affected parties or, failing agreement, by the Commission's Railroad Service Board.

(h) Any rehabilitation, operational, or other costs related to the authorized operations shall be the sole responsibility of the interim operator

incurring the costs, and shall not in any way be deemed a liability of the United States Government.

(i) Application. The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(j) Rate applicable. Inasmuch as this operation by interim operators over tracks previously operated by the MILW is deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed to, from, or via these lines which were formerly in effect on such traffic when routed via MILW, until tariffs naming rates and routes specifically applicable become effective.

(k) In transporting traffic over these lines, all interim operators involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(l) Employees—In providing service under this order interim operators, to the maximum extent practicable, shall use the employees who normally would have performed work in connection with the traffic moving over the lines subject to this Service Order.

(m) Effective date. This order shall become effective at 12:01 a.m., April 1, 1981.

(n) Expiration date. The provisions of this order shall expire at 11:59 p.m., May 31, 1981, unless otherwise modified, amended, or vacated by order of this Commission.

This action is taken under the authority of 49 U.S.C. 10304–10305 and Section 122, Pub. L. 96–254.

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John H. O'Brien.

Agatha L. Mergenovich,

Secretary.

Appendix A—MILW Lines Authorized To Be Operated by Interim Operators

1. Illinois Central Gulf Railroad Company (ICG):

A. In Sioux City, Iowa, from Pearl Street west approximately 1.5 miles to Tri-View Industrial area, and from Court Street to Virginia Street.

2. Seattle and North Coast Railroad Company (SNC):

A. Between Port Angeles and Port Townsend, Washington, including Pier 27 and associated track in Seattle, Washington.

3. Consolidated Rail Corporation (CR):

A. At Momence, Illinois.

4. Pend Oreille Valley Railroad, Inc., (POV):

A. Between Newport, Washington, (milepost 43.6) and Metaline Falls, Washington, (milepost 104.7), a distance of approximately 61.1 miles.

5. St. Maries River Railroad Company (SMRR):

A. Between St. Maries and Bovill, Idaho, the Bovill Branch, a distance of approximately 52 miles; and between St. Maries and Plummer, Idaho, a distance of approximately 19 miles.

6. Burlington Northern Inc. (BN):

A. In Sioux City, Iowa, between milepost 509.77 and milespost 512.62, a distance of approximately 2.85 miles.

7. Raccoon River Railroad, Inc. (RAC):

A. Between Lohrville and Rockwell City, Iowa, a distance of approximately 11.3 miles.

[FR Doc. 81-9937 Filed 4-1-81; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1033

[Service Order No. 1473]

Various Railroads Authorized To Use Tracks and/or Facilities of the Chicago, Rock Island and Pacific Railroad Company, Debtor, (William M. Gibbons, Trustee)

AGENCY: Interstate Commerce Commission.

ACTION: Seventeenth revised service order No. 1473.

SUMMARY: Pursuant to Section 122 of the Rock Island Transition and Employee Assistance Act, Pub. L. 96–254, this order authorizes various railroads to provide interim service over Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee), and to use such tracks and facilities as are necessary for operations. This order permits carriers to continue to provide service to shippers which would otherwise be deprived of essential rail transportation.

EFFECTIVE DATE: 11:59 p.m., March 31, 1981, and continuing in effect until 11:59 p.m., June 30, 1981, unless otherwise modified, amended or vacated by order of this Commission.

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

Decided March 27, 1981.

Pursuant to Section 122 of the Rock Island Transition and Employee Assistance Act, Pub. L. 96–254 (RITEA), the Commission is authorizing various railroads to provide interim service over Chicago, Rock Island and Pacific Railroad Company, Debtor, (William M. Gibbons, Trustee), (RI) and to use such tracks and facilities as are necessary for that operation.

In view of the urgent need for implementation of long range solutions for continued rail service over RI lines, and in consideration of a recent complaint by the Trustee regarding the absence of compensation for the use of his property by certain rail carriers, the Railroad Service Board (RSB) hereby admonishes any carriers which haven't negotiated such compensation to do so in the interest of continued operations. Compensation to the Trustee is an integral part of the interim authority and an obligation of all interim operators as specified by paragraph (c) of the order.

The Trustee will be requested to furnish the RSB with a status report, prior to expiration of this order, which will be given due consideration with respect to any extension of this order.

Appendix A, to the previous order, is revised by adding at Item 8., D., the authority for Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) to operate from Davenport to Iowa City, Iowa, previously operated by the Davenport, Rock Island and North Western Railway Company (DRI). Appendix A is revised further by deleting the authority for Burlington Northern Inc. (BN), Item 5, which will be placed under separate order, and for the DRI, Item 9, F., at the carriers request.

Finally, Service Order No. 1473 is extended, in this revision, until June 30, 1981.

All items are renumbered accordingly.

Appendix B of Thirteenth Revised Service Order No. 1473 is unchanged, and becomes Appendix B of this order.

It is the opinion of the Commission that an emergency exists requiring that the railroads listed in the attached appendices be authorized to conduct operations using RI tracks and/or facilities; that notice and public procedure are impracticable and contrary to the public interest; and good cause exists for making this order

effective upon less than thirty days' notice.

It is ordered,

§ 1033.1473 Service Order No. 1473

(a) *Various railroads authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company, debtor, (William M. Gibbons, trustee).* Various railroads are authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company (RI), as listed in Appendix A to this order, in order to provide interim service over the RI; and as listed in Appendix B to this order, to provide for continuation of joint or common use facility agreements essential to the operations of these carriers as previously authorized in Service Order No. 1435.

(b) The Trustee shall permit the affected carriers to enter upon the property of the RI to conduct service as authorized in paragraph (a).

(c) The Trustee will be compensated on terms established between the Trustee and the affected carrier(s); or upon failure of the parties to agree as hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by Section 122(a) Pub. L. 96–254.

(1) The authority contained in Item 5(E) of Appendix A of this order, previously operated by the Union Pacific Railroad Company (UP) between Colby and Caruso, Kansas (milepost 387.8 to 429.3), is conditioned upon the assumption by Burlington Northern, Inc. (BN) of the negotiated agreement between UP and the Rock Island Trustee with regard to the compensation to be paid the Trustee for that line segment until a new agreement is reached between the Trustee and the BN.

(d) Interim operators, authorized in Appendix A to this order, shall, within fifteen (15) days of its effective date, notify the Railroad Service Board of the date on which interim operations were commenced or the expected commencement date of those operations.

(e) Interim operators, authorized in Appendix A to this order, shall, within thirty days of commencing operations under authority of this order, notify the RI Trustee of those facilities they believe are necessary or reasonably related to the authorized operations.

(f) During the period of the operations over the RI lines authorized in paragraph (a), operators shall be responsible for preserving the value of the lines, associated with each operation, to the RI estate, and for performing necessary maintenance to avoid undue deterioration of lines and associated facilities.

(1) In those instances where more than one railroad is involved in the joint use of RI tracks and/or facilities described in Appendix B, one of the affected carriers will perform the maintenance and have supervision over the operations in behalf of all the carriers, as may be agreed to among themselves, or in the absence of such agreement, as may be decided by the Commission.

(g) Any operational or other difficulty associated with the authorized operations shall be resolved through agreement between the affected parties or, failing agreement, by the Commission's Railroad Service Board.

(h) Any rehabilitation, operational, or other costs related to the authorized operations shall be the sole responsibility of the interim operator incurring the costs, and shall not in any way be deemed a liability of the United States Government.

(i) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(j) *Rate applicable.* Inasmuch as the operations described in Appendix A by interim operators over tracks previously operated by the RI are deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed to, from, or via these lines which were formerly in effect on such traffic when routed via RI, until tariffs naming rates and routes specifically applicable become effective.

(1) The operator under this temporary authority will not be required to protect transit rate obligations incurred by the RI or the directed carrier, Kansas City Terminal Railway Company, on transit balances currently held in storage.

(k) In transporting traffic over these lines, all interim operators described in Appendix A shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(l) To the maximum extent practicable, carriers providing service under this order shall use the employees who normally would have performed the work in connection with traffic moving over the lines subject to this Order.

(m) *Effective date.* This order shall become effective at 11:59 p.m., March 31, 1981.

(n) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1981, unless otherwise modified, amended, or vacated by order of this Commission.

This action is taken under the authority of 49 U.S.C. 10304, 10305, and Section 122, Pub. L. 96–254.

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John H. O'Brien.

Agatha L. Mergenovich,

Secretary.

RI Lines Authorized To Be Operated by Interim Operators

1. *Louisiana and Arkansas Railway Company (L&A):*

A. Tracks one through six of the Chicago, Rock Island and Pacific Railroad Company's (RI) Cadiz yard in Dallas, Texas, commencing at the point of connection of RI track six with the tracks of The Atchison, Topeka and Santa Fe Railway Company (ATSF) in the southwest quadrant of the crossing of the ATSF and the Missouri-Kansas-Texas Railroad Company (MKT) at interlocking station No. 19.

2. *Peoria and Pekin Union Railway Company (P&PU):* All Peoria Terminal Railroad property on the east side of the Illinois River, located within the city limits of Pekin, Illinois.

3. *Union Pacific Railroad Company (UP):*

A. Beatrice, Nebraska.

B. Approximately 36.5 miles of trackage extending from Fairbury, Nebraska, to RI Milepost 581.5 north of Hallam, Nebraska.

C. Limon, Colorado.

4. *Toledo, Peoria and Western Railroad Company (TP&W):*

A. Keokuk, Iowa.

B. Peoria Terminal Company trackage from Hollis to Iowa Junction, Illinois.

5. *Fort Worth and Denver Railway Company (FW&D):*

A. From Amarillo to Bushland, Texas, including terminal trackage at Amarillo, and approximately (3) three miles northerly along the old Liberal Line.

B. North Fort Worth, Texas (milepost 603.0 to milepost 611.4).

6. *Chicago and North Western Transportation Company (C&NW):*

A. From Minneapolis-St. Paul, Minnesota, to Kansas City, Missouri.

B. From Rock Junction (milepost 5.2) to Inver Grove, Minnesota (milepost 0).

C. From Inver Grove (milepost 344.7) to Northwood, Minnesota.

D. From Clear Lake Junction (milepost 191.1) to Short Line Junction, Iowa (milepost 73.6).

E. From Short Line Junction Yard (milepost 354) to West Des Moines, Iowa (milepost 364).

F. From Short Line Junction (milepost 73.6) to Carlisle, Iowa (milepost 64.7).

G. From Carlisle (milepost 64.7) to Allerton, Iowa (milepost 0).

H. From Allerton, Iowa (milepost 363) to Trenton, Missouri (milepost 415.9).

I. From Trenton (milepost 415.9) to Air Line Junction, Missouri (milepost 502.2).

J. From Iowa Falls (milepost 97.4) to Esterville, Iowa (milepost 206.9).

K. From Bricelyn, Minnesota (milepost 57.7) to Ocheyedan, Iowa (milepost 246.7).

L. From Palmer (milepost 454.5) to Royal, Iowa (milepost 502).

M. From Dows (milepost 113.4) to Forest City, Iowa (milepost 158.2).

N. From Cedar Rapids (milepost 100.5) to Cedar River Bridge, Iowa (milepost 96.2) and to serve all industry formerly served by the RI at Cedar Rapids.

O. From Newton (milepost 320.5) to Earlham, Iowa (milepost 388.6).

P. Sibley, Iowa.

Q. Worthington, Minnesota.

R. Altoona to Pella, Iowa.

S. Carlisle, Indianola, Iowa.

T. Omaha, Nebraska (between milepost 502 to milepost 504).

U. Earlham (milepost 388.6) to Dexter, Iowa (milepost 393.5).

7. *Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Milwaukee):*

A. From West Davenport, through and including Muscatine, to Fruitland, Iowa, including the Iowa-Illinois Gas and Electric Company near Fruitland.

B. Washington, Iowa.

C. From Newport, to a point near the east bank of the Mississippi River, sufficient to serve Northwest Oil Refinery, at St. Paul Park, Minnesota.

+D. From Davenport to Iowa City, Iowa.

8. *Davenport, Rock Island and North Western Railway Company (DRI):*

A. Davenport, Iowa.

B. Moline, Illinois.

C. Rock Island, Illinois, including 26th Street yard.

D. From Rock Island through Milan, Illinois, to a point west of Milan sufficient to include service to the Rock Island Industrial complex.

E. From East Moline to Silvis, Illinois.

F. From Rock Island, Illinois, to Davenport, Iowa, sufficient to include service to Rock Island arsenal.

9. *Illinois Central Gulf Railroad Company (ICG):* Ruston, Louisiana.

10. *St. Louis Southwestern Railway Company (SSW):*

A. From Brinkley to Briark, Arkansas, and at Stuttgart, Arkansas.

B. At North Topeka and Topeka, Kansas.

11. *Little Rock & Western Railway Company:* from Little Rock, Arkansas (milepost 135.2) to Perry, Arkansas (milepost 184.2); and from Little Rock (milepost 136.4) to the Missouri Pacific/RI Interchange (milepost 130.6).

12. *Missouri Pacific Railroad Company:* from Little Rock, Arkansas (milepost 135.2) to Hazen, Arkansas (milepost 91.5); Little Rock, Arkansas (milepost 135.2) to Pulaski, Arkansas (milepost 141.0); Hot Springs Junction (milepost 0.0) to and including Rock Island milepost 4.7.

13. *Missouri-Kansas-Texas Railroad Company/Oklahoma, Kansas and Texas Railroad Company:*

A. Herington-Ft. Worth Line of Rock Island: beginning at milepost 171.7 within the City of Herington, Kansas, and extending for a distance of 439.5 miles to milepost 613.5 within the City of Ft. Worth, Texas, and use of Fort Worth and Denver trackage between Purina Junction and Tower 55 in Ft. Worth.

B. Ft. Worth-Dallas Line of Rock Island: beginning at milepost 611.9 within the City of Ft. Worth, Texas, and extending for a distance of 34 miles to milepost 646, within the City of Dallas, Texas.

C. El Reno-Oklahoma City Line of Rock Island: beginning at milepost 513.3 within the City of El Reno, Oklahoma, and extending for a distance of 16.9 miles to milepost 496.4 within the City of Oklahoma City, Oklahoma.

D. Salina Branch Line of Rock Island: beginning at milepost 171.4 within the City of Herington, Kansas, and extending for a distance of 27.4 miles to milepost 198.8 in the City of Abilene, Kansas, including RI trackage rights over the line of the Union Pacific Railroad Company (including yard tracks) to Salina, Kansas.

E. Right to use joint with other authorized carriers the Herington-Topeka Line of Rock Island: beginning at milepost 171.7 within the City of Herington, Kansas, and extending for a distance of 81.6 mles to milepost 89.9 within the City of Topeka, Kansas, as bridge rights only.

F. Rock Island rights of use on the Wichita Union Terminal Railway Company and the Wichita Terminal Association, all located in Wichita, Kansas.

G. Rock Island right to use interchange tracks to interchange with the Great Southwest Railroad Company located in Grand Prairie, Texas.

H. The Atchison Branch from Topeka, at milepost 90.5, to Atchison, Kansas, at milepost 519.4 via St. Joseph, Missouri, at mileposts 0.0 and 498.3, including the use of interchange and yard facilities at Topeka, St. Joseph and Atchison, and the trackage rights used by the Rock Island to form a continuous service route, a distance of 111.6 miles.

I. That part of the Mangum Branch Line from Chickasha, milepost 0.0 to Anadarko at milepost 18, thence south on the Anadarko Line at milepost 460.5 to milepost 485.3 at Richards Spur, a distance of 42.8 miles.

J. Oklahoma City-McAlester Line of Rock Island: Beginning at milepost 496.4 within the City of Oklahoma City, Oklahoma, and extending for a distance of 131.4 miles to milepost 365.0 within the City of McAlester, Oklahoma.

14. *The Denver and Rio Grande Western Railroad Company:*

A. From Colorado Springs (milepost 609.1) to and including all rail facilities at Colorado Springs and Roswell, Colorado, (milepost 602.8), all in the vicinity of Colorado Springs, Colorado.

15. *Norfolk and Western Railway Company:* is authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad Company running southerly from Pullman Junction, Chicago, Illinois, along the western shore of Lake Calumet approximately four plus miles to the point, approximately 2,500 feet beyond the railroad bridge over the Calumet Expressway, at which point the RI track connects to Chicago Regional Port District track; and running easterly from Pullman Junction approximately 1,000 feet into the lead to Clear-View Plastics, Inc., for the purpose of serving industries located adjacent to such tracks and connecting to the Chicago Regional Port District. Any trackage rights arrangements which existed between the Chicago, Rock Island and Pacific Railroad Company and other carriers, and which extend to the Chicago Regional Port District Lake Calumet Harbor, West Side, will be continued so that shippers at the port can have NW rates and routes regardless of which carrier performs switching services.

16. *Southern Railway Company:*

A. At Memphis, Tennessee.

17. *Cadillac and Lake City Railroad:*

A. From Sandown Junction (milepost 0.1) to and including junction with DRGW Belt Line (milepost 3.9) all in the vicinity of Denver, Colorado.

18. *Baltimore and Ohio Railroad Company:*

A. From Blue Island, Illinois (milepost 15.7) to Bureau, Illinois (milepost 114.2), a distance of 98.5 miles.

19. *Cedar Rapids and Iowa City Railway Company (CIC):*

A. From the west intersection of Lafayette Street and South Capitol Street, Iowa City, Iowa, southward for approximately 2.2 miles, terminating at the intersection of the RI tracks and the southern line of Section 21, Township 79 North, Range 6 West, Johnson County, Iowa, including spurs of the main trackage to serve various industry; and to effect interchange with the Davenport, Rock Island and North Western Railway Company.

20. *Keota Washington Transportation Company:*

A. From Keota to Washington, Iowa; to effect interchange with the Chicago, Milwaukee, St. Paul and Pacific Railroad Company at Washington, Iowa, and to serve any industries on the former RI which are not being served presently.

21. *The La Salle and Bureau County Railroad Company:*

A. From Chicago (milepost 0.60) and Blue Island, Illinois (milepost 16.61), and yard tracks 6, 9 and 10; and crossover 115 to effect interchange at Blue Island, Illinois.

23. *The Atchinson, Topeka and Santa Fe Railway Company:*

A. At Alva, Oklahoma.

+ Added.

(49 U.S.C. 10304, 10305, and Section 122, Public Law 96-254)

[FR Doc. 81-9935 Filed 4-1-81; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register
Vol. 46, No. 63
Thursday, April 2, 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

Correction

In FR Doc. 81-8852 appearing on page 18040 in the issue of Monday, March 23, 1981, make the following correction:

On page 18043, third column, in the third line of § 982.34(b), "* * * direct financial interest * * *" should have read "* * * financial interest * * *"

BILLING CODE 1505-01-M

7 CFR Part 1068

Milk in the Upper Midwest Marketing Area; Proposed Suspension of Certain Provisions of the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed suspension of rule.

SUMMARY: This notice invites written comments on a proposal to continue the present suspension of the requirement under the Upper Midwest Federal milk order that handlers make a partial payment for milk received from producers by the 25th day of the month. Six regulated handlers indicated that industry practice has been to make such payments to producers about 9 days later so that the partial and final payments for milk would be about two weeks apart. Handlers want to continue this practice. The proposed suspension would be for May 1981 through April 1982.

DATE: Comments are due April 17, 1981.

ADDRESS: Comments (two copies) should be filed with the Hearing Clerk, Room 1077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Martin J. Dunn, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-7311.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified "not significant" and, therefore, not a major action.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this proposed action would not have a significant economic impact on a substantial number of small entities. Such action would permit milk handlers to continue a customary payment practice in the area of having partial and final payments to certain producers spaced about two weeks apart. Otherwise, producer payments would be spaced on an uneven basis, to the dissatisfaction of the producers involved.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), the suspension of paragraph (a)(4) of § 1068.73 of the order regulating the handling of milk in the Upper Midwest marketing area is being considered for the period May 1981 through April 1982.

All persons who want to send written comments about the proposed suspension should send two copies to the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, on or before April 17, 1981.

The documents that are sent will be made available for public inspection at the office of the Hearing clerk during regular business hours (7 CFR 1.27(b)).

Statement of Consideration

Paragraph (a) of § 1068.73 requires handlers to make a partial payment to cooperative associations and nonmember producers on or before the 25th day of the month for milk delivered during the first 15 days of the month. Suspension of paragraph (a)(4) would remove this requirement only with respect to producers for whom a cooperative is not collecting payments. The requirement would remain in effect for milk bought from a cooperative association.

Paragraph (a)(4) of § 1068.73 has been suspended since November 1976 (41 FR 51389, 42 FR 22360, 42 FR 59747, 43 FR 14025, 43 FR 19341, 44 FR 23065 and 45 FR 23405). Six handlers have requested that the suspension be extended for another year or until the order is amended, whichever comes first. These handlers also have proposed that this provision be considered for amendment at a public hearing that is scheduled to be held April 14, 1981. They claim that the industry practice is to pay producers the partial payment approximately 14 days before the final payment date, which is the 18th day of the month. Further, they claim that this procedure is amenable to producers and would be practicable for handlers.

Signed at Washington, D.C., on March 27, 1981.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 81-9912 Filed 4-1-81; 8:45 am]

BILLING CODE 3410-02-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 51

Appendix A, Narrative Explanation of Table S-3, Uranium Fuel Cycle Environmental Data

Corrections

In FR Doc. 81-6525 appearing on page 15154 in the issue of Wednesday, March 4, 1981; on page 15167, second column, sixteenth line from the bottom, "* * * 8×10^{4} * * *" should read "* * * 8×10^{-4} * * *", and in the fifteenth line from the bottom, "1×10^{5} * * *", should read "* * * 1×10^{-5} * * *".

Also in the table, the entries in columns one, two, and four for "Percent Increase Over Natural" should read "8×10^{-4}, 3×10^{-3}, and 4.6×10^{-5}" respectively.

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 80-ASW-56]

Alteration of Transition Area: Midland, Texas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: The nature of the action being taken is to withdrawal a notice of proposed rulemaking which was to alter the transition area at Midland, Texas. The intent of the notice was to alter the transition area to provide controlled airspace for the protection of aircraft arriving/departing the Midland Regional, Odessa-Schlemeyer, Midland Airpark, and Mabee Ranch Airports. However, in computing the required controlled airspace for these airports, a mathematical error occurred which did not provide adequate protection for aircraft executing instrument approach procedures to the Midland Regional Airport.

EFFECTIVE DATE: April 2, 1981.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone: (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: Federal Register Document 81-7759 was published on January 19, 1981, (46 FR 4947) proposing to alter the transition area at Midland, Texas. The description of controlled airspace as proposed would not provide adequate protection of aircraft executing instrument approach procedures to the Midland Regional Airport. Therefore, The FAA withdraws the notice of proposed rulemaking and will submit at a later date a notice of proposed rulemaking which will properly designate the required controlled airspace for aircraft arriving/departing the four airports. This is a minor matter upon which the public would have no particular desire to comment. Therefore, notice and public procedure are not necessary.

Adoption of the Withdrawal

Accordingly, pursuant to the authority delegated to me by the Administrator, the notice of proposed rulemaking Docket No. 80-ASW-56, published in the **Federal Register** Document 81-7759, is withdrawn, effective upon publication.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C.§§ 1348(a)); Sec 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)); and 14 CFR 11.61(c))

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 the regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote flight safety, the anticipated impact is so minimal that it does not warrant preparation of a regulatory evaluation.

Issued in Fort Worth, Texas, on March 13, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 81-9863 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 51

[LR-48-80]

Windfall Profit Tax; Administrative Provisions; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Proposed rule correction.

SUMMARY: In the Rules and Regulations portion of this **Federal Register**, the Internal Revenue Service is issuing a correction relating to temporary excise tax regulations (Treasury Decision 7755) that relate primarily to administrative aspects of the tax imposed by title I of the Crude Oil Windfall Profit Tax Act of 1980. The text of those temporary regulations also serves as the comment document for a notice of proposed rulemaking. This document corrects the text of Treasury Decision 7755 for purposes of the proposed rulemaking.

EFFECTIVE DATE: This correction is effective as of the same date as Treasury Decision 7755. Treasury Decision 7755 is effective with respect to oil removed after February 29, 1980, except as specifically provided otherwise in the regulations.

FOR FURTHER INFORMATION CONTACT: David B. Cubeta of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR:T, 202-566-3297, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Background

On January 19, 1981, the **Federal Register** published Treasury Decision 7755 (46 FR 4873) which amended the temporary regulations under the Crude Oil Windfall Profit Tax Act of 1980 (26 CFR Part 150). The text of the temporary regulations also served as the text of proposed regulations under 26 CFR Part 51 (46 FR 4950).

Need for Correction

The need for correction arises from a typographical error in example (1) of § 150.4995-3(g)(2)(ii).

Correction of Publication

For the text of the correction to the proposed amendment of proposed rulemaking (46 FR 4950), see FR Doc. 81-9396 published in the Rules and Regulations portion of this issue of the **Federal Register**.

David E. Dickinson,

Acting Director, Legislation and Regulations Division.

[FR Doc. 81-9992 Filed 4-1-81; 8:45 am]

BILLING CODE 4830-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[Docket No. 19770]

Communications Satellite Corp.; Issuance of Securities, Borrowing of Money, Assumption of Obligations

Correction

FR Doc. 81-9250, appearing at page 18720 in the issue of Thursday, March 26, 1981, was inadvertently published in the Rules and Regulations section of that issue. It should have appeared in the Proposed Rules section instead.

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 583

[Docket No. 79-17; Notice 3]

Crashworthiness Ratings; Extension of Comment Period

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Extension of comment period.

SUMMARY: This notice extends until October 22, 1981, the period for public comment on the National Highway Traffic Safety Administration's notice of proposed rulemaking for a new crashworthiness ratings program (Docket No. 79-17; Notice 1). The extension is intended to permit commenters to consider new

information relevant to the crashworthiness proposal, some of which will not be available until after the original comment closing date.

DATES: New comment closing date: October 22, 1981.

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: On January 22, 1981, the National Highway Traffic Safety Administration (NHTSA) published a notice (46 FR 7025) proposing a new program to provide consumers with information on the crashworthiness of passenger cars. That notice announced a deadline of April 22, 1981, for comments on the notice. Subsequently, NHTSA has received requests from two automobile manufacturers, General Motors Corporation and Fiat, to extend the comment closing date for the notice to permit commenters to consider relevant information which was not available at the time of issuance of the notice.

Specifically, NHTSA has recently made public (Docket 79–17, Notice 1, No. 167) the proceedings and transcripts of the International Automotive Ratings Symposium, conducted December 9–11, 1980, as a forum for discussion of issues relating to various aspects of consumer automotive ratings. Crashworthiness ratings were a major area of interest at the Symposium. Also, the agency plans to release in June of this year the results of a survey now underway on consumer interests and attitudes regarding automotive ratings information. In response to the General Motors and Fiat requests, and to permit the public to review and consider these information sources in preparation of comments on the crashworthiness ratings proposal, the comment period for Docket 79–17, Notice 1 is extended to October 22, 1981.

(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 25, 1981.

Michael M. Finkelstein,

Associate Administrator for Rulemaking.

[FR Doc. 81-9648 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-59-M

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1043 and 1084

[Ex Parte Nos. MC-5 and 159]

Minimum Amounts of Cargo Insurance, Bonds or Other Security Required To Be Filed by Motor Common Carriers of Property and Freight Forwarders; Modification of Regulations

AGENCY: Interstate Commerce Commission.

ACTION: Proposed Rules: Extension of time for filing public comments.

SUMMARY: The Commission is reviewing its rules governing minimum amounts of cargo insurance, bonds, or other security required to be filed by motor common carriers of property and freight forwarders, to determine whether they are needed and whether the current minimums offer sufficient protection to the shipping public. Public notice of this proceeding was served February 6, 1981, and published at 46 FR 11566, February 9, 1981. In that notice, the filing of comments by interested persons was due 45 days from the date of publication in the **Federal Register** (March 26, 1981).

By petition filed March 11, 1981, the American Trucking Associations, Inc., (ATA) seeks an extension of the comment period to May 1, 1981. This request is made to afford ATA's National Freight Claims Council the opportunity to consider the Advance Notice of Proposed Rulemaking issued in this proceeding at regional meetings during March and April, 1981.

An extension of the time for filing comments appears warranted and the time for filing comments in this proceeding will be extended 35 days.

DATE: Comments in this proceeding are due on or before May 1, 1981.

ADDRESS: An original and 15 copies, if possible, of comments should be sent to: Ex Parte No. MC–5 and/or Ex Parte No. 159, Room 7218A, Office of Consumer Protection, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Ray G. Atherton, Jr., (202) 275–7844, or Patricia M. Schulze, (202) 275–7475.

It is ordered:

The request of the American Trucking Associations, Inc., for an extension of time for filing comments in this proceeding is granted.

The deadline for submitting comments in this proceeding will be extended 35 days.

DATE: Comments in this proceeding are due on or before May 1, 1981.

Decided: March 19, 1981.

By the Commission, Acting Chairman Alexis.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-9696 Filed 4-1-81; 8:45 am]

BILLING CODE 7035-01-M

Notices

Federal Register
Vol. 46, No. 63
Thursday, April 2, 1981

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

DEPARTMENT OF AGRICULTURE

Forest Service

Siskiyou National Forest Vegetation Management Program for Site Preparation and Conifer Release

An environmental assessment that discusses the vegetation management program for site preparation and conifer release on the Chetco, Galice, Gold Beach, Illinois Valley and Powers Ranger Districts of the Siskiyou National Forest has been prepared and made available to the public. A Finding of No Significant Impact was made, and because this program has effects considered of national concern, a notice of the Finding was published in the Federal Register, Volume 46, Number 33, February 19, 1981.

Three comments were received on the environmental assessment and Finding of No Significant Impact; one concluding that necessary protection to life and the environment, while continuing intensive forest management practices, had been adequately addressed, and the other two expressing a concern regarding invalidated test data supporting registration of herbicides proposed for use in this program. This concern was considered as input and assessed for appropriateness to the analysis and whether it presented new data not considered in the analysis of the program. My conclusion from this review is that no new information not previously considered and appropriate to the analysis has been presented, and that the analysis and evaluation described in the environmental assessment is adequate.

Concerns appropriate to the analysis have been previously expressed prior to and during preparation of the environmental assessment. These concerns were responded to in the analysis and evaluation. They were used in developing management requirements, constraints and mitigation measures for the program and specific included sites, and in site specific treatment selection.

Based on the analysis and evaluation described in the environmental assessment, and review of comments received on it and the Finding of No Significant Impact, it is my decision to adopt Alternative Five for the Siskiyou National Forest vegetation management program for site preparation and conifer release. The selected alternative provides for site specific treatments determined from prescriptions which considered silvicultural opportunities, cost efficiency, program objectives, and balance of all resources needs. The use of chemicals was carefully examined for effects on adjacent land, streams, water systems, and nearness to individual homes and communities.

Six other alternatives were considered in the analysis. These alternatives are:

Alternative One. "No Action"—makes no provision for vegetation management for site preparation or conifer release.

Alternative Two. "Non-Herbicide"—no chemical methods will be used. Manual methods will be maximized. Other nonchemical methods may be used where feasible, or for study where manual methods are not feasible.

Alternative Three. "Non-Aerial"—no aerial herbicide application will be used. Hand herbicide application will be used for all areas prescribed for chemical methods where feasible. Other methods may be used where feasible or for study.

Alternative Four. "Limited Herbicide"—use of chemicals will be carefully examined for effects on adjacent land, steams, water systems and nearness to communities. Alternative methods will be given preference in these sensitive areas and will be used where feasible.

Alternative Six. "Maximization of Treatment Objectives"—site treatments designed to fully meet silvicultural objectives without restraints of other resources.

Alternative Seven. "Maximization of Cost Efficiency"— use of methods providing acceptable achievement of treatment objective at the least cost/unit.

Under the selected alternative 7,130 acres of the 14,570 acres considered are to be treated for site preparation and conifer release; 5,833 acres by aerial application of 2,4–D, 454 acres by aerial application of glyphosate, 115 acres by ground application of 2,4–D, 51 acres by ground application of glyphosate, 191 acres by ground application of picloram and 2,4–D mixture, 4 acres by hand removal of vegetation, 472 acres by handcutting of vegetation, and 10 acres by handcutting of vegetation and broadcast burn.

Alternative Five, with specified requirements, constraints, mitigation measures and monitoring controls is considered to be environmentally preferable as it provides the best combination of physical, biological, social and economic factors. The specified requirements, constraints, mitigation measures and monitoring described as an integral part of Alternative Five are adopted as minimums.

I have reviewed the factors considered in making the Finding of No Significant Impact and have determined that this is not a major Federal action that would significantly affect the quality of the human environment. This Notice constitutes my final determination that an environmental impact statement is not needed.

Project implementation may take place immediately after the date of this decision.

This decision is subject to administrative review (appeal) pursuant to 36 CFR 211.19.

Dated: March 25, 1981.

William H. Covey,

Forest Supervisor.

[FR Doc. 81-9671 Filed 4-1-81; 8:45 am]
BILLING CODE 3410-11-M

Soil Conservation Service

East End Farm Irrigation RC&D Measure, Idaho

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

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Amos I. Garrison, Jr., State Conservationist, Soil Conservation Service, Room 345, 304 North Eighth Street, Boise, Idaho 83702, telephone 208–334–1601.

NOTICE: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an

environmental impact statement is not being prepared for the East End Farm Irrigation RC&D Measure, Blaine County, Idaho.

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

The measure concerns a plan for reorganizing the lateral irrigation distribution system to reduce erosion, to conserve water, and to conserve electrical energy. The planned works of improvement include a buried pipeline and conservation practices such as irrigation water management.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Amos I. Garrison, Jr., State Conservationist, Soil Conservation Service, Room 345, 304 North Eighth Street, Boise, Idaho 83702, telephone (208) 334–1601. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until April 2, 1981.

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

Dated: March 19, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81–9865 Filed 4–1–81; 8:45 am]

BILLING CODE 3410–16–M

Eno River Park RC&D Measure, North Carolina, Finding of No Significant Impact

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

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Jesse L. Hicks, State Conservationist, Soil Conservation Service, Room 455, Federal Building, 310 New Bern Avenue, Raleigh, North Carolina 27611, telephone 919–755–4201.

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

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

The measure concerns a plan for the installation of basic facilities for a public water-based recreational development. The planned works of improvement include 10 hike-in camp sites, 3 pit toilets, 33,800 feet of hiking trails, 1,600 feet of access roads, 1,500 feet of water lines, 37 bus or car parking spaces, 15 picnic sites, 1 cable/boat river crossing, 300 feet of canoe launching access trails, a maintenance building as well as supporting features such as water fountains, spigots, and utilities.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Jesse L. Hicks, State Conservationist, Soil Conservation Service, Room 544, Federal Building, 310 New Bern Avenue, Raleigh, North Carolina 27611, telephone 919–755–4210. The FNSI has been sent to various Federal, State, and local agencies and interested parties. a limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until April 2, 1981.

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

Dated: March 20, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81–9866 Filed 4–1–81; 8:45 am]

BILLING CODE 3401–16–M

DEPARTMENT OF COMMERCE

International Trade Administration

[Order No. 41–3; D.O.O. Reference 10–3, 40–1]

Organization and Function Order; Assistant Secretary for International Economic Policy

Effective Date: January 19, 1981.

Part I. Effect on Other Orders

This order supersedes ITA Organization and Function Order 44–1 of December 4, 1977, as amended (43 FR 10955, 43 FR 50954, and 44 FR 23552); and ITA Organization and Function Order 47–1 of December 4, 1977, as amended, (43 FR 12056, 43 FR 29344, 44 FR 31689, 44 FR 39571, and 44 FR 51834).

Part II. Purpose

This order delegates authorities from the Assistant Secretary for International Economic Policy ("the Assistant Secretary") to the Deputy Assistant Secretaries for International Economic Policy; Finance, Investment and Services; Trade Agreements; Policy Planning and Analysis; and Textiles and Apparel; and prescribes the internal organization and assignment of functions for all entities under the direction of the Assistant Secretary.

Part III. Organization, Line of Authority, and Principal Functions

Section 1. Organization and Line of Authority

The internal organization structure and line of authority for functions prescribed in this order shall be as depicted in the attached organization chart.[1] The Assistant Secretary shall report and be responsible to the Under Secretary for International Trade ("the Under Secretary").

Section 2. Principal Functions

.01 The Assistant Secretary for International Economic Policy shall assist and advise the Secretary and the Under Secretary on the research, analysis and formulation of international economic and commerical programs and policies relating to trade, finance, investment and services and those of a multilateral or regional nature (excluding those countries which are the responsibility of the Deputy Assistant Secretary for East-West Trade).

.02 The Assistant Secretary shall direct the activities of:

a. The Deputy Assistant Secretary for International Economic Policy.

[1] Filed as part of the original document.

b. The Deputy Assistant Secretary for Finance, Investment and Services.

c. The Deputy Assistant Secretary for Trade Agreements.

d. The Deputy Assistant Secretary for Policy Planning and Analysis.

e. The Deputy Assistant Secretary for Textiles and Apparel.

Part IV. Deputy Assistant Secretary for International Economic Policy

Section 1. Delegation of Authority

Subject to such policies, directives, and delegations of authority as may be issued by the Assistant Secretary, the Deputy Assistant Secretary for International Economic Policy is hereby delegated the authorities of the Assistant Secretary, as necessary, to perform the functions of the Assistant Secretary in the latter's absence.

Section 2. Principal Functions

The Deputy Assistant Secretary for International Economic Policy shall serve as the principal deputy to the Assistant Secretary, perform such duties as the Assistant Secretary shall assign and perform the functions of the Assistant Secretary in the latter's absence.

Part V. Deputy Assistant Secretary for Finance, Investment, and Services

Section 1. Delegation of Authority

Pursuant to the authority delegated to the Assistant Secretary by the Under Secretary, and subject to such policies and directives as the Assistant Secretary may prescribe, the following authorities are hereby delegated to the Deputy Assistant Secretary for Finance, Investment and Services ("the DAS/FIS"):

a. The Act of February 14, 1903, as amended, (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) to foster, promote, and develop the foreign and domestic commerce of the United States;

b. Executive Order 11858, of May 7, 1975, relating to foreign investment in the United States;

c. Section 4221 of the Internal Revenue Code of 1954 (26 U.S.C. 4221) and Section 309 of the Tariff Act of 1930, as amended (19 U.S.C. 1309), insofar as they relate to findings with respect to exemptions from taxes and import duties on supplies and equipment for aircraft; and

d. Executive Order 11961 of January 19, 1977, as amended by E.O. 12013 of October 7, 1977, which delegates to the Secretary of Commerce the authority of the President under Sections 4(a) (1), (2), (3), and (4), and 4(b) of the International Investment Survey Act of 1976 (Pub. L. 94–472, 90 Stat. 2059, 22 U.S.C. 3101–3108). The functions thereunder shall be carried out in coordination with the Bureau of Economic Analysis, Office of the Chief Economist (Department Organization 35–1A), including, to the extent feasible, the division or assignment of responsibilities.

All reports to be submitted to the Congress shall be issued by the Secretary.

.02 Except as otherwise provided, the DAS/FIS may redelegate the above authorities, subject to such conditions in the exercise of such authorities as he or she may prescribe.

Section 2. Office of the Deputy Assistant Secretary

.01 The *Deputy Assistant Secretary for Finance, Investment and Services* shall advise on inward and outward investment, and international operations of U.S. service industries, international finance and monetary policies and multinational corporation, tax and other issues incident to foreign business operations; develop and implement policies on foreign investment by U.S. investors including the operation and impact of U.S-based multinational corporations; represent the Department in international finance and development assistance affairs and U.S. direct investment issues; and be responsible for providing staff support for the Department's representatives on the National Advisory Council on International Monetary and Financial Policies (NAC), the Export-Import Bank Board, Overseas Private Investment Corporation and other organizations dealing with export finance, export guarantees and credit insurance, and bilateral and multilateral aid loans.

.02 The DAS/FIS shall direct the following offices:

a. Office of International Finance, Investment and Services.

b. Office of Foreign Investment in the United States.

Section 2. Office of International Finance, Investment and Services

.01 The *Office of International Finance, Investment and Services* includes the *Director* who shall develop and implement policies relating to international investment, finance and monetary affairs; U.S. and foreign taxation of international business operations; the economic impact of international technology transfer; international business practices; international trade aspects of antitrust; standardization, patent and copyright protection, and related matters arising from the international commercial and investment operations of U.S. firms; analyze and act on problems affecting the international competitive position of the U.S. service industries; provide surveys of U.S. service industries' international operations, disclosing extent of operations and trade and balance of payments-impact; and report on the status and economic impact of U.S. investment abroad in accordance with the International Investment Survey Act of 1976. The Director shall direct the following Divisions:

.02 The *International Finance Division* shall be responsible for identification of key issues, policy development and representation of the Department in matters relating to international finance and monetary affairs, including those developed within the National Advisory Council on International Monetary and Financial Policies (NAC) and other bodies dealing with export financing, export and investment guarantees and credit and credit insurance, foreign lending and assistance activities of U.S. and international agencies, and balance of payments measures; participate in international conferences such as the Organization for Economic Cooperation and development (OECD) and the United Nations Conference on Trade and Development (UNCTAD) concerned with these subjects; provide the analyses and staff support necessary for Secretarial membership on the Export-Import Bank Board and to execute the Secretary's responsibility as Chairman of the Export Expansion Advisory Committee in the financing of export transactions and formulation of export finance policy for the Export Expansion Facility administered by the Export-Import Bank; act as the Department's principal liaison with banks and other private institutions engaged in international financing activities as well as with U.S. Government and multilateral agencies lending abroad; formulate policy and program recommendations relating to the administration of government-financed procurement programs, including foreign aid, to assure the full participation of U.S. goods and services exports; formulate policy and program recommendations with regard to the international financial aspects of trends and developments in the U.S. balance of payments; and provide advice to firms on financing mechanisms available in private institutions, the U.S. Government, and international agencies.

.03 The *Investment Policy Division* shall develop policies and represent the Department in matters relating to U.S. direct investment abroad, including the operations and impact of U.S.-based multinational corporations, codes of

conduct and investment disputes; consult with business on U.S. regulations and international practices affecting investment; formulate recommendations with respect to the Department's position on programs, policies and legislation affecting investment abroad by U.S. citizens; and analyze U.S. investment overseas, as required by the International Investment Survey Act of 1976, including the nature, trends and economic impact of such investments, particularly relative to the U.S. balance of payments and trade and the role of the U.S. Government; and recommend actions and participate in bilateral and multilateral negotiations on investment.

.04 The *Foreign Business Practices Division* shall formulate policy and program recommendations relating to international business operations of U.S. firms, specifically with reference to restrictive business practices, patents, trademarks, copyrights, product standardization, transfer of technology, commercial law, arbitration, State-trading, and U.S. and foreign tax measures and practices; develop Departmental policy and program recommendations for the protection of U.S. property rights abroad, and with respect to drafting and negotiation of treaties, conventions, and agreements bearing on the international operations of U.S. business; conduct comparative analysis of foreign competitive practices, including product standards, licensing, patent policies and related transfer of technology issues, taxation, and joint exporting; and provide information and advice to U.S. firms on such matters.

.05 The *International Services Division* shall provide policy guidance and program recommendations to foster the international business operations of the U.S. service industries (such as insurance, accounting, engineering and construction, advertising, computer services, leasing, franchising, air and shipping); identify and evaluate the obstacles to a free flow of such services internationally and the actions which could be taken to reduce or eliminate these obstacles on a case-by-case or multilateral basis which discriminate against U.S. firms or which unnecessarily hinder their operation, and facilitate the sale abroad of U.S. services; analyze U.S. Government policies, rules and regulations affecting the service industries to determine the impact on their international competitive position; in coordination with the DAS/TA, provide staff support, support for a program of Government/industry consultation on service industry problems in international trade; provide staff support and leadership within the Government to coordinate with other agencies and Department organizations, efforts which could contribute to the solution of the problems U.S. service industries face in foreign markets; study and report periodically on the U.S. market share of the service industries throughout the world; represent the Department at interagency and international meetings on mattters related to the service industries, and prepare legislative analyses, positions and testimony for ITA and Department officials. The Division shall be responsible for activities concerned with the development and formulation of U.S. policies in the transportation area, including international conventions and agreements, intermodal transportation, rules applicable to limits of cargo liability and documentation and shall prepare position papers for, and represent the Department at, meetings of the International Maritime Consultative Organization, UNCTAD, and other international organizations.

Section 3. Office of Foreign Investment in the United States

.01 The *Office of Foreign Investment in the United States* includes the *Director* who shall develop and analyze information on foreign investment in the United States; conduct research and prepare reports on the trends, characteristics, and economic significance of foreign investment; formulate recommendations and procedures to develop and improve data sources; inform the Congress, the business community, foreign governments, and the general public of foreign investment developments, including magnitude, trends, characteristics, policy and legal factors, and economic effects through communications, publications, and presentations in meetings, seminars, and conferences; and initiate and participate in the development of positions, policies, programs, and legislative proposals bearing on monitoring, review, restraints, and facilitation of foreign investment in the United States. The Director shall direct the following Divisions:

.02 The *Data Research Division* shall prepare and publish studies, reports, and analyses on the levels, characteristics, and effects of foreign direct investment in the United States, to include the concentration and distribution of foreign investment by foreign investing nations and U.S. industry sectors; evaluate and assess the impact of such investment on U.S. economic interests in terms of both sectoral and aggregate measures; prepare regular reports for the interagency Committee on Foreign Investment in the United States (CFIUS) and the Congress on significant foreign investment trends at the sectoral level covering such areas as market position, employment, technology transfer, and trade patterns, as well as special analytical reports required by the CFIUS and Department policy officials; develop and maintain information and data on foreign investment in the United States to support analyses and reports on investment activity; work with Federal agencies presently gathering statistics on foreign investment to develop current and future reporting requirements; develop and analyze such data and other information to provide the Executive Branch with information and analyses on foreign investment necessary for policy decisions; and develop recommendations to the CFIUS and the Congress with regard to the maintenance and improvement of foreign investment data collection and reporting;

.03 The *Investment Analysis Division* shall monitor, investigate, and develop information on foreign direct investment transactions and the operations of foreign-owned firms in the United States, including the collection, consolidation, and modification of information from existing sources such as Federal agencies, State and local government agencies, business publications, commercial and investment banks, and other public and private organizations; develop and maintain an information system regarding foreign investments to support the monitoring and research functions of the office; prepare analyses of significant individual transactions for review by the CFIUS; monitor and analyze economic and political developments in foreign nations, regional groups, and international organizations that affect foreign investment in the United States; identify and collect information on the foreign beneficial ownership of investments; prepare periodic reports on current foreign investment activity and developments for the CFIUS and Commerce policy officials; prepare and publish periodic reports on foreign investment transactions and trends for the Congress, the CFIUS and the public; and monitor and assess developments in Federal, regional, State and local laws, policies, and practices regarding foreign investment.

Part VI. Deputy Assistant Secretary for Trade Agreements

Section 1. Delegation of Authority

.01 Pursuant to the authority delegated to the Assistant Secretary by the Under Secretary and subject to such policies and directives as the Assistant Secretary may prescribe, the following authorities are hereby delegated to the Deputy Assistant Secretary for Trade Agreements ("the DAS/TA"):

a. The Act of February 14, 1903, as amended, (15 U.S.C. 1512 *et seq.*; 15 U.S.C. 171 *et seq.*) to foster, promote, and develop the foreign and domestic commerce of the United States;

b. Section 104 of the Trade Act of 1974 (19 U.S.C. 2114 and Section 135 of the Trade Act of 1974 as amended by Section 1103 of the Trade Agreements Act of 1979 (19 U.S.C. 2155) and Section 4(d) of Executive Order 11846 of March 27, 1975, relating to the industry consultations program;

c. Sections 5(b) and 5(c) of Executive Order 11846 of March 27, 1975, relating to quantitative import restrictions (and monitoring of imports under orderly market agreements); and

d. Section 305(b) of the Trade Agreements Act of 1979 (19 U.S.C. 1515(b) and Section 5(a)(1)(A) of Reorganization Plan No. 3 of 1979, with respect to advisory rulings and final determinations concerning the origin of products.

.02 Except as otherwise provided the DAS/TA may redelegate the above authorities, subject to such conditions in the exercise of such authorities as he or she may prescribe.

Section 2. Office of the Deputy Assistant Secretary

.01 The *Deputy Assistant Secretary for Trade Agreements* shall direct the development of the Department's position on international trade and commodity policy; identify key trade and commodity policy issues; represent the Department in international trade and commodity consultations and negotiations; and carry out the Department's interagency trade policy role in such organizations as the Office of the United States Trade Representative, including representation on the Trade Policy Committee. The immediate office of the DAS/TA shall coordinate private sector participation in the trade policy development process through operation of the *Trade Advisory Center* which shall provide information and advice to the private sector concerning rights and opportunities created by U.S. trade agreements; coordinate Section 301 cases which provide the formal statutory mechanism for pursuing U.S. rights against unfair trade practices; administer the private sector advisory process, including the industry consultations program and the Subcommittee on GATT and Multilateral Trade Agreements of the President's Export Council.

.02 The DAS/TA shall direct the following Offices:

a. Office of Trade Policy.

b. Office of Commodity Policy.

Section 3. Office of Trade Policy

.01 The *Office of Trade Policy* includes the *Director* who shall develop and implement the Department's position on international trade policy, including trade legislation and International Trade Commission (ITC) findings, trade negotiations, trade agreement rights and obligations, Multilateral Trade Negotiation implementation activities and the participation of the Department in trade related activities of such multilateral organizations as the General Agreement on Tariffs and Trade (GATT), the OECD and the UNCTAD. The Director shall direct the following Divisions:

.02 The *Import Policy Division* shall develop the Department's position on proposed legislation affecting U.S. tariffs and trade measures; represent ITA and, as directed, the Department at interagency meetings and at congressional committee hearings dealing with U.S. trade and tariff legislation; develop proposals on new trade measures for executive or legislative branch action and review such proposals of other agencies; be responsible for the development of Departmental positions and participation in the implementation of the U.S. Generalized System of Preferences; prepare positions of the Department on reports of the ITC to the President; represent the Department in interagency meetings to evaluate ITC reports; prepare Departmental positions on trade policy aspects of antidumping and countervailing duty cases; and participate, as directed, in consultations and negotiations of Orderly Marketing Agreements as well as be responsible for administering any such agreements.

.03 The *Trade Negotiations and Agreements Division* shall develop, coordinate and supervise the Department's preparations for, participation in, and the negotiation of multilateral trade agreements, concluded on a functional or product sector basis, covering such measures as Government procurement, dumping, subsidies, product standards, customs matters and various quantitative restrictions and such sectors as aircraft; formulate basic negotiating positions and tactics; develop and coordinate the Department's position on implementation of the agreements, including monitoring, enforcement and expansion/renegotiation; and represent the Department at interagency meetings and at international conferences dealing with these aspects of trade policy.

.04 The *General Commercial Policy Division* shall develop and coodinate the Department's position on trade and commercial policy issues, particularly those arising from U.S. participation in the GATT, OECD and UNCTAD; monitor the trade obligations of other countries to the U.S. and initiate action in appropriate multilateral fora to assure compliance with those obligations; in coordination with the Office of Management and Systems and the DAS/PPA, develop and maintain the Trade Policy Information System; identify and evaluate foreign impediment to U.S. trade and commercial interests and take appropriate action to eliminate or alleviate their adverse impact; prepare and review position papers for U.S. delegations to meetings of the above organizations and represent the Department at such meetings; undertake special studies related to the formulation of U.S. trade policy; and represent the Department at interagency meetings and task forces dealing with the various issues of U.S. trade policy.

Section 4. Office of Commodity Policy

.01 The *Office of Commodity Policy* includes the *Director* who shall be responsible for the development and implementation of Departmental positions regarding international commodity problems and issues affecting all non-fuel resources, including adequacy of long-term supplies of raw materials and other primary products on which the United States is dependent for imports and U.S. access to foreign sources of such commodities under reasonable conditions, as well as the participation of the Department in the implementation of U.S. policy in these areas through councils administering international agreements and meetings of other international organizations dealing with resource and commodity issues. The Office shall undertake economic analysis and develop Departmental positions on broad cross-commodity issues such as domestic processing of primary commodities in the developing countries, U.S. access to foreign supplies, and foreign investment conditions in raw materials; develop, coordinate and supervise the Department's preparations for, participation in, and implementation of

commodity consultations and negotiations which shall cover a wide range of commodity issues and organizations including the International Tin Agreement, the International Lead and Zinc Study Group, the UNCTAD Tungsten Committee, the International Coffee Agreement, the International Rubber Agreement, the UNCTAD meetings on copper, and the Intergovernmental Groups on Jute, Hard Fibers and Tea; and analyze and make recommendations, as necessary, on the commodity policy implications of U.S. actions and programs such as those of critical raw materials affecting imports.

Part VII. Deputy Assistant Secretary for Policy Planning and Analysis

Section 1. Delegation of Authority

.01 Pursuant to the authority delegated to the Assistant Secretary by the Under Secretary and subject to such policies and directives as the Assistant Secretary may prescribe, the following authorities are hereby delegated to the Deputy Assistant Secretary for Policy Planning and Analysis ("the DAS/PPA"):

a. The Act of February 14, 1903, as amended, (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) to foster, promote, and develop the foreign and domestic commerce of the United States; and

b. Section 5(b) and 5(c) of Executive Order 11846 of March 27, 1975, relating to quantitative import restrictions and monitoring imports under orderly marketings agreements.

.02 Except as otherwise provided, the DAS/PPA may redelegate the above authority subject to such conditions in the exercise of such authority as he or she may prescribe.

Section 2. Office of the Deputy Assistant Secretary

The *Deputy Assistant Secretary for Policy Planning and Analysis* shall advise on export policy, the development of long-term trade strategies and plans, policies relating to international sectoral problems and international adjustment issues, and the policy significance of international economic and industry competitiveness developments; shall initiate and review research studies on developments affecting U.S. foreign trade and commercial interests abroad and provide statistical information, forecasts, and analyses on the foreign trade of the United States and other countries; shall represent the Department in international sectoral and adjustment negotiations; shall monitor Orderly Marketing Agreements and undertake other essential trade monitoring (excluding textile agreements which are the responsibility of the DAS/T and A; shall develop and implement a longer-term system for planning alternative policy directions for both overall trade and sectoral trade; shall develop the overall frame work for the Department's role in export policy including export incentives and disincentives; and shall carry out the Department's role in related interagency discussions and fora.

.02 The DAS/PPA shall direct the following offices:

a. Office of Planning and Research.

b. Office of International Sectoral Policy.

c. Office of International Economic Relations.

Section 3. Office of Planning and Research

.01 The *Office of Planning and Research* includes the *Director*, who shall conduct the Department's program of quantitative research and analyses of trade and international economic issues; forecast and analyze U.S. international trade; identify longer-term trade problems; develop alternative trade strategies and plans based on research and analysis of U.S. and global economic developments and on simulations using econometric and other models; provide Secretarial officials with economic background and policy recommendations; provide a program of international trade statistics; represent the Department on interagency committees concerned with international economic research, analysis, or forecasting; and serve as liaison with Government and private research groups. The immediate Office of the Director includes the *International Statistics Staff* which shall plan, develop, and implement a system of international economic statistics for advanced warning of international economic developments; and publish the quarterly International Economic Indicators. The Office Director shall direct the following Divisions:

.02 The *International Economics Division* shall analyze international economic factors affecting U.S. trade and investment interests abroad; undertake special studies of foreign economic behavior and interrelationships; utilize econometric models concerned with forecasting and simulating the international economy; prepare analyses and recommendations based on simulations of the international economy; and alert policy officials to significant international economic developments.

.03 The *Trade Performance Division* shall analyze the U.S. trade share position; evaluate changes in U.S. trade performance compared to competitor nation performance; and prepare reports and policy recommendations based on assessment of the factors affecting the U.S. position. The Division shall consist of the following Branches:

a. The *Comparative Analysis Branch* shall undertake a program of research and analysis into the U.S. market share position; analyze world trade flows and competitor nation exports; analyze and evaluate exchange rate changes, price changes and other factors affecting the comparative U.S. trade position; produce reports on global trade patterns and market shares; and maintain large-scale matrices of competitor nation trade behavior.

b. The *Trade Statistics Branch* shall maintain data on U.S. trade; produce collations of trade data for comparative trade analyses; maintain data bases of trade statistics; publish a series of reports on U.S. trade statistics; and maintain trade data reference facilities.

.04 The *Trade Research Division* shall conduct policy-oriented research and analyses of U.S. foreign trade and shall be responsible for the forecasting of U.S. trade. The Division shall consist of the following Branches:

a. The *Quantitative Research Branch* shall conduct quantitative research in the short-and long-term factors affecting U.S. trade; develop and utilize a variety of econometric models for forecasting and simulating U.S. trade, including specific product and geographic groups; prepare forecasts and simulations of short-and long-term U.S. trade, including specialized forecasts and policy simulations for other parts of the Department; utilize quantitative techniques to estimate the effect of policy or economic variables on trade; and prepare policy analyses and recommendations.

b. The *Analytic Studies Branch* shall analyze trends and current developments in U.S. trade; conduct special studies on specific developments in U.S. trade; analyze historical trade data for changes in patterns, including specific regions or products; develop a system of monitoring current U.S. trade developments to alert policy officials; produce reports interpreting U.S. trade trends and developments; and maintain timely data packages and presentations for policy officials.

.05 The *Policy Research Division* shall conduct a program of research and analysis into export policy; evaluate U.S. and foreign export incentives and disincentives; and recommend policy options for improving the U.S. export position. The Division shall undertake a

program of research and forecasting of long-term U.S. trade trends to identify problems and opportunities facing future U.S. trade; evaluate U.S. trade policies in the light of future trade trends and foreign country export plans; recommend alternative strategies for the development of policies to improve the U.S. trade position; and provide research and data to provide the foundation for the comprehensive planning of future directions for U.S. trade and international economic policy formulation.

Section 4. Office of International Sectoral Policy

.01 The *Office of International Sectoral Policy* includes the *Director*, who shall direct the Office and be responsible for the analysis and development of the Department's position on international sectoral issues, including the development of policies addressed at the trade problems and opportunities of individual industry sectors as well as the development of policies related to international and positive adjustment issues and to Orderly Market Agreements (excluding textile agreements); shall represent the Department in the OECD Steel Committee and, as appropriate, in other interagency or international meetings concerned with international sectoral or adjustment matters and with Orderly Market Agreements (excluding textile agreements); shall coordinate with other elements of the Department and other agencies the international position of individual industries; and shall provide liaison with the Bureau of Industrial Economics in the prioritization and planning of industry economic analyses which shall be required by the International Trade Administration. The Director shall direct the following Divisions:

.02 The *Sectoral Trade Monitoring Division* shall monitor, collect, and analyze information and data pertaining to international trade in specific industrial products; produce market impact studies, product trade pattern analyses, penetration studies and special purpose reports on trade in industrial products; represent the Department in interagency and international consultations and negotiations concerning Orderly Marketing Agreements (excluding textile agreements) involving industries experiencing difficulties from import competition as well as be responsible for administering and monitoring such agreements; assist in performing appropriate trade monitoring functions under the MTN codes; and provide sectoral trade reports for the identification and analysis of related issues.

.03 The *Sectoral Policy Development Division* shall develop and coordinate Departmental positions and policy approaches for individual industry sectors specifically designated by the Assistant Secretary as having significant international problems, such as those industry sectors: (a) having major global structural problems; (b) having exceptional export opportunities or problems; or (c) being import-impacted. For the specifically designated industry sectors, the Division shall identify trade and other international problems, analyze such problems and develop alternative policy approaches utilizing statistical data and economic analyses provided by the Bureau of Industrial Economics and other sources, provide trade and other policy analyses and recommendations, and represent the Department in interagency and international consultations and negotiations. The Division shall coordinate analyses and policy recommendations with the Office of Trade Policy when trade agreements are involved.

.04 The *International Adjustment Policy Division* shall identify those cultural practices and structural adjustment policies of our major trading competitors that distort trade; analyze and evaluate the effects of such policies on U.S. industries in domestic and foreign markets; where possible, devise options and strategies to reduce or eliminate the injurious effects of such policies on U.S. trade; develop and coordinate Departmental positions utilizing such options and strategies in both international discussions on adjustment issues and in domestic discussions on appropriate adjustments to U.S. policies; and represent the Department in consultations and negotiations on positive adjustment and other international adjustment issues. The Division shall coordinate analyses and policy recommendations with appropriate Departmental organizations, other agencies, Congress, and the business community.

Section 5. Office of International Economic Relations

.01 The *Office of International Economic Relations* includes the *Director*, who shall be responsible for developing, coordinating, and implementing the Department's position on major economic policy issues (excluding those relating to countries and groupings which are the responsibility of the DAS for East-West Trade). These responsibilities will be performed: (1) from a regional perspective and (2) from a bilateral perspective with respect to Canada, Mexico, and Japan. The staff shall coordinate its activities with corresponding country specialists in the Office of Country Marketing.

.02 The Director of the Office of International Economic Relations shall direct the following divisions:

a. Industrialized Nations Division.

b. Developing Nations Division.

c. Japan Division.

.03 The Divisions shall provide support for the development, coordination, and implementation of the Department's position on major economic policy issues from a regional perspective intergrating all aspects of economic policy in the framework of United States objectives toward the major regions of the world (excluding those groupings which are the responsibility of the DAS for East-West Trade); shall coordinate the Department's role and shall represent the Department in interagency deliberations regarding the development of U.S. commercial and economic policy issues of a regional nature; shall coordinate the Department's role with regard to issues concerning commercial and economic policy issues of a regional nature arising in multilateral fora such as the UNCTAD and OECD; and shall support the Secretary, Deputy Secretary and ITA officials in their participation in the development of U.S. policies toward these regions and groupings including the preparation of briefing materials.

.04 The *Industrialized Nations Division*, the *Developing Nations Division*, and the *Japan Division* respectively shall also develop bilateral policy approaches and provide bilateral policy support to the Assistant Secretary with respect to Canada, Mexico, and Japan, including undertaking all necessary policy analyses; and shall prepare briefing materials for Departmental officials in conjunction with the visits of government officials from these countries, and for the visits and meetings of Departmental officials to these countries when bilateral issues are the primary focus of such visits.

.05 The *Japan Division* shall include a *Trade Facilitation Committee Staff* which shall provide support to the Joint United States-Japan Trade Facilitation Committee and in this regard shall identify and evaluate specific difficulties with official or private Japanese trade practices encountered by U.S. companies in initiating or expanding their sales to Japan, document and prepare such cases for submission to the committtee, follow up on the committee's handling of cases after

submission, and propose and support other activities of the committee.

Part VIII. Deputy Assistant Secretary for Textiles and Apparel

Section 1. Delegation of Authority

.01 Pursuant to the authority delegated to the Assistant Secretary by the Under Secretary and subject to such policies and directives as the Assistant Secretary may prescribe, the following authorities are hereby delegated to the Deputy Assistant Secretary for Textiles and Apparel ("the DAS/T and A").

a. The Act of February 14, 1903, as amended, (15 U.S.C. 1512 *et seq.*; 15 U.S.C. 171 *et seq.*) to foster, promote, and develop the foreign and domestic commerce of the United States;

b. Executive Order 11651 of March 3, 1972, as amended, by Executive Order 11951 of January 6, 1977, regarding Textile Trade Agreements; and

c. Sections 5(b) and 5(c) of Executive Order 11846 of March 27, 1975, relating to quantitative import restrictions and monitoring of imports under orderly market agreements pertaining to the textile and apparel industry.

.02 Except as otherwise provided the DAS/T and A may redelegate the above authorities, subject to such conditions in the exercise of such authorities as he or she may prescribe.

Section 2. Office of the Deputy Assistant Secretary

.01 The *Deputy Assistant Secretary for Textiles and Apparel* shall direct development of the Department of the Department's position on international textile agreements and on relations with the domestic textile and apparel industries; participate in the negotiation of international textile agreements; oversee studies and analyses of domestic and foreign fiber, textile, and apparel industries; coordinate interagency relations, legislative comment and liaison with industry, trade groups, and foreign government officials; oversee efforts to improve U.S. textile industry productivity and the promotion of export expansion activities; chair the Committee for the Implementation of Textile Agreements, the Management-Labor Textile Advisory Committee, the Importers' and Retailers' Textile Advisory Committee, and the Exporters' Textile Advisory Committee.

.02 The DAS/T and A shall direct the Office of Textiles and Apparel.

Section 3. Office of Textiles and Apparel

.01 The *Office of the Textiles and Apparel* includes the *Director* who shall oversee studies and analysis of domestic and foreign fiber, textile, and apparel industries; coordinate interagency relations, legislative comment and liaison with industry, trade groups, and foreign government officials; direct efforts to improve U.S. textile and apparel industry productivity and export expansion activities; ensure that the Office provides appropriate administrative support to the Committee for the Implementation of Textile Agreements, the Management-Labor textile Advisory Committee, the Importers' and Retailers' Textile Advisory Committee, and the Exporters' Textile Advisory Committee; and act as alternate chairperson for the Committee for the Implementation of Textile Agreements (CITA). The Director (and the Director's designees) shall participate in the negotiation of international textile agreements. The immediate office of the Director includes the *Domestic Programs Staff* which shall analyze domestic and foreign industry infrastructure, distribution systems, structural assistance programs, and new technologies to develop initiatives which will improve domestic textile and apparel industries' productivity, marketing, and management information. The Director shall direct the following Divisions:

.02 The *International Agreements and Monitoring Division* shall provide Executive Secretariat services for, chair the working group of, and coordinate public input to the CITA; identify and recommend solutions to problems arising under the bilateral agreements; implement CITA decisions; monitor restrained imports and prepare performance reports; identify uncontrolled sources of potential market disruption; participate in, prepare back-up materials for, and recommend positions and goals for international negotiations and consultations; and review and work to improve U.S. and foreign textile agreement data.

.03 The *Industry Assessment Division* shall evaluate the current state of the domestic and foreign fiber, textile, and apparel industries; determine the impact of raw fiber, trade, textile and apparel imports, federal import policies, regulations, and legislation, and domestic raw material and energy supplies on the industries and recommend appropriate action; and prepare regular and special data and analyses on the industries for panels and speeches, reports to international organizations, and publications.

.04 The *Market Expansion Division* shall, with respect to the textile and apparel industries, identify and analyze economic trends, political developments as they may effect U.S. exports, and current and proposed foreign trade barriers which impact such industries in coordination with other elements reporting to the Assistant Secretary; develop and coordinate domestic trade and export expansion programs with other elements of; advise other Government agencies of the impact that their overseas development programs have on such industries; administer the Exporters' Textile Advisory Committee; provide staff support and technical assistance in negotiation of international tariff agreements; and publish studies on opportunities and barriers to the U.S. textile export market.

Part V. Administration, Public Affairs, and Program Support

Management analysis, automated data processing, budget, personnel, public affairs, and administrative support services will be provided by offices reporting to the Director of Administration. Field support will be provided by the U.S. Commercial Service or Foreign Commercial Service, as appropriate. Program support relating to industry information and analysis will be provided by the Department's Bureau of Industrial Economics.

Abraham Katz,

Assistant Secretary for International Economic Policy.

Approved:

Donald A. Furtado,

Deputy Under Secretary for International Trade.

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[Transmittal No. 41-5(2); Order No. 41-5; D.O.O. Reference 10-3, 40-1]

Assistant Secretary for Trade Development; Organization and Function

Effective Date: January 16, 1981.

Part I. General

Section 1. Effect on Other Orders

.01 This order supersedes ITA Organization and Function Order 43-1 "Bureau of Export Development" of April 8, 1979, (44 FR 48309); ITA Organization and Function Order 46-1, "Bureau of East-West Trade," of December 4, 1977, (43 FR 9182); and ITA Organization and Function Order 48-1, "Bureau of Field Operations", of December 4, 1977, as amended, (43 FR 9180 and 44 FR 23553).

Section 2. Purpose

This order delegates authorities from the Assistant Secreatary for Trade Development ("the Assistant Secretary") to the Deputy Assistant Secretaries for Export Development, East-West Trade, and the U.S. Commercial Service, and prescribes the internal organization and assignment of functions for all elements under the direction of the Assistant Secretary. In addition, for purposes of the delivery of services in support of the Department's substantive trade development programs, the Director General of the Foreign Commercial Service will report and be responsible to the Assistant Secretary for Trade Development. The internal organization and assignment of functions for the Foreign Commercial Service are prescribed in ITA Organization and Function Order 41-6.

Section 3. Organization, Line of Authority, and Principal Functions

.01 The internal organization structure and line of authority for functions prescribed in this order shall be as depicted in the attached organization chart.[1]

.02 The Assistant Secretary for Trade Development ("the Assistant Secretary") shall report and be responsible to the Under Secretary for International Trade. The Assistant Secretary shall assist and advise the Secretary and the Under Secretary on policies and programs of the Department to promote world trade and to strengthen the international trade and investment posture of the U.S. The Assistant Secretary serves as the National Export Expansion Coordinator.

.03 The Assistant Secretary shall direct the activities of:

a. Deputy Assistant Secretary for Export Development.

b. Deputy Assistant Secretary for East-West Trade.

c. Deputy Assistant Secretary for the U.S. Commercial Service.

.04 The Director General of the Foreign Commercial Service shall be responsible to the Assistant Secretary with respect to the delivery of services in support of trade development programs.

Part II. Deputy Assistant Secretary for Export Development

Section 1. Delegation of Authority

.01 Pursuant to Department Organization Order 10-3 the following authorities delegated to the Assistant Secretary for Trade Development by the Under Secretary are hereby delegated to the Deputy Assistant Secretary for Export Development:

a. Such provisions of the Act of February 14, 1903, as amended, (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) to foster, promote, and develop the foreign and domestic commerce of the United States, as are necessary to the performance of the Deputy Assistant Secretary's functions;

b. Section 601(b)(1) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2351(b)(1)) conferred on the Secretary under Executive Order 12163 of September 29, 1979, relating to drawing the attention of private enterprise to opportunities for investment and development in less developed friendly countries and areas;

c. Such portions as are necessary to the performance of the Deputy Assistant Secretary's functions of the delegation of authority, dated June 25, 1962 from the United States Information Agency under Section 5(e) of Executive Order 11034 of June 25, 1962 as amended by Executive Order 11380 of November 8, 1967, insofar as said delegation pertains to U.S. participation in trade missions abroad under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.);

d. Executive Order 10978 of December 5, 1961 regarding the Presidential "E" Award, "E" Certificate of Service, and "E Star" Award, except final selection of recipients;

e. The Act of October 18, 1962, as amended (46 U.S.C. 1122b), which authorized mobile trade fairs;

f. The China Trade Act of 1922, as amended (15 U.S.C. 141 et seq.); and the trade promotion and commercial functions transferred to the Secretary from the Secretary of State or the Department of State by Section 5(b)(1) of Reorganization Plan No. 3 of 1979 and Executive Order 12188 of January 2, 1980 as necessary to the implementation of trade development programs delivered through the Foreign Commercial Service.

g. Other authorities of the Assistant Secretary necessary to performing the functions assigned to the DAS.

.02 Except as otherwise provided, the Deputy Assistant Secretary for Export Development may redelegate these authorities to any appropriate officer or agency of the Government subject to such conditions in the exercise of such authorities as he or she may prescribe. Notwithstanding any provision of this delegation of authority, the Assistant Secretary or the Deputy Assistant Secretaries may at any time exercise any authority delegated to any employee.

Section 2. Organization and Functions

.01 The Deputy Assistant Secretary for Export Development shall assist and advise the Assistant Secretary for Trade Development. The Deputy Assistant Secretary shall be assisted by a *Deputy*.

.02 The DAS shall direct the following Offices:

Office of the Deputy Assistant Secretary
Office of Export Marketing Assistance
Office of Export Promotion
Office of Country Marketing
Office of Export Planning and Evaluation
Office of Trade Information Services

Section 3. Office of the Deputy Assistant Secretary

.01 The *Deputy Assistant Secretary for Export Development* shall plan, develop and direct the export development programs of ITA for free world markets and advise the Assistant Secretary for Trade Development on export expansion; collect, analyze and disseminate information about marketing and economic conditions overseas and foreign marketing opportunities; provide counseling, information services, facilitative assistance and assistance in resolving trade complaints to U.S. business; conduct program planning and evaluation activities; develop and execute a national export awareness campaign; develop and conduct overseas trade promotion events and missions; develop export promotional materials; develop promotional programs to be carried out by the U.S. Commercial Service (USCS) and Foreign Commercial Service (FCS) and determine priorities among these programs; provide direction to FCS posts on the implementation of export development programs and, through the Country Commercial Program process, provide resource utilization guidance to FCS posts (except in those countries that are the responsibility of the DAS for East-West Trade); establish and maintain working relationships with U.S. business firms, other Federal agencies, private organizations and foreign government entities in the U.S. having an interest in and/or responsibility for export development; foreign procurement, or export sales. The functions of the DAS shall be carried out through the offices prescribed below.

.02 The *Deputy* shall assist in the direction of export development programs and perform the functions of the DAS in the latter's absence.

.03 The Office shall provide staff support to the President's Export

[1] Filed as part of the original document.

Council and in this capacity, communicate the President's Export Council's recommendations through the Secretary of Commerce to the President.

Section 4. Office of Export Marketing Assistance

.01 The *Office of the Director* includes the Director who shall direct the Office and provide principal direction to developing programs designed to foster an export consciousness in the United States and stimulate export marketing in all segments of the domestic economy which have the capability to export. The Office shall include:

.02 The *Investment Advisory Staff* shall carry out the Department's "Investment in the U.S.A." program, designed to encourage and facilitate foreign direct capital investment and licensing by foreign firms in the United States; develop information on domestic investment, joint ventures and licensing opportunities for foreign business people and obtain specific investment, joint venture and licensing proposals from potential foreign investors for the U.S. business community; provide information and counsel to U.S. business concerning existing and planned overseas investments; and furnish information to U.S. foreign investors on private and public sources of investment capital, particularly foreign sources, guarantees and related types of capital for overseas investments and loans, particularly in developing countries.

.03 The *Export Awareness Division* shall conduct domestic programs which stimulate an interest in exporting and provide information and assistance to firms interested in international trade. The Division shall include the *Minority Business Assistance Staff* which shall identify minority owned businesses having export potential; ensure the widest possible participation of these firms in export development and other Federal export assistance programs; administer the joint working agreements with the Minority Business Development Agency; ensure all ITA and Department elements and other Federal Government agencies are sensitive to the export assistance needs of minority business when they develop programs or regulations; and assist individual minority businesses with particular export-related problems by acting as their liaison with other ITA elements. The Division shall also include:

a. The *Export Marketing Advisory Service Branch* shall provide individual counseling services to U.S. exporters and prospective exporters on the mechanics of exporting; assist in the resolution of commercial trade disputes; and operate the Tailored Export Marketing Plans Service (TEMPS) through which the export capability of selected small and minority companies is determined, viable markets are identified, export marketing strategies are developed and advice and counsel provided. The services will be provided to the user and small and minority companies in cooperation with the District Offices of the U.S. Commercial Service.

b. The *Export Information Branch* shall serve as the central point for the coordination and development of export education activities. The Branch shall prepare promotional literature to support export development programs and establish facilities to develop and manage related publications; it shall prepare "awareness" and general "how-to" brochures and publications; collect and arrange for the dissemination of foreign market reports, operate the New Product Information Service and produce the *Commercial News U.S.A.* The Branch shall organize conferences, seminars and other promotional activities to familiarize U.S. industry with the advantages of exporting; direct the national multiplier program; and administer the President's "E" and "E Star" Awards. In cooperation with the Office of Public Affairs and delivered through the Foreign and U.S. Commercial Services, the Branch shall ensure that these publications, programs and services receive wide dissemination.

.04 The *Exporter Liaison Division* shall encourage U.S. firms to export to their full potential, particularly small, medium-sized, and companies in impacted industries; develop, in cooperation with other ITA elements, programs aimed at such firms to ease their entrance into the world market; assure that U.S. industry's views are expressed to ITA officials; work with all elements of the export community to support private sector program initiatives and develop joint programs and provide input to the Office of Export Planning and Evaluation for the export development targeting and planning activities. The Division shall also include:

a. The *Industry Relations Branch* shall maintain information on U.S. technological developments and marketing trends in selected industry segments with respect to the foreign marketplace and exporting; work with trade associations to identify "export capable" firms not fully exporting and encourage trade associations to promote exporting activities by their members; assist industry in obtaining export development officials as speakers on exporting for conferences, seminars and workshops. The Branch shall also work with U.S. Commercial Service District Offices in assisting export expansion activities of State, regional and local agencies and oversee the implementation of the ITA/SBA and ITA/EDA agreements.

b. The *Foreign Buyers Branch* shall stimulate and arrange visits to expositions and industrial facilities for foreign business people and government officials; identify, with the assistance of the Foreign Commercial Service, prospective foreign buyers and direct buyers to domestic trade shows; and arrange meetings between visiting foreign business people and U.S. manufacturers in order to facilitate sales.

.05 The *Major Projects Division* shall serve as the focal point in the Department for providing Govrnment-wide assistance to U.S. firms on major international business transactions; identify foreign capital projects with major export potential which should be brought to the attention of U.S. industry or which are likely to require special U.S. Government assistance for successful participation by American firms; inform U.S. firms of specific large-scale projects overseas with significant potential for exports of U.S. goods and services; and assist them on a case-by-case basis in competing for such projects, coordinating support from other areas of the Department and other Federal agencies, as necessary. The Division communicates directly with other Federal agencies, international financial institutions, and with U.S. Missions abroad including FCS posts and is responsible for advising senior Department officials on U.S. Government actions which would increase the chances for major U.S. contract awards, or on major obstacles to the successful U.S. competition for major contracts abroad.

Section 5. Office of Export Promotion

.01 The Office of the Director includes the *Director* who shall direct the Office and provide principal direction to overseas event scheduling, to exhibitor recruitment, staffing and overseas staging of the Department's trade promotion programs. The Office shall include:

.02 The *Resources Management Division* shall provide fiscal management and support for trade promotion programs including scheduling, design planning and development for international/U.S. commercial exhibitions for which are

the responsibility of the DAS for Export Development and the same, except for planning and development, for East-West Trade events; organize, execute and supervise U.S. commercial exhibits at international trade fairs and at Export Development Offices; provide for leasing, design and refurbishment of overseas fixed facilities; and provide for the shipment of participants' products for all overseas trade promotion events.

.03 The *Industry Participation Division* shall develop and manage industry wide recruitment campaigns to attract U.S. industry to overseas exhibitions; be responsible for industry procurement contacts; provide input to Office of Export Planning and Evaluation for the trade promotion targeting and planning process, and assist the Office of Export Marketing Assistance in structuring and effective industry liaison program to support recruitment activities. The Division shall include branches which for their designated industry and business sectors shall recruit industry participants in exhibitions, serve as a conduit for industry views on overall overseas activities and scheduling of events and serve as primary contact for overseas exhibition initiatives with their industries.

.04 The *Special Promotions Division* shall develop and plan innovative trade promotion techniques for export promotion activities. The Division shall operate the trade and seminar missions program; in conjunction with Export Development Offices (EDO) and the Office of Country Marketing, shall schedule and develop trade and seminar missions; organize activities of U.S. Spedcialized Trade and Seminar Missions; provide advice and planning supervision for Industry-Organized Government-Approved Missions; assign trade and seminar mission directors, chairpersons and other personnel; and develop itineraries, publicity and contacts with the EDO's and Foreign Commercial Service; operate special export promotional events including U.S. Industry Catalog Exhibitions, Video Tape/Catalog Exhibitions and Consumer Product Promotions through overseas agents, distributors and retail organizations; develop new export promotion techniques; and assist in planning and scheduling overseas special events.

Section 6. Office of Country Marketing

.01 The *Office of the Director* includes the *Director* who shall direct the Office which shall include:

.02 The *Europe Division, Latin America Division and Asia/Africa Division* are divided into branches as follows and shall each facilitate trade between the United States and their respective countries and areas:

a. *Europe Division*

U.K./Canada/France/Benelux Branch
Germany/Austria/Nordic Branch
Southern Europe Branch

b. *Latin America Division*

Mexico/Central America Branch
Andean/Caribbean Branch
Brazil/River Plate Branch

c. *Asia/Africa Division*

Japan/Korea/Hong Kong Branch
Taiwan/Australia/New Zealand Branch
South and Southeast Asia Branch
Africa Branch

.03 The Divisions shall monitor information on economic and commercial developments in their respective counties and regions; maintain in-depth marketing, commercial and economic expertise on individual countries; counsel U.S. firms on specific economic and commercial conditions, marketing practices and techniques; and author publications on foreign commercial conditions, laws, regulations, best prospects for exports, trade outlook, and other country data.

.04 The Divisions are responsible for providing the support to the Secretary, Dupety Secretary, and ITA officials for the development of bilateral commercial policy, vis-a-via specific countries, with the exception of Japan, Canada, and Mexico, including the support of the work of Joint Commissions and other bilateral mechanisms. In this regard, OCM is responsible for the preparation of briefing materials for Department officials in conjunction with the visits of government officials from these countries, for visits and meetings of Departmental officials abroad when bilateral issues are the primary focus, and for representing the Department in interagency discussion of U.S. bilateral commercial and economic policies. For purposes of this responsibility, OCM shall be responsive to the Assistant Secretary for International Economic Policy.

.05 The Divisions shall develop, in conjunction with other ITA offices and Foreign Commercial Service posts, annual export strategies for each FCS post, and shall provide assistance to the Director General of the Foreign Commerical Service in developing recommendations on Foreign Service economic-commerical staffing level and related issues.

.06 The Divisions shall identify product or industry themes to be promoted in particular markets, provide recommendations to the Office of Export Promotion for the purpose of scheduling overseas trade promotion events, and prepare specific marketing plans for those events; shall provide input to Office of Export Planning and Evaluation for its export development trageting and planning activities; and shall suggest, participate in, and work with the Office of Export Marketing Assistance to develop formal vehicles such as conferences and seminars to brief the U.S. business community on the intricacies of doing business in specific markets.

.07 The *Commerce Action Group for the Near East* (CAGNE) is divided into branches as follows, which shall provide a coordinated ITA response to the economic situation and business opportunities in the Near East and North Africa for their respective countries and areas.

a. Arab States Branch

b. Iran/Israel/Egypt/North Africa Branch

c. The Business Facilitation Branch.

.08 The branches in Section 8.07 a. and b. shall each perform the functions enumerated in Sections 8.03—8.06. The Arab States Branch shall, in addition, through its regional expertise, contribute to the development of Arab boycott policy.

.09 The *Business Facilitation Branch* shall assist U.S. firms on a case-by-case basis to compete in the Near East markets by reviewing with them specific major projects, joint-venture, and other opportunities, by arranging contacts between U.S. business and area officials, by developing a strategy for securing this business for American firms and by mobilizing U.S. Government support on behalf of U.S. bidders; develop and prepare special publications designed to assist U.S. firms in bidding on, negotiating, and winning major Near East contracts and other export opportunities and suggest, participate in, and work with the Office of Export Marketing Assistance to develop formal vehicles such as conferences and seminars to brief the U.S. business community on the intricacies of doing business in these markets.

Section 7. Office of Export Planning and Evaluation

.01 The *Office of the Director* includes the *Director* who shall manage the Office and provide principal direction to conducting market research, developing and managing a planning system for the DAS which shall include new program development, formulation of recommendations for and monitoring of the allocation of all resources; and evaluation of the effectiveness and

impact of all programs directed by the DAS. The Office shall have responsibility for coordination of financial planning for the DAS.

.02 The *Office of the Director* shall be responsible for developing the design and specifications for the Country Commercial Programs (CCPs); reviewing and coordinating clearances for CCPs and Country Action Programs (CAPs); participating in review of performance of the U.S. Foreign Commercial Service in carrying out CCPs and CAPs and analyzing those posts resource utilization patterns; and for coordinating and monitoring Commerce contributions and Clearance of policy and resource management papers (PARMs) within the National Security Council/ Interdepartmental Group structure. The Office shall include:

.03 The *Planning and Evaluation Division* shall develop and manage a planning system which includes the setting of short and long term objectives, goals, and strategies; the development of program initiatives and priorities for export development activities; recommendation of the allocation of related resources; and provision of criteria for measuring and evaluating the performance of export development programs. The Division shall consult with other offices in development of this system. The Division shall make recommendations designed to improve the efficiency, effectiveness and responsiveness of programs which will enhance the DAS to meet domestic/ international market developments, exporter needs, and achieve export development objectives. It shall maintain a system to forecast quantitative accomplishments for these programs; prepare analyses of program performance; analyze implications of program results and accomplishments; develop criteria for measuring and evaluating program performance; direct and conduct value analysis, benefit/cost analyses and similar analyses; review and coordinate responses to program recommendations and monitor compliance with and implementation of the endorsed program recommendations.

.04 The *Targeting Division* shall identify the mix of industries, products, foreign markets that represent an optimum focus for export development activities, and programs. Based on Planning and Evaluation Division guidance, the Division will analyze the factors that suggest potential for the promotion and export of specific U.S. product categories in major world markets and identify those particular industries and markets on which to target export promotion resources; prepare statistical data on exports of target industries' products to targeted markets; prepare planning profiles for targeted industries; provide pertinent information on the industries' technological developments, their characteristics, their competitiveness abroad and their general foreign trade position; develop recommendations on the allocation of export promotion resources on an industry-by-industry and country-by-country basis; and maintain information on proposed and actual allocation of promotion resources relevant to the targeting recommendations.

.05 The *Market Research Division* shall design, acquire and produce research on the markets for U.S. products in countries and regions abroad for use as a direct information source to the U.S. business community. Global Market Surveys, Country Market Surveys, Operational Research Studies, Country Sectoral Studies, Producer Goods Research, Consumer Goods Research, are examples of such market research. Based on the outputs of the Country Commercial Programs and the planning system, the Division shall perform research on industry needs for product, end-use sector, country, global, company and other foreign market research, produce operational research, establish schedules for the production of market research; design specifications for contracted market research; determine contractors and secure contractor compliance with market research; specifications; analyze, report and make recommendations on the implications of completed market research for domestic export campaigns, for overseas country and event programming, and for trade policy purposes; and maintain market research materials on target and other selected industries and markets. It shall also direct the substantive analysis and preparation of research projects related to product market research abroad; edit and summarize completed contract research; and, for noncontract research, prepare studies on selected product and end-use sectors abroad.

Section 8. Office of Trade Information Services

The Office includes a Director who shall manage the Office which shall paln, develop, implement and operate the Worldwide Information and Trade System (WITS), a computerized information system to provide exporters prompt access to international marketing opportunities abroad and to expose American products to foreign buyers; serve as the principal source of advice on all matters related to the planning, development, content, implementation, operation and evaluation of WITS; and provide the principal interface between ITA, other Government agencies, the private sector and foreign governments on these matters; maintain computerized data banks of information regarding the U.S. and foreign trading communities and identify, select and establish continuing relationships with specific foreign sales representatives, distributors, licensees and direct purchase customers; maintain the World Trade Data Report (WTDR) data submitted by the Foreign Commercial Service and the U.S. Foreign Service, disseminate WTDR's to the business community and maintain the American International Traders Register; maintain the Foreign Traders Index and make data in the index available to the business community in the form of Exporter Contact Lists, Trade Lists, and Data Tapes; operate the Agent/Distributor Service for the purpose of assisting firms to identify foreign agents/distributors/business contacts; and operate the Trade Opportunity program to collect specific foreign trade opportunity leads, disseminate those leads to interested U.S. firms and identify potential agents.

Part III. Deputy Assistant Secretary for East-West Trade

Section 1. Delegation of Authority

.01 Pursuant to Department Organization Order 10-3 the following authorities delegated to the Assistant Secretary for Trade Development by the Under Secretary for International Trade are hereby delegated to the Deputy Assistant Secretary for East-West Trade:

a. Such provisions of the Act of February 14, 1903, (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) as amended, to foster, promote, and develop the foreign and domestic commerce of the United States, as are necessary to the performance of the DAS's functions;

b. Such portions as are necessary to the performance of the DAS's functions of the delegations of authoirty, dated June 25, 1962, from the United States Information Agency under Section 5(e) of Executive Order 11034 of June 25, 1962, as amended by Executive Order 11380 of November 8, 1967, insofar as said delegation pertains to U.S. participation in trade missions abroad under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.); and

c. Other authorities of the Assistant Secretary applicable to performing the functions assigned in this Order.

.02 Except as otherwise provided, the Deputy Assistant Secretary for East-West Trade may redelegate these authorities to an appropriate officer or agency of the Government, subject to such conditions in the exercise of such authority as he or she may prescribe.

Section 2. Organization Structure and Line of Authority

.01 The East-West Trade activities of ITA shall be headed by the Deputy Assistant Secretary for East-West Trade who shall report and be responsible to the Assistant Secretary for Trade Development. The DAS shall be assisted by a Deputy.

.02 The DAS shall direct the following offices:

Office of the Deputy Assistant Secretary
Office of East-West Trade Development
Office of East-West Country Affairs
Office of East-West Policy and Planning

Section 3. Office of the Deputy Assistant Secretary

.01 The DAS shall assist and advise the Assistant Secretary for Trade Development on matters relating to East-West Trade policy and programs. The objectives, policies and programs directed by the DAS shall relate to the U.S.S.R., People's Republic of China, Poland, Romania, Czechoslovakia, Hungary, Bulgaria, Albania, the German Democratic Republic, Socialist Republic of Vietnam, Cuba, Mongolia and certain other areas of the world with similar economic/political structures.

.02 The Deputy shall assist in the direction of the East-West Trade programs and perform the functions of the DAS in the latter's absence.

Section 4. Office of East-West Trade Development

.01 The *Office of the Director* includes the Director who shall direct the office and shall prepare appropriate market assessments on the centrally planned economy (CPE) countries to provide both general and specific guidance for the activities of the Trade Promotion and Trade Development Assistance Divisions for use by U.S. firms in the further development of their own market surveys and to stimulate U.S. firms' interest in new market areas for detailed study. The primary emphasis of this effort shall address East-West trade from the perspective of U.S. industry. Other offices reporting to the DAS shall provide appropriate input for such studies which shall be basically guided by the Director. The Office of the Director shall supervise and direct overseas East-West Trade Development Centers and Offices in Moscow, Warsaw, Vienna and others that may be established. The office shall include:

.02 The *Trade Promotion Division* shall be responsible for the formulation of promotional programs responsive to the needs of U.S. firms interested in initiating or expanding commercial relationships with the countries and areas specified in Section 3.01 above. The Division shall:

a. Plan and procure commercial trade fair exhibitions, identify qualified U.S. firms and arrange for their participation, and undertake appropriate follow-up activities to facilitate the establishment and/or development of permanent and productive trade relationships by participants;

b. Plan and conduct where appropriate, U.S. trade missions, seminars, exhibits and other events to promote international trade and investment and encourage and facilitate private utilization of these trade promotion techniques by U.S. business with the sponsorship of the Department;

c. Establish Business Information Offices and Business Development Offices at selected international trade fairs and at other appropriate locations and plan and conduct appropriate technical seminars and symposia and other useful trade promotional techniques;

d. In conjunction with other ITA organizational components, as appropriate, test new trade promotion techniques, such as reverse trade missions and single company-sponsored catalog and product shows, and recommend appropriate action for consideration by the Office Director; and

e. Maintain and disseminate market data and project information pertaining to fairs and exhibits which can be used by U.S. firms to promote the East-West trade interests of the United States.

.03 The *Trade Development Assistance Division* shall facilitate trade between the United States and the countries and areas specified in Section 3.01 above, by acquiring information on how trade is actually conducted, counseling the U.S. business community on how to go about such trade, and assisting U.S. firms to pursue business transactions;

a. Obtain from U.S. businessmen who have had personal experience in doing business with CPE countries, detailed information on how such business is conducted, including contract terms and conditions, the roles played by foreign government trade and ministerial organizations, methods of financing problems to be anticipated and pitfalls to be avoided in doing business;

b. Advise U.S. firms wishing to do business on methods used to conduct such trade, names of decision makers and channels of access to them, contract clauses required, negotiating factors likely to be used, alternative methods of financing, and other specific information;

c. Assist U.S. firms on a case-by-case basis to compete for business transactions by calling the attention of U.S. firms to specific sales, joint-venture, barter and other opportunities, arranging contacts between U.S. businessmen and officials of these countries and when needed participating in business discussion, suggesting methods for obtaining U.S. Government approvals and clearances, and in general making every effort to advance trade between the United States and these countries without actually becoming a party to transactions;

d. Develop and provide appropriate guidance and information on business related issues for official meetings between U.S. Government and CPE country officials; and

e. Maintain broad East-West trade contacts and two-way information flow with trade and industry associations and the District Offices of the U.S. Commercial Service and develop in conjuncton with the U.S. Commercial Service, appropriate programs for implementation in the field by the District Offices.

Section 5. Office of East-West Country Affairs

.01 The *Office of the Director* includes the Director who shall be responsible for direction of the office and the Joint Commission Secretariat which shall, in conjunction with the appropriate geographic divisions, provide executive secretariat services to U.S. joint commissions with the U.S.S.R., Poland, Romania, and others as may be established with other countries and to official meetings between high-level government representatives of the CPE countries and officials of ITA and the Department; and coordinate all aspects of the preparation for meetings of such commissions and their follow-up. The Office shall include:

.02 The geographic divisions, as listed below, shall maintain full familiarity with the economy and the economic and political policies of the country and area for which each is responsible, and with U.S. trade and other commercial relations involved:

a. U.S.S.R. Affairs Division.

b. Eastern European Affairs Division.

c. People's Republic of China Division.

.03 In carrying out this responsibility, each division shall:

a. Assemble, analyze and disseminate information on foreign economic conditions, tariffs, laws, and regulations, including support to the Office of East-West Trade Development market assessment effort and responsibility by furnishing analytical surveys on individual country markets, as well as information on specific industries. Materials shall be disseminated to the U.S. business community primarily through the Office of East-West Trade Development and also made available for use by other Government agencies and other interested parties;

b. Develop recommendations with respect to the positions of the Department on policy and legislative matters regarding bilateral problems of international trade and investment with CPE countries, and on international economic integration activities in the region, e.g., Council for Economic Mutual Assistance (CEMA) and intergovernmental organizations;

c. Develop and provide appropriate country-oriented information and advice for use by the U.S. cochairmen of joint trade commissions, and participate appropriately in their deliberations and activities; provide appropriate liaison with and/or participation in private sector bilateral joint commissions or groups, the U.S. Chamber of Commerce, and develop and provide relevant country oriented information and advice reflecting the ITA interests;

d. Initiate and pursue, directly or through the Foreign Commercial Service of the United States and other channels, representation on behalf of U.S. business interests for the maintenance of full rights under terms of treaties and international agreements of the United States, and identify and evaluate foreign impediments to U.S. commercial interests and take action to eliminate or alleviate their adverse impact;

e. Maintain centralized contacts and communications control on country and regional economic and trade matters with foreign government representatives in the United States and in various economic and commercial organizations in each CPE, the Department of State, U.S. Foreign Service or Foreign Commercial posts abroad and other U.S. Government agencies, and intergovernmental organizations;

f. Develop and provide country and regional information and guidance to the Office of East-West Policy and Planning on relevant policy studies and projects and to the Office of East-West Trade Development for use in determining which CPE markets should be addressed by ITA's trade promotion efforts;

g. Develop appropriate guidance on matters under their jurisdiction for ITA and other Departmental officials for use at meetings of the Trade Policy Committee (and other Working Groups) and other inter-agency groups concerned with such matters; and

h. Participate in seminars, conferences, and briefing sessions arranged by the Office of East-West Trade Development for businessmen or country/regional specialists to provide relevant information on the area involved and on ITA's East-West trade activities.

Section 6. Office of East-West Policy and Planning

.01 The *Office of the Director* includes the Director who shall:

a. Coordinate the information and analysis of overall policy issues arising in East-West trade activities, the development of policy options, objectives, goals, benefits and costs relating thereto and the formulation of recommendations thereon;

b. Coordinate the review by the Offices of recommendations on existing and proposed East-West trade related legislation;

c. Coordinate overall East-West trade policy review with international trade, monetary, finance, research and technical organizations and maintain liaison with international organizations concerned with the making of special analyses of overall East-West matters;

d. Monitor East-West trade activities of national and international organizations and advise interested Department organizations of policy developments regarding related international organizations and programs;

e. Carry out macro-analytic studies in support of policy on such topics as trade projections, balance of payments, econometric modeling of trading economies, U.S. policy regarding government and/or private financing of East-West trade, and the determination of the economic and social impact of East-West trade on the U.S., its trading partners, and relevant third countries;

f. Coordinate the development of analyses and recommendations on East-West trade matters for consideration by the Trade Policy Committee and Trade Negotiations Committee (and their Working Groups), and the National Security Council and their sub-groups in matters of concern to the DAS and provide support to other interagency working groups and task forces concerned with East-West trade, other than individual CPE countries and U.S.-CPE bilateral issues;

g. Develop statistical data resources on East-West trade and make them available to the Office of East-West Trade Development for distribution to U.S. businessmen together with appropriate analysis; provide the statistical support for these analyses, publications, general studies and market assessments;

h. Maintain broad East-West trade contacts and two-way information flow with academic institutions and cultural organizations, and provide necessary support for the Advisory Committee on East-West Trade; and

i. Organize and coordinate, in cooperation with the Department of State and other East-West trade elements periodic meetings abroad between Washington agency representatives and economic/commercial officers with FCS and FSO, from U.S. Missions in CPE countries and in Western countries with important interests in the economic/commercial affairs of these countries for the purpose of improving communications, reviewing existing or new policy approaches and reviewing ITA trade development and other existing or proposed programs.

Part IV. The U.S. Commercial Service

Section 1. Delegation of Authority

.01 Pursuant to Department Organization Order 10-3, the following authorities delegated to the Assistant Secretary for Trade Development by the Under Secretary are hereby delegated to the Deputy Assistant Secretary for the U.S. Commercial Service:

a. Such provisions of the Act of February 14, 1903, as amended, (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) to foster, promote, and develop the foreign and domestic commerce of the United States as are necessary to the performance of the DAS's functions;

b. Other authorities of the Assistant Secretary necessary to performing the functions assigned to the DAS.

.02 Except as otherwise provided, the Deputy Assistant Secretary for the U.S. Commercial Service may redelegate these authorities to an appropriate officer or agency of the Government subject to such conditions in the exercise of such authorities as he or she may prescribe.

Section 2. Organization and Functions

.01 The Deputy Assistant Secretary for the U.S. Commercial Service shall assist and advise the Assistant Secretary for Trade Development. The

Deputy Assistant Secretary shall be assisted by a Deputy Director.

.02 The DAS shall direct the following elements:

a. Office of the DAS
b. Commercial Operations Staff
c. District Offices

Section 3. Office of Deputy Assistant Secretary

.01 The Deputy Assistant Secretary for the U.S. Commercial Service shall direct the U.S. Commercial Service and shall develop, implement and evaluate the business assistance programs of the Department assigned to the U.S. Commercial Service for field implementation, and shall determine the objectives of the U.S. Commercial Service, formulate related policies and procedures and direct the implementation of programs for contact with the U.S. business community at local levels throughout the United States. The DAS shall direct the program planning and resources activity of the U.S. Commercial Service including financial management, program analysis and policy review, and publication of the Commerce Business Daily; and shall also direct the Federal procurement, Business Development Conferences, Federal/State relations, and the Associate Office programs.

.02 The Deputy Director for the U.S. Commercial Service shall assist in the direction of the U.S. Commercial Service and perform the functions of the DAS in the latter's absence, and shall supervise and coordinate external and internal communications.

.03 The DAS shall be assisted by a Field Operations Management Council composed of selected Directors of District Offices, as designated by the DAS, which shall serve in an advisory capacity as liaison between the District Offices and the U.S. Commercial Service headquarters. The Council shall formulate recommendations related to policy matters and operational systems and procedures affecting program implementation; shall consult with and advise District Directors in the resolution of field administrative and operational problems; shall coordinate field task groups as necessary; and shall perform such other special assignments in furtherance of the mission, objectives and goals of the U.S. Commercial Service as directed.

.04 The DAS shall direct the development and implementation of programs for involving regional, state, and local government organizations in the nation's export expansion efforts; foster cooperation and joint activities among these organizations; and consult with these organizations, the District Offices, and other Departmental and Federal Government entities on the development of export expansion programs for individual regional, state and local governments and on the resolution of problems encountered in implementing such programs.

Section 4. Commercial Operations Staff

The *Commercial Operations Staff* shall be headed by a Director who shall supervise and coordinate the field implementation of the business assistance programs of the ITA and related programs of other Departmental and Governmental agencies carried out through the District Offices of the U.S. Commercial Service. The Director shall maintain liaison with ITA program entities; provide promotional support and technical guidance to the District Offices on matters including business reference assistance, statistical data, technology transfer, productivity, federal procurement opportunities, business development assistance, and industrial reporting; coordinate the implementation of Federal Preparedness Programs, Crisis Management and Emergency Operations; and establish procedures for program review and evaluation.

Section 5. District Offices

.01 The *District Offices* of the U.S. Commercial Service (See Exhibit 2) shall be established and headquartered in principal cities of the United States as may be deemed appropriate and shall exercise functional responsibility within such contiguous areas as may be specifically designated by the DAS. Each District Office shall be headed by a District Director who shall be responsible for the direction and supervision of program implementation, office administration, staff assignments and utilization of allocated resources in accordance with objectives, policies and procedures established by the DAS.

.02 District Offices shall perform the primary role in the implementation of ITA's programs in the field as directed by the DAS; shall serve the business community as a principal source of marketing information, data and services based on the related resources of the Department of Commerce; serve as a conduit for business feedback to the Department and coordinate within the districts, departmental initiatives in response to critical issues affecting the economic structure; and, when so directed serve as Sales Agent for the Government Printing Office. District Offices located in the ten Uniform Federal Regional Council Cities shall serve as the Department's principal coordinating mechanism at the regional level for Federal Preparedness Planning, Crisis Management and Emergency Operations. District Directors of Boston, New York, Philadelphia, Atlanta, Chicago, Dallas, Kansas City, Denver, San Francisco and Seattle shall act as designated Regional Emergency Coordinators in accordance with instructions and guidance issued by the Departmental Office of Emergency Readiness through the Deputy Assistant Secretary for the U.S. Commercial Service, and shall represent the Secretary and serve as the principal advisory and contact point for the Department for emergency readiness matters in their respective areas.

Part V. Administrative, Public Affairs, and Program Support

Management, data processing, budget, personnel, public affairs and administrative support services will be provided by Offices reporting to the Director of Administration. Field support will be provided by the U.S. Commercial Service or Foreign Commercial Service, as appropriate. Program support relating to industry information and analysis will be provided by the Department's Bureau of Industrial Economics.

Herta Seidman,

Assistant Secretary for Trade Development.

Approved:

Robert E. Herzstein,

Under Secretary for International Trade.

[FR Doc. 81-9906 Filed 4-1-81; 8:45 am]

BILLING CODE 3510-25-M

Leather Wearing Apparel From Colombia; Suspension of Investigation

AGENCY: U.S. Department of Commerce, International Trade Administration.

ACTION: Suspension of Countervailing Duty Investigation.

SUMMARY: we have suspended our countervailing duty investigation involving leather wearing apparel from Colombia.

EFFECTIVE DATE: April 2, 1981.

FOR FURTHER INFORMATION CONTACT: Anne Hamilton, Import Administration Specialist, Office of Investigations, International Trade Administration, U.S. Department of Commerce Washington, D.C., 20230 (202-377-3963).

SUPPLEMENTARY INFORMATION:

Scope of the Investigation

On November 12, 1980, we initiated a countervailing duty investigation concerning leather wearing apparel from Colombia (45 FR 74742). The scope of

the investigation was to determine whether the Colombian Tax Reimbursement Program (CAT), as it applies to leather wearing apparel, is a subsidy ("bounty or grant") within the meaning of the countervailing duty law.

The leather wearing apparel covered by this investigation is currently classified in item number 791.76 of the Tariff Schedules of the United States. This merchandise includes men's, boy's, women's girl's and infants' leather coats and jackets, and other leather apparel (such as vests, pants and shorts), as well as parts, and pieces thereof.

Procedural Background

On January 6, 1981, the Government of Colombia informed us that the only known Colombian exporter of leather wearing apparel to the United States, Confecciones Amazonas Orinoco (CAO) had voluntarily renounced the receipt of the CAT Certificates on shipments of such merchandise to the United States on or after January 1, 1981. Since no exporters of leather garments were utilizing the CAT program when we made our preliminary determination, we based our calculation of the estimated gross subsidy on the effective amount made available under the Colombian statute for exporters of leather garments. These exporters are eligible to receive tax certificates equal to 12 percent of the domestic value-added content of each shipment. Because the domestic value-added content of Colombian leather wearing apparel is 75 percent of the f.o.b. value, the *effective* value of the tax certificates is equal to 9 percent of the f.o.b. value of each shipment. On January 14, 1981, we published a preliminary affirmative countervailing duty determination (46 FR 3255, and correction, 46, FR 7042).

After the preliminary determination, CAO negotiated with the Department of Commerce regarding an Agreement which could form the basis for a suspension of the investigation. On March 9, 1981, we published a "Notice of Proposal Concerning Suspension of Investigation" (46 FR 15760). The notice described the actions and commitments undertaken by CAO and the Government of Colombia, on the basis of which we were proposing to suspend the countervailing duty investigation under section 704(b) of the Tariff Act of 1930, as amended (19 U.S.C. 1671c(b)) ("the Act").

Suspension of Investigation

In accordance with Section 704(e) of the Act, we informed and consulted with the petitioner regarding the Agreement upon which the proposed suspension was based. We explained to the petitioner how the Agreement would be carried out and enforced, and why we believed these provisions would meet the criteria for suspension. We also notified all other parties to the investigation of the proposal, and gave them an opportunity to submit comments.

We have considered the comments submitted with respect to the proposed suspension, and have determined that the provisions of the Agreement meet the criteria for suspension of an investigation. We are satisfied that the Agreement completely eliminates any subsidy on exports to the United States, can be monitored effectively, and is in the public interest. Annex 1 of this notice sets out the term and conditions of the Agreement.

Pursuant to section 704(f)(2)(A) of the Act, we will direct Customs officers to terminate the suspension of liquidation of entries of leather wearing apparel, in effect since publication of the preliminary affirmative determination, and to refund any cash deposits or release any bonds or other security deposited as a result of that determination.

Within twelve months of this suspension, we intend to conduct an administrative review as provided in section 751 of the Act.

This notice is published pursuant to section 704(f)(1)(A) of the Act.

John D. Greenwald,

Acting Assistant Secretary for Trade Administration.

March 27, 1981.

Annex 1: The Agreement

Pursuant to the provisions of section 704 of the Tariff Act of 1930 (19 U.S.C. 1671c) and section 355.31 of the Commerce Regulations (19 CFR 355.31), the Department of Commerce enters into the following Agreement with Confecciones Amazonas Orinoco. On the basis of this Agreement, the Commerce Department shall suspend its countervailing duty investigation with respect to leather wearing apparel from Colombia in accordance with the terms and provisions set forth below.

A. Product Coverage

This Suspension Agreement is applicable to all products covered by the investigation exported or manufactured by Confecciones Amazonas Orinoco. Specifically, the products involved are all leather garments exported to the United States and currently classified in item number 791.76 of the Tariff Schedules of the United States (TSUS). Included in this merchandise are men's, boys', women's, and girls' leather coats, jackets, and other leather apparel (such as vests, pants, and skirts), as well as parts and pieces thereof.

B. Basis of the Agreement

Confecciones Amazonas Orinoco voluntarily renounces the right to all benefits under the Tax Reimbursement Certificate Program (CAT) on all leather garments described in paragraph A above.

In addition, Confecciones Amazonas Orinoco agrees that no substitute or equivalent benefits have been or will be received. This renunciation is applicable on all such goods exported to the United States on or after April 2, 1981.

Confecciones Amazonas Orinoco will under no circumstances alter or terminate this renunciation without notifying the U.S. Department of Commerce in writing thirty days prior to such action. Any such alteration and termination of the renunciation will result in the reopening of the investigation in accordance with the provisions of paragraph D of this Agreement.

C. Monitoring

Upon the request of the Department, Confecciones Amazonas Orinoco will supply to the Department such information as the Department deems necessary to demonstrate that it has not received any CAT benefits, directly or indirectly, and (as) provided by this Agreement.

The Banco de la Republica (the Central Bank of the Republic of Colombia) has agreed voluntarily to monitor this renunciation to ensure that such benefits are not received by the corporation, directly or indirectly. The Banco de la Republica voluntarily undertakes the commitment to notify the Department of Commerce, on a quarterly basis, whether such Certificates are received by the corporation. Failure to supply such reports in a timely fashion will result in the immediate reopening of the investigation.

Furthermore, Confecciones Amazonas Orinoco will permit such verification and data collection as is requested by the Department in order to monitor this Agreement. The Department will request such information and perform such verifications periodically pursuant to annual reviews conducted under section 751 of the Act.

D. Reopening of the Investigation

The Department shall terminate this Agreement and will reopen the investigation with respect to leather wearing apparel described in Section A

above and exported by Confecciones Amazonas Orinoco if the Department determines, pursuant to section 704(i)(1) of the Act, that Confecciones Amazonas Orinoco has altered or terminated its renunciation of all rights to benefits under the CAT or has not otherwise honored its obligations under this Agreement. The Department will also terminate this Agreement and will reopen the investigation if it determines that the suspension is no longer in the public interest or that effective monitoring is no longer practicable. Additionally, should the annual imports of the parties to this Agreement account for less than 85 percent of the subject merchandise, the Department on its own initiative or at the request of the petitioner, shall reopen the investigation as to Colombian leather wearing apparel exporters who have not become parties to this Agreement. Once reopened, the investigation will be resumed as if the affirmative preliminary determination was made on the date that the Department terminates this Agreement.

E. Other Provisions

The Government of Colombia's cooperation in monitoring the renunciation is at the request of the exporter in order to assist the exporter in eliminating the potential adverse trade impact which would result from any bonding requirement of suspension of liquidation.

Monitoring

I. Confecciones Amazonas Orinoco

1. Confecciones Amazonas Orinoco voluntarily renounces the right to all payments under the Tax Reimbursement Certificate Program (CAT) on all leather garments described in paragraph A above. This renunciation is applicable on all such goods exported to the United States on or after April 2, 1981.

2. Confecciones Amazonas Orinoco agrees that the benefits which have been renounced will not be replaced or supplemented directly or indirectly in any way.

3. Furthermore, Confecciones Amazonas Orinoco will supply upon request to the U.S. Department of Commerce any information as the Department deems necessary to ensure that it is in full compliance with this Agreement.

II. The Banco de la Republica

1. The Banco de la Republica will monitor this renunciation to ensure that CAT Certificates are not received, directly or indirectly, by Confecciones Amazonas Orinoco.

2. The Banco de la Republica undertakes the obligation to notify the Department within 15 days of the beginning of each calendar quarter (March, June, September, December) whether the corporation has received any CAT Certificates on products subject to this Agreement.

3. The Banco de la Republica undertakes to notify the Department if Confecciones Amazonas Orinoco assigns the renounced CAT Certificates to other beneficiaries.

III. Instituto Colombiano de Comercio Exterior

1. The Instituto Colombiano de Comercio Exterior will notify the Department if any new exporters of leather garments described in paragraph A above enter the U.S. market.

Signed this 24th day of March 1981.

Agreed to:
Confecciones Amazonas Orinoco
By Walter Spak (Arter, Hadden & Hemmendinger)

I have determined that the provisions of paragraph B eliminate any subsidy under the CAT program and that the provisions of paragraph C ensure that this Agreement can be monitored effectively. Therefore, I have determined that this Agreement to suspend this investigation meets the requirements of section 734(b) of the Act and is in the public interest as required in section 734(d) of the Act.

United States Department of Commerce.
By John D. Greenwald.

[FR Doc. 81-9033 Filed 4-1-81; 8:45 am]
BILLING CODE 3510-25-M

Viscose Rayon Staple Fiber From France; Final Results of Administrative Review of Antidumping Finding

AGENCY: U.S. Department of Commerce, International Trade Administration.

ACTION: Notice of final results of administration review of antidumping finding.

SUMMARY: On February 23, 1981, the Department of Commerce published the preliminary results of its administrative review of the antidumping finding on viscose rayon staple fiber from France. The scope of the review was limited to two companies, Rhone-Poulenc Textiles and Achille Bayart et Cie, and to the time period November 16, 1978 through February 29, 1980.

Interested parties were given an opportunity to submit written comments on this preliminary determination. We received no comments affecting the substance of the preliminary results.

EFFECTIVE DATE: April 2, 1981.

FOR FURTHER INFORMATION CONTACT: J. Linnea Bucher, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-337-2704).

SUPPLEMENTARY INFORMATION:

Background

On March 21, 1979, an antidumping finding with respect to viscose rayon staple fiber from France was published in the **Federal Register** as Treasury Decision 79-88 (44 FR 17156-57). On February 23, 1981, The Department of Commerce ("the Department") published in the **Federal Register** the preliminary results of its administrative review of the finding (46 FR 13536-37). The Department has now completed its administrative review of that antidumping finding.

Scope of the Review

The imports covered by this review are shipments of viscose rayon staple fiber, except solution dyed, in noncontinuous form, not carded, not combed, and not otherwise processed, wholly of filaments (except laminated filaments and plexiform filaments), currently classifiable under 309.4320 and 309.4325 of the Tariff Schedules of the United States Annotated (TSUSA). The Department knows of one producer, Rhone-Poulenc Textiles, and one exporter, Achille Bayart et Cie. The review covered all time periods up to February 29, 1980, during which shipments of viscose rayon staple fiber from France may have been made to the United States and for which appraisement instructions ("master lists") have not been issued. Interested parties were provided an opportunity to submit written comments or request a hearing. No comments were received affecting the substance of the preliminary results.

Final Results of the Review

As a result of our review we determine that a margin of 24 percent of the ex-factory, packed purchase price exists. All viscose rayon staple fiber from France purchased during the period November 16, 1978 through February 29, 1980 shall be assessed dumping duties of 24 percent of the ex-factory, packed purchase price.

The Department shall determine, and the U.S. Customs Service shall assess, duties on all entries with purchase dates during the time period involved. The Department will issue appraisement instructions separately on the exporter directly to the Customs Service.

Further, as required by § 253.48(b) of the Commerce Regulations, a cash deposit based upon the margin calculated above, that is, 24 percent of the entered value, shall be required on all shipments entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results. This latter requirement shall remain in effect until publication of the final results of the next administrative review.

The Department intends to conduct the next administrative review by the end of the next anniversary month of the date of publication of the finding.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 USC 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53).

John D. Greenwald,

Deputy Assistant Secretary, Import Administration.

March 27, 1981.

[FR Doc. 81-9934 Filed 4-1-81; 8:45 am]

BILLING CODE 3510-25-M

Maritime Administration

Approval of Applicant as Trustee

Notice is hereby given that Rhode Island Hospital Trust National Bank, with offices at One Hospital Trust Plaza, Providence, Rhode Island, has been approved as Trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

Dated: March 30, 1981.

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

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 81-9891 Filed 4-1-81; 8:45 am]

BILLING CODE 3510-15-M

U.S. Merchant Marine Academy Advisory Board; Public Meeting

Notice is hereby given of a meeting of the U.S. Merchant Marine Academy Advisory Board (the Board) on April 23, 1981, at 10:00 a.m. in the Administration Building, Wiley Hall, U.S. Merchant Marine Academy, Kings Point, New York.

The Board was established by the Secretary of Commerce under the authority of 46 U.S.C. 1126d to examine the course of instruction and overall management of the U.S. Merchant Marine Academy (the Academy) and to advise the Assistant Secretary of Commerce with respect thereto.

The Board consists of not more than seven members appointed by the Secretary of Commerce, selected from segments of the maritime industry, labor, education and other fields relating to the purpose of the Academy.

The Agenda for the meeting is:

1. Call meeting to order;
2. Approve minutes of last meeting;
3. Remarks by Superintendent;
4. Board members Reports on Assignments;
5. Admissions—Projected Incoming Class Composition—Director of Admissions;
6. Status of Accreditation for the Engineering Program by the Accreditation Board for Engineering Technology (ABET)—Academic Dean;
7. Status of the Middle States Accreditation—Academic Dean;
8. Discussion of Sea-year program—Head, Shipboard Training and Training Reps;
9. Status of FY 81 Budget—Deputy Superintendent; and
10. Current Developments in Proposed Regulations for the New Service Obligation—Arthur W. Friedberg.

This meeting is open to public observation and comment. Approximately twenty (20) seats will be available for the public on a first-come first-serve basis.

Copies of the minutes are available upon request.

Inquiries may be addressed to the Committee Control Officer, Arthur W. Friedberg, Director, Office of Maritime Labor and Training, Room 3069A, Main Commerce Building, Washington, D.C. 20230, telephone (202) 377-3018.

Dated: March 30, 1981.

So Ordered by Assistant Secretary of Commerce for Maritime Affairs, Maritime Administration.

Robert J. Patton, Jr.

Secretary.

[FR Doc. 81-9894 Filed 4-1-81; 8:45 am]

BILLING CODE 3510-15-M

Minority Business Development Agency

Financial Assistance Application Announcement

The Minority Business Development Agency announces that it is seeking applications under its program to operate one project for a twelve month period beginning August 1, 1981. The total cost of the project will not exceed $250,000.

Funding Instrument: It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description: The specialized Consultants Services Program of the Minority Business Development Agency (MBDA) provides specialized technical and management services to minority businesspersons and firms for the purpose of improving their stability by increasing their management and marketing capabilities. These services will be provided in support of the General Business Services network throughout the Southeastern Region. MBDA offers competitive grants to consulting firms (either "not for profit" or commercial entities). These firms must be capable of providing such services as:

—Accounting services and financial management
—Marketing, site analyses, feasibility studies
—Production management
—Engineering
—Merchandising

And a broad range of other business services, excluding legal services. Applications are invited for the following project:

One grant for Tier One Specialized Consultant Services to operate in the States of Alabama, Mississippi, Georgia, Florida, Tennessee, North Carolina, South Carolina, and Kentucky. The project will operate at a cost not to exceed $250,000, and the Project I. D. Number is 04-10-80000-01.

Eligibility Requirements: There are no restrictions. Any profit or non-profit institution is eligible to submit an application. Pre-application Conference: a Pre-application Conference for this project will be held on April 22, 1981 at 1:30 p.m. at the following address: U.S. Department of Commerce, Minority Business Development Agency, 1371 Peachtree Street, NE, Suite 505, Atlanta, Georgia 30309.

Application Materials: An application kit for this project may be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, 1365 Peachtree Street, NE, Room 225, Atlanta, Georgia 30309.

In requesting an application kit, the applicant must specify its profit status; i.e., State or Local Government, federally recognized Indian tribal units, educational institutions, hospitals, or other type of profit or non-profit institution. This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process: All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. Specific criteria by which applications will be evaluated is included in the application kit.

Closing Date: Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an

application before the closing date of May 6, 1981. Applications received after that date will not be considered.

11.800 Minority Business Development

(Catalog of Federal Domestic Assistance)
(This program is not subject to the requirements of OMB Circular A-95)

Dated: March 25, 1981.

Gordon M. Anderson,

Grant Specialist.

[FR Doc. 81-9859 Filed 4-1-81; 8:45 am]

BILLING CODE 3510-21-M

National Oceanic and Atmospheric Administration

Alaska Coastal Management Program; Proposed Approval of an Amendment

The purpose of this notice is to invite all interested persons and agencies to comment in writing on the proposed approval by the Office of Coastal Zone Management (OCZM) of the incorporation of the Municipality of Anchorage District Coastal Management Program (DCMP) into the Federally approved Alaska Coastal Management Program (ACMP) as an amendment to the ACMP.

On July 6, 1979, the OCZM approved the ACMP under Section 306 of the Coastal Zone Management Act (CZMA) of 1972, as amended. The Alaska Coastal Management Act (ACMA), the legal foundation of the ACMP, requires all municipalities in the State to develop and adopt district coastal management programs in accordance with the ACMA and the guidelines and standards adopted by the Alaska Coastal Policy Council (CPC). On January 16, 1980, the CPC approved the DCMP and submitted it to the State Legislature which concurred with the approval on April 3, 1980. State approval of the DCMP activated the requirement of the ACMA that State agencies and the Municipality exercise their land and water use authority in conformance with the provisions of the approved DCMP.

On May 2, 1980, the State of Alaska Office of the Governor, Division of Policy Development and Planning (DPDP) submitted the DCMP to the OCZM for approval and incorporation as part of the ACMP. The criteria and procedures governing the Federal approval are set forth in the National Oceanic and Atmospheric Administration (NOAA) regulations on Amendments to Approved Management Programs, 15 CFR 923.80 (March 28, 1979). Federal approval of amendments to approved State programs activates the requirement of Section 307 of the CZMA that Federal agencies comply with the provisions of the approved State programs and amendments to these programs.

Description of the Amendment

The DCMP is a detailed program for the management of land and water uses in the coastal zone of Anchorage. This area has been classified in the DCMP for preservation, conservation or development purposes, and for each classification, specific goals and standards have been established with which proposed land uses must comply in order to be permitted. The DCMP will be carried out using a management system comprised of existing municipal, State, and Federal authorities and controls. The Anchorage Planning Department is the lead municipal agency responsible for coordinating DCMP implementation.

The DCMP is fully described in the following documents:

Municipality of Anchorage Coastal Management Program Concept Approval Draft, Volume 1 (September, 1979)
Municipality of Anchorage Coastal Management Program Concept Approval Draft, Volume 2 (Resource Policy Unit Maps) (April, 1979)

These documents were widely circulated to State and Federal agencies and other interested persons during State review and approval of the DCMP. They are available for inspection at the following locations:

Office of Coastal Zone Management, 3300 Whitehaven Street, NW., Washington, D.C. 20235
Office of Coastal Management, Juneau, Alaska 99811
Municipality of Anchorage, Planning Department, Anchorage, Alaska 99502

Reason for Treating the DCMP as an Amendment to the ACMP

The State has submitted the incorporation of the DCMP as an amendment to the ACMP believing that the action results in a "substantial change" in the coastal zone management boundary within the meaning of 15 CFR 923.80(c) which prescribes the criteria for treating a change to an approved State management program as an amendment as opposed to routine program implementation.

Under the regulations adopted by the CPC, the coastal zone boundary was the boundary delineated in 1978 by the Alaska Department of Fish and Game in *Biophysical Boundaries of Alaska's Coastal Zone*. These maps indicate general land and water relationships for entire regions of the State. In the Upper Cook Inlet region, where Anchorage is situated, the inland coastal zone boundary was defined by the 1,000 foot contour.

The final boundary of the DCMP as approved by the CPC extends inland one-quarter mile from the coastal floodplain and parallels all rivers, streams and creeks, and associated floodplains up to the 1,000 foot contour level. Where this line crosses any lake, bog, marsh, swamp, natural hazard area, water recharge area, floodplain, scenic area or critical habitat, the boundary also includes these features in their entirety. These requirements are virtually identical to those contained in the CZMA and NOAA's implementing regulations at 15 CFR 923.31(a) for the final management boundary.

While the area involved was extensive, it is not clear that the boundary change was substantial for purposes of OCZM's regulations. Nevertheless, the CPC regulations indicate that the original boundary should be considered a planning boundary for purposes of preparing a district program. Under these regulations, the final boundary of the coastal zone may diverge from the initial boundary if the final boundary (1) extends inland to the extent necessary to manage uses that are likely to have a direct and significant impact on coastal waters and (2) includes all transitional and inter-tidal areas, salt marshes and wetlands, islands, and beaches.

In making its boundary determination, Anchorage examined land and water relationships, uses and activities likely to occur that could result in direct and significant impacts on coastal waters. As part of this process, a detailed resource inventory was conducted resulting in a series of resource maps being prepared. Data was mapped in all cases up to the 1,000 foot contour level and in some cases farther inland. Land and water uses and activities were analyzed in this area and a legal review was applied to determine the possibility of direct and significant impacts on coastal waters and the adequacy of existing regulations to prevent such impacts. As a result of this analysis, fully described in Vol. 1 of the DCMP, it was determined that the final inland boundary could be closer to the shoreline and that no direct and significant impacts on coastal waters were likely to occur as a result of uses in the deleted area.

On the basis of this analysis, testimony from the public and other agencies and its own findings and conclusions, the CPC determined that the DCMP met its regulations including the coastal zone boundary requirements and, therefore, approved the DCMP.

Approvability of the Amendment

Proposed amendments to approved State management programs must be measured against the requirements of the CZMA and NOAA's implementing regulations to determine whether the program, as amended, continues to meet these requirements. The boundary is adequate according to 15 CFR 923.30 if it extends inland to the extent necessary to include (1) all areas the management of which is necessary to control uses which have direct and significant impacts on coastal waters, (2) all waters under saline influence, salt marshes, wetlands, beaches, transitional and inter-tidal areas, and (3) the interior portions of islands uses of which cause direct and significant impacts.

In the case of the DCMP, OCZM examined the DCMP boundary maps in Vol. 2 and the explanation of the boundary in Vol. 1, as well as the record of DCMP approval, and concluded as a preliminary matter that all of the above areas are subject to management under the DCMP. The record of DCMP approval contains no adverse comments from interested agencies and the public regarding the adequacy of the DCMP boundary.

In initiating this amendment proceeding, OCZM is asking interested persons and agencies to communicate their views as to whether the DCMP can, consistently with the CZMA and NOAA's implementing regulations, be incorporated into the ACMP. OCZM will approve the DCMP as an amendment to the ACMP if, after considering all the comments received in response to this notice, it concludes that DCMP is an amendment and that the ACMP would continue to be approvable under the CZMA and NOAA regulations following incorporation of the amendment into the ACMP.

EIS Not Required

Section 102(2)(c) of the National Environmental Policy Act requires that an EIS be prepared on any major Federal action that would significantly affect the quality of the human environment. OCZM has concluded that approval of the DCMP as an amendment to the ACMP would not have a significant effect on the quality of the environment and that an EIS is, therefore, not required. The primary reason for this conclusion is, as explained above, that uses in the area deleted from the coastal zone by CPC approval of the DCMP are not likely to directly and significantly affect coastal waters and, therefore, need not be subject to management under the ACMA and CZMA.

Conclusion

OCZM solicits comments on all matters discussed above and on any related issues that interested persons or agencies may consider relevant to the proposed incorporation of the DCMP into the ACMP as an amendment. Comments should be submitted in writing to Peter McAvoy, Pacific Region Manager, Office of Coastal Zone Management, NOAA, 3300 Whitehaven St., N.W., Washington, D.C. 20235.

All comments must be received no later than May 4, 1981.

(Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Administration)

Dated: March 27, 1981.

Donald W. Fowler,

Deputy Assistant Administrator, Office of Coastal Zone Management.

[FR Doc. 81-9904 Filed 4-1-81; 8:45 am]

BILLING CODE 3510-08-M

COMMUNITY SERVICES ADMINISTRATION

Grantee Program Management System: The Community Action Agency

ACTION: Notice of forms approval.

SUMMARY: This notice is to inform the public and community action agencies (CAAs) of the forms approved by the Office of Management and Budget (OMB) for the Grantee Program Management System (GPMS). The following forms establishing recordkeeping and reporting requirements under the GPMS were submitted to OMB for review and approval:

CSA Form 509—Grantee Plan Summary Data and Certification
CSA Form 510—Grantee Four-Year Planning Statement
CSA Form 511—Grantee Work Program Summary and Application Certification
CSA Form 512-A—Grantee Work Program and Project Progress Report
CSA Form 512-B—Grantee Work Program and Project Progress Report (Exception Report)
CSA Form 513—Grantee Participant Characteristics
CSA Form 514—Grantee Budget Information
CSA Form 515—Delegate Agency Basic Information and Funding Estimate
CSA Form 516—Budget and Work Program Changes

OMB has completed its review and approved all of the forms with the exception of CSA Forms 513, "Grantee Participant Characteristics" and 516, "Budget and Work Program Changes".

CSA is reviewing Form 513 and the Justification Statement submitted to OMB. When the review is complete, CSA will submit a revised package to OMB for approval.

The CSA Form 516 has been eliminated from the Grantee Program Management System. CSA has determined that the information requested on Form 516 can be provided through the use of other forms under the GPMS. Form 516 would have been used by CAAs to request changes in budgets and/or work programs. CSA reconsidered and determined that a revised Form 514 "Grantee Budget Summary" and a revised Form 512-A "Grantee Work Program and Project Progress Report" along with other appropriate forms will provide the necessary information to take action on such requests.

CSA will amend 45 CFR Subpart 1067.70 "The Grantee Program Management System: The Community Action Agency" (46 FR 1234, January 5, 1981) inserting the above-mentioned reporting requirements. The amendment will be published in the **Federal Register** at a later date.

Community Action Agencies may obtain copies of the OMB approved forms from their respective CSA Regional Office on or after May 4, 1981.

FOR FURTHER INFORMATION CONTACT: Ms. Hazel Wilson, Community Services Administration, Office of Regional Operations, 1200 19th Street NW., Washington, D.C. 20506, Telephone No.: (202) 254-5670, Teletypewriter: (202) 254-6218.

Laird F. Harris,

Assistant Director, Office of Regional Operations.

[FR Doc. 81-9789 Filed 4-1-81; 8:45 am]

BILLING CODE 6315-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Air Force Academy Board of Visitors; Meeting

The Air Force Academy Board of Visitors is scheduled to meet at the Air Force Academy, Colorado Springs, Colorado, during the period April 14-15, 1981. This meeting is pursuant to the Board's statutory charge (10 U.S.C. 9355) to meet at the Academy and to inquire into matters of morale, discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy which the Board decides to consider.

The tentative agenda calls for portions of the meeting to be open for public attendance on April 14 from 8:15 AM to 11:15 AM in the Superintendent's Conference Room, Harmon Hall. Among the items on the tentative agenda during the open portions of the meeting are briefings to the Board on the following subjects: academics, the airmanship program, admissions, Academy facilities, and the 25th Anniversary Review Committee. In addition to the open portion of the meeting, a press conference which will be open to the public has been scheduled for 10:15 AM on April 9 in Arnold Hall.

Portions of this meeting are tentatively scheduled to be closed to the public as matters to be discussed are analogous to matters listed in subsections (2) and (6) section 552b(c), Title 5, United States Code. These closed portions include panel discussions with groups of cadets, faculty members, and military training officers, involving personal information and opinions, the disclosure of which would be a clearly unwarranted invasion of personal privacy. Also included are the executive deliberations of the Board involving discussions of such personal information.

If additional information is desired, contact Headquarters, U.S. Air Force (MPPA), Washington DC 20330, at (202) 697-7116.

Carol M. Rose,

Air Force Federal Register, Liaison Officer.

[FR Doc. 81-10235 Filed 4-1-81; 10:42 am]

BILLING CODE 3910-01-M

Department of the Army

United States Army Medical Research and Development Advisory Panel Subcommittee on Medicinal Chemistry; Partially Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Subcommittee meeting:

Name of Committee: United States Army Medical Research and Development Advisory Panel Subcommittee on Medicinal Chemistry.

Date of Meeting: 24 April 1981.

Time and Place: 0830 hrs., Room 3092, Walter Reed Army Institute of Research, Washington, DC.

Proposed Agenda: This meeting will be open to the public on 24 April from 0830 to 0945 hours to discuss the scientific research program of the Medicinal Chemistry Branch, Walter Reed Army Institute of Research. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 0945-1200 hrs. and from 1300-1600 hrs. on 24 April 1981 for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Bldg. 40, Room 1111, Walter Reed Army Medical Center, Washington, DC 20012 (202/576-3061) will furnish summary minutes, roster of Subcommittee members and substantive program information.

For the Commander.

Harry G. Dangerfield, M.D.,

Colonel, MC, Deputy Commander.

[FR Doc. 81-9696 Filed 4-1-81; 8:45 am]

BILLING CODE 3710-08-M

United States Army Medical Research and Development Advisory Panel Subcommittee on Medical Entomology; Partially Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Subcommittee meeting:

Name of Committee: United States Army Medical Research and Development Advisory Panel Subcommittee on Medical Entomology.

Date of Meeting: 27 April 1981.

Time and Place: 0830 hrs, Room 3092, Walter Reed Army Institute of Research, Washington, DC.

Proposed Agenda: This meeting will be open to the public on 27 April from 0830 hrs to 0945 hrs to discuss the scientific research program of the Medical Entomology Branch, Walter Reed Army Institute of Research. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, US Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 0945-1200 hrs and from 1300-1600 hrs on 27 April 1981 for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Bldg 40, Room 1111, Walter Reed Army Medical Center, Washington, DC 20012 (202/576-3061) will furnish summary minutes, roster of Subcommittee members and substantive program information.

For the Commander,

Harry G. Dangerfield, M.D.,

Colonel, MC, Deputy Commander.

[FR Doc. 81-9696 Filed 4-1-81; 8:45 am]

BILLING CODE 3710-08-M

Department of the Navy

Naval Discharge Review Board; Hearing Location

In November 1975, the Naval Discharge Review Board (NDRB) commenced to convene and conduct prescheduled discharge review hearings for a number of days each quarter in locations outside the Washington, D.C. area. The cites in which these hearings are scheduled are determined in part by the concentration of applicants in a geographic area.

The following NDRB intinerary for March 1981 through July 1981 has been approved, but remains subject to modification if required:

March 23 through April 3, 1981—Memphis, TN, Kansas City, MO;
April 20 through May 1, 1981—Tampa, FL; Atlanta, GA;
April 27 through May 8, 1981—Minneapolis, MN; Chicago, IL;
May 11 through May 22, 1981—Helena, MT; Portland, OR;
Salt Lake City, UT; Denver, CO;
June 1 through June 5, 1981—Boston, MA;
June 1 through June 5, 1981—Dallas, TX;
June 12 through July 24, 1981—San Diego, CA.

Any former member of the Navy or Marine Corps who desires a discharge review, either in Washington, D.C., or in a city nearer to his or her residence, should file an application with the Naval Discharge Review Board, using DD Form 293. If a personal appearance is requested, the petitioner should enter on the application the hearing location which is preferred. Application forms (DD 293) may be obtained from, and the completed application should be mailed to, the following address:

Naval Discharge Review Board, Suite 910, 801 North Randolph Street, Arlington, Virginia 22203.

Notice is hereby given that, since the foregoing itinerary is subject to modification and since, following receipt of a new application, the Naval Discharge Review Board must obtain the applicant's military records before a hearing may be scheduled, the submission of an application to the Naval Discharge Review Board is not tantamount to scheduling a hearing. Applicants and representatives will be mailed a notification of the date and place of hearing when personal appearance has been requested.

FOR FURTHER INFORMATION CONCERNING THE NDRB, CONTACT: Captain James C. Price, U.S. Naval Reserve, Executive Secretary, Naval Discharge Review Board, Suite 910, 801 North Randolph Street, Arlington, Virginia 22203 (202) 696–4881.

Dated: March 25, 1981.

B.A. Harlow,

Captain, JAGC, U.S. Navy, Assistant Judge Advocate, General (Civil Law).

[FR Doc. 81-9032 Filed 4-1-81; 8:45 am]

BILLING CODE 3810-71-M

Office of the Secretary of Defense

DOD Advisory Group on Electron Devices; Notice of Advisory Committee Meeting

The DoD Advisory Group on Electron Devices (AGED) will meet in closed session on 4 May 1981 at the Palisades Institute for Research Services, 1925 North Lynn Street, Arlington, Va. 22209.

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

The Aged meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The agenda for this meeting will include programs on Radiation Hardened Devices, Microwave Tubes, Displays and Lasers. The review will include details of classified defense programs throughout.

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

M.S. Healy,

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

March 30, 1981.

[FR Doc. 81-9029 Filed 4-1-81; 8:45 am]

BILLING CODE 3810-70-70

DOD Advisory Group on Electron Devices; Advisory Committee Meeting

Working Group D (Mainly Laser Devices) of the DoD Advisory Group on Electronic Devices (AGED) will meet in closed session 20–21 May 1981 at the Palisades Institute for Research Services, Inc., 1925 North Lynn Street, Arlington, Virginia 22209.

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

The Working Group D meeting will be limited to review of research and development programs which the military propose to initiate with industry, universities or in their laboratories. The laser area includes programs on developments and research related to low energy lasers for such applications as battlefield surveillance, target designation, ranging, communications, weapon guidance and data transmission. The review will include classified program details throughout.

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

M. S. Healy,

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

March 30, 1981.

[FR Doc. 81-9090 Filed 4-1-81; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Office of the Secretary

National Petroleum Council, Coordinating Subcommittee of the Committee on Environmental Conservation; Meeting

Notice is hereby given that the Coordinating Subcommittee of the Committee on Environmental Conservation will meet in June 1981. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Environmental Conservation will analyze the environmental problems of the oil and gas industries and the impact of current environmental control regulations on the availability and costs of petroleum products and natural gas. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Coordinating Subcommittee meeting follows:

The Coordinating Subcommittee will hold its fifth meeting on Wednesday, June 10, 1981, at 10:00 a.m., in the Conference Room of the National Petroleum Council, 1625 K Street, NW., Washington, D.C.

The tentative agenda for the meeting follows:

1. Progress report of the NPC Committee on Arctic Oil and Gas Resources.
2. Review of the progress of the Task Groups.
3. Discussion of the "environmental problems that will be most serious in the time frame of the 1980's.
4. Review of the proposed schedule for the study effort, and for the Coordinating Subcommittee.
5. Discuss any other matters pertinent to the overall assignment of the Coordinating Subcommittee.

The meeting is open to the public. The Chairman of the Coordinating Subcommittee is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Coordinating Subcommittee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil and Natural Gas, Fossil Energy, 202/633–8383, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading Room, Room IE–190, DOE, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C., between the hours of 8 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on March 24, 1981.

Roger W. A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

[FR Doc. 81-9063 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

National Petroleum Council, Synthetic Fuels Task Group of the Committee on Environmental Conservation; Meeting

Notice is hereby given that the Synthetic Fuels Task Group of the Committee on Environmental Conservation will meet in April and May 1981. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and

natural gas or the oil and natural gas industries. The Committee on Environmental Conservation will analyze the environmental problems of the oil and gas industries and the impact of current environmental control regulations on the availability and costs of petroleum products and natural gas. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Synthetic Fuels Task Group meetings follows:

The Synthetic Fuels Task Group will hold its fifth meeting on Tuesday, April 14, 1981, at 9:30 a.m., in the Conference Room of the National Petroleum Council, 1625 K Street, N.W., Washington, D.C.; and the sixth meeting on Thursday, May 14, 1981, at 9:00 a.m., at The Fairmont Hotel, 1750 Welton Street, Denver, Colorado.

The tentative agenda for both meetings follows:

1. Review preliminary draft of Task Group report.

2. Discuss any other matters pertinent to the overall assignment of the Synthetic Fuels Task Group.

The meetings are open to the public. The Chairman of the Coordinating Subcommittee is empowered to conduct the meetings in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Synthetic Fuels Task Group will be permitted to do so, either before or after the meetings. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil and Natural Gas, Fossil Energy, 202/633–8383, prior to the meetings and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meetings will be available for public review at the Freedom of Information Public Reading Room, Room IE–190, DOE, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on March 24, 1981.

Roger W. A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

[FR Doc. 81-9684 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

National Petroleum Council, Water Quality Task Group of the Committee on Environmental Conservation; Meeting

Notice is hereby given that the Water Quality Task Group of the Committee on Environmental Conservation will meet in May 1981. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Environmental Conservation will analyze the environmental problems of the oil and gas industries and the impact of current environmental control regulations on the availability and costs of petroleum products and natural gas. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Water Quality Task Group meeting follows:

The Water Quality Task Group will hold its sixth meeting on Thursday, May 21, 1981, starting at 9:00 a.m., Conference Room 412A, Mobil Oil Corporation, 150 East 42nd Street, New York City, New York.

The tentative agenda for the meeting follows:

1. Review individual assignments.

2. Discuss Task Group schedule.

3. Discuss any other matters pertinent to the overall assignment of the Water Quality Task Group.

The meeting is open to the public. The Chairman of the Water Quality Task Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Water Quality Task Group will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil and Natural Gas, Fossil Energy, 202/633–8383, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading Room, Room IE–190, DOE, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on March 24, 1981.

Roger W. A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

[FR Doc. 81-9681 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

National Petroleum Council, Water Quality Task Group of the Committee on Environmental Conservation; Meeting

Notice is hereby given that the Water Quality Task Group of the Committee on Environmental Conservation has rescheduled its meeting for April 1981. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Environmental Conservation will analyze the environmental problems of the oil and gas industries and the impact of current environmental control regulations on the availability and costs of petroleum products and natural gas. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Water Quality Task Group meeting follows:

The Water Quality Task Group has rescheduled its fifth meeting from April 2, 1981, to Thursday, April 30, 1981, starting at 9:00 a.m., Room 1119, Mobil Exploration and Production Offices, Prudential Plaza Building, 1050 Seventeenth Street, Denver, Colorado.

The tentative agenda for the meeting follows:

1. Review individual assignments.

2. Discuss Task Group schedule.

3. Discuss any other matters pertinent to the overall assignment of the Water Quality Task Group.

The meeting is open to the public. The Chairman of the Water Quality Task Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Water Quality Task Group will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil and Natural Gas, Fossil Energy, 202/633–8383, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading Room, Room IE–190, DOE, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C. on March 24, 1981.

Roger W. A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

[FR Doc. 81-9882 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Action Taken on Consent Orders

AGENCY: Economic Regulatory Administration.

ACTION: Notice of action taken on consent orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice that Consent Orders were entered into between the Office of Enforcement, ERA and the firms listed below concerning failure to meet the filing requirements for Form ERA–69, Crude Oil Reseller's Self-Reporting Form, as set forth in the Mandatory Petroleum Price Regulations, 10 CFR Part 212, Subpart L. Pursuant to 10 CFR 205.203, each of the consent firms has agreed to make the payments specified below. The Consent Orders do not address or limit any liability with respect to the consenting firms except as related to the requirement to file Form ERA–69. The consenting firms agreed to comply with the reporting requirements of 10 CFR 212.187 by filing any overdue reports promptly and filing all future monthly reports on or before their due dates.

FOR FURTHER INFORMATION CONTACT:

Larry G. Harris, Supervisory Auditor, Crude Oil Reseller Program, Department of Energy, Economic Regulatory Administration, Enforcement Program Operations, 2000 M Street, N.W., Washington, D.C. Telephone Number (202) 653–3517.

Issued in Washington, D.C., on the 27th day of March 1981.

James Fenton,

Acting Director, Program Operations Division.

Consent Orders Issued

Firm	Date	Amount
Marion Corp., P.O. Box 3027, Mobile, AL 36652	1/22/81	$1,500
Fuel Oil Supply & Terminaling, Inc., 333 West Loop North, Houston, TX 77024	2/13/81	2,500
Dynamic Industries Inc., 2810 Glenda, Fort Worth, TX 76117	3/17/81	150
Tipco Trading Co., One Shell Square, New Orleans, LA 70139	1/ 9/81	1,300
Horizon Petroleum Co., Capital Bank Plaza, 333 Clay, Houston, TX 77002	1/28/81	7,500

Consent Orders Issued—Continued

Firm	Date	Amount
Pel-Star Co., 1760 One Dallas Centre, Dallas, TX 75201	1/26/81	3,500

[FR Doc. 81-9886 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 81-CERT-005]

Consolidated Edison Co. of New York, Inc.; Application for Recertification of the Use of Natural Gas to Displace Fuel Oil

On April 25, 1980, Consolidated Edison Company of New York, Inc. (Con Edison), 4 Irving Place, New York, New York 10003, was granted a recertification of an eligible use of natural gas to displace fuel oil by the Administrator of the Economic Regulatory Administration (ERA) (Docket No. 80–CERT–013). The recertification involved the purchase of natural gas from Consolidated Gas Supply Corporation and National Fuel Gas Distribution Corporation for use by Con Edison at six of its steam and electric generating facilities in New York City. These purchases are being delivered pursuant to the ERA certification in Docket No. 80–CERT–013 and certificates of public convenience and necessity issued by the Federal Energy Regulatory Commission (FERC) in FERC Docket Nos. CP79–228 and CP79–214, *et al.* The ERA certificate expires April 26, 1981, and the FERC certificates expire May 31, 1981.

On March 5, 1981, Con Edison filed an application for a second recertification of an eligible use of natural gas to displace fuel oil at six of its steam and electric generating facilities in New York City, pursuant to 10 CFR Part 595 (44 FR 47920, August 16, 1979). More detailed information is contained in the application on file with the ERA and available for public inspection at the ERA, Division of Natural Gas Docket Room, Room 7108, RG–55, 2000 M Street, N.W., Washington, D.C. 20461, from 8:30 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays.

In its application, Con Edison states that the volume of natural gas for which it requests recertification is approximately 175,000 dekatherms per day or approximately 62 billion cubic feet (Bcf) per year. This volume is estimated to displace the use of approximately 8,965,000 barrels of residual fuel oil (0.3 percent sulfur), approximately 824,000 barrels of kerosene (0.05 percent sulfur), approximately 519,000 barrels of residual fuel oil (1.5 percent sulfur), and approximately 217,000 barrels of No. 2 fuel oil (0.2 percent sulfur) between April 27, 1981, and April 26, 1982, at the following generating facilities in New York City: Astoria; East River; Narrows; Ravenswood; Waterside; and 60th Street.

The eligible sellers are Consolidated Gas Supply Corporation, 445 W. Main Street, Clarksburg, West Virginia 26301; and National Fuel Gas Distribution Corporation, 10 Lafayette Square, Buffalo, New York 14203. The gas would be transported by Transcontinental Gas Pipe Line Corporation, P.O. Box 1396, Houston, Texas 77001; Texas Eastern Transmission Corporation, P.O. Box 2521, Houston, Texas 77001; National Fuel Gas Supply Corporation, 10 Lafayette Square, Buffalo, New York 14203; and Tennessee Gas Pipeline Company, P.O. Box 2581, Houston, Texas 77001.

In order to provide the public with as much opportunity to participate in this proceeding as is practicable under the circumstances, we are inviting any person wishing to comment concerning this application to submit comments in writing to the Economic Regulatory Administration, Room 7108, RG–55, 2000 M Street, N.W., Washington, D.C. 20461, Attention: Albert F. Bass, on or before April 12, 1981.

An opportunity to make an oral presentation of data, views, and arguments either against or in support of this application may be requested by any interested person in writing within the ten (10) day comment period. The request should state the person's interest, and if appropriate, why the person is a proper representative of a group or class of persons that has such an interest. The request should include a summary of the proposed oral presentation and a statement as to why an oral presentation is necessary. If ERA determines that an oral presentation is necessary, further notice will be given to Con Edison and any persons filing comments and will be published in the **Federal Register**.

Issued in Washington, D.C., March 26, 1981.

Barton R. House,

Acting Administrator, Economic Regulatory Administration.

[FR Doc. 81-9885 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket Nos. 51100-0713-01-84 and 51100-0713-02-84]

Georgia Power Co., (McManus Generating Station, Units 1 and 2); Issuance of Notice of Intention to Rescind Prohibition Orders

AGENCY: Department of Energy, Economic Regulatory Administration.

ACTION: Issuance of notice of intention to rescind ESECA prohibition orders.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives notice that, acting under the authority granted to it under the Energy Supply and Environmental Coordination Act of 1974 (ESECA), as amended (15 U.S.C. § 792(f)),[1] it intends to rescind the Prohibition Orders issued on June 30, 1975 to the powerplant named above. This action is taken in accordance with the provisions of 10 CFR 303.130(b) of the ESECA regulations.

DATE: Comments on the proposed recision must be received on or before May 4, 1981.

ADDRESS: Comment on ERA's intention to recind the Prohibition Orders is invited. Interested persons may submit written data, views, or arguments with respect to the proposed action to the Department of Energy, Economic Regulatory Administration, Case Control Unit (ESECA), Mail Stop Room 3214, 2000 M Street, N.W., Washington, D.C. 20461. All comments and other documents should be identified both on the outside of the envelope and on the document itself with the designation "Proposed Rescission of McManus Generating Station Powerplants 1 and 2 Prohibition Orders (51100-0713-01-84, 51100-0713-02-84)." All written comments must be received no later than ten (10) days after publication of this notice. In making its decision regarding the proposed rescission action, DOE will consider all relevant information submitted to it or otherwise available to it.

Any information considered to be confidential by the person furnishing it must be so identified at the time of submission in accordance with 10 CFR § 303.9(f). ERA reserves the right to determine the confidential status of the information and to treat it in accordance with that determination.

FOR FURTHER INFORMATION CONTACT:

Steven A. Frank, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, Case Control Unit (ESECA), Mail Stop Room 3214, 2000 M Street, N.W., Washington, D.C. 20461, Tel. (202) 653-4187.

L. Dow Davis IV, Office of General Counsel, Department of Energy, Forrestal Building, Room 6B-178, Washington, D.C. 20585, Tel. (202) 252-2967.

Written questions should be identified on the envelope and in the correspondence with the designation set out above.

SUPPLEMENTAL INFORMATION: On June 30, 1975, the Federal Energy Administration (FEA)[2] issued Prohibition Orders for the McManus Generating Station, Units 1 and 2. The Prohibition Orders, if made effective by the issuance of a Notice of Effectiveness (NOE), would have prohibited these powerplants from burning petroleum products or natural gas as their primary energy source.

In response to a request by ERA, Georgia Power Company provided a system-wide dispatch analysis for the Southern Electric System in the year 1990 and a list of projected capacity factors for McManus Units 1 and 2 for each year from 1980 through 1990. Based on this dispatch analysis, ERA found that these units would either not be operated at a sufficient capacity factor to warrant conversion to coal or if utilized at a capacity factor which would make coal conversion practicable, would have to be operated at a capacity factor which would back out electrical generation currently scheduled for newer existing coal units. Thus the conversion of McManus from petroleum products or natural gas to coal is not considered to be practicable by ERA and consistent with the purposes of ESECA (as required by section 2(b)(1)(A) thereof).

Since the requirements of the Act would not be satisfied by requiring the McManus Station to convert to coal, ERA therefore, in accordance with 10 CFR § 303.130(b), hereby proposes to rescind the previously-issued Prohibition Orders. Comments on ERA's intention to rescind these prohibitions must be recieved no more than ten (10) days after the date of publication of this notice.

Issued in Washington, D.C. March 26, 1981.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 81-9892 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

[1] Energy Supply and Environmental Coordination Act of 1974, Pub. L. 93-319, [15 U.S.C. 791 *et seq.*] as amended by Pub. L. 94-163, Pub. L. 95-70, Pub. L. 95-91 and Pub. L. 95-620; [15 U.S.C. 761 *et seq.*], as amended by Pub. L. 94-332, Pub. L. 94-385, Pub. L. 95-70 and Pub. L. 95-91; Department of Energy Organization Act, Pub. L. 95-91 [42 U.S.C. 7101 *et seq.*], as amended by Pub. L. 95-509, Pub. L. 95-619, Pub. L. 95-620 and Pub. L. 95-621; Powerplant and Industrial Fuel Use Act of 1978, Pub. L. 95-620 [42 U.S.C. 8301 *et seq.*]; E.O. 11790 [39 FR 23185]; E.O. 12009 [42 FR 46267].

[2] Effective October 1, 1977, the responsibility for implementing ESECA was transferred by Executive Order No. 12009 from the Federal Energy Administration to the Department of Energy [42 U.S.C. § 7101 *et seq.*].

[Docket No. ERA-FC-81-004; ERA Case No. 51209-1393-28-22]

Gulf States Utilities Co.; Power Plant and Industrial Fuel Use

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of Acceptance of Exemption Request Pursuant to the Powerplant and Industrial Fuel Use Act of 1978.

SUMMARY: On February 12, 1981, Gulf States Utilities Company (GSU) petitioned the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) for a permanent peakload powerplant exemption from the prohibitions of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act), which prohibit the use of petroleum or natural gas as a primary energy source in new powerplants. A final rule setting forth the procedure for petitioning and the criteria for an exemption was published in the **Federal Register** on June 6, 1980 (45 FR 38276 and 45 FR 38302), 10 CFR Part 500. This rule became effective August 5, 1980.

The peakload powerplant for which the petition was filed is an oil-and/or natural gas-fired 83,470 kilowatt combustion turbine unit to be installed at GSU's generating plant at Westlake, Louisiana. GSU certifies the unit will be operated solely as a peakload powerplant and will be operated only to meet peakload demand for the life of the plant. Under 10 CFR 503.41, GSU has requested a permanent exemption to construct the unit. ERA's decision in this matter will determine whether the proposed powerplant qualifies for the requested exemption.

ERA has accepted this petition pursuant to 10 CFR 501.3 and 501.63. In accordance with § 701(c) and § 701(d) of FUA, and 10 CFR 501.31 and 501.33 of the regulations, interested persons are invited to submit written comments in regard to this matter, and any interested person may submit a written request that ERA convene a public hearing.

DATES: Written comments are due on or before May 18, 1981. A request for public

hearing must be made by any interested person within this same 45 day period.

ADDRESSES: Fifteen copies of written comments, or a request for a public hearing shall be submitted to: Department of Energy, Economic Regulatory Administration, Case Control Unit (FUA), Box 4629, Room 3214, 2000 M Street, N.W., Washington, D.C. 20461.

Docket Number ERA-FC-81-004 should be printed clearly on the outside of the envelope and the document contained therein.

FOR FURTHER INFORMATION CONTACT:

Jack C. Vandenberg, Office of Public Information, Economic Regulatory Administration, Department of Energy, 2000 M Street, N.W., Room B-110, Washington, D.C. 20461, Phone (202) 653-4055

Louis T. Krezanosky, New Powerplants Branch, Economic Regulatory Administration, Department of Energy, 2000 M Street N.W., Room 3012B, Washington, D.C. 20461, Phone (202) 653-4208

Christina Simmons, Office of General Counsel, Department of Energy, 6B-178 Forrestal Bldg., 1000 Independence Avenue S.W., Washington, D.C. 20585, Phone (202) 252-2967.

SUPPLEMENTARY INFORMATION: FUA prohibits the use of natural gas or petroleum in certain new powerplants unless an exemption to do so has been granted by ERA. GSU has filed a petition for a permanent peakload powerplant exemption to use petroleum/natural gas as a primary energy source in its proposed Roy S. Nelson Unit No. 8 combustion turbine. The unit will have a fuel heat input rate of 894 MM BTU per hour at peak capacity.

To qualify for a peakload powerplant exemption under 10 CFR 503.41, a petitioner must certify to ERA that the powerplant will be operated solely as a peakload powerplant and to meet peakload demand for the life of the powerplant.

GSU submitted a certified statement by a duly authorized officer, Mr. J. H. Derr, Jr., Vice President of GSU, to the effect that the proposed oil- and/or gas-fired combustion turbine will be operated solely as a peakload powerplant and will be operated only to meet peakload demand for the life of the plant.

Mr. Derr also certifies that the maximum design capacity of the powerplant is 83,470 kilowatts and that the maximum generation that will be allowed during any 12-month period is the design capacity times 1,500 hours or 125,205,000 Kwh.

On August 11, 1980, DOE published in the **Federal Register** (45 FR 53199) a notice of proposed amendments to guidelines for compliance with the National Environmental Policy Act of 1969 (NEPA). Pursuant to the guidelines, the grant or denial of certain FUA permanent exemptions, including the permanent exemption for peakload powerplants, was identified as an action which normally does not require an Environmental Impact Statement or an Environmental Assessment pursuant to NEPA (categorical exclusion).

This classification raises a rebuttable presumption that the grant or denial of the exemption will not significantly affect the quality of the human environment. GSU has certified that it will secure all applicable permits and approvals prior to commencement of operation of the new unit under exemption. DOE's Office of Environment in consultation with the Office of the General Counsel, will review the completed environmental checklist submitted by GSU, pursuant to 10 CFR 503.15(b) (2), together with other relevant information. Unless it appears during the proceeding on GSU's exemption that the grant or denial of the exemption will significantly affect the quality of the human environment, it is expected that no additional environmental review will be required.

ERA hereby accepts the filing of the petition for a permanent peakload exemption as adequate for filing. ERA retains the right to request additional relevant information from GSU at any time during the pendency of this proceeding. As set forth in 10 CFR 501.3(d), the acceptance of the petition by ERA does not constitute a determination that GSU is entitled to the exemption requested.

The public file containing documents on these proceedings and supporting materials is available for inspection upon request at: ERA Room B-110, 2000 M Street, N.W., Washington, D.C. 20461, Monday-Friday, 8:00 a.m.-4:30 p.m.

Issued in Washington, D.C., on March 26, 1981.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 81-9991 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

Advisory Committee on Revision of Rules of Practice and Procedure; Determination To Renew Charter

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), I hereby certify that the renewal of the Charter establishing an Advisory Committee on Revision of Rules of Practice and Procedure is in the public interest in connection with the duties imposed upon the Federal Energy Regulatory Commission, Department of Energy, by the Department of Energy Organization Act of 1977 and other applicable law. This determination follows consultation with the Committee Management Secretariat, General Services Administration, pursuant to Section 9(a)(2) of the Federal Advisory Committee Act and OMB Circular A-63 (Revised).

1. *Name of Advisory Committee:* Advisory Committee on Revision of Rules of Practice and Procedure.

2. *Purpose:* The Committee will provide the Commission and its staff with the benefit of suggestions from a broad range of public participants regarding additions, deletions, and other changes desirable in compiling revised Commission Rules and Practice and Procedure best suited to the needs of both the Commission and those who appear before it as parties to cases.

The current Rules of Practice and Procedure under which the Commission operates were formulated by the Interstate Commerce Commission and the Federal Power Commission. The latter ceased to exist on October 1, 1977, when the Federal Energy Regulatory Commission was established as part of the Department of Energy Organization Act (Pub. L. 95-91). The responsibilities of the FERC differ greatly from those of the FPC, and the Rules promulgated by the FPC and the ICC are no longer completely relevant to the regulatory responsibilities of the Commission.

Advice and recommendations from those outside the Commission staff who regularly appear as interested parties in proceedings before Commission Administrative Law Judges, or who communicate the status of Commission action on various issues to outside individuals and companies, as well as to the general public, will help to assure that the Rules are revised after consideration of the broadest possible range of comments.

The Commission will seek to include among the members of the Advisory Committee representatives of academic institutions, state governments, oil and gas producers, oil and gas pipelines, electric and gas utility companies, and organizations or associations representing any or all of these categories.

The Advisory Committee and its members will serve in an advisory capacity only. Final recommendations for revisions to be made in the Commission's Rules of Practice and Procedure will be made by the Commission's Office of the General Counsel, and final decisions regarding institution of any revisions will be made by the Commission itself.

3. *Effective Date of Renewal and Duration:* The renewal of the Charter of the Advisory Committee is effective upon publication of this notice and filing of the charter with the standing committees of Congress having legislative jurisdiction over the Federal Energy Regulatory Commission and with the Library of Congress. The Committee will terminate two years from the date of renewal, unless extended.

4. *Membership:* The membership of the Advisory Committee shall be fairly balanced in terms of the points of view of the industry and users affected, including those of wholesale and retail consumers. There will be no discrimination on the basis of race, color, national origin, religion, age or sex.

5. *Operation:* The Advisory Committee will operate in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463), Commission policy and procedures, OMB Circular A-63 (Revised) and other directives and instructions issued in accordance with the implementation of the Act.

6. *Objectivity:* The advice and recommendations of the Advisory Committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the Advisory Committee's independent judgment.

Issued at Washington, D.C. on March 27, 1981.

Georgiana Sheldon,

Acting Chairman.

[FR Doc. 81-9984 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3691-000]

Richard V. Williamson; Application for Preliminary Permit

March 30, 1981.

Take notice that Richard V. Williamson (Applicant) filed on November 6, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed project No. 3691 to be known as the Holton C. Kearny Project located on the Trinity River in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Richard V. Williamson, 8704 South Nogales Highway, Tuscon, Arizona 85706. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a new 4.5-foot high by 50-foot long dam creating a pond with neglible storage capacity; (2) a 6,600-foot long, 36-inch diameter steel penstock; (3) a powerhouse to contain one turbine-generating unit with a rated capacity of 680 kW; (4) a tailrace pipe; and (5) a 7-mile long, 12-kV transmission line to connect to an existing Pacific Gas and Electric Company Line. The Applicant estimates that the average annual energy output would be 5.9 million kWhs.

Purpose of Project—Applicant proposes to sell the project energy to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks a preliminary permit for a period of 24 months during which it would conduct environmental, engineering, and economical studies to determine the feasibility of constructing and operating the proposed project. No foundation exploration and no new road would be required to conduct the feasibility studies. Applicant estimates the cost of the feasibility studies to about $6,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must conform with the requirements of 18 C.F.R. § 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 C.F.R. § 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as application. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3691. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications

Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Application specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9982 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4066]

Yolo County Flood and Water Conservation District; Application for Preliminary Permit

March 30, 1981.

Take notice that Yolo County Flood and Water Conservation District (Applicant) filed on January 27, 1981, and application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for proposed Project No. 4066 to be known as Indian Valley Hydroelectric Project located on the North Fork of Cache River in Lake County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: William L. McAnlis, Yolo County Flood Control and Water Conservation District, P.O. Box 767, Woodland, California 95685. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing earth and rock dam 225-feet in height and 980-feet in length, Indian Valley Dam; (2) an existing 300,000 acre-foot reservior; (3) a bifurcation in the existing discharge line; (4) a steel penstock; (5) a powerhouse containing a 3,200 kW generating unit; (6) a draft tube into the existing stilling basin; and (7) a 13-kV transmission line.

The Applicant estimates that the average annual energy output would be 7, 216,000 kWh.

Purpose of Project—The power generated by the proposed project would be sold to a utility company in California.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 24 months, during which it would study geologic features; estimate the costs, market, and power generation; identify environmental impacts; and prepare a license application. The cost of these studies is estimated by the Applicant to be $83,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, given the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 15, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than July 14, 1981. A notice of intent must conform with the requirements of 18 C.F.R. § 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 C.F.R. § 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1980). Comments not in thenature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will condiser all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 15, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these finings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4066. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9983 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3884-001]

California Renewable Resources, Inc.; Application for Preliminary Permit

March 30, 1981.

Take notice that California Renewable Resources, Inc. (Applicant) filed on February 20, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. § 791(a)–825(r)] for proposed Project No. 3884 to be known as Pine Creek Project located on Pine Creek in Inyo County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Paul Schatz, California Renewable Resources, Inc., 424 St. Francis Drive, Danville, California 94526. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a small concrete collector box intake structure; (2) a 36-inch diameter and 4,200-foot long penstock; (3) a powerhouse containing one generating unit rated at 1,450 kW; and (4) a transmission line. The project would be operated on a run-of-the-river basis. The Applicant estimates that the average annual energy output would be 8.7 million kWh.

Purpose of Project—The energy generated by the project would be sold to the Southern California Edison Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, economic, environmental, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies.

The cost of the work to be performed under the preliminary permit is estimated to be $40,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the ¼application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or section 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's rules. Any comments, protest, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3884. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9971 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4251-000]

Coleman Falls Development, Ltd.; Application for Preliminary Permit

March 30, 1981.

Take notice that Coleman Falls Development, Ltd. filed on February 23, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4251 to be known as the Coleman Falls Project located on the James River in Bedford and Amherst Counties, Virginia. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Kenneth Lever, 6566 France Avenue South, Minneapolis, Minnesota 55435. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: 1) an existing, 555-foot long and 36-foot high masonry dam; 2) an existing 250-acre reservoir, at normal pool elevation 590 feet MSL; 3) a proposed powerhouse with an installed generating capacity of 7 MW; 4) a proposed four-mile long transmission line, and 5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 26 GWh.

Purpose of Project—The Applicant proposes to sell the power output to Appalachian Power Company, Virginia Electric Power Company or private firms.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months. During this time the significant legal, institutional, engineering, environmental, marketing, economic and financial aspects of the project will be defined, investigated, and assessed to support an investment decision. The report of the proposed study will address whether or not a commitment to implementation is warranted, and, if the findings are positive, the Applicant intends to submit a license application. The applicant's estimated total cost for performing these studies is $100,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the

proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene, in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4251. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9972 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4257-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

March 30, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on February 23, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 4257 to be known as Plummer Creek Project located on Plummer Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: L. Porter Davis, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a 70-foot long and 5-foot high, rock-and-concrete diversion structure; (2) a 2,650-foot long conduit; (3) an 800-foot long and 32-inch diameter penstock; (4) a powerhouse containing one generating unit rated at 2,500 kW; and (5) a 7.5-mile long transmission line. The Applicant estimates that the average annual energy output would be 9.9 million kWh.

Purpose of Project—The energy generated by the project would be sold to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, economic, environmental, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies and no major ground-disturbing activities would be performed.

The cost of the work to be performed under the preliminary permit is estimated to be $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) 1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for

protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4257. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N. E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9973 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4256-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

March 30, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on February 25, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825 (r)] for proposed Project No. 4256 to be known as Grizzly Creek, Plumas Power Project located on Grizzly Creek in Plumas County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. L. Porter Davis, Vice-President, Consolidated Hydroelectric, Inc., Suite 208, 4543 Post Oak Place, Houston, Texas 77027. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a diversion structure within the south bank of the Grizzly Creek; (2) a 5,800-foot-long conduit or channel; (3) a 35-inch diameter, 1,660-foot long penstock; (4) a powerhouse containing generating units with a total rated capacity of 4,000 kW; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 15.6 million kWh.

Purpose of Project—Project energy would be sold to a private utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested a 36-month permit to prepare a definitive project report including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Forest Service and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be between $80,000 and $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4256. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative

of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9974 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. EL81-5-000]

Edison Electric Institute; Order Concerning Interlocking Directorates

Issued March 27, 1981.

On December 8, 1980, the Edison Electric Institute (EEI) filed a petition calling to the Commission's attention certain questions relating to interlocking directorates raised by recent actions of the Board of Governors of the Federal Reserve System (Board).

Background

Section 305(b) of the Federal Power Act makes it unlawful, in the absence of Commission authorization, for any person to hold the position of an officer or director of a public utility and the position of an officer or director of a bank, trust company, banking association, or firm authorized to underwrite or participate in the marketing of public utility securities. Commercial banks are prohibited by the Glass-Steagall Act from underwriting or marketing securities,[1] and EEI indicates that, in reliance on the prohibitions found in the Glass-Steagall Act, many officers and directors of public utilities now serve as officers or directors of commercial banks without having obtained Commission authorization.

In July of 1978, the Bankers Trust Company (Trust Company) placed third party commercial paper with certain institutional investors as agent for and on behalf of certain unidentified corporate issuers.[2] The Securities Industry Association (SIA) and A.G. Becker, Inc. (Becker) subsequently requested the Board to review the legality of the Trust Company's actions, alleging *inter alia* that the Trust Company was dealing in secrurities in violation of the applicable provisions of the Glass-Steagall Act. On September 26, 1980, the Board concluded *inter alia* that commercial paper is not a security within the meaning of the Glass-Steagall Act and that the Trust Company had not violated the applicable provisions of the Glass-Steagall Act.

The SIA and Becker have each filed for review of the Board's finding in the United States Court of Appeals for the District of Columbia Circuit and in the United States District Court for the District of Columbia. The SIA also has filed suit against the Trust Company seeking a declaratory judgment and an injunction in the United States District Court for the Southern District of New York.

As a result of these events, EEI seeks an order of this Commission declaring that it will take no immediate action against individuals serving both as officers or directors of public utilities and officers or directors of commercial banks in response to the Board's determination and that the *status quo ante* will be maintained pending the outcome of the ongoing litigation. EEI believes that any ultimate determination by the Commission should be deferred.

Notice of EEI's petition was issued on January 23, 1981, with responses due on or before February 3, 1981. No responses have been filed.

Discussion

While commercial banks long have engaged in and continue to engage in the purchase and, less frequently, the sale of commercial paper for their own accounts or for the accounts of their customers,[3] the Trust Company's placement of third party commercial paper departs from commercial banks' traditional role in the commercial paper markets. The Trust Company acted as agent for the issuer, "marketing" commercial paper much like a commercial paper dealer.

The Commission consistently has held that Section 305(b) of the Federal Power Act requires Commission authorization to hold interlocks between public utilities and commercial banks only when commercial banks are authorized by law to underwrite or participate in the marketing of public utility securities.[4] Now, for the first time, commercial banks appear to be "authorized by law to underwrite or participate in the marketing of securities of a public utility" for purposes of section 305(b); the Board's finding appears to authorize commercial banks to "market" third party commercial paper and it appears that, given the broad definition of "security" found in the Federal Power Act,[5] commercial paper is a security for purposes of section 305(b). As a result, the hundreds of public utility officers and directors also serving as commercial bank officers and directors may be in violation of section 305(b). To continue to hold the interlocks, Commission authorization is required.

The abrupt change in the status of those persons now serving as officers or directors of public utilities and officers or directors of commercial banks, coupled with the number of persons affected, persuades the Commission that action is warranted pending the outcome of the ongoing litigation and final Commission resolution. In view of the unique circumstances now before us, we believe it appropriate to authorize the continued holding of such positions on an interim basis, but only if the subject commercial banks have not underwritten or marketed and do not now underwirte or market public utility securities, including commercial paper. It appears that a clear, overriding benefit is to be gained from temporarily authorizing the continued holding of such positions, and that neither public nor private interests will be adversely affected. Moreover, we believe that the sudden change in the status of these individuals and the number involved present good cause to depart from the requirements of Part 45 of our regulations. Accordingly, we shall waive the requirements of Part 45 of our regulations. We shall instead require those persons who seek to take advangage of the interim authorization afforded by our order to file an abbreviated statement identifying the affected interlocks.

Where, however, the subject commercial banks have underwritten or marketed, are now underwriting or marketing, or in the future underwrite or market public utility securities, including commercial paper, those persons holding interlocks must individually seek Commission authorization pursuant to section 305(b) and Part 45 of our regulations. The potential harms sought to be eliminated by the enactment of section 305(b) are most likely to occur when the underwriting or marketing of public utility securities actually takes place;[6] we, therefore, do not believe that

[1] Banking Act of 1933, ch. 89, 48 Stat. 162 (1933); Banking Act of 1935, ch. 614, 49 Stat. 684 (1935).

[2] The commercial paper placed by the Trust Company was not issued by the Trust Company but was issued by corporations not related to the Trust Company; the Trust Company thus is said to have placed third party commercial paper.

[3] *Bankers Trust Company*, Findings of the Board of Governors of the Federal Reserve System and Statement Regarding Petitions to Initiate Enforcement Action (September 26, 1980). *See Investment Company Institute* v. *Camp*, 401 U.S. 617 (1971). *See generally* E. Hurley, The Commercial Paper Market, 63 Fed. Res. Bull. 525 (1977).

[4] *Arthur F. Davey*, 2 FPC 534 (1939). *See* 55 FPC Ann. Rep. 4 (1975); 54 FPC Ann. Rep. 6 (1974).

[5] Section 3(16) of the Federal Power Act provides: "Security" means any note, stock, treasury stock, bond, debenture, or other evidence of interest in or indebtedness of a corporation subject to the provisions of this Act. 16 U.S.C. § 796(16) (1976). *See also* 16 U.S.C. § 824c (1976).

[6] *See John Edward Aldred*, 2 F.P.C. 247 (1940).

even interim authorization should be granted in such cases.[1]

Finally, we caution that this interim determination should not be construed as precluding any further action which the Commission may deem warranted as circumstances develop, or as prejudging any substantive questions that subsequently may be presented.

The Commission orders: (A) Until further order of this Commission, any person now holding or who may hold the positions of officer or director of a public utility and officer or director of a bank subject to the provisions of the Glass-Steagall Act is authorized to hold such positions on an interim basis: *Provided that* the subject bank has not engaged in and does not now engage in, the underwriting or marketing of securities of a public utility, including the commercial paper of a public utility; and *Provided, further,* that such person files the statement required in Paragraph (C) below.

(B) Until further order of this Commission, no person now holding or who may hold the positions of officer or director of a public utility and officer or director of a bank subject to the provisions of the Glass-Steagall Act is authorized to hold such positions if the bank has engaged in, does now engage in, or does in the future engage in the underwriting or marketing of securities of a public utility, including the commercial paper of a public utility, unless that person has obtained authorization to hold such positions pursuant to section 305(b) of the Federal Power Act and Part 45 of the Commission's regulations, 18 CFR Part 45 (1980). Persons now holding such positions and who wish to continue to hold such positions shall file an application for authorization under Part 45 of the Commission's regulations within forty-five days.

(C) The requirements of Part 45 of the Commission's regulations are hereby waived with respect to those persons subject to Paragraph (A) above, and those persons, instead, shall file, in conjunction with the statement required by section 305(c) of the Federal Power Act, a statement providing the following information:

(1) full name, business address, and place of residence;

(2) Public utilities with which the person holds the positions of officer or director, and identifying those positions;

(3) banks subject to the provisions of the Glass-Stegall Act with which the person holds the positions of officer or director, and identifying those positions.

(D) This order shall not affect the liability of any person under section 305(a) of the Federal Power Act or under any other provision of that Act.

(E) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9975 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[1] Provided that timely applications are filed with respect to this matter, the Commission will not require that the applicants remove themselves from their positions during the pendancy of their applications.

[Project Nos. 3965-000, 4181-000, 4223-000]

Enagenics et al.; Applications for Preliminary Permit

March 30, 1981.

Take notice that applications for preliminary permit were filed [Pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for the proposed Little Wood River Hydroelectric Project located on the Little Wood River in Blaine County, Idaho as follows: (1) Project No. 3965 filed by Enagenics on January 12, 1981; (2) Project No. 4181 filed jointly by the Little Wood River Irrigation District (District) and the Little Wood River Canal Company (Company) on February 10, 1981; and (3) Project No. 4223 filed by the District on February 18, 1981. The applications are on file with the Commission and are available for public inspection. Correspondence with the Applicants should be directed to: Mr. Thomas H. Clarke, Jr., President, Enagenics, 1727 Q Street, N.W., Washington, D.C. 20009; Mr. W. Cloyd Mecham, President, Little Wood River Irrigation District, Carey, Idaho 83320; and Mr. Jim Peterson, President, Little Wood River Canal Company, Carey, Idaho 83320. Any person who wishes to file a response to this notice should read the entire notice, must comply with the requirements specified for the particular kind of response that person wishes to file, and should identify which application is being addressed.

Project Description—Each application proposes the use of the Little Wood River Irrigation District's existing 122-foot high, earthfill dam and 30,000 acre-foot reservoir and proposes the construction of a powerhouse adjacent to the existing outlet works. Project No. 3965 would have a generating capacity of 3,500 kW and an average annual energy output of 8,000 MWh. Projects Nos. 4181 and 4223 would have a generation capacity of 1,343 kW and an average annual energy output of 5,880 MWh.

Purpose of Project—Project energy would be sold to the Idaho Power Company or other power purchasers.

Proposed Scope and Cost of Studies Under Permit—Applicant would conduct a detailed feasibility study of the proposed project including engineering, economic, and environmental analysis. Enagenics estimates the cost of its studies to be $35,000. The District and Company estimate the costs of their studies to be $55,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described applications for preliminary permit. (Copies of the application may be obtained directly from the Applicants.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Application—These applications were filed as competing applications to Continental Hydro Corporation's Project No. 3826 filed on December 4, 1980, under 18 CFR (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about these applications should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding.

To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 1, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project Nos. 3965, 4181, and 4223. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicants specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9976 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3503-001]

James B. Howell; Application For Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

March 30, 1981

Take notice that on January 21, 1981, James B. Howell (Applicant) filed an application, under Section 408 of the Energy Security Act of 1980 (Act) [Public Law 96-294, 94 Stat. 611] (16 U.S.C. 2705, and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed James B. Howell small hydroelectric project (FERC Project No. 3503) would be located on Elk and Little Elk Creeks and the Little Salmon River in Idaho County, Idaho. Correspondence with the Applicant should be directed to: J-U-B Engineers, Inc., Barber Engineering Division, Mr. J. W. Barber, Manager, 250 South Beechwood Avenue, Suite 111, Boise, Idaho 83709. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Descripiton—The proposed project would consist of: (1) an existing rock dam; (2) an intake structure; (3) an 18-inch diameter and 3,500-foot long penstock; (4) Powerhouse No. 1 containing one generating unit rated at 661 kW; (5) a concrete diversion structure; (6) a 24-inch diameter and 4700-foot long penstock; (7) Powerhouse No. 2 containing one generating unit rated at 554 kW; (8) a concrete diversion structure; (9) a 60-inch diameter and 3,960-foot long penstock; (10) Powerhouse No. 3 containing two generating units, each rated at 394 kW; and (11) transmission lines.

Purpose of Project—Project energy would be sold to the Idaho Power Company.

Estimated Cost—The cost of the project is estimated by the Applicant to be $3,000,000.

Agency Comments—The U.S. Fish and Wildlife Service and the Idaho Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to submit appropriate terms and conditions to protect any fish and wildlife resources. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application and may obtain additional information on the proposal from the applicant at the above address. No other formal requests for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before May 15, 1981, either a competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than September 14, 1981. Applications for a preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) 1980. A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 15, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for exemption for Project No. 3503.

Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, Room 208 RB Building, N.E., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9977 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4180-000]

Lawrence Gleeson and Joseph A. Sawyer; Application for Preliminary Permit

March 30, 1981.

Take notice that Lawrence Gleeson and Joseph A. Sawyer (Applicant) filed on February 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4180 to be known as the Sennebec Project located on Sennebec Pond near the Town of Union, Knox County, Maine.

The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Lawrence Gleeson and Joseph A. Sawyer, P.O. Box 402, Mill Lane, Belfast, Maine 04915. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing 12-foot high, 252-foot long, masonry-gravity dam; (2) an existing reservoir with a maximum storage capacity of 13,500 acre-feet; (3) an existing 650-foot long power canal; (4) an existing 100-foot long steel penstock; (5) a new powerhouse to be constructed at the location of the existing Francis turbine of unknown capacity and headbox, containing the existing turbine to be reconditioned, or a new turbine-generator with a rated capacity of 400-kw; (6) a 900-foot long transmission line; and (7) appurtenant facilities. The dam and canal are owned by the Sennebec Lake Association. The penstock, penstock headworks, and proposed powerhouse are owned by the Applicant. The Applicant estimates that the average annual energy output would be 3,500,000 kWh.

Purpose of Project—Energy produced at the project would be sold to Central Maine Power Company for distribution to its customers.

Proposed Scope and Cost of Studies Under Permit—The work proposed under the preliminary permit would include preliminary designs, economic analysis, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant requests a preliminary permit term of 36 months. Applicant estimates that the cost of the work to be performed under the preliminary permit would be $15,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 8, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 7, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10. for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 8, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4180. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9978 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3902-000]

Liberty County, Montana and Montana Renewable Resources, Inc.; Application for Preliminary Permit

March 30, 1981.

Take notice that Liberty County, Montana and Montana Renewable Resources, Inc. (Applicants) filed on December 30, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3902 to be known as the Tiber Dam Project located on the Marias River in Liberty County, Montana. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Jeffrey M. Kossak, Montana Renewable Resources, Inc., Suite 1900, 14 Wall Street, N.Y., N.Y. 10005. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing Water and Power Resources Service's Tiber Dam and would consist of: (1) a proposed powerhouse with an installed generating capacity of 9 MW; and (2) appurtenant facilities. The project area includes approximately 20 acres of Federal lands under the jurisdiction of the Water and Power Resources Service. The Applicant estimates that the average annual energy output would be 42.5 GWh.

Purpose of Project—The Applicants anticipate that the power output of the project would be purchased by Liberty County.

Proposed Scope and Cost of Studies Under Permit—The Applicants seek issuance of a preliminary permit for a period of 36 months. During this time the significant legal, institutional, engineering, environmental, marketing, economic and financial aspects of the project will be defined, investigated and assessed to support an investment decision. The report of the proposed study will address whether or not a commitment to implementation is warranted, and, if the findings are positive, describe the steps required for implementation. The report will be prepared so that the information presented will be useful in preparing an application for license for the project. The Applicant's estimated total cost for performing a feasibility study is $65,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the Tiber Dam Project No. 3574 filed on October 16, 1980, under 18 CFR (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 1, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3902. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9979 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4258-000]

Mason County Public Utility District No. 3; Application for Preliminary Permit

March 30, 1981.

Take notice that Mason County Public Utility District No. 3 (Applicant) filed on February 26, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 4258 to be known as the Middle Fork Satsop River Hydroelectric Project located on Middle Fork, Satsop River in Mason County, near Shelton, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Dennis E. Rohr, General Manager, Mason County, PUD No. 3, P.O. Box 490, Shelton, Washington 98584, and Mr. Benjamin N. Settle, P.O. Box 308, Shelton, Washington 98584, with copies to CH2M Hill, Attention: Mr. Abbas Orumchian, 1500 114th Avenue SE, Bellevue, Washington 98004. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a new 30-foot high by 340-foot long concrete diversion structure creating a pond with approximately 70 acre-feet of storage; (2) a 3,300-foot long, 6-foot diameter steel penstock; (3) a powerhouse to contain one Francis-type, turbine-generating unit with a rated capacity of 2MW; (4) a tailrace channel; and (5) approximately 7.7 miles of 25-kV transmission line to connect to an existing Applicant transmission system. The Applicant estimates that the average annual energy output would be 7.9 million kWh's.

Purpose of Project—Project energy would be used to meet the Applicant's load growth and to offset power purchases now being made by the Applicant to supply its customers.

Proposed Scope and Cost of Studies Under Permit—The Applicant has conducted a reconnaissance study of the site. The Applicant now seeks a preliminary permit for a period of 36 months during which it would study the engineering, environmental, and economic feasibility of the project. A detailed study plan and schedule for new dam construction was filed as part of the application. No studies would be undertaken that would adversely affect the environment. No new road would be required during the permit period. Applicant estimates the cost of the studies under the permit would be about $128,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should

be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 18, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than July 17, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the Nature of a protest may also be submitted by comforming to the procedures specified in section 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 18, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4258. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9580 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

[Project Nos. 4242; 4246]

Truckee-Donner Public Utility District, Calif.; Applications for Preliminary Permit

March 30, 1981.

Take notice that Truckee-Donner Public Utility District, California (Applicant/District) and City of Santa Clara, California (Applicant/City) filed on February 23, 1981, competing applications for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed hydroelectric projects, each to be known as the Stampede Power Project, FERC Project Nos. 4242 and 4246, respectively, located at the Department of the Interior, Water and Power Resources Service's (WPRS) Stampede Dam on Little Truckee River in Sierra County, California. Correspondence with the District should be directed to: Mr. Eugene D. Holt, District General Manager, Truckee-Donner Public Utility District, P.O. Box 309, Truckee, California 95734. Correspondence with the City should be addressed to Mr. Barry R. Flynn, Director of Electric Utility, City of Santa Clara, 1500 Warburton Ave., Santa Clara, California 95050. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description.—The proposed project would consist of: (a) a 4.5-foot diameter penstock connecting the existing outlet of the WPRS's Stampede Reservoir with; (b) a powerhouse containing two generating units with a total rated capacity of 4,000 kW (District) or 3,750 kW (City); and (c) appurtenant facilities. The District and the City, each estimates that the annual energy output would be 13 and 18 million kWh, respectively.

Purpose of Project.—Both applicants propose to utilize project energy to satisfy their own demands.

Proposed Scope and Cost of Studies Under Permit.—District and City seek issuance of preliminary permits for periods of 24 and 36 months, respectively to perform data acquisition, investigations, preliminary designs, feasibility and environmental studies. The cost of the above activities, along with preparation of the environmental impact report, obtaining agreements with the WPRS and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the District and the City to be $45,000 and $125,000, respectively.

Purpose of Preliminary Permit.—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments.—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described applications for preliminary permit. (A copy of the applications may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications.—These applications were filed as competing applications to American Hydroelectric Development Corporation's Project No. 3727 under 18 CFR (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene.—Anyone desiring to be heard or to make any protests about these applications should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in section 1.10. for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who

merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before April 30, 1981.

Filing and Service of Responsive Documents.—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made a response to this notice of application for preliminary permit for Project No. 4242 and/or Project No. 4246. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-9081 Filed 4-1-81; 8:45 am]

BILLING CODE 6450-85-M

ENVIRONMENTAL PROTECTION AGENCY

[PP OG2360/T288; PH-FRL 1796-5]

Ethephon; Establishment of Temporary Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: A temporary tolerance has been established for residues of the plant growth regulator ethephon [(2-chloroethyl) phosphonic acid] in or on the raw agricultural commodity sugarcane at 0.6 part million (ppm).

DATE: This temporary tolerance expires February 12, 1983.

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 412E, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7066).

SUPPLEMENTARY INFORMATION: A temporary tolerance has been established for residues of the plant growth regulator ethephon [(2-chloroethyl) phosphonic acid] in or on the raw agricultural commodity sugarcane at 0.6 part million (ppm). This tolerance is established in response to pesticide petition OG2360 submitted by Union Carbide, Agricultural Products Co., Inc., Brookside Ave., Ambler, PA 19002.

This temporary tolerance will permit the marketing of the above raw agricultural commodity when treated in accordance with the experimental use permit (264-EUP-59) which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (92 Stat. 819; 7 U.S.C. 136).

The scientific data reported and other relevant material have been evaluated, and it has been determined that the temporary tolerance will protect the public health. Therefore, the temporary tolerance is established on the condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The amount of the pesticide to be used will not exceed the amount authorized in the experimental use permit.

2. Union Carbide will immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company will also keep records of production, distribution, and performance, and on request make these record available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires February 12, 1983. Residues remaining in or on the raw agricultural commodity after the expiration date will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicates that such revocation is necessary to protect the public health.

(Sec. 408(j), 68 Stat. 516, (21 U.S.C. 346a(j))).

Dated: March 24, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-9038 Filed 4-1-81; 8:45 am]

BILLING CODE 6560-32-M

[A-5-FRL 1796-1]

Extension of Prevention of Significant Deterioration Permit for Indianapolis Power & Light Co., Patriot Station

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

ACTION: Notice of final action on PSD permit extension.

SUMMARY: On June 20, 1980, the Indiana Power and Light Company (IPALCO) requested a two year extension from June 14, 1981 to June 14, 1983 for the date of commencement of construction of Unit 1 at the Patriot Generating Station located in Switzerland County, Indiana. In the December 24, 1980 **Federal Register** (45 FR 85154), EPA proposed to approve this extension request. EPA today approves this extension request for Unit 1.

FOR FURTHER INFORMATION CONTACT: Richard Clarizio, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, Phone (312) 886-6035.

DATE: This action is effective on March 20, 1981.

SUPPLEMENTARY INFORMATION: On December 14, 1979, EPA granted IPALCO a Prevention of Significant Deterioration (PSD) permit to construct three 650-megawatt coal-fired units at the Patriot Station in Switzerland County, Indiana. The notice announcing this approval appeared in the **Federal Register** on January 10, 1980 (45 FR 2095).

According to the PSD permit, IPALCO is to commence construction on Unit 1 by June 14, 1981. If construction does not commence by that date, the company's PSD permit for the three units will become invalid, unless an extension is granted. An extension of the date for commencement of construction on the first unit of a phased construction project may be granted if a satisfactory showing is made that such an extension is justified [40 CFR 52.21(r)(2) (1980), 45 FR 52741].

On June 20, 1980, IPALCO requested EPA to extend the date for commencement of construction of Unit 1 from June 14, 1981 to June 14, 1983. The company stated that due to a reduction in demand for electrical generating capacity, Unit 1 would not be needed until later than originally projected in the PSD permit. In support of its request that the date be extended and that the current PSD permit remain effective, the company noted, among other things, the expense of siting studies, land

purchases, environmental studies and engineering designs which would be necessary to obtain new permits if the company's current permit became invalid.

EPA reviewed IPALCO's request and in the December 24, 1980 **Federal Register** proposed to approve the two year extension. In that **Federal Register**, EPA stated that due to the unforeseen reduction in consumer demand there was sufficient justification, in this case, to grant an extension of the commencement date for Unit 1. EPA believed that it would be unwise to require the company to proceed with construction absent the need for additional electrical capacity. Furthermore, EPA stated that as long as IPALCO remains committed to proceeding with the construction, it would be wasteful of both the company's and Agency's resources to invalidate the company's present PSD permit and require another PSD review of the project during the next two years. A thirty-day public comment period was provided for interested parties to comment on EPA's proposed approval. Comments were specifically solicited from the State of Indiana as to the appropriateness of the proposed extension since it affects the use of the PSD increment.

EPA received two comments on its proposed approval. One comment was submitted by the Indiana Air Pollution Control Division (IAPCD) and the other was submitted by the Kentucky Department for Natural Resources and Environmental Protection (KDNREP). IAPCD indicated its support of EPA's proposed approval. KDNREP expressed general concerns over the impact that this extension might have on other sources which may want to locate in the portion of Kentucky affected by this source. In subsequent conversations, however, KDNREP indicated that it was not aware of any sources which objected to EPA's proposed approval nor was it aware of any sources which presently intend to construct in the area affected by this source.

EPA has reviewed the comments received and has determined that the extension requested by IPALCO for construction of Unit 1 is acceptable. Therefore, EPA approves the extension request. Construction of IPALCO's Unit 1 must commence by June 14, 1983. It should be noted that EPA's regulations provide only for extensions of commencement dates for the first unit of a phased construction project, [40 CFR 52.21(r)(2)] and that further extensions of the commencement date for Unit 1 are unlikely. Furthermore, in addition to the regulatory requirements for the commencement of construction, there are also provisions concerning its completion. In particular, 40 CFR 52.21(r)(2) (1980) states that construction must be completed within a reasonable time. This applies to all three units located at IPALCO's Patriot Generating Station.

Under Executive Order 12291 (Order), EPA must judge whether an action is a "major rule" and, therefore, subject to the requirements of a regulatory impact analysis. Today's action is not a rule as defined by section 1(a) of the Order because it applies to a PSD permit for a single source and is, therefore, not a statement of general applicability.

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

Dated: March 20, 1981.

Valdas V. Adamkus,

Acting Regional Administrator.

[FR Doc. 81-9943 Filed 4-1-81; 8:45 am]

BILLING CODE 6560-38-M

[PP 5G1627/T290; PH-FRL 1796-4]

Paraquat Dichloride; Renewal of Temporary Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: A temporary tolerance has been renewed for residues of the desiccant, defoliant, and herbicide paraquat dichloride in or on the raw agricultural commodity dry beans at 0.5 part per million (ppm).

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 412E, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7066).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of August 19, 1976 (41 FR 35096) that a temporary tolerance had been established for residues of the desiccant, defoliant, and herbicide paraquat dichloride in or on the raw agricultural commodity dry beans. This tolerance was requested by Chevron Chemical Co., Ortho Agricultural Chemicals Div., 940 Hensley St., Richmond, CA 94804.

Chevron Chemical Co. has requested a renewal of the temporary tolerance to permit the continued marketing of the above raw agricultural commodity when treated in accordance with the experimental use permit (239-EUP-75) which is being renewed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (92 Stat. 819; 7 U.S.C. 136).

The scientific data reported and other relevant material have been evaluated and it has been determined that the temporary tolerance will protect the public health. Therefore, the temporary tolerance is renewed on the condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The amount of the pesticide to be used will not exceed the amount authorized in the experimental use permit.

2. Chevron will immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company will also keep records of production, distribution, and performance, and on request make these records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires February 18, 1983. Residues remaining in or on the raw agricultural commodity after the expiration date will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicates that such revocation is necessary to protect the public health.

(Sec. 408(j), 68 Stat. 516, (21 U.S.C. 346a(j)))

Dated: March 24, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-9939 Filed 4-1-81; 8:45 am]

BILLING CODE 6560-32-M

[PP 7G1939/T292; PH-FRL 1796-3]

Uniroyal Chemical; Extension of Temporary Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Temporary tolerances have been extended for residues of the defoliant and desiccant 2,3-dihydro-5,6-dimethyl-1,4-dithiin-1,1,4,4-tetraoxide in or on the raw agricultural commodities cotton at 0.2 part per million (ppm) and potatoes at 0.1 ppm.

DATE: These temporary tolerances expire July 1, 1982.

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 412E, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7066).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of January 21, 1980 (45 FR 6067) that temporary tolerances had been established for residues of the defoliant and desiccant 2,3-dihydro-5,6-dimethyl-1,4-dithiin-1,1,4,4-tetraoxide in or on cotton at 0.2 part per million (ppm) and potatoes at 0.1 ppm. The tolerances were requested by Uniroyal Chemical, A Division of Uniroyal Inc., 74 Amity Rd., Bethany, CT 06525.

Uniroyal Chemical has requested an extension of the temporary tolerances to permit the continued marketing of the above raw agricultural commodity when treated in accordance with the experimental use permit (400-EUP-53) which is being extended under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (92 Stat. 819; 7 U.S.C. 136).

The scientific data reported and other relevant material have been evaluated, and it has been determined that the temporary tolerances will protect the public health. Therefore, the temporary tolerances are extended on the condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The amount of the pesticide to be used will not exceed the amount authorized in the experimental use permit.

2. Uniroyal Chemical will immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company will also keep records of production, distribution, and performance, and on request make these records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These temporary tolerances expire July 1, 1982. Residues remaining in or on the raw agricultural commodities after the expiration date will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary tolerances. These temporary tolerances may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicates that such revocation is necessary to protect the public health.

(Sec. 408(j), 68 Stat. 516, (21 U.S.C. 346a(j)))

Dated: March 24, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-9942 Filed 4-1-81; 8:45 am]

BILLING CODE 6560-32-M

FEDERAL COMMUNICATIONS COMMISSION

FCC Philadelphia, Pennsylvania Office; Relocated

March 30, 1981.

The Philadelphia, Pennsylvania office of the Field Operations Bureau, formerly located at 601 Market Street, has been relocated as of March 30, 1981. The new address and telephone number is: Address: 1 Oxford Valley Office Bldg., Room 404, 2300 E. Lincoln Highway, Langhorne, Pennsylvania 19047; Telephone: (215) 751-1331, (215) 752-1323 (recorded message).

The field office is responsible for providing assistance in resolving interference problems, examining and licensing of radio operators, and information to the public and communications users.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-9950 Filed 4-1-81; 8:45 am]

BILLING CODE 6712-01-M

[Report No. B-20]

TV Broadcast Application Accepted for Filing and Notification of Cut-Off Date

Released: March 27, 1981.

Cut-Off Date: May 15, 1981.

Notice is hereby given that the application listed below is accepted for filing. Because the application listed below is in conflict with an application which was accepted for filing and listed previously as subject to a cut-off date for conflicting applications, no application which would be in conflict with the below-listed application will be accepted for filing.

Petitions to deny the application listed below and minor amendments thereto must be on file with the Commission not later than the close of business on May 15, 1981. The application previously accepted for filing and in conflict with the below-listed application may also be amended as a matter of right not later than the close of business on May 15, 1981. Amendments filed pursuant to this notice are subject to the provisions of § 73.3572(b) of the Commission's Rules.

BPET-595 (new), Denton, Texas, Denton Channel Two Foundation, Inc., Channel 2, ERP: Vis. 100 kW; HAAT: 922 feet.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-9960 Filed 4-1-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

[Agreements Nos. T-3955 and T-3955-1]

Lease Agreement Between Tampa Port Authority and Mitsui & Co. (U.S.A.), Inc.; Availability of Finding of No Significant Impact

Upon completion of an assessment, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on the Agreements Nos. T-3955 and T-3955-1 between the Tampa Port Authority and Mitsui & Co. (U.S.A.), Inc. which involve a lease and construction of phosphoric acid storage tanks at the Big Bend Terminal, Hillsborough County, Florida, will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of an environmental impact statement is not required.

This Finding of No Significant Impact (FONSI) will become final within 10 days unless a petition for review is filed pursuant to 46 CFR 547.6(b).

The FONSI and related environmental assessment are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523-5725.

Joseph C. Polking,

Acting Secretary.

[FR Doc. 81-9957 Filed 4-1-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed De Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to

section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8)) and section 225.4(b)(1) of the Board's Regulation Y (12 CFR § 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than April 26, 1981.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

The Chase Manhattan Corporation, New York, New York (mortgage banking and related lending and insurance activities; Orlando, Florida): to make or acquire, for its own account or for the account of others, loans and other extensions of credit secured by real estate, including but not limited to, first and second mortgage loans secured by mortgages on a one-to-four family residential properties; to service loans and other extensions of credit for any person; to sell mortgage loans in the secondary market; and to offer mortgage term life insurance, accident and health insurance and disability insurance directly related to such lending and servicing activities. These activities are presently conducted by its subsidiary Housing Investment Corporation of Florida at an office at 101 Wymore Road, Altamonte Springs, Florida. It is proposed that such office be moved to a new location at a building currently under construction at Mills and Livingston Streets, Orlando, Florida. The office will serve an area within 60 miles of Orlando, Florida. Comments on this application must be received not later than April 27, 1981.

Citicorp, New York, New York (finance and insurance activities; Arkansas): to expand the service area of an existing office of its subsidiary, Citicorp Person-to-Person Financial Center, Inc., located in Tulsa, Oklahoma. The previously approved activities of that office are as follows: the purchasing and servicing for its own account of sales finance contracts; the extensions of loans to dealers for the financing of inventory (floor planning) and working capital purposes; the sale of credit related life and accident and health or decreasing or level (in the case of single payment loans) term life insurance by licensed agents or brokers, as required; and the servicing, for any person, of loans and other extensions of credit. The previously approved service area of the office, comprised of the entire State of Oklahoma, would be expanded to include the entire State of Arkansas. Credit related decreasing term life, accident, and health insurance may be underwritten by Family Guardian Life Insurance Company, an affiliate of Citicorp Person-to-Person Financial Center, Inc.

B. *Other Federal Reserve Banks:* None.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-9915 Filed 4-1-81; 8:45 am]

BILLING CODE 6210-01-M

Barclays Interamerican Corporation; Corporation To Do Business Under Section 25(a) of the Federal Reserve Act

An application has been submitted for the Board's approval of the organization of a corporation to do business under section 25(a) of the Federal Reserve Act ("Edge Corporation"), to be known as Barclays Interamerican Corporation, Houston, Texas.

Barclays Interamerican Corporation would operate as a subsidiary of Barclays Bank International Limited, London, England. The factors that are considered in acting on the application are set forth in § 211.4(a) of the Board's Regulation K (12 CFR § 211.4(a)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than April 26, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identify specifically any questions of fact that are in dispute and summarize the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 27, 1981.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-9914 Filed 4-1-81; 8:45 am]

BILLING CODE 6210-01-M

Columbine Valley Corp.; Formation of Bank Holding Company

Columbine Valley Corporation, Littleton, Colorado, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Columbine Valley Bank and Trust, Littleton, Colorado. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 23, 1981. Any comment on an application that requests must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 26, 1981.

James McAfee,

Secretary of the Board.

[FR Doc. 81-9916 Filed 4-1-81; 8:45 am]

BILLING CODE 6210-01-M

European American Bancorp; Proposed Acquisition of Dorman and Wilson, Inc.

European American Bancorp, New York, New York, has applied, pursuant

to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR § 225.4(b)(2)), for permission to acquire voting shares of Dorman & Wilson, Inc., White Plains, New York.

Applicant states that the proposed subsidiary would engage in the activities of mortgage banking, loan servicing and real estate appraising. These activities would be performed from offices of Applicant's subsidiary in White Plains and Jericho, New York; Parsippany, New Jersey; and Philadelphia, Pennsylvania, and the geographic areas to be served are the States of New York, Connecticut, and New Jersey, and the Philadelphia, Pennsylvania metropolitan area. Such activities have 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 section 225.4(b).

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 request for a hearing on this question 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 application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than April 26, 1981.

Board of Governors of the Federal Reserve System, March 27, 1981.

James McAfee,

Secretary of the Board.

[FR Doc. 81-9917 Filed 4-1-81; 8:45 am]

BILLING CODE 6210-01-M

United Bank Corporation of New York; Proposed Acquisition of United Reinsurance-Life Company

United Bank Corporation of New York, Albany, New York, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR § 225.4(b)(2)), for permission to acquire voting shares of United Reinsurance-Life Company, Phoenix, Arizona.

Applicant states that the proposed subsidiary would engage in the activity of underwriting, as reinsurer, credit life and credit accident and health insurance directly related to extensions of credit by Applicant's credit granting subsidiaries in New York State. These activities would be performed from offices of Applicant's subsidiary in Phoenix, Arizona, and the geographic area to be served is the State of New York. Such activities have 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 section 225.4(b).

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 request for a hearing on this question 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 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 26, 1981.

Board of Governors of the Federal Reserve System, March 27, 1981.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-9918 Filed 4-1-81; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

[Intervention Notice 134]

American Telephone & Telegraph Co.; the Federal Communications Commission; Proposed Intervention in a Telephone Rate Increase Proceeding

The General Services Administration seeks to intervene in a proceeding before the Federal Communications Commission concerning the application of the American Telephone and Telegraph Company for an increase in telephone private line rates. GSA represents the interests of the executive agencies of the U.S. Government as users of telephone services.

Persons desiring to make inquiries to GSA concerning this case should submit them in writing to Charles V. Curcio, Assistant General Counsel, Automated Data and Telecommunications Division, General Services Administration, 18th & F Streets, N.W., Washington, DC (mailing address: General Services Administration (LX), Washington, DC 20405), telephone 202-566-1156, on or before May 4, 1981 and refer to this notice number.

Persons making inquiries are put on notice that the making of an inquiry shall not serve to make any persons parties of record in the proceeding.

(Section 201(a)(4), Federal Property and Administrative Services Act, 40 U.S.C. 481(a)(4))

Dated: March 20, 1981.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 81-9904 Filed 4-1-81; 8:45 am]

BILLING CODE 6820-25-M

[F-81-4]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent, in conjunction with the Administrator of General Services, the consumer interests of the Executive Agencies of the Federal Government in proceedings before the Oklahoma Corporation Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to

represent the consumer interests of the Federal executive agencies before the Oklahoma Corporation Commission involving the application of the Southwestern Bell Telephone Company for an increase in rates for intrastate telecommunications service. The authority delegated to the Secretary of Defense shall be exercised concurrently with the Administrator of General Services.

b. The Secretary may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: March 20, 1981.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 81-9906 Filed 4-1-81; 8:45 am]

BILLING CODE 6820-25-M

[Intervention Notice 133]

Texas Power & Light Co., Public Utility Commission of Texas; Proposed Intervention in Electric Rate Increase Proceeding

The General Services Administration seeks to intervene in a proceeding before the Texas Public Utility Commission involving an application of the Texas Power and Light Company for an increase in its annual electric revenues. GSA represents the interests of the executive agencies of the U.S. Government as users of electric utility service.

Persons desiring to make inquiries to GSA concerning this case should submit them, in writing, to Albert A. Vicchiolla, Assistant General Counsel, Transportation and Public Utilities Division, General Services Administration, 425 I Street, N.W., Washington, D.C. Mailing address: General Services Administration (LT), Washington, DC 20406, telephone 202-275-6101, on or before May 4, 1981.

Persons making inquiries are put on notice that the making of an inquiry shall not serve to make any persons parties of record in the proceeding.

[Section 201(a)(4), Federal Property and Administrative Services Act, 40 U.S.C. 481(a)(4))

Dated: March 20, 1981.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 81-9905 Filed 4-1-81; 8:45 am]

BILLING CODE 6820-AM-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Hyperbaric Oxygen Therapy; Evaluation of Medical Technology

The National Center for Health Care Technology (Center) announces that it is conducting an evaluation of what is known of the safety and clinical effectiveness of hyperbaric oxygen therapy for treatment of actinomycosis.

Based on this evaluation, a recommendation will be formulated to assist the Health Care Financing Administration (HCFA) in establishing Medicare coverage policy. Any person or group wishing to provide the Center with information relevant to this evaluation should do so in writing no later than July 1, 1981. To enable the Center's staff to give appropriate consideration to any literature references or analyses of clinical data, a written summary no longer than 10 pages should be attached to any such material submitted.

Written material should be submitted to: Division of Medical and Scientific Evaluation, National Center for Health Care Technology, Room 17A29, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

For further information contact: Dennis J. Cotter, Health Science Analyst, at the above address or by telephone (301)443-4990.

Dated: March 27, 1981.

Wayne C. Richey, Jr.,

Acting Executive Secretary, Office of Health Research, Statistics, and Technology.

[FR Doc. 81-9952 Filed 4-1-81; 8:45 am]

BILLING CODE 4110-85-M

National Institutes of Health

Board of Scientific Counselors, NLM; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Library of Medicine, April 30 and May 1, 1981, in the Cluster Conference Room of the Lister Hill Center Building, 8600 Rockville Pike, Bethesda, Maryland.

The meeting will be open to the Public from 10:00 a.m. to 5:30 p.m. on April 30, and from 8:00 a.m. to 3:30 p.m. on May 1, for the review of research and development programs of the Lister Hill National Center for Biomedical Communications and the National Medical Audiovisual Center. 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 Public Law 92-463, the meeting will be closed to the public on May 1 from approximately 3:30 p.m. to 4:00 p.m. for the consideration of personnel qualifications and performance of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Executive Secretary, Dr. Lionel Bernstein, Director, Lister Hill National Center for Biomedical Communications, NLM, 8600 Rockville Pike, Bethesda, Maryland 20209, telephone (301) 496-4441, will furnish summaries of the meeting, rosters of committee members, and substantive program information.

Dated: March 25, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81-9822 Filed 4-1-81; 8:45 am]

BILLING CODE 4110-08-M

National Advisory Child Health and Human Development Council; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Advisory Child Health and Human Development Council, May 18-19, 1981, in Building 31, Conference Room 10, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public on May 18 from 9:00 a.m. to 5:00 p.m. with current status reports, review of the Mental Retardation and Developmental Disabilities Branch, and scientific presentations. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on May 19 from 9:00 a.m. to adjournment for the review, discussion, and evaluation of individual grant applications. The applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Marjorie Neff, Council Secretary, NICHD, Landow Building, Room 6C08, National Institutes of Health, Bethesda, Maryland 20205, Area Code 301, 496-1485, will provide a summary of the meeting and a roster of Council members as well as substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.864, Population Research,

and 13.865, Research for Mothers and Children, National Institutes of Health)

Dated: March 19, 1981.

NIH programs are not covered by OMB Circular A–95 because they fit the description of "program not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Thomas E. Malone,

Deputy Director, NIH

[FR Doc. 81-9824 Filed 4-1-81; 8:45 am]

BILLING CODE 4110-08-M

Public Health Service

Blood Glucose Analyzers; Evaluation of Medical Technology

The National Center for Health Care Technology (Center) announces that it is conducting an evaluation of what is known of the safety and clinical effectiveness of blood glucose analyzers for use in the patient's home.

Based on this evaluation, a recommendation will be formulated to assist the Health Care Financing Administration (HCFA) in establishing Medicare coverage policy. Any person or group wishing to provide the Center with information relevant to this evaluation should do so in writing no later than July 1, 1981. To enable the Center's staff to give appropriate consideration to any literature references or analyses of clinical data, a written summary no longer than 10 pages should be attached to any such material submitted.

Written material should be submitted to: Division of Medical and Scientific Evaluation, National Center for Health Care Technology, Room 17A29, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

For further information contact: Pierre Renault, M.D., Associate Director for Medical and Scientific Evaluation, at the above address or by telephone (301) 443–4990.

Dated: March 27, 1981.

Wayne C. Richey, Jr.,

Acting Executive Secretary, Office of Health Research, Statistics, and Technology.

[FR Doc. 81-9951 Filed 4-1-81; 8:45 am]

BILLING CODE 4110-85-M

Geological Survey

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Union Oil Company of California has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 2075, Block 201, Vermilion Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: March 24, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-9909 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Oxy Petroleum, Inc. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 4555, Block 502, Brazos Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays, 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: March 24, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-9893 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-31-M

DEPARTMENT OF THE INTERIOR

Texas; Request for Public Comment on Maximum Economic Recovery and Fair Market Value; Correction

AGENCY: U.S. Geological Survey, Interior.

ACTION: Correction.

In FR Doc. 81–5781 appearing on page 13384 in the issue of Friday, February 20, 1981, certain Corps of Engineers real estate tract numbers should be changed or added:

(1) Tract A27 is changed to A37;

(2) Tract D145 is listed twice, the second reference is deleted;

(3) Tract D139 is added; and

(4) Tract D142 is added.

James W. Sutherland,

Conservation Manager, South Central Region.

[FR Doc. 81-9927 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-31-M

Delegation of Authority

Federal Oil and Gas Lease Form 3300–1 (September 1978) provides for the submission of royalty and other payments as follows:

The lessee shall make all payments to the lessor by check, bank draft, or money order unless otherwise provided by regulations or by direction of the lessor. Rentals, royalties

and other payments required by this lease shall be made payable to the United States Geological Survey and tendered to the *Director*, except that filing charges, bonuses, first year's rental and other payments due upon lease issuance, shall be made payable to the Bureau of Land Management and remitted to the manager of the appropriate field office of that Bureau.

The Director of the Geological Survey has delegated his authority to receive rental and royalty payments from Outer Continental Shelf (OCS) lessees pursuant to Lease Form 3300–1 to the Chief, Conservation Division. The object of the delegation is to conform the practice under Lease Form 3300–1 with the practice authorized by other OCS lease forms.

The delegation as it will appear in the Geological Survey Manual reads as follows:

The authority to receive rental and royalty payments from Outer Continental Shelf (OCS) lessees under Lease Form 3300–1 (September 1978), except for the first year's rental, is hereby delegated to the Chief, Conservation Division.

The delegation is effective on April 2, 1981.

Dated: February 13, 1981.

Doyle G. Frederick,

Director.

[FR Doc. 81-9867 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-31-M

Bureau of Indian Affairs

Irrigation Operation and Maintenance Charges; Water Charges and Related Information Wind River Irrigation Project, Wyoming

This notice of operation and maintenance rates and related information is published under the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs in 230 DMI and redelegated by the Assistant Secretary—Indian Affairs to the Area Directors in 10 BIAM 3, and by authority delegated to the Superintendent by the Area Director in 10 BIAM 7.0 § 2.70. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and Sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9), and also under 25 CFR 191.1(e).

Pursuant to the final rule published on June 14, 1977, in 43 FR 30361, this notice sets forth the changes to the operation and maintenance charges, and related information, applicable on presently assessable land located within the Wind River Irrigation Project, Wyoming, south of the Big Wind River. These charges were proposed pursuant to the authority contained in the Acts of August 1, 1914, and March 7, 1928, (38 Stat. 583, 25 U.S.C. 385; 45 Stat. 210, 25 U.S.C. 387).

Public notices were published weekly in three local newspapers and one regional newspaper; placed in several of the post offices and other public buildings throughout the reservation. The Project Engineer also discussed the project's financial situation necessitating an increase in the irrigation operation and maintenance assessment at a meeting of the Wind River Water Users Association on January 29, 1981 and at the Joint Business Council meeting of the Shoshone and Arapahoe Tribes on February 18, 1981. Interested persons were given 30 days in which to submit written comments, views or arguments regarding the proposed rate. Ten written comments were received during this period which ended March 20, 1981. Though some of the comments had suggestions concerning the operation of the project, none presented substantive information which would lead to the revision or withdrawal of the proposed operation and maintenance rate increase.

In compliance with the above, the operation and maintenance charge for the assessable lands under the Wind River Irrigation Project, Wyoming south of the Big Wind River, for the calendar year 1981 and subsequent years until further notice, is hereby fixed at $1.10 per acre.

The operation and maintenance charges for the assessable trust patent Indian lands of the Wind River Irrigation Project, which lies north of the Big Wind River (LeClair Irrigation District) will remain at $9.50 per acre for 1981 and subsequent years until further notice.

Richard C. Whitesell,

Superintendent, Wind River Agency.

[FR Doc. 81-9954 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

[LA 0106794]

California; Order Providing for Opening of Public Land

March 26, 1981.

1. In an exchange of lands made under the provision of Section 8 of the Act of June 28, 1934, 48 Stat. 1269, 1272, as amended and supplemented, 43 U.S.C. 315g(1964), the following land has been reconveyed to the United States:

San Bernardino Meridian

T. 9 N., R. 12 E.,
Sec. 16, All;
T. 11 N., R. 13 E.,
Sec. 36, All, excluding Patented M.S. 4693;
T. 12 N., R. 8 E.,
Sec. 16, All;
T. 13 N., R. 1 E.,
Sec. 36, All;
T. 13 N., R. 7 E.,
Sec. 16, All;
Sec. 36, All;
T. 13 N., R. 8 E.,
Sec. 16, All.

The area aggregates 4,480 acres in San Bernardino County, California.

2. At 10 a.m. on April 30, 1981, the land shall be open to operation of the public land laws generally, including the mining laws (30 U.S.C. Ch. 2), and the mineral leasing laws, subject to valid existing rights, the provision of existing withdrawals, and the requirement of applicable law. All valid applications received at or prior to 10 a.m. on April 30, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. Inquiries concerning the lands should be addressed to the Bureau of Land Management, Department of the Interior, Room E–2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Joan B. Russell,

Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc. 81-9928 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

District Grazing Advisory Board Susanville, Calif.; Meeting

Notice is hereby given in accordance with Pub. L. 94–579 (FLPMA) that a meeting of the Susanville District Grazing Advisory Board will be held on May 14, 1981.

The meeting will begin at 10:00 a.m. in the Susanville District Office of the Bureau of Land Management, Susanville, California.

The agenda for the meeting will include:

1. Comments from the California State Director.
2. Report on AMP Development in Surprise Resource Area.
3. Report on Water Development in Long Valley Allotment.
4. Report on Type of Seed Bed Preparation for Proposed Long Valley Seeding.
5. Discussion of 1982 Projects and Possibility of RCD Participation.
6. Discussion of Alturas AMP Fence Modification.
7. Cooperative Projects for 1982.
8. Other Items as Appropriate.
9. Public Comments.

The meeting is open to the public. Interested persons may make oral statements to the Board between 3:30 p.m. and 4:30 p.m., or file a written statement for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 1090, Susanville, California, 96130, by May 9, 1981. Depending upon the number of persons wishing to make oral statements, a per person list limit may be established.

Summary minutes of the Board Meeting will be maintained in the District Office and will be available for public inspection and reproduction (during regular business hours) within 20 days following the meeting.

C. Rex Cleary,

District Manager.

[FR Doc. 81-9956 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

Richfield District Multiple Use Advisory Council; Meeting

March 27, 1981.

Notice is hereby given that a meeting of the Richfield District Advisory Council will be held on April 28, 1981. The meeting will be held at Little Sahara Recreation Area, 30 miles west of Nephi, Utah along U.S. Highway 6, at 10:00 a.m.

The agenda for the meeting will include:

(1) Discussion and comment on Mountain Valley Rangeland Program.

(2) Status update on Henry Mountain Planning Area.

(3) Discussion of Paiute Tribe of Utah Restoration Act.

(4) Introduction and discussion of BLM's management of public lands on Western Desert, including

(a) Issues identified for development of a Resource Management Plan (House Range Resource Area).

(b) Impacts of Intermountain Power Project and proposed construction of MX missile.

(c) Management and features of Little Sahara Recreation Area.

(5) Tour of Little Sahara Recreation Area.

The meeting is open to the public. Interested persons may present oral statements to the council at 1:00 p.m. on April 28 or file a written statement for the council's consideration. Persons wishing to make oral statements should notify the District Manager, Bureau of Land Management, 150 East 900 North, Richfield, Utah 84701, (801) 896-8221, by April 24, 1981.

Summary minutes of the council meeting will be maintained in the District Office and will be available for public inspection and reproduction during the regular business hours within 30 days following the meeting.

Larry R. Oldroyd,

Asst. District Manager.

[FR Doc. 81-9955 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

Southwest North Dakota Management Framework Plan and McKenzie-Williams Management Framework Plan

AGENCY: Bureau of Land Management.

ACTION: Notice.

SUMMARY: The Dickinson District Office of the Bureau of Land Management (BLM) has begun to prepare the Southwest North Dakota Management Framework Plan (MFP) and the McKenzie-Williams Management Framework Plan. These plans will serve as guides for the use and possible development of certain federal lands and minerals in eight counties in western North Dakota. Both plans are scheduled for completion by September 30, 1983.

The Southwest planning area includes Billings, Slope, Bowman, Hettinger, Adams, and Grant counties. This area is bounded on the south by South Dakota and on the west by Montana.

The other planning area is composed of McKenzie and Williams counties, which are also adjacent to Montana. These two counties are separated by the Missouri River (Lake Sakakawea).

In the near future, planning brochures for both of the planning areas will be published. They will contain basic statistical information about the areas, overviews of BLM responsibilities and goals, issues to be considered, and general location maps showing BLM-managed minerals and surface lands. The public is encouraged to review the brochures and offer comments. They are asked to look closely at the issues identified and to suggest additional ones. The documents may be obtained free of charge from the Dickinson District Office.

The BLM considers the potential for federal coal development to be the most significant issue in the two planning areas. Nearly all of the mineable federal coal in these areas underlies privately owned surface (split estate). Later in the planning process the Dickinson District Office will consult with the surface owners over the mineable coal to obtain their views concerning mining.

Most of the BLM surface lands in the two areas are small scattered tracts. The only exception is the Big Gumbo Management Area in western Bowman County, where there are approximately 22,400 acres of mostly consolidated surface lands. These lands and most of the other BLM surface lands are leased to ranchers for grazing.

BLM-managed federal oil and gas is scattered throughout the planning area. Development of this resource is increasing.

ADDRESS: The public can obtain copies of either (or both) planning brochure by contacting the Bureau of Land Management, Dickinson District Office, P.O. Box 1229, Dickinson, North Dakota 58601. Telephone number (701) 225-9148.

FOR FURTHER INFORMATION CONTACT: Chuck Steele, District Manager, or Kenneth Burke, Chief of Resources, at the above address. The District Office is located on the Fifth Floor of Pulver Hall, on the campus of Dickinson State College.

SUPPLEMENTARY INFORMATION:

1. The McKenzie-Williams planning area contains 3,030 acres of BLM surface lands and the following split-estate federal minerals under BLM jurisdiction: coal 1,050,686 acres; and oil and gas 31,900 acres. These federal mineral acres include a variety of situations: only oil and gas reserved, only coal reserved, coal and oil and gas together, other mineral combinations, or all minerals reserved to the federal government.

2. The Southwest planning area contains 34,172 acres of BLM surface lands and the following split-estate federal minerals under BLM jurisdiction: coal 792,317 acres; oil and gas 61,536 acres. These minerals occur in as wide a variety of combinations as in the McKenzie-Williams area described above.

3. Within both planning areas there is a large amount of land administered by the U.S. Forest Service (USFS). As the leasing agent for all federal minerals, the BLM actually issues any leases for minerals within USFS boundaries. However, since the USFS has the surface management responsibility and impacts from minerals development occur to the surface environment, the USFS will prepare the land use plan for federal minerals within USFS administrative boundaries (shown on maps in the BLM brochures). This plan will address the split-estate federal coal also, as well as most of the split-estate federal oil and gas. The exact breakdown of responsibility for split-estate oil and gas (and non-energy minerals) will be determined later by agreement between the two agencies. The USFS expects to complete the draft

version of their updated plan for the area by the end of 1981.

Charles E. Steele,

District Manager.

[FR Doc. 81-9958 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

[INT DEIS 81-15]

Sonoma-Gerlach Resource Area, Winnemucca District, Nev.; Proposed Livestock Grazing Management Program

AGENCY: Bureau of Land Management.

ACTION: Notice of Availability of the draft environmental impact statement (DEIS).

SUMMARY: Pursuant to Section 102(2) of the National Environmental Policy Act of 1969, the BLM Winnemucca District has prepared a DEIS on a proposed livestock grazing management program for the Sonoma-Gerlach Resource Area.

SUPPLEMENTARY INFORMATION: The Sonoma-Gerlach Grazing EIS analyzes the effects of allocating available vegetation to livestock, big game, and wild horses on approximately four million acres of public lands in northwestern Nevada. Four alternatives are considered along with the proposed action. They are: no livestock grazing, no action, maximizing livestock, and maximizing wild horses and burros.

Public hearings for this grazing environmental impact statement will be held in Lovelock, Nevada, on April 28, 1981, 8:00 P.M. in the Elementary School, in Winnemucca, Nevada, on April 29, 1981, 7:30 P.M. at the Humboldt County Library, and in Reno, Nevada, on April 30, 1981, 7:30 P.M. at the Eldorado Hotel, 345 N. Virginia. Those persons wishing to testify at these public hearings should notify Bob Neary at the Winnemucca District BLM Office, 705 E. 4th St. (702-623-3676).

Copies of the Sonoma-Gerlach DEIS are available from the District Manager, Attention: EIS Team Leader, Bureau of Land Management, 705 East 4th Street, Winnemucca, Nevada 89445.

Public comments received before May 22, 1981, will be considered for incorporation in the final environmental impact statement to be available in September of 1981. Comments submitted after that date will be used in the land use decision-making process, but will not be included in the final EIS.

FOR FURTHER INFORMATION WRITE: Robert Neary, Division Chief, Planning and Environmental Coordination, Winnemucca District Office 705 E. 4th Street, Winnemucca, NV 89445 (702) 623-3676.

Copies of the DEIS are available for review at the following locations:

Bureau of Land Management, Nevada State Office, P.O. Box 12000, Reno, NV 89520 (702) 784-5602;

Bureau of Land Management, Elko District Office, 2002 Idaho Street, Elko, NV 89801 (702) 738-4071;

Bureau of Land Management, Battle Mountain District Office, Box 194, Battle Mountain, NV 89820 (702) 635-5181;

Bureau of Land Management, Carson City District Office, 1050 E. Williams Street, Carson City, NV 89701 (702) 882-1631;

Bureau of Land Management, Ely District Office, Star Route 5, Box 1, Ely, NV 89301 (702) 289-4865;

Bureau of Land Management, Las Vegas District Office, 4765 W. Vegas Drive, Las Vegas, NV 89102 (702) 385-6403;

Bureau of Land Management, Burns District Office, 74 S. Alvord Street, Burns, OR 97720 (503) 573-2071;

Bureau of Land Management, Vale District Office, Box 700, Vale, OR 97918 (503) 473-3144;

Bureau of Land Management, Susanville District Office, Box 1090, Susanville, CA 96130 (916) 257-5381.

Also, copies are available for review at the following public libraries:

Churchill Public Library, 553 S. Main St., Fallon, NV 89406;

Douglas County Library, Box 337, Minden, NV 89423;

Esmeralda County Library, Goldfield, NV 89013;

Humboldt County Library, 85 East Fifth Street, Winnemucca, NV 89445;

Las Vegas Public Library, 1726 E. Charleston Blvd., Las Vegas, NV 89104;

Lyon County, 29 Nevin Way, Yerington, NV 89447;

Nevada State Library, Library Building, Carson City, NV 89710;

Ormsby Public Library, 900 N. Roop, Carson City, NV 89701;

Storey County Library, Storey County Courthouse, Virginia City, NV 89440;

University of Nevada, Las Vegas, James R. Dickensen Library, 4505 Maryland Parkway, Las Vegas, NV 89154;

Clark County Library, 1401 E. Flamingo Road, Las Vegas, NV 89109;

Elko County Library, 720 Court Street, Elko, NV 89801;

Eureka County Library, Eureka, NV 89316;

Lander County Library, Battle Mountain, NV 89820;

Lincoln County Library, Box 248, Pioche, NV 89043;

Mineral County Library, 1st and D Streets, Hawthorne, NV 89415;

Nye County Library, Tonopah, NV 89049;

Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419;

University of Nevada, Reno, Getchell Library, Reno, NV 89507;

Washoe County Library, 301 S. Center Street, Reno, NV 89505;

White Pine County Library, City Hall, Ely, NV 89301.

Dated: March 25, 1981.

Roger J. McCormack,

Associate State Director, Nevada.

[FR Doc. 81-9929 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

[W-075755]

Wyoming; Proposed Continuation of Withdrawal

March 25, 1981.

The Bureau of Land Management, U.S. Department of the Interior, proposes to continue the existing withdrawal of the following public lands made by Public Land Order No. 2578 on December 28, 1961, for a twenty (20) year period pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2751; 43 U.S.C. 1714):

Sixth Principal Meridian, Wyoming

T. 21 N., R. 87 W.,
Sec. 8, lot 161.

The area described contains 5.81 acres in Carbon County, Wyoming.

The above land is withdrawn and reserved for use as Administrative Site by the Bureau of Land Management's Rawlins District Office. The lands are segregated from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C. Chapter 2). No change in the segregative effect of this withdrawal is proposed.

Comments, suggestions, or objections to this proposed withdrawal continuation must be submitted in writing to the undersigned authorized officer of the Bureau of Land Managment, on or before May 9, 1981.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned before May 9, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. Public hearings are scheduled

and conducted in accordance with BLM Manual, Section 2351.16B.

The authorized officer of the Bureau of Land Management will make necessary investigations to determine the existing and potential demands for the land and its resources and review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and, if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be sent to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 1828, 2515 Warren Avenue, Cheyenne, Wyoming 82001.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-9930 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

[W-47249]

Wyoming; Proposed Continuation of Withdrawal

March 25, 1981.

The Bureau of Land Management, U.S. Department of the Interior, proposes to continue the existing withdrawal of the following public lands made by Public Land Order No. 5538 of September 15, 1975, for an indefinite period pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1714 (1976)):

Sixth Principal Meridian, Wyoming

Public Lands

T. 41 N., R. 90 W.,
Sec. 1, lot 1, SE¼NE¼, E½SE¼, and SW¼SE¼;
Sec. 12, NE¼.
The area described contains 359.96 acres.

Mineral Estate

T. 41 N., R. 90 W.,
Sec. 1, lots 2, 3, 4, SW¼NE¼, S½NW¼, W½SW¼, and NW¼SE¼;
Sec. 12, NW¼, W½SW¼, and N½SE¼.
The area described contains 679.34 acres.

The areas described contain a total of 1,039.30 acres in Hot Springs County, Wyoming.

The purpose of this withdrawal is to protect Bates Battlefield, the site of a conflict that took place on July 4, 1874, between the U.S. Cavalry-Shoshone Indian Alliance and the Arapahoe Indian tribe under Sharp Nose prior to the internment of the tribe on the Wind River Reservation. The site is listed on the National Register of Historic Places. The above lands are segregated from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Chapter 2). No change in the segregative effect of this withdrawal is proposed.

Comments, suggestions, or objections to this proposed withdrawl continuation must be submitted in writing to the undersigned authorized officer of the Bureau of Land Management, on or before May 9, 1981.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned before May 9, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. Public hearings are scheduled and conducted in accordance with BLM Manual, Section 2351.16B.

The authorized officer of the Bureau of Land Management will make necessary investigations to determine the existing and potential demands for the land and its resources and review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and, if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be sent to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 1828, 2515 Warren Avenue, Cheyenne, Wyoming 82001.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-9931 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

Eastern States; Transfer of Submarginal Lands; Bad River Indian Reservation

Correction

In FR Doc. 81-8426, appearing at page 17660 in the issue of Thursday, March 19, 1981, make the following corrections:

1. On page 17660:

a. In column two, the second land description in Sec. 10 under T. 46 N., R. 2 W. should read, "NE¼SW¼".

b. In column three, under T. 47 N., R. 2 W., the land description in Sec. 8 should read, "SE¼NE¼" and the second description in Sec. 25 should read, "SE¼SE¼".

c. In column three, under T. 46 N., R. 3 W., the last description in Sec. 22 should read, "W½W½E½W½W½NW¼".

2. On page 17661:

a. In column one, under T. 47 N., R. 3 W., the first description in Sec. 11 should read, "SW¼NW¼" and the superfluous stars, letters and numbers appearing between the fourth and fifth descriptions in Sec. 33 should be deleted.

b. In column one, under T. 48 N., R. 3 W., the twelfth line of the description for Sec. 25, Lot 7, should read, "southerly along the westerly" and the decimal number at the end of the nineteenth line of that description should read, ".653".

BILLING CODE 1505-01-M

[M 15102]

Montana; Proposed Withdrawal Continuation

The Bureau of Land Management has filed a statement of justification for continuation of an existing land withdrawal, Public Land Order 5085 dated July 21, 1971. The Bureau desires to continue the withdrawal in its entirety for a period of 20 years. The continuation would be made pursuant to the authority contained in Section 204(1) of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1714). The following described land is included in the proposed continuation:

Principal Meridian

T. 14 N., R. 3 W.
Sec. 4, lots 6 and 7.

The area described aggregates 80 acres in Lewis and Clark County, Montana.

The lands have been withdrawn for use as a recreation site. Specifically, the land is being used for Holter Lake Recreation Site and subject to the rights of the licensee for Power Project No. 2188 and to the withdrawal made by Power Site Reserve No. 141. The land is segregated from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Chapter 2) but not from leasing under the mineral leasing laws. No change in the segregative effect of the withdrawal is proposed.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned officer on or before May 11, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the undersigned officer on or before May 11, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal justification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated, the area involved is the mimimum essential to meet the desired needs, the maximum concurrent utilization of the land is provided for, and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and, if so, for how long. The final determination on continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communication in connection with this proposed withdrawal continuation should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, 222 North 32nd Street, P. O. Box 30157, Billings, Montana 59107.

Dated: March 25, 1981.

Roland F. Lee,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-9903 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

Shoshone Management Framework Plan Amendment and Environmental Impact Statement

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of intent.

SUMMARY: Pursuant to Section 202(a) of the Federal Land Policy and Management Act of 1976, the BLM will amend the Shoshone Management Framework Plan (MFP) to consider identified wilderness study areas. Also, pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the BLM will prepare an Environmental Impact Statement (EIS) on the amendment. The MFP amendment will address 72,445 acres of public land in Blaine, Camas, Gooding, and Lincoln Counties, Idaho, that have been found to have wilderness characteristics and have been designated as wilderness study areas (WSAs). The BLM will analyze the suitability of these WSAs for inclusion by Congress in the National Wilderness Preservation System.

The general issues anticipated include: (1) development of mineral and energy resources, (2) range development and livestock grazing, and (3) use of motorized vehicles for recreation.

The disciplines represented on the interdisciplinary team preparing the amendment will include soil science, lands, minerals, cultural resources, visual resources, outdoor recreation, range, wildlife, and economics. The public is invited to participate throughout the amendment process, including identification of issues, development of planning criteria, analysis of the management situation, formulation of alternatives, and analysis of environmental impacts.

DATES: A public meeting will be held at 7:30 P.M. on Tuesday, May 5, 1981, in the courtroom of the Gooding County Courthouse, Gooding, Idaho, to identify issues and discuss planning criteria. Any written comments on these topics should be submitted by May 15, 1981.

ADDRESS: Comments should be sent to the BLM Shoshone District Office P.O. Box 2B, Shoshone, Idaho 83352.

FOR FURTHER INFORMATION CONTACT: Charles J. Haszier, District Manager, at the above address. Telephone (208) 886-2208 or FTS 554-6576.

SUPPLEMENTARY INFORMATION: The planning criteria being tentatively considered for the MFP amendment are presented in the Draft Wilderness Study Policy, which was published in the **Federal Register**, Vol. 45, No. 246, dated December 19, 1980, pages 83780 through 83804. Copies of this Draft Wilderness Study Policy are available from the Shoshone District Office.

Dated: March 24, 1981.

Rulon G. McRae,

Acting District Manager.

[FR Doc. 81-9898 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

[Serial Numbers A-15983, A-15987, A-15988, A-15989, and A-15990]

Arizona; Proposed Classification of Public Lands for State Indemnity Selection

In FR Doc. 81-7143 appearing on pages 15579, 15580, and 15581 of the issue for March 6, 1981, the following change should be made for application A-15990 in the third column of page 15580:

Under T. 5 S., R. 5 E., Section 24, E½SW¼, NE¼ should be E½SW¼NE¼

W. K. Barker,

District Manager.

March 24, 1981.

[FR Doc. 81-9875 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

[Serial No. I-16453]

Clark's Air Service, Inc; Application

March 24, 1981.

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211-214) Clark's Air Service, Inc., has applied for an airport lease for the following lands:

Boise Meridian, Idaho

T. 6 S., R. 9 E.,
Sec. 27, E½SW¼ (portion described as follows: A strip 66 feet wide lying along and adjacent to the south boundary of the N½SW¼).

The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of use or disposal under the public land laws.

Interested persons desiring to express their views should promptly send their name and address to the Chief, Branch of L&M Operations, Bureau of Land Management, Federal Building, Box 042, 550 W. Fort Street, Boise, Idaho 83724.

Vincent S. Strobel,

Chief, Branch of L&M Operations.

[FR Doc. 81-9864 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

Socorro District Grazing Advisory Board; Meeting

Notice is hereby given in accordance with Public Law 94-579, that a meeting of the Socorro District Grazing Advisory Board will be held on Friday, April 24, 1981.

The meeting will begin at 9:00 a.m., in the Hospitality Room of the First State Bank at 103 Manzanares Avenue NE, Socorro, New Mexico.

The agenda for the meeting will include:

(1) Election of a Chairperson and a Vice Chairperson.
(2) Discussion of 1981 and 1982 rangeland improvements.
(3) Discussion on management plans, including Stewardship.
(4) Public comment period.
(5) Arrangements for the next meeting.

The meeting is open to the public. Interested persons may make oral statements to the board between 1:00 and 2:00 p.m., or file written statements for the board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 198 Neel Avenue NW, P.O. Box 1219, Socorro, New Mexico 87801, by April 20, 1981. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

Summary minutes of the board meeting will be maintained in the District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

Arlen P. Kennedy,

District Manager.

March 23, 1981.

[FR Doc. 81-9869 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

Worland District Grazing Advisory Board; Meeting

March 25, 1981.

Notice is hereby given, in accordance with the Federal Advisory Committee Act (Pub. L. 92-463), that a meeting of the Worland District Grazing Advisory Board will be held at 1:00 p.m., May 13, 1981, in the conference room of the BLM office in Worland, Wyoming.

The agenda for this meeting includes: (1) discussion and recommendation for the 1982 fiscal year range improvement projects, and (2) opportunity for public comment.

The meeting will be open to the public. Interested persons may make oral statements to the board, or file written statements for the boards' consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 1700 Robertson, Worland, Wyoming 82401, by May 8, 1981.

Summary minutes of this meeting will be on file in the district office and available for public inspection (during regular business hours) within 30 days following the meeting

John A. Kwiatkowski

District Manager.

[FR Doc. 81-9870 Filed 4-1-81; 8:45 am]

BILLING CODE 4310-84-M

[S-598, S-811, S-1477, S-2701A]

California; Modification of Multiple Use Classification: Termination of Mineral Entry Segregation

Correction

In FR Doc. 81-7583 appearing on page 16137 in the issue of Wednesday, March 11, 1981, on page 16138, first column, seventh line, "* * * to * * *" should read "* * * of * * *".

BILLING CODE 1505-01-M

INTERSTATE COMMERCE COMMISSION

Motor Carrier Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 81-7000 appearing at page 15338 in the issue for Thursday, March 5, 1981, make the following correction:

On page 15339, in the first column, in the paragraph "MC200 (Sub-562)", filed for "Riss International Corporation", in the tenth lines "MN" should have read "NM".

BILLING CODE 1505-01-M

Motor Carriers; Finance Applications; Decision Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10936, 10931 and 10932.

We find

Each transaction is exempt from section 11343 (formerly Section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 3, the Motor Carrier Board, Members Krock, Joyce and Dowell.

No. F. D. 29586. By decision of March 6, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1151, Review Board Number 3, approved the transfer to American Moving Systems, Inc., of Baltimore, MD of Permit MC-FF 358 (Sub-No. 1) issued April 24, 1978 to Kingpak, Inc. of Wichita, KS, authorizing the transportation of freight forwarder service in interstate commerce of (a) used household goods and unaccompanied baggage and (b) used automobiles, between points in the United States (including Hawaii and Alaska). The operations authorized in (b) above are restricted to the transportation of export-import traffic. Representative: Alan F. Wohlstetter,

1700 K Street, NW, Washington, DC 20006.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-9824 Filed 4-1-81; 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. OP4–77

Decided: March 27, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 63417 (Sub-302), filed February 8, 1981, previously noticed in the **Federal Register** issue of March 9, 1981, and republished this issue. Applicant: BLUE RIDGE TRANSFER CO., INC. P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting *furniture and fixtures,* between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 91306 (Sub-37), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 5, 1981, and republished this issue. Applicant: JOHNSON BROTHERS TRUCKERS, INC., 1858 9th Ave., N.E., Hickory, NC 28601. Representative: Eric Meierhoefer, Suite 423, 1511 K St., N.W., Washington, DC 20005. Transporting *furniture and fixtures,* between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 107012 (Sub-666), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 10, 1981, and republished this issue. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (Same address as applicant). Transporting *furniture and fixtures,* between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 110012 (Sub-88), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 10, 1981, and republished this issue. Applicant: ROY WIDENER MOTOR LINES, INC., 707 North Liberty Hill Rd., Morristown, TN 37814. Representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St. NW, Washington, DC 20004. Transporting *furniture and fixtures,* between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 111548 (Sub-32), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 13, 1981, and republished this issue. Applicant: SHARPE MOTOR LINES, INC., P.O. Box 517, Hildebran, NC 28637. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Pennsylvania Ave. and 13th St., NW, Washington, DC 20004. Transporting *furniture and fixtures,* between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 111963 (Sub-23), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 5, 1981, and republished this issue. Applicant: MURROW'S TRANSFER, INC., P.O. Box 4095, High Point, NC 27263. Representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 11th St., NW, Washington, DC 20001. Transporting *furniture and fixtures,* between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 117427 (Sub-81), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 9, 1981, and republished this issue. Applicant: G.G. PARSONS TRUCKING CO., a corporation, P.O. Box 1085, N. Wilkesboro, NC 28659. Representative: Dean N. Wolfe, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. Transporting *furniture and fixtures,*

between the facilities of S & H Furniture, Inc., a division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 128117 (Sub-43), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 9, 1981, and republished this issue. Applicant: NORTON-RAMSEY MOTOR LINES, INC., P.O. Box 896, Hickory, NC 28601. Representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, DC 20014. Transporting *furniture and fixtures*, between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

MC 136786 (Sub-241), filed February 5, 1981, previously noticed in the **Federal Register** issue of March 5, 1981, and republished this issue. Applicant: ROBCO TRANSPORTATION, INC., 4474 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 7400 Metro Blvd., Suite 411, Edina, MN 55435. Transporting *furniture and fixtures*, between the facilities of S & H Furniture, Inc., a Division of Sperry & Hutchinson Company, in VA, NC, and TN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correct the territorial description.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-9920 Filed 4-1-81; 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 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. OPY4-050

Decided: March 27, 1981.

By The Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 29957 (Sub-95), filed March 16, 1981. Applicant: TRAILWAYS SOUTHERN LINES, INC., 327 Gayoso St., Memphis, TN 38103. Representative: George W. Hanthorn, 1500 Jackson St., Dallas, TX 75201, (214) 655-7937. Over regular routes, transporting *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Meridian, MS, and Tuscaloosa, AL, over Interstate Hwy 20/59, and return over the same route, serving no intermediate points.

MC 30867 (Sub-215), filed March 16, 1981. Applicant: CENTRAL FREIGHT LINES, INC., 5601 W. Waco Dr., Waco, TX 76703. Representative: Timothy Mashburn, P.O. Box 2207, Austin, TX 78768, (512) 476-6391. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between New Boston, TX and Texarkana, AR, from New Boston over U.S. Hwy 82 and Interstate Hwy 30 to Texarkana, (2) between Atlanta, TX and Texarkana, AR, from Atlanta over U.S. Hwy 59 to Texarkana, (3) between Naples, TX and Texarkana, AR from Naples over U.S. Hwy 67 to Texarkana, serving junction TX Hwy 8, and U.S. Hwy 67 for joinder only; (4) between New Boston, TX and Linden, TX, from New Boston over TX Hwy 8 to Linden, and serving the junction TX Hwy 8 and U.S. Hwy 67 for joinder only; (5) between Longview, TX and Gilmer, TX, from Longview over TX Hwy 300 to Gilmer, (6) between Corsicana, TX and Tyler, TX, from Corsicana over TX Hwy 31 to Tyler.

MC 149497 (Sub-7), filed March 19, 1981. Applicant: HAUPT CONTRACT CARRIERS, INC., P.O. Box 1023, Wausau, WI 54401. Representative: Elaine M. Conway, 10 South LaSalle St., Suite 1600, Chicago, IL 60603. Transporting *machinery*, between points in the U.S., under continuing contract(s) with Fiat-Allis Construction Machinery, Inc., of Springfield, IL.

MC 153217 (Sub-2), filed March 19, 1981. Applicant: JACK THOMAS, d.b.a. JACK THOMAS TRUCKING, P.O. Box 337, Tellico Plains, TN 37385. Representative: Lavern R. Hilldeman, P.O. Box 81849, Lincoln, NE 68501, (402) 476-1144. Transporting *food and related products*, between points in Sedwick County, KS, on the one hand, and, on the other, points in the U.S.

MC 154507 (Sub-1), filed March 17, 1981. Applicant: BOSTON FREIGHT TERMINALS, INC., 31 Fargo St., Boston, MA 02127. Representative: John F. O'Donnell, 60 Adams St., P.O. Box 238, Milton, MA 02187, (617) 696-7610. Transporting *general commodities* (except classes A and B explosives), between Boston, MA, Portsmouth, NH, Providence, RI, New York, NY, Baltimore, MD, Philadelphia, PA, Norfolk, VA, Jacksonville and Miami,

FL, and points in Cumberland County, ME, on the one hand, and, on the other, points in CT, MA, ME, NH, RI, and VT.

MC 154777 (Sub-1), filed March 19, 1981. Applicant: BETTY J. SETTERBERG AND ROBERT SETTERBERG, d.b.a. W & B EXPRESS, Summer St., R.R. Box 864, Burlington, IA 52601. Representative: Joel H. Steiner, 39 S. LaSalle, Suite 600, Chicago, IL 60603, (312) 236–9375. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Sheaffer-Eaton Textron, of Fort Madison, IA.

MC 154817, filed March 18, 1981. Applicant: COLE & SONS TRUCKING, INC., 2430 S. Main St., Akron, OH 44319. Representative: Hubert G. Cole, 6256 Taylor Rd., Doylestown, OH 44311, (216) 762–0765. Transporting *those commodities which because of their size or weight require the use of special handling or equipment*, between points in Wayne County, OH, on the one hand, and, on the other, points in the U.S.

Volume No. OPY4–51

Decided: March 27, 1981.

By the Commission, Review Board No. 2. Members Carleton, Fisher, and Williams.

MC 3647 (Sub-467), filed March 16, 1981. Applicant: TRANSPORT OF NEW JERSEY, a corporation, 180 Boyden Ave., Maplewood, NJ 07040. Representative: Judith A. Yaskin (same as address as applicant), (201) 761–8316. Over regular routes, transporting *passengers and their baggage*, between the junction of Garden State Parkway and Interstate Hwy 280, at or near East Orange, NJ, and the junction of Interstate Hwy 280 and the New Jersey Turnpike (Interstate Hwy 95), at or near Kearny, NJ, over Interstate Hwy 280 as an alternate route for operating convenience only.

Note.—Applicant proposes to join the above described route with its existing authorized regular routes.

MC 19537 (Sub-9), filed March 16, 1981. Applicant: CLARK TRUCK LINE, 628 Carnation St., Tupelo, MS 38801. Representative: Clark Tillman Tucker (same address as applicant), (901) 523–8893. Transporting *general commodities* (except classes A and B explosives), (1) between Memphis, TN and Shannon, MS, from Memphis over U.S. Hwy 72 to Corinth, MS, then over U.S. Hwy 45 to Shannon, MS; (2) between Tupelo, MS and Corinth, MS, from Tupelo over U.S. Hwy 78 to junction MS Hwy 25, then over MS Hwy 25 to Iuka, MS then over U.S. Hwy 72, to Corinth, MS, (3) between New Albany, MS and Walnut, MS, over MS Hwy 15, (4) between Corinth, MS and Nashville, TN from Corinth over U.S. Hwy 45 to Henderson, TN, then over TN Hwy 100 to Nashville, TN; (5) between Nashville, TN and Henderson, TN, from Nashville over Interstate Hwy 40 to Jackson, TN, then over U.S. Hwy 45 to Henderson, TN, serving off-route points of Middleton and Hendersonville, TN, in connection with routes (1) through (5) serving points in Alcorn, Itawamba, Lee, Prentiss, Tippah and Tishomingo Counties, MS.

MC 34227 (Sub-24), filed March 13, 1981. Applicant: PACIFIC INLAND TRANSPORTATION COMPANY, a corporation, 15910 E. Colfax, Aurora, CO 80011. Representative: James P. Beck, 717 17th St., Ste. 2600, Denver, CO 80202, (303) 892–6700. Transporting *such commodities* as are dealt in or used by manufacturers of infant carriers, between point in the U.S., under continuing contract(s) with Gerico, Inc., of Thornton, CO.

MC 138627 (Sub-116), filed March 16, 1981. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, IA 50501. Representative: Arlyn L. Westergren, Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114, (402) 397–7033. Transporting (1) *building materials*, and (2) *lumber and wood products*, between points in the U.S., under continuing contract(s) with Louisiana-Pacific Corporation, of Portland, OR.

MC 146817 (Sub-12), filed March 19, 1981. Applicant: GEORGE CAVES, d.b.a. DAVES TRUCKING, P.O. Box 29357, Lincoln, NE 68529. Representative: Max H. Johnston, P.O. Box 6597, Lincoln, NE 68506, (402) 488–4841. Transporting *food and related products*, (1) between points in IA and NE, (2) between points in Douglas, Lancaster, and Saline Counties, NE, Carroll, Cherokee, Crawford, Hardin, Polk, Webster, and Woodbury Counties, IA, on the one hand, and, on the other, points in FL, GA, IL, MN, NC, ND, SC, SD, and WI, and (3) between points in the U.S., on the one hand, and, on the other, points in Douglas, Lancaster and Saline Counties, NE, and Carroll, Cherokee, Crawford, Hardin, Polk, Webster, and Woodbury Counties, IA.

MC 148647 (Sub-23), filed March 18, 1981. Applicant: HI-CUBE CONTRACT CARRIER CORP., 5501 West 79th St., Burbank, IL 60459. Representative: Arnold L. Burke, 180 North LaSalle St., Chicago, IL 60601, (312) 332–5106. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with The Drackett Products Company, of Cincinnati, OH and Borden, Inc., of Columbus, OH.

MC 154587 (Sub-1), filed March 16, 1981. Applicant: LINDEN CONSTRUCTION CO., INC., d.b.a. LOUIE'S LEISURE LINE, R.R. 1, Box 53, Colby, KS 67701. Representative: Willian B. Barker, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601, (913) 234–0565. Transporting *passengers and their baggage*, in special and character operations, beginning and ending at points in KS and extending to points in the U.S.

MC 154707 filed March 2, 1981. Applicant: LOUIS SHANNON, INC., P.O. Box 284, West Rutland, VT 05777. Representative: Jack R. Abell, 27 Main St., Rutland, VT 05710, (802) 775–2100. Transporting *clay, concrete, glass or stone products*, between points in the U.S., under continuing contract(s) with Vermont Marble Company, OMYA, Inc., both of Proctor, VT, and Protexulate, Inc., of New York, NY.

MC 154787, filed March 16, 1981. Applicant: RAY JERREL, INC., P.O. Box 69, Miles City, MT 59301. Representative: William E. Seliski, P.O. Box 8255, Missoula, MT 59807, (406) 543–8369. Transporting (1) *food and related products*, between points in Custer County, MT, on the one hand, and, on the other, points in WA, OR, and CA, (2) *furniture and fixtures*, between points in Custer County, MT, on the one hand, and, on the other, points in GA and VA, (3) *such commodities* as are dealt in by automotive supply stores, between points in MT and ND, on the one hand, and, on the other, points in WA, OR, CA, CO, MN, and WI, (4) *such commodities* as are dealt in by farm equipment stores, between Custer County, MT, on the one hand, and, on the other, points in MN, IA, and IL, and (5) *such commodities* as are dealt in by lumber yards, between points in WA, OR, ID, and MT, on the one hand, and, on the other, points in WI, IL, MN, IA, MO, ND, SD, NE, KS, OK, TX, MI, NM, CO, WY, AZ, UT, NV, and CA.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-9925 Filed 4-1-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 51]

Motor Carriers; Permanent Authority Decisions; Restriction Removals

Decided: March 30, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules

under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 13134 (Sub-102)X, filed March 16, 1981. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, OH 45656. Representative: James M. Burtch, 100 E. Broad Street, Columbus, OH 43215. Applicant seeks to remove restrictions from MC–13134 and Subs 12, 16, 17, 18, 20, 22, 23, 24, 25, 27, 30, 32, 34, 35, 38G, 39, 42G, 43, 45, 46, 48, 49, 50, 51, 52, 55, 57, 59F, 60F, 63F, 66F, 67F, 69F, 72F, 73F, 79F, 82F, 83F, 84F, 88F, and 92F to (1) broaden the commodity description from general commodities (with the usual exceptions) to "general commodities, except class A and B explosives, in the lead, (2) broaden specific commodity descriptions: (a) from glassware and clay products in the lead, clay and clay products in Sub-Nos. 16 and 30, foundry sand additives in Sub-Nos. 16, 20, and 34, brick and clay products in Sub-Nos. 16, and 38G, various types of refractories or refractory products in the lead and Sub-Nos. 16, 30 38G, 45, 67F and 88F, glassware in Sub-No. 38G, concrete pipe and products in Sub-No. 39, clay in Sub-Nos. 55F and 76F, and cement in 59F and 60F to "clay, concrete, glass and stone products", (b) from chemicals in the lead, salt and silica flour and charcoal in Sub-No. 16, dry fertilizer in Sub-No. 23, micronutrients in Sub-No. 25 and calicum chloride in Sub-No. 32 to "chemicals and related products" (c) from kyanite ore in Sub-Nos. 27, 79F and 83F, ferro alloys and pig iron in Sub-No. 16, silica sand, gravel and quartzite in Sub-No. 16, bauxite ore in Sub-No. 79F and sand and minerals in Sub-No. 79F to "ores and minerals"; (d) from mine cars, industrial cars, railway car or locomotive parts, mine shovels, scrapers and scoops in Sub-No. 39, and corrugated iron and steel pipe including fittings in Sub-No. 42G to "commodities which because of size or weight require the use of special equipment"; (e) from machinery used in the manufacture of clay and clay products in Sub-No. 16, mining machinery and parts in Sub-Nos. 43 and 92F to "machinery"; (f) from condensed milk in the lead and feather meal and poultry meal in Sub-No. 17 to "food and related products"; (g) from plastic brick in Sub-No. 16, plastic articles in Sub-Nos. 22 and 73F, and expanded plastic products in Sub-No. 84F to "rubber and plastic products"; (h) from iron and steel articles in the lead, Sub-Nos. 35, 38G, 39, 48, 49, 50F, 51F, 52F, 57F, 63F, 66F, 73F and 82F, molybdenum products in the lead, various specified steel products in the lead, Sub-No. 39, various specified metal products in Sub-Nos. 16, 18 and 39, and aluminum articles in Sub-No. 63F and 69F to "metal products"; (i) from soil pipe and fittings in Sub-No. 16 to "pipe and fittings"; (j) from lumber and lumber products in Sub-No. 72F to "lumber and wood products"; and (k) from roofing materials, building materials and insulating materials in Sub-No. 46 to "building and insulating materials" (3) remove size and weight restrictions in Sub 39; (4) change city-wide to county-wide authorization: Greenville and Marysville, OH, to Darke and Union County, OH; Sunbury, OH, to Delaware County, OH; Lorain, OH, to Lorain County, OH, and Wadsworth, OH; to Medina County, OH, in the lead; Wellston, OH to Jackson County, OH, Bloom Township, OH, to Scioto County, OH, Elizabeth Township to Lawrence County, OH; Jackson, OH, to Jackson County, OH, facilities near Siloam, KY, to Greenup County, KY, facilities in Elizabeth Township, OH, to Lawrence County, OH, South Shore, KY, to Greenup County, KY, Ironton, OH, to Lawrence County, OH, Jackson Township, OH, to Pike County, OH; facilities at Burns Harbor, IN, to Porter County, IN in Sub-No. 16; Wellston, OH, to Jackson County, OH, in Sub-No. 17; facilities at Jackson OH, to Jackson County, OH in Sub-No. 18; Wadsworth, OH, to Medina County, OH in Sub-No. 20; Jackson, OH, to Jackson County, OH, in Sub-No. 22; facilities in Oak Hill, OH, to Jackson County, OH in Sub-No. 23; St. Albans, WV to Kanawha County, WV in Sub-No. 25; Ludington and Midland, MI, to Mason and Midland Cos., MI in Sub 32; Wadsworth, OH, to Medina County, OH, in Sub 34, facilities at Lackawanna, NY, to Erie County, NY in Sub 35; facilities near Siloam, KY to Greenup County, KY; facilities in Elizabeth Township, OH, to Lawrence County, OH; facilities at Burns Harbors, IN, to Porter County, IN, in Sub 38G; Huntington, WV, to Cabell County, WV, Ceredo, WV, to Wayne County, WV, Johnston, PA, to Cambria County, PA, Ashland, KY, to Boyd County, KY in Sub 39; facilities at Greenup and Ashland, KY, to Greenup and Boyd Cos., KY in Sub 43; facilities at Coalton, KY, to Boyd County, KY in Sub 48; facilities at Ashland, KY, to Boyd County, KY, in Sub 50F; facilities in Ashland, KY, to Boyd County, KY, in Sub 51F, facilities at Coalton, KY, to Boyd County, KY in Sub 57F; Neville Island, Warren and Bristol, PA, to Allegheny and Bucks County, PA; Birmingham, AL, to Jefferson County, AL; Marseilles, IL, to LaSalle County, IL; Des Moines, IA, to Polk Co., IA, in Sub 63F; facilities at Cleveland, OH, to Cuyahoga County, OH, and at Aliquippa and Pittsburgh, PA, to Allegheny and Beaver Cos., PA, in Sub 66F; Anniston, AL, to Calhoun County, AL, in Sub 67F; facilities at Ravenswood, WV to Jackson County, WV in Sub 69F; facilities at Waynesboro, GA, to Burke County, GA in Sub 72; facilities at Coalton, KY to Boyd County, KY, in Sub 73F; Aberdeen, MS, to Monroe County, MS in Sub 76F; facilities at Columbus, OH, to Franklin County, OH in Sub 82F; facilities at Hanging Rock, OH, to Lawrence County, OH, in Sub 84; facilities at Port Kennedy, PA, to Montgomery County, PA; facilities at Camden, NJ, to Camden County, NJ, in Sub 88F; (5) authorize radial operations in place of existing one-way authority between the above counties and States and combinations of States throughout the US; (6) remove originating at or destined to restrictions in Sub 12, 16, 18, 39, 52F and 63F; (7) removing plant-site restrictions in Sub 46, 55F, 59F and 79F; (8) remove equipment restrictions in Sub 16, 25, 39, 48, 76F; (9) remove restrictions against the transportation of commodities in bulk in the lead and Sub-Nos. 12, 16, 20, 22, 24, 25, 32, 34, 38G, 46, 48, 55F, 59F, 60F, 67F, 76F, and 92F.

MC 18088 (Sub-70)X, filed March 20, 1981. Applicant: FLOYD & BEASLEY TRANSFER CO., INC., P.O. Drawer 8, Sycamore, AL 35149. Representative: James F. Flint, 406 World Center Building, 918 16th Street, N.W., Washington, DC 20006. Applicant seeks to remove restrictions in its Sub-Nos. 42,

51, 55, 61F and 65F certificates to: (1) eliminate all exceptions to general commodities authority except classes A and B explosives (Subs 42, 51, 55 and 65F); (2) eliminate "plantsite" or "facilities" restrictions, in Sub-Nos. 42, 51, 55, 61F and 65F; (3) eliminate "originating at or destined to" restrictions in Subs 61F and 65F; (4) expand authority to serve named points to authority to serve counties: (a) Vincent, AL, to Shelby County, AL, (Sub 51); (b) Winfield, Fayette, and Aliceville, AL, to Marion, Fayette, and Pickens Counties, AL (Sub 55); and (c) Cornith, MS, to Alcorn County, MS (Sub 61F); (5) authorize intermediate point service on regular routes between Pell City, AL and Hamilton, Centerville, and Cuba, AL and junction Alternate U.S. Hwy 72 and U.S. Hwy 72 at or near Tuscambia, AL in Sub-No. 55, and (6) remove the AK and HI exceptions wherever they appear in the authorities.

MC 22509 (Sub-38)X, filed March 23, 1981. Applicant: MISSOURI-NEBRASKA EXPRESS, INC., St. Joseph Avenue, St. Joseph, MO 64505. Representative: Harry Ross, Jr., 58 South Main Street, Winchester, KY 40391. Applicant seeks to remove restrictions in its Sub-No. 24F certificate to: (1) broaden the commodity description from paper and paper products to "pulp, paper and related products"; and (2) remove the restriction against the transportation of commodities in bulk, in tank vehicles.

MC 32882(Sub-160)X, filed March 16, 1981. Applicant: MITCHELL BROS. TRUCK LINES, 3841 N. Columbia Blvd., Portland, OR 97217. Representative: David J. Lister, P.O. Box 17039, Portland, OR 97217. Applicant seeks to remove restrictions in its Sub-Nos. 77, 98F, 109F, 110F, 113F, 118F, and 143F certificates to: (a) broaden the commodity description from (1) aluminum, aluminum products, and (2) zinc and zinc alloys in Sub-No. 77; from (1) blades, edges, and accessories for blades and edges in Sub-No. 98F; from steel braces, bracing brackets and bracing froms in Sub-No. 109; from (1) aluminum, copper and steel wire, (2) aluminum, copper and steel cable, (3) aluminum, copper and steel strands, (4) aluminum, copper and steel rods, (5) reels used in the distribution of the commodities in (1) through (4) above, in Sub-No. 110F; from steel wire rope, on reels, and fittings for steel wire rope in Sub-No. 113F; from (1) zirconium and zirconium alloy in Sub-No. 118F and from (1) wood burning stoves and (2) cast iron doors in Sub-No. 143F to "metal products"; (b) remove all in bulk restrictions in Sub-Nos. 77, 98F and 118F and the "size or weight" restriction in Sub-No. 109F; (c) replace names facilities with county-wide or commerical zone authority, eliminate the restriction against HI and AK and allow radial authority where appropriate as follows: (1) in Sub-No. 77, Pinal (Casa Grande) County, AZ; Los Angeles (Long Beach), Riverside (Riverside and Perris), Tulare (Visalia), and Yolo (Woodland) Counties, CA; Larimer (Larimer) County, CO; Ada (Boise) and Twin Falls (Twin Falls) Counties, ID; Tulsa (Tulsa) and McIntosh (Chectotah) Counties, OK; Marion (Stayton) and Umatella (Umatella) Counties, OR; and Grayson (Dennison) and Tarrant (Mansfield) Counties, TX, (2) in Sub-No. 98F, Salt Lake County (West Jordan), UT and Crawford (Bucyrus) County, OH, (3) in Sub-No. 109F, between points in Kane County (Montgomery), IL and Calhoun (Albion) and Wayne (Dearborn Heights), MI, and, points, in ID, UT and WY, and between Salt Lake (Salt Lake City) County, UT, and, points in ID and WY; (4) in Sub-No. 110F, Los Angeles (Long Beach), Orange and Santa Clara (San Jose) Counties, CA; Portland and its commercial zone, OR; Tarrant (Arlington) County, TX; Cass (Harrisonville) County, MO; DeKalb (Sycamore) County, IL; Oldham (La Grange) County, KY; Clayton (Forest Park) and Oconee (Watinsonville), GA; and Rockingham (Eden) and Edgecombe (Tarboro), NC; (5) in Sub-No. 113F between points in Kenosha (Kenosha) County, WI, and, points in WA, OR, CA, NV, AZ, UT, NM, CO, ID, MT and WY; (6) in Sub-No. 143F between points in Maricopa (Mesa) County, AZ and Allegheny (Pittsburgh) County, PA and, points in the United States and between El Paso (El Paso) County, TX and Hamilton (Chattanooga) County, TN, and, Maricopa (Mesa) County, AZ; and (d) remove the restrictions limiting transportation to traffic originating at or destined to named facilities in Sub-No. 77, 98F, 109F, 110f, 113F, 118F and 143F, and (e) eliminate the AK and HI exception in Sub-No. 118F.

MC 40915 (Sub-56)X, filed March 23, 1981. Applicant: BOAT TRANSIT, INC., P.O.B. 1403, Newport Beach, CA 92663. Representative: James P. Beck, 717 17th St., Ste. 2600, Denver, CO 80202. Applicant seeks to modify its lead certificate by (1) broadening the commodity descriptions from boats, and boat parts, supplies and equipment to "those commodities which because of their size or weight require the use of special handling or equipment", and (2) modifying the territorial description to read between points in the U.S. from its existing authority to serve non-radially between 48 States set forth in three separate paragraphs of its lead authority.

MC 65895 (Sub-13)X, filed March 16, 1981. Applicant: REDDAWAY'S TRUCK LINE, 1721 NW. Northrup Street, Portland, OR 97209. Representative: Lawrence V. Smart, Jr., 419 NW. 23rd Avenue, Portland, OR 97210. Applicant seeks to remove restrictions in its Sub-No. 5F certificate 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 allowing service at all intermediate points between Salem, OR and Seattle, WA.

MC 99019 (Sub-12)X, filed March 16, 1981. Applicant: KILLIAN BULK TRANSPORT, INC., 100 Katharine Street, Buffalo, NY 14210. Representative: Robert D. Gunderman, Suite 710 Statler Bldg., Buffalo, NY 14202. Applicant seeks to remove restrictions from its Sub-No. 5 certificate to: (1) broaden the commodity descriptions from (a) fertilizer and animal and poultry feed, (b) fresh fruit and vegetables, (c) empty fresh fruit and vegetable containers, (d) preserved fruits, vegetables, and fruit juices, (e) baskets and (f) fertilizer and feed to "farm products and agricultural supplies and food and related products"; and from (a) metal castings, forgings and commutators and (b) empty metal containers used in the transportation of flour to "metal products"; (2) replace the Borough of North East and Erie, PA with Erie County, PA; the Village and Town of Ripley, Mina and Findley Lake with Chautauqua County, NY; and Buffalo with Erie County, NY, wherever they appear in the certificate; (3) expand its one-way authority to radial authority between various combinations of points in Erie County, PA, and, points in Erie and Chautauqua Counties, NY; (4) remove all exceptions except classes A and B explosives from its general commodities authority and expand its one-way authority to radial authority between points in Erie County, NY, and, points in 15 named counties in NY; and (5) eliminate the restriction against the transportation of shipments originating at, or destined to, points in Canada.

MC 113584 (Sub-21)X, filed March 16, 1981. Applicant: SHIPPERS SERVICE, INC., 1107 Rockford Road, Charles City, IA 50616. Representative: Steven C. Schoenebaum, 1200 Register and Tribune Bldg., Des Moines, IA 50309. Applicant seeks to remove restrictions in its Sub-Nos. 1, 10, 12, 15, 16, 17, 19, and 20 permits to (1) broaden the

commodity descriptions from frozen foods, canned goods, acids and chemicals used in the manufacture of drugs, dairy products, drugs, carbon black, poultry and livestock drugs and remedies, animal and poultry drugs, tonic, and medicines, acids and chemicals, animal and poultry feed supplement, to "animal and poultry drugs and chemicals and materials and supplies used in the manufacture of animal and poultry drugs and chemicals" in all permits; and (2) broaden the territorial description to between points in the United States under continuing contract(s) with a named shipper.

MC 113855 (Sub-528)X, filed March 19, 1981. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road, S.E., Rochester, MN 55901. Representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, ND 58126. Applicant seeks to remove restrictions in No. MC-4405 (Sub-No. 482) certificate, acquired in MC-F-14421F, to (1) broaden the commodity description from exhangers, equalizers, machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying or moving air, gas, or liquids, which because of size or weight require the use of special equipment, to "metal products, machinery, and transportation equipment," and (2) broaden the territorial description to authorize radial in place of one-way service: between points in TN (except points in Montgomery County, TN), and points in MT, ID, UT, WY, CO, ND, SD, NE, KS, OK, MN, IA, MO, LA, WI, IL, NY, PA, MD, DE, NJ, VT, NH, MA, CT, RI, ME, and DC.

MC 119099 (Sub-37)X, filed March 20, 1981. Applicant: BJORKLUND TRUCKING, INC., 1st Avenue, N.E. and 8th St., Buffalo, MN 55313. Representative: Val M. Higgins, 1600 TCF Tower, 121 So. 8th Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub No. 33F certificate (1) to broaden the commodity description from roofing insulation to "building materials"; (2) eliminate the plantsite restriction at Minneapolis, MN and (3) change its one-way authority to radial authority between Minneapolis, MN, and, points in ND, SD, MT, IA, and WI.

MC 120257 (Sub-58)X, filed March 18, 1981. Applicant: K. L. BREEDEN & SONS, INC., P.O. Box 4267, Lone Star, TX 75668. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Applicant seeks to remove restrictions in its Sub 43F certificate to (1) broaden the commodity description to "metal products," from iron, steel, zinc, lead, springs, and construction materials, supplies and equipment (except in bulk); (2) remove restrictions against transportation of bulk commodities; (3) replace one way with radial authority between points in Cook and Will Counties, IL, Hamilton, Elkhart, Howard and Allen Counties, IN, Appanoose County, IA, Kent and Ingham Counties, MI, Hinds County, MS and Franklin and Lucas Counties, OH, and, points in 21 States, and (4) remove facilities limitation and replace named points with county-wide authority, Cook County, IL for Blue Island, IL; Will County, IL, for Joliet, IL; Hamilton County, IN, for Cicero, IN; Elkhart County, IN, for Elkhart, IN; Allen County, IN, for Fort Wayne, IN; Howard County, IN for Kokomo, IN; Appanoose County, IA, for Centerville, IA; Kent County, MI, for Grand Rapids, MI; Ingham County, MI, for Lansing, MI; Hinds County, MS, for Jackson, MS; Franklin County, OH, for Columbus, OH; and Lucas County, OH, for Toledo, OH.

MC 120737 (Sub-83)X, filed March 20, 1981. Applicant: STAR DELIVERY & TRANSFER, INC., P.O. Box 39, Canton, IL 61520. Representative: James C. Hardman, 33 North LaSalle Street, Chicago, IL 60602. Applicant seeks to remove restrictions in its Sub-No. 20 certificate to (1) broaden the commodity description from petroleum lubricating and hydraulic oils and greases, in containers, to "petroleum, natural gas, and their products"; and (2) remove an originating at and destined to named facilities restriction and authorize service radially between St. Paul, MN, and named facilities in IA, MN, MT, ND, SD, and WI.

MC 120737 (Sub-84)X, filed March 20, 1981. Applicant: STAR DELIVERY & TRANSFER, INC., P.O. Box 39, Canton, IL 61520. Representative: James C. Hardman, 33 North LaSalle Street, Chicago, IL 60602. Applicant seeks to remove restrictions in its Sub-No. 5 certificate to (1) broaden the commodity description from agricultural implements and machinery, tractors (except truck tractors), attachments and accessories for equipment designed for use with the foregoing articles, and twine to "machinery and textile mill products"; and (2) remove the "originating at facilities limitation" at West Chicago, IL and change city-wide to county-wide authority from West Chicago to DuPage County, IL, and authorize radial authority between DuPage County, IL and points in AL, CT, DE, FL, GA, IN, KY, ME, MD, MA, MI, MS, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI, and DC.

MC 121496 (Sub-73)X, filed March 20, 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-No. 33 certificate, to (1) broaden the commodity description from "chemicals, in bulk, in tank vehicles," to "commodities in bulk," and (2) broaden the territorial description by (a) replacing authority to serve Bogalusa, LA, with authority to serve "Washington Parish, LA," and (b) expand existing one-way authority to radial authority between Washington Parish, LA, and, points in TX.

MC 121496 (Sub-74)X, filed March 23, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, D.C. 20001. Applicant seeks to remove restrictions in its Sub-No. 12F certificate to (1) broaden the commodity description to "commodities in bulk" from liquid chemicals (except bromine), in bulk, in tank vehicles, and (2) broaden the territorial description by eliminating the named facilities in Columbia County, AR, and changing from existing one-way service to radial service: between points in Columbia County, AR, and points in IL, KY, KS, LA, MO, MS, OK, TN, and TX.

MC 128672 (Sub-8)X, filed March 13, 1981. Applicant: TIMBER TRUCKING CO., INC., P.O. Box 231, Ripley, WV 25271. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25526. Applicant seeks to remove restrictions in its lead and Sub-Nos 3, 5 and 7F permits to (1) broaden the commodity description to "lumber and wood products" from lumber, timber and wood products, in the lead and Sub-Nos. 5 and 7F permits; and (2) broaden its territorial description to "between points in the U.S.," under continuing contract(s) with a named shipper, in all permits.

MC 129219 (Sub-29)X, filed March 18, 1981. Applicant: CMD TRANSPORTATION, INC., 12340 S.E. Dumolt Road, Clackamas, OR 97015. Representative: Philip G. Skofstad, 1525 N.E. Weidler, Portland, OR 97232. Applicant seeks to remove restrictions in its Sub-No. 24F permit to (1) broaden its commodity descriptions from general commodities (with exceptions), to "general commodities (except classes A and B explosives)"; (2) broaden its territorial authority to between points in the U.S. under continuing contract(s)

with a named shipper; and (3) eliminate (a) the AK and HI exceptions, (b) the restriction limiting transportation of traffic in containers or in trailers having an immediately prior or subsequent movement by water, or by rail, and (c) the in bulk, in tank vehicle restriction.

MC 134453 (Sub-22)X, filed March 23, 1981. Applicant: STERNLITE TRANSPORTATION COMPANY, Winsted, MN 55359. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Applicant seeks to remove restrictions from its Sub-Nos. 16F and 17F permits to (1) change the commodity descriptions from aluminum extrusions, scrap aluminum and aluminum billets to "metal products" and (2) to expand its territorial authority to "between points in the U.S." under contract(s) with a named shipper.

MC 134467 (Sub-79)X, filed March 12, 1981. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Applicant seeks to remove restrictions in its Sub-Nos. 1, 3, 4, 6, 11, 12, 19, 21, 24F, 26F, 31F, 36F, 37F, 42F, 43F, 44F, 55F, 58F, 60F, 61F, 65F, 66F, 69F, and 70F, certificates to (A) broaden the commodity description from frozen foods in Sub-Nos. 1 and 42F; meats, meat products, and meat by-products and articles distributed by meat packinghouses 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 (hereinafter referred to as "meats A & C") (except hides and commodities in bulk) in Sub-No. 21; seafood and seafood products in Sub-Nos. 3 and 12; frozen poultry, exempt commodities, and related items in Sub-No. 4; shortening, animal and vegetable oils and blends thereof (except in bulk) in Sub-No. 6; prepared flour and frosting mixes in Sub-Nos. 11, 19, and 31F; foodstuffs (except in bulk) in Sub-Nos. 24F, 37F, 43F, and 60F; cheese, cheese products and synthetic cheeses (except commodities in bulk) in Sub-Nos. 26F and 44F; canned and preserved foodstuffs in Sub-No. 36F; materials, equipment and supplies used in the manufacture and distribution of poultry and poultry products in Sub-No. 55F; alcoholic liquors and related items in Sub-No. 58F; confectionery and cough drops in Sub-No. 61F; malt beverages and related items in Sub-No. 65F; meats A & C (except hides and commodities in bulk) and related items in Sub-No. 66F; meats A & C (except hides and commodities in bulk), foodstuffs and related items in Sub-Nos. 69F and 70F to "(1) food and related products and (2) materials, equipment and supplies used in the manufacture and distribution of the commodities named in Item (1) above"; from petroleum products, in containers, oil filters, vehicle body sealers and sound deadener compounds (except in bulk) or variations of that description, to "(1) petroleum, natural gas, and their products, (2) vehicle body sealer, sound deadener compounds and oil filters and (3) materials, equipment and supplies used in the manufacture and distribution of the commodities named in Items (1) and (2) above" in Sub-Nos. 14, 25F, 33F, and 38F; from packaged petroleum products to "(1) petroleum, natural gas and their products, and (2) materials, equipment and supplies used in the manufacture and distribution of the commodities named in Item (1) above" In Sub-No. 22; from paper and paper products and related items to "(1) pulp, paper and related products, and (2) materials, equipment and supplies used in the manaufacture or distribution of the commodities named in Item (1) above" in Sub-Nos. 32F and 53F; from (1) foodstuffs (except in bulk) and (2) materials, equipment and supplies used by restaurants or restaurant suppliers; to "(1) food and related products, (2) materials, equipment, and supplies used by restaurants or restaurant suppliers", and (3) materials, equipment and supplies used in the manufacture and distribution of the commodities named in Item (1) in Sub-No. 68F; (B) remove the "except in bulk" restriction in its Sub-Nos. 46F and 67F; (C) remove the restriction prohibiting service to points in AK and HI in its Sub-Nos. 4, 46F, 57F, 58F, 66F, 67F, and 70F; (D) remove the restrictions limiting traffic to the transportation of shipments originating at or destined to a named facility in Sub-Nos. 4, 11, 14, 19, 21, 22, 23, 24F, 25F, 26F, 32F, 33F, 36F, 38F, 43F, 44F, 55F, 58F, and 69F; (E) remove the restriction limiting service to that provided in vehicles equipped with mechanical refrigeration in its Sub-No. 6; (F) broaden the territorial authority as follows: in Sub-No. 1 from Berryville, AR, to Carroll County, AR; in Sub-Nos. 3 and 12 from South Bend and Ocean Park, WA to Pacific County, WA; in Sub-No. 4 from Shelbyville and Humboldt, TN; North Little Rock, Bentonville, Springdale, Nashville, Green Forest, and Rogers, AR; and Monett, Mo, to Bedford and Gibson Counties, TN; Pulaski, Benton, Washington, Howard, Hempstead, and Carroll Counties, AR; and Barry and Lawrence Counties, MO; in Sub-No. 6 from the facilities at Helena, AR, to Phillips County, AR; in Sub-Nos. 11, 19 and 31F from facilities at or near Chelsea, MI, to Wastenaw County, WI; in Sub-Nos. 14 and 33F from St. Marys and Congo, WV; Buffalo, NY; and Emlenton, Farmers Valley and North Warren, PA, (or one or more of these points) to Pleasants and Hancock Counties, WV; Erie County, NY; and Venango, Warren and McKean Counties, PA; in Sub-No. 21 from the facilities at or near Greely, and Denver, CO, to Denver, CO, and Weld County, CO; in Sub-No. 22 from New Kensington, PA to Westmoreland and Allegheny Counties, PA; in Sub-Nos. 23 and 52F from Jackson, MI to Jackson County, MI; in Sub-No. 24F from the facilities at or near Archbold, OH to Fulton County, OH; in Sub-No. 25 from Jasper, TN, to Marion County, TN; in Sub-Nos. 26F and 44F from the facilities in Jasper, Newton, Barry, and Lawrence Counties, MO, to Japser, Newton, Barry and Lawrence Counties, MO; in Sub-No. 32F from the facilities at or near Chester, PA; Landisville, NJ; and Rogers, AR, to Delaware County, PA; Atlantic County, NJ; and Benton County, AR; in Sub-No. 36F from the facilities at or near Pittsburgh, PA, to Pittsburgh, PA; in Sub-No. 37F from Burlington, WI, to Racine County, WI; in Sub-No. 38F from the facilities in Warren County, MS, to Warren County, MS; in Sub-No. 42F from Hartford and Wethersfield, CT, to Hartford County, CT; in Sub-No. 43F from the facilities at or near Clifton, NJ, to Clifton, NJ; in Sub-No. 46F from the facilities at or near Bentonville, Searcy and Ft. Smith, AR, to Benton and White Counties, AR, and to Ft. Smith, AR; in Sub-No. 57F from the facilities at or near Kansas City, KS, to Kansas City, KS/Kansas City, MO; in Sub-No. 58F from Bardstown, KY, to Nelson County, KY, and Plainfield, IL, to Will County, IL; in Sub-No. 60F from the facilities at Baltimore, MD and at points in Anne Arundel, Baltimore, Howard and Prince Georges Counties, MD, to Baltimore, MD, and the named counties; in Sub-No. 61F from the facilities at or near Reading, PA, to Berks County, PA; in Sub-No. 66F from the facilities at or near Booneville, AR, to Logan County, AR; in Sub-No. 67F from the facilities at or near Columbus, OH; Atlanta, GA; Dallas, TX; Victory Gardens, NJ; Lenexa, KS; and Milwaukee, WI, to Johnson County, KS, and Morris County, NJ, and commercial zone authority at remaining points; in Sub-No. 69F from Metairie, LA, to Jefferson Parish, LA; (F) change the restriction in Sub-No. 68F from "restricted to traffic destined to" named facilities to "restricted to traffic originating at or destined to" named facilities; (G) replace one-way authority with radial authority between named

counties and cities, on the one hand, and, on the other, numerous states and the District of Columbia, in Sub-Nos. 1, 3, 4, 6, 11, 12, 14, 19, 21, 22, 23, 24F, 25F, 26F, 31F, 33F, 36F, 37F, 38F, 42F, 43F, 44F, 46F, 52F, 55F, 57F, 58F, 60F, 61F, 65F, 66F, and 70F.

MC 134493 (Sub-8)X, filed March 16, 1981. Applicant: CHICAGO-ST. LOUIS TRANSPORT, INC., 2064 W. 167th Street, Markham, IL 60426. Representative: James C. Hardman, 33 N. LaSalle St., Suite 2108, Chicago, IL 60602. Applicant seeks to remove restrictions in its Sub-No. 4F certificate to (1) eliminate the "commodities in bulk" exception; (2) broaden the territorial description to county-wide authority to replace city-wide service: Vermilion County, IL, for Hoopeston, IL, and Warren County, MO, for Wright City, MO; and (3) authorize radial authority to replace one-way service between Chicago, and points in Vermilion County, IL and points in Warren County, MO.

MC 134493 (Sub-9)X, filed March 19, 1981. Applicant: CHICAGO-ST. LOUIS TRANSPORT, INC., 2064 W. 167th Street, Markham, IL 60426. Representative: James C. Hardman, 33 N. LaSalle St., Suite 2108, Chicago, IL 60602. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity descriptions from general commodities with exceptions to general commodities (except Class A and B explosives), (a) beer, metal signs, beer taps and (b) electric storage batteries, concrete road joints and roofing and rejected shipments of (b) to "food and related products, metal products and machinery", (2) change one-way to two-way authority between St. Louis, MO, and Waukegan, IL; Chicago Heights, IL, and St. Louis, MO, and (3) authorize service at all intermediate points in connection with its regular routes between (a) Chicago, IL, and St. Louis, MO, (b) St. Louis, MO, and Waukegan, IL, and (c) Chicago Heights, IL, and, St. Louis, MO.

MC 135070 (Sub-185)X, filed March 10, 1981. Applicant: JAY LINES, INC., Box 61467, DFW Airport, TX 75261. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Applicant seeks to remove restrictions in its Sub-Nos. 31F, 41F, 58F, 61F, 62F, 96F, 108F, 101F, 105F, 123F, 150F, 153F, 162F, 163F, 165F, and 170F certificates to (1) broaden the commodity descriptions from (a) in Sub-No. 31F, air conditioning and heating duct work and registers, and equipment, materials, and supplies used in the installation of those commodities to "metal products, building materials, and machinery," (b) in Sub-No. 41F, petroleum products, in containers, "to petroleum products, natural gas, and their products," (c) in Sub-No. 61F, motorcycles and recreational vehicles and parts, components, and accessories for motorcycles and recreational vehicles, and materials, equipment, and supplies used in the manufacture and distribution of motorcycles and recreational vehicles, to "transportation equipment," (d) in Sub-No. 62F, paper and paper articles and plastic and plastic articles, to "pulp, paper and related products, and rubber and plastic products"; (e) in Sub-No. 96F, plastic containers and materials, equipment, and supplies used in the manufacture and distribution of plastic containers, and in Sub-No. 108F, rubber articles, plastic articles, and rubber materials, and equipment, materials, and supplies used in the manufacture and distribution of those commodities, to "rubber and plastic products"; (f) in Sub-No. 101F, empty drums used in the transportation of petroleum products, to "metal products"; (g) in Sub-No. 123F, that part of the commodity description that reads foods products, to "food and related products"; (h) in Sub-No. 162F, part (1) oils, esters, cleaning and waxing compounds, wax, softeners, textiles, fireproofing compounds, chemicals (except in bulk), to "chemicals an related products, and textile mill products"; (i) in Sub-No. 163F, part (1) adhesives, tools, wood tackless strips, and hot melt tape, to "lumber and wood products, rubber and plastic products, chemicals and related products"; (j) in Sub-No. 165F, part (1) traffic control products, pavement marking compounds, cullet, and glass beads, to "metal products, machinery, rubber and plastic products, chemicals and related products, clay, concrete, glass, or stone products"; and (k) in Sub-No. 170F, part (1) insulated copper wire cable, to "metal products and rubber and plastic products"; (2) delete the "except commodities in bulk" restriction, in Sub-Nos. 58F, 96F, 105F, 153F, 162F, 163F and 165F; (3) eliminate the restriction prohibiting service to AK and HI, in Sub-Nos. 105F, 108F, 150F, 162F and 163F; (4) eliminate the plantsite restriction, in Sub-Nos. 31F, 61F, 96F, 101F, 108F, 150F, and 153F; (5) remove the restriction limiting service to the transportation of shipment originating at and destined to specified points, in Sub-No. 58F; (6) remove the restriction prohibiting the transportation of specified commodities from and to named points, in Sub-Nos. 58F and 62F; (7) replace existing city-wide service with county-wide authority: (a) in Sub-No. 61F, Dauphin and York Counties, PA, for York and Middletown, PA; (b) in Sub-No. 96F, Hamilton County, OH, for Springdale, OH; Middlesex County, NJ, for New Market and Milltown, NJ; Johnson County, KS, for Lenexa, KS; Cook and DuPage Counties, IL, for Elk Grove Village and West Chicago, IL; and Racine County, WI, for Burlington, WI; (c) in Sub-No. 101F, Liberty County, TX, for Dayton, TX; (d) in Sub-No. 150F, Burlington County, NJ, for Mt. Laurel, NJ; (e) in Sub-No. 153F, Hudson and Union Counties, NJ, for Bayonne and Bayway, NJ; East Baton Rouge Parish, LA, for Baton Rouge, LA; and Harris County, TX, for Baytown, TX; (f) in Sub-No. 162F, Union County, NJ, for Linden, NJ; Clinton County, PA, for Lockhaven, PA; Greenville County, SC, for Mauldin, SC; and Los Angeles County, CA, for Santa Fe Springs, CA; (g) in Sub-No. 163F, Rockdale County, GA, for Conyers, GA; and (h) in Sub-No. 170F, Schuylkill County, PA, for Schuylkill Haven, PA and (8) authorize radial authority in place of existing one-way service between various combinations of cities and counties in numerous specified states and points in the U.S.

MC 138328 (Sub-134)X, filed March 20, 1981. Applicant: CLEARENCE L. WERNER, d.b.a. WERNER ENTERPRISES, I-80 & Hwy. 50, P.O. Box 37308, Omaha, NE 68137. Representative: Donna Ehrlich (same address). Applicant seeks to remove restrictions from its MC-133233 Sub-Nos. 58F, 63F, and 73F permits to (1) expand the commodity descriptions from aluminum and aluminum products, and materials, equipment and supplies used in the manufacture of aluminum and aluminum products in Sub-No. 58F; from aluminum billets, aluminum blooms, aluminum ingots, aluminum pigs, and aluminum slabs in Sub-No. 63F; and from aluminum cable, and accessories used in the installation of aluminum cable in Sub-No. 73F, to "metal products"; and (2) expand the territorial descriptions to between points in the United States, under continuing contract(s) with a named shipper.

MC 139588 (Sub-6)X, filed March 19, 1981. Applicant: GRANDVIEW ENTERPRISES, INC., P.O. Box 17170, Portland, OR 97217. Representative: Lawrence V. Smart, Jr., 419 NW., 23rd Ave., Portland, OR 97210. Applicant seeks to remove restrictions from its lead A and B and Sub-No. 5 to broaden the commodity description from automobile and truck parts and accesories to "transportation equipment" in lead A, and from cleaning

and chemical compounds, to "chemicals and related products"; and from plastic products to "rubber and plastic products" in lead B; remove the "in container" restriction in lead B; broaden ceramic wall and floor title and quarries and mosaics to "building materials" in its Sub-No. 5; and expand the territorial description in each of the permits to between points in the U.S. under continuing contracts with named shippers.

MC 139743 (Sub-9)X, filed March 19, 1981. Applicant: GEORGIA CARPET EXPRESS, INC., P.O. Box 1680, Tibbs Road, Dalton, GA 30720. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. Applicant seeks to remove restrictions in its Sub-Nos. 2, 5, and 7F certificates to (A) broaden the commodity description from carpets, carpeting and yarn in Sub 2, from carpeting and carpet samples in Sub 5, and from carpeting in Sub 7F to "(1) floor coverings and related products, and (2) materials, equipment and supplies used in the manufacture or distribution of commodities named in (1) above"; (B) replace authority to serve named plantsites with county-wide authority and authorize radial service in place of existing one-way authority: in Sub 2, between Walker (Archer, Hedges), Whitfield (Dalton), Murray (Chatsworth) and Gordon (Fairmount) Counties, GA and points in CA, and specified points in CO and WA; in Sub 5, between points in Catoosa (Ringgold) and Whitfield (Dalton) Counties, GA and CA; in Sub 7F, between points in Murray (Chadsworth) and Walker (Lafayette) Counties, GA, and AZ, NV, and NM; and (C) remove the originating at and destined to restrictions in Subs 2 and 5.

MC 140186 (Sub-46)X, filed March 17, 1981. Applicant: TIGER TRANSPORTATION, INC., P.O. Box 2248, Missoula, MT 59806. Representative: David A. Sutherland, 1150 Connecticut Ave., N.W., Washington, DC 20036. Applicant seeks to remove restrictions in its Sub-Nos. 26F, 28F, 34F, 39F, 42F, 43F, and 45F certificates to (1) broaden its commodity descriptions, in Sub-No. 26F, from lumber products, wood products etc to "lumber, lumber products, wood products, and forest products;" in Sub-No. 34F from general commodities with the usual exceptions to "general commodities except classes A and B explosives;" in Sub-Nos. 35F and 39F, from aluminum plates, pipe, fabricated metal accessories, etc to "metal products," and; in Sub-No. 43F, from roofing, siding, etc to "buildings and building materials, equipment and supplies;" (2) replace city-wide authority with county-wide authority, in Sub-No. 28F Yellowstone County, MT, for Billings, MT, and; in Sub-No. 35F Scott County, IA for Riverdale, IA; (3) remove the originating at and destined to restriction in Sub-No. 26F; (4) remove the restriction limiting service to the transportation of traffic moving on specified bills of lading in Sub-No. 34F; (5) remove facilities restrictions in Sub-No. 35F; (6) remove the restriction against transportation of commodities in bulk in Sub-No. 45F; and (7) authorize radial authority in place of existing one-way authority in Sub-Nos. 26F, 28F, 34F, 35F, 39F, 42F, 43F, and 45F.

MC 141872 (Sub-1)X, filed March 20, 1981. Applicant: MATS, INC., P.O. Box 1615, St. Paul, MN 55111. Representative: Andrew R. Clark, 1600 TCF Tower, 121 South 8th Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions from its lead certificate to (1) remove all exceptions from its general commodities authority except classes A and B explosives; (2) replace its authority to serve the Minneapolis-St. Paul International Airport with authority to serve Minneapolis-St. Paul, MN; and (3) remove the "ex-air" restriction.

MC 144848 (Sub-4)X, filed March 12, 1981. Applicant: I & L TRUCKING, INC., Star Route, Utica, OH 43080. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its Sub-Nos. 2F and 3F certificates to (1) broaden the commodity descriptions to (a) in Sub-No. 2F, "such commodities as are dealt in or used by manufacturers or distributors of containers," from glass containers, and materials, equipment and supplies used in the manufacture and distribution of glass containers, and, (b) in Sub-No. 3F, "such commodities as are dealt in or used by manufacturers or distributors of food and related products," from malt beverages, materials, equipment and supplies used in the manufacture and distribution of malt beverages; (2) eliminate the "commodities in bulk" exception, in Sub-No. 2F; (3) delete the exception which prohibits service to AK and HI, in Sub-No. 2F; (4) replace the authority to serve specified facilities with county-wide and commercial zone authority: Columbus, OH, Baltimore, MD and Chattanooga, TN; and Knox County, OH, for Mt. Vernon, OH, and, (5) remove the restriction limiting service to the transportation of traffic originating at or destined to named facilities, in Sub-No. 3F.

MC 145457 (Sub-9)X, filed March 23, 1981. Applicant: B & M EXPRESS, INC., P.O. Box 82506, Oklahoma City, OK 73148. Representative: L. W. Mays, P.O. Box 82506, Oklahoma City, OK 73148. Applicant seeks to remove restrictions in its lead and Sub-No. 5F certificates to (1) broaden the commodity descriptions to "such commodities as are used in the manufacture, repair and maintenance of motor vehicles" from tires, tire parts, inner tubes, and inner tube parts, and materials, equipment and supplies used in the manufacture and distribution of these commodities; (2) eliminate the "except commodities in bulk" restriction; and (3) replace a plantsite limitation with authority to serve Oklahoma City, OK.

MC 145979 (Sub-5)X, filed March 19, 1981. Applicant: CALIFORNIA EXPRESS, LTD., 214 Third Avenue, North, Nashville, TN 37064. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. Applicant seeks to remove restrictions in its lead and Sub-Nos. 3F and 4F certificates to: (1) broaden the commodity descriptions from (a) chemicals, cleaning, scouring, and washing compounds, plastic liquids and sheeting, ink, defoaming compounds, laminating machinery, laminating machinery parts, solvents, palletts, and containers to "lumber and wood products, pulp, paper and related products, chemicals and related products, rubber and plastic products, metal products, and machinery", in its lead and Sub-No. 4F; and (b) electric motors and electric motor parts to "machinery" in Sub-No. 3F; (2) remove the "except commodities in bulk" and the "originating at and destined to" restrictions in its lead and Sub-No. 4F; (3) replace specific point or named facilities authority with county-wide authority as follows: In Sub-No. 3F, Lexington with Henderson County, TN, McMinnville with Warren County, TN; in Sub-No. 4F, facilities in Los Angeles and Orange Counties, with Los Angeles and Orange Counties, CA; Moss Point with Jackson County, MS, Charlotte and Matthews with Mecklenburg County, NC and South Hadley Falls, with Hampshire and Hampden Counties, MA; and (4) expand its one-way authority to radial authority between Davidson, Henderson and Warren Counties, TN, and, points in AZ, CA, NV, OR, UT, and WA in Sub-No. 3F; between Jackson County, MS, and, points in Mecklenburg County, NC and Hampshire and Hampden Counties, MA, in Sub-No. 4F.

MC 146769 (Sub-2)X, filed March 16, 1981. Applicant: STEWART CORPORATION d.b.a. TRANSINTERNATIONAL SYSTEM, Worthington, OH 43085. Representative:

James Duvall, P.O. Box 97, 220 W. Bridge St., Dublin, OH 43017. Applicant seeks to remove restrictions in its Sub-No. 1F certificate, authorizing service between points in OH, and between points in OH, on the one hand, and, on the other, Baltimore, MD, Newark, NJ, New York, NY, Norfolk, VA, and Philadelphia, PA, by (1) broadening the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)"; and (2) removing the restriction limiting traffic to the transportation of shipments having a prior or subsequent movement by rail or water.

MC 146484 (Sub-5)X, filed March 19, 1981. Applicant: F. J. CRIKOS TRUCKING, INC., 141 Helman Lane, Cotati, CA 94928. Representative: Eldon M. Johnson, 650 California St., Suite 2808, San Francisco, CA 94108. Applicant seeks to remove restrictions in its Sub-No. 2F permit to broaden its territorial description to "between points in the U.S." under continuing contract(s) with a named shipper.

MC 148231 (Sub-5)X, filed March 20, 1981. Applicant: SIKORA & WILSON, INC. d.b.a. EAST–WEST EXPRESS, 7900 N. Frontage Rd., Hinsdale, IL 60521. Representative: Robert J. Gill, First Commercial Bank Bldg., 410 Cortez Rd. W., Bradenton, FL 33507. Applicant seeks to remove restrictions in its Sub-Nos. 1F and 2F certificates to (1) remove the restriction against the transportation of bulk commodities, (2) eliminate the "in vehicles equipped with mechanical refrigeration" restriction, (3) replace facilities limitations with city or county-wide authority as follows: In Sub-No. 1F, facilities at Des Plaines, IL, with Cook County, IL, facilities at Parkersburg, WV, with the city of Parkersburg, WV; in Sub-No. 2F, facilities at Chicago with Chicago, IL, facilities at Sullivan, IL, with Moultrie County, IL, facilities at North Reno, NV, with Storey County, NV; and (4) eliminate the "AK and HI" exception in Sub-No. 1F.

MC 148456 (Sub-3)X, filed March 20, 1981. Applicant: MICHAEL MASTEL d.b.a. MASTEL TRANSFER, Hazelton, ND 58544. Representative: Charles E. Johnson, P.O. Box 2578, Bismarck, ND 58502. Applicant seeks to remove restrictions in its Sub-No. 2F permit to (1) broaden the commodity description to "metal products, machinery, and clay, concrete, glass or stone products," from corrugated steel pipe, sheet piling, guard rail, and accessories, and (2) broaden the territorial description to authorize "between points in the U.S.," under continuing contract(s) with a named shipper.

MC 148655 (Sub-12)X, filed March 19, 1981. Applicant: ERIEVIEW CARTAGE, INC., 100 Erieview Plaza, Cleveland, OH 44101. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washington, DC 20001. Applicant seeks to remove restrictions in its Sub 3F certificate to (1) replace authority to serve named plantsites in Cumberland, Ocean, Atlantic, Gloucester, Mercer, Salem, Camden, and Cape May Counties, NJ with authority to serve the counties named above; (2) eliminate the restriction against serving AK and HI; and (3) remove the restriction against the transportation of "commodities in bulk."

MC 149304 (Sub-3)X, filed March 19, 1981. Applicant: J H R CORPORATION, 105 East Kiowa, Suite 200, Colorado Springs, CO 80903. Representative: Edward T. Lyons, Jr., 1600 Lincoln Center, 1660 Lincoln St., Denver, CO 80264. Applicant seeks to remove restrictions in its Sub-No. 2F permit to broaden its territorial authority to between points in the U.S., under continuing contract(s) with a named shipper.

MC 150980 (Sub-1)X, filed March 20, 1981. Applicant: PATRICK DERRO, d.b.a. DERRO CARTAGE CO., 10701 South Keeler Ave., Oak Lawn, IL 60431. Representative: Anthony E. Young, 29 South LaSalle St., Suite 350, Chicago, IL 60603. Applicant seeks to remove restrictions in its lead certificate to (1) broaden its commodity description from clothing, to "such commodities as are used or dealt in by department stores" and (2) remove the facilities restriction and change to county-wide authority and authorize radial authority between Cook County, IL (for Alsip, IL), and Indianapolis, IN, Kansas, City, KS, St. Louis, MO, Minneapolis, MN, and Des Moines, IA.

MC 152517 (Sub-1)X, filed March 17, 1981. Applicant: RO–MAR TERMINAL & WAREHOUSE CO., INC., 3356 South Ashland Avenue, Chicago, Illinois 60608. Representative: Ronald N. Cobert, 1730 M Street, N.W., Suite 501, Washington, DC 20036. Applicant seeks to remove restrictions in its lead certificate to (1) broaden its commodity description to "general commodities (except classes A and B explosives)" from general commodities (except household goods as defined by the Commission, and classes A and B explosives); and (2) remove the ex-rail restrictions.

[FR Doc. 81-9987 Filed 4-1-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 40]

Motor Carrier, Permanent Authority Decisions; Restriction Removals; Decision-Notice

Correction

In FR Doc. 81–8338 appearing at page 17266, in Wednesday March 18, 1981, make the following correction:

On page 17295, second column, in the application of Overland Express, Inc., the second paragraph, first line "MC 133689 (Sub-57)X" should read "MC 133689 (Sub–357)X."

BILLING CODE: 1505–01–M

Motor Carrier Permanent Authority Decisions, Decision-Notice

Correction

In FR Doc. 81–6075, appearing at page 13851 in the issue of Tuesday, February 24, 1981, make the following change:

On page 13857, column 1, 5th paragraph, line 10, "of Framington, MA." should read "of Framingham, MA."

BILLING CODE 1505–01–M

DEPARTMENT OF JUSTICE

Proposed Consent Decree in Action To Enjoin Violations of the Clean Air Act, 42 U.S.C. 7401 et seq., and of the Ohio State Implementation Plan Promulgated Thereunder

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on February 27, 1981 a proposed consent decree in *United States* v. *City of Warren*, Civil No. C79–1430Y, was lodged with the United States District Court for the Northern District of Ohio. The proposed consent decree would require the City of Warren to install a continuous monitoring system for measuring opacity on the two incinerators at its waste water treatment plant no later than December 31, 1983 and thereafter submit monitoring reports quarterly for two years.

The City has currently shut down the two incinerators and has achieved compliance by landfilling the sludge. The City has agreed not to incinerate sludge, except for testing purposes, unless in compliance with Ohio APC. 3–10 (3745 –17–09).

On or before May 4, 1981 the Department of Justice will receive written comments relating to the proposed consent decree. Comments should be addressed to the Deputy Assistant Attorney General of the Land and Natural Resources Division,

Department of Justice, Washington, D.C. 20530, and should refer to *United States. v. City of Warren*, DJ Ref. No. 90-5-2-1-201.

The proposed consent decree may be examined at the office of the United States Attorney, Room 400, United States Courthouse, 215 Superior Avenue, Cleveland, Ohio 44114; at the Region V Office of the Environmental Protection Agency, Enforcement Division, 230 South Dearborn Street, Chicago, Illinois 60604; and at the Environmental Enforcement Section, Room 1254, Land and Natural Resources Division, Department of Justice, 9th and Pennsylvania Avenue NW., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice.

Angus MacBeth,

Deputy Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 81-9002 Filed 4-1-81; 8:45 am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

Manufacturer of Controlled Substances; Application

Pursuant to § 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on January 21, 1981, Smith Kline & French Labs., Div., of Smithkline Corp., 1530 Spring Garden Street, Philadelphia, Pa. 19101, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic class of controlled substances listed below:

Drug and Schedule

Amphetamine (1100)—II
Phenylacetone (8501)—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 requests for a 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 May 4, 1981.

Dated: March 27, 1981.

Peter B. Bensinger,

Administrator, Drug Enforcement Administration.

[FR Doc. 81-9001 Filed 4-1-81; 8:45 am]

BILLING CODE 4410-09-M

Manufacture of Controlled Substances; Registration

By notice dated August 8, 1980, and published in the **Federal Register** on August 14, 1980; (45 FR 54156), Sterling Drug Inc., 33 Riverside Avenue, Rensselaer, New York, 12144, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of Meperidine, a basic class of controlled substance listed in schedule II.

No comments or objections having been received, and pursuant to Section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations § 1301.54(e), the Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: March 27, 1981.

Peter B. Bensinger,

Administrator, Drug Enforcement Administration.

[FR Doc. 81-9002 Filed 4-1-81; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (81-28)]

NASA Advisory Council, Aeronautics Advisory Committee; 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, Aeronautics Advisory Committee, Informal Advisory Subcommittee on Aeronautical Propulsion Technology.

DATE AND TIME: April 29, 1981, 8:30 a.m. to 5 p.m.; April 30, 1981, 8:30 a.m. to 5 p.m.; May 1, 1981, 8:30 a.m. to 12 Noon.

ADDRESS: NASA Headquarters, 600 Independence Avenue, S.W., Room 625, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Dr. Raymond S. Colladay, National Aeronautics and Space Administration, Code RTP-6, Washington, DC 20546 (202/755-3273).

SUPPLEMENTARY INFORMATION: The Informal Advisory Subcommittee on Aeronautical Propulsion Technology was established to assist the NASA in identifying and examining advanced propulsion technology requirements for future aeronautical vehicles and to recommend program additions, deletions, or changes in scope or emphasis that may be found necessary to support the overall NASA aeronautical research and technology objectives. The Chairperson is Dr. Maurice Shank and there are eleven members on the Subcommittee. The meeting will be open to the public up to the seating capacity of the room (approximately 40 persons including the Subcommittee members and participants).

Agenda:

April 29, 1981

8:30 a.m.—Review of Office of Aeronautics and Space Technology FY 1983-FY 1987 Plan.
10:30 a.m.—Technology Validation/ Demonstration.
1 p.m.—Review of Program for Facility Productivity Improvement.
2 p.m.—Review of Aeronautical Propulsion Long-Range Plan.
5 p.m.—Adjourn.

April 30, 1981

8:30 a.m.—Review of Aeronautical Propulsion Long-Range Plan.
3 p.m.—Research and Technology Base Advocacy.
5 p.m.—Adjourn.

May 1, 1981

8:30 a.m.—Discussion and Recommendations.
12 Noon—Adjourn.

Gerald D. Griffin,

Acting Associate Administrator for External Relations.

March 27, 1981.

[FR Doc. 81-9001 Filed 4-1-81; 8:45 am]

BILLING CODE 7510-01-M

[Notice (81-30)]

NASA Advisory Council; Meeting Postponement

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting postponement.

SUMMARY: The scheduled meeting on April 7-8, 1981, of the NASA Advisory Council, published in the **Federal**

Register March 23, 1981 (45 FR 18125), has been postponed. The meeting will be held April 9–10, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Nathaniel B. Cohen, Code LB–4, National Aeronautics and Space Administration, Washington, DC 20546 (202/755–8383).

SUPPLEMENTARY INFORMATION: Except for the revised agenda as listed below, all other information regarding this meeting remains the same as previosuly announced.

Agenda: (Revised)

9 a.m.—Introduction
9:15 a.m.—FY 1982 Amended Budget
10:30 a.m.—Space and Terrestrial Application
1 p.m.—Aeronautics
2:30 p.m.—Space and Life Sciences
3:30 p.m.—Space Transportation System
5:30 p.m.—Adjourn

April 10, 1981

1 p.m.—Computer Technology and Automation
1:45 p.m.—NASA: History and Social Science
2:30 p.m.—New Business and General Discussion
3:30 p.m.—Adjourn

Gerald D. Griffin,

Acting Associate Administrator for External Relations.

March 27, 1981.

[FR Doc. 81-9899 Filed 4-1-81; 8:45 am]

BILLING CODE 7510-01-M

[Notice (81-29)]

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 the forthcoming meeting of NASA Advisory Council, Informal Ad Hoc Solar System Exploration Committee.

DATE AND TIME: April 20, 1981, 8:30 a.m. to 4:30 p.m., April 21, 1981, 8:30 a.m. to 4:30 p.m., April 22, 1981, 8:30 a.m. to 4:30 p.m.

ADDRESS: Director's Conference Room (3501), National Air and Space Museum, Washington, DC 20560.

FOR FURTHER INFORMATION CONTACT: Mrs. Diane M. Mangel, National Aeronautics and Space Administration, Code SL–4, Washington, DC 20546 (202/755–3728).

SUPPLEMENTARY INFORMATION: The Informal Ad Hoc Solar System Exploration Committee was established under the NASA Advisory Council to translate the scientific strategy developed by the Committee on Planetary Exploration (COMPLEX) into a realistic, technically sound sequence of missions consistent with that strategy and with resources expected to be available for solar system exploration. The committee will report its findings to the Council and to NASA. The committee is chaired by Dr. John E. Naugle and is composed of four other members of the Council and its standing committees, who will meet with about 9 other invited participants and certain NASA personnel

The meeting will be open to the public up to the seating capacity of the room (approximately 25 persons, including committee members and invited meeting participants). Visitors will be requested to sign a visitor's register.

Type of Meeting: Open

Agenda

April 20, 1981

8:30 a.m.—Testimony from Planetary Scientists and other invited individuals
4:30 p.m.—Adjourn

April 21, 1981

8:30 a.m.—Planetary Exploration and the Use of Near-Earth Resources
4:30 p.m.—Adjourn

April 22, 1981

8:30 a.m.—Business Carried Over from Previous Meetings
4:30 p.m.—Adjourn

Gerald D. Griffin,

Acting Associate Administrator for External Relations.

March 27, 1981.

[FR Doc. 81-9900 Filed 4-1-81; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 81-14]

Accident Report, Safety Recommendations, Responses; Availability

Railroad Accident Report: Illinois Central Gulf Railroad Company Freight Train Derailment, Hazardous Material Release and Evacuation, Muldraugh, Kentucky, July 26, 1980 (NTSB–RAR–81–1).—The National Transportation Safety Board's investigation report indicates that 4 locomotive units and 17 cars, including 7 placarded tank cars containing hazardous materials, were derailed while the freight train was moving at a calculated speed of about 35 mph around a 6° curve. Two tank cars of vinyl chloride were punctured and their contents burned. Flames impinged two other tank cars of vinyl chloride, causing one to vent toxic fumes, but neither car ruptured. About 6,500 persons were evacuated from Muldraugh and the U.S. Army installation at Fort Knox. Four train crewmembers were injured during the derailment, and property damage was estimated at $1,348,394.

The Safety Board determined that the probable cause of the accident was the tipping of the outside rail and widening of track gage in the 6° curve because of the combined effects of defective crossties, excessively worn rail, irregular alignment and gage, and the lateral forces produced by the train's speed. Inadequate maintenance and inspection practices of the Illinois Central Gulf Railroad allowed these conditions to remain uncorrected. Contributing to the accident was the inadequate Federal Track Safety Standards which failed to provide for a track structure commensurate with the permitted train speeds.

As a result of its investigation, the Safety Board on February 11 issued these "Class II, Priority Action" recommendations:

—to the Illinois Central Gulf Railroad Company:

Establish and implement procedures to maintain mainline tracks and sidings to a level of safety not less than that which is prescribed by Federal regulations governing carrier-designated track classes. (R–81–32)

Establish and implement track maintenance standards which designate the limit of acceptable rail wear and which require rail removal when worn beyond the acceptable limits. (R–81–33)

—to the Federal Railroad Administration:

Institute surveillance of the maintenance of Louisville District trackage of the Illinois Central Gulf Railroad Company until it is brought into conformance with the requirements of the FRA track safety standards. (R–81–34)

Promulgate regulations which designate the limit of acceptable rail wear and which require railroads to remove from active tracks rails that are worn beyond the acceptable limits. (R–81–35)

Also on February 11, the Board reiterated these recommendations, previously made to FRA as a result of other train accident investigations:

Amend track geometry standard 49 CFR 213.55, Alignment, so that it defines "uniformity," establishes a maximum rate-of-change in alignment deviation, and establishes the maximum number of feet between which each alignment mid-offset measurement shall be taken. (R–77–6)

Amend track geometry standard 49 CFR 213.63, Track Surface, so that it defines "uniform profile," establishes maximum rate-of-change in profile and cross level deviations, and establishes the maximum number of feet between which each profile midordinate measurement and each cross level measurement shall be taken. (R–77–7)

Include in review of the current FRA track safety regulations, investigation and testing to determine if the minimum track conditions that are required for the FRA classes of track by 49 CFR 213.9 are adequate for all types of trains for the maximum allowable speed for each class. (R-77-8)

Immediately revise the track safety standards to eliminate the subjectivity, incompatibility, vagueness, and unenforceability. The requirements should be made more explicit so as to insure the detection and correction of all combinations of track conditions which cause derailments. (R-79-19)

Determine the ultimate safety effect of allowing the indiscriminate lowering of main track classifications instead of maintaining the track at original intended class. (R-79-25)

Amend track safety standards 49 CFR 213.241, Inspection Records, to require railroad inspectors to list on their inspection records the location of rails which exhibit the external conditions listed in subpart (b) of 49 CFR 213.113, Defective Rails, and the remedial action they have taken. (R-80-32)

Aviation Safety Recommendation Letter: A-81-26 through -28, to the Federal Aviation Administration, March 20, 1981.—The Safety Board believes that an important increase in the level of protection offered to the general aviation flying public can be achieved by measures to improve egress from small, single-engine aircraft in an emergency. Accordingly, the Board recommends that FAA:

Amend 14 CFR 23.783 to require that each external door on all aircraft manufactured after a specified date can be opened using only one handle or latching mechanism and that the means of operation be simple and apparent. (A-81-26)

Amend 14 CFR 23.807(a)(1) to require all aircraft with a seating capacity of two or more, excluding aircraft with canopies, manufactured after a specified date to have at least one emergency exit located on the opposite side of the cabin from the main door and to require that each emergency exit can be opened from both the inside and the outside of the aircraft. (A-81-27)

Amend 14 CFR 23.783, 14 CFR 23.807(b)(3), and 14 CFR Part 91 to require external doors and emergency exits of aircraft to be conspicuously marked on the outside with directions for opening the door. (A-81-28)

Responses to Safety Recommendations

A-76-82 and -83, from the Federal Aviation Administration, March 2, 1981.—Supplements FAA's September 15, 1976, letter (41 FR 43255, September 30, 1976) and responds to Board inquiry of July 30, 1980. FAA provides copy of final rule, published at 45 FR 70386, October 23, 1980, amending 14 CFR Part 23, Combustion Heater Fire Protection.

A-77-48, from the Federal Aviation Administration, March 3, 1981.—Updates FAA's June 7, 1979, response (44 FR 36273, June 21, 1979). Reports that Air Traffic Service manuals and handbooks have been purged of unauthorized or inconsistent abbreviations that were not in consonance with FAA's Contractions Handbook. A working group (FAA, National Weather Service, and Department of Defense) will coordinate introduction of new contractions into general use and monitoring contractions and abbreviations used in air traffic control, communications, and associated services.

A-80-123 and -124, from the Federal Aviation Administration, March 3, 1981.—Initial response to recommendations concerning engine flameout of Bell helicopters, Model 206. (45 FR 83355, December 18, 1980)

Re A-80-123: Bell Helicopter Textron Model 206 Rotorcraft Flight Manuals will be revised to instruct the pilot to drain the engine inlet casting filter with a fuel pump on to prevent inflow of air during the draining procedure.

Re A-80-124: FAA does not consider removal of drain valves on Detroit Diesel Allison 250C-20 engine-driven fuel pump low-pressure filters to be appropriate, and will take no airworthiness directive action.

M-78-45 through -51, from the U.S. Coast Guard, February 19, 1981.—Responds to Board's July 26, 1979, comments re USCG's June 4 1979, response (44 FR 24655, June 28, 1979). Subject accident: Tankship *M/V Dauntless Colocotronis*, Mississippi River near New Orleans, July 22, 1977.

Re M-78-45: A working group of USCG and U.S. Army Corps of Engineers (COE) met in New Orleans September 10-11, 1979; reports lack of formal objective criteria for determining when an obstruction was a hazard to navigation, not only in the Mississippi River but nationwide. A "formula" definition of a navigation hazard is impractical because many different situations require judgmental decisions. USCG is negotiating a memorandum of agreement with COE to establish a uniform decision process between the two agencies.

Re M-78-46: A survey to locate unreported wrecks and a data management system would require resources beyond that presently available in either USCG or COE. The issue will be addressed in the USCG/COE memorandum of agreement.

Re M-78-47: COE maintains that the present system of rising water depths with reference to designated well known gauges is simple, workable, and one to which users are accustomed—an adequate method that should not be changed.

Re M-78-49: USCG maintains noncurrence, believing that the current boarding program suffices to insure substantial compliance with the 1960 Safety of Life at Sea Convention (SOLAS) and applicable U.S. regulations regarding fire drills.

Re M-78-50: SOLAS 1974 has been ratified to bring it into force internationally (May 1980)—a significant development in respect to vessels in general and tank ships in particular. Final rules implementing the 1978 Protocols to the 1974 Convention were published November 19, 1979, in the **Federal Register.**

Re M-78-51: USCG provides a copy of the proposal presented to the Intergovernmental Maritime Consultative Organization (IMCO) Fire and Protection subcommittee in July 1979. Session XI of the IMCO Assembly, held in London in November 1979, approved amendment to regulation 4 of Chapter II-2 of SOLAS 1974: "In all new and existing ships, a duplicate set of the fire control plans shall be permanently stored in a prominently marked weathertight enclosure outside the deckhouse for assistance of shoreside firefighting personnel."

Board letter of July 26, 1979, classified M-78-48 as "Closed—Acceptable Action" in view of USCG's efforts to develop and have ratified an international agreement for standards on training, certification, and watchstanding which includes firefighting training standards.

M-80-52, from the American Gas Association (AGA), March 3, 1981.—Responds to recommendation resulting from investigation of fire on board crane barge *C. L. Dill 10*, Mississippi River Delta, June 5, 1979. AGA will send member companies a copy of Board's recommendation letter and advise review of operating practices and procedures. AGA notes that the type of pipeline damaged in this accident is normally operated by producers rather than by AGA member companies, which are primarily natural gas distributors. (45 FR 51006, July 31, 1980)

M-80-86 through -88, from the U.S. Coast Guard, February 23, 1981.—Responds to recommendations stemming from investigation of grounding of *SS Frontenac*, Lake Superior, Silver Bay, Minn., November 22, 1979. (45 FR 68813, October 16, 1980)

Re M-80-86: USCG is surveying all previously granted permits to ascertain which private aids do not extend throughout a reasonably expected navigation season. Where private aids to navigation are proven useful during the entire navigation season, permittees are requested to extend their periods of operation. Future applications to operate

private aids to navigation upon U.S. Great Lakes waters will require that periods of operation encompass the extended navigation season where necessary.

Re M–80–87: USCG does not concur, stating, ". . . it is inappropriate to assign specific tasks to crewmembers or otherwise restrict the master in his ability to best utilize his personnel."

Re M–80–88: USCG concurs in requiring self-propelled vessels of 1,600 gross tons or greater, operating in U.S. waters, to have gyro repeaters conveniently located on the bridge and requiring carrying bearing circles to facilitate the taking of visual bearings. This is addressed in proposed amendments to Chapter V of the 1974 SOLAS Convention. USCG will defer any unilateral change in Navigation Safety Regulations until the expected adoption of these amendments.

P–80–1, from the American Gas Association, March 5, 1981.—Responds to Board comments of September 26 on AGA's initial response of May 30, 1980 (45 FR 41555, June 19, 1980). Subject accident: propane pipeline rupture and explosion in Orange, Texas, August 20, 1979. AGA plans to distribute to all AGA member company delegates copies of the Safety Board's recommendation letter of February 26, 1980.

R–81–31, from the American Public Transit Association, March 9, 1981.—Response is to a recommendation issued in connection with the board's "Safety Effectiveness Evaluation of Rail rapid transit Safety." (46 FR 17683, March 19, 1981) APTA provides a list of 22 organizations which have an interest in public transit safety. APTA maintains close working relationships with these organizations and exchanges information. APTA also maintains working relationships with local fire, public, civil defense, public safety, emergency response, and building code agencies. APTA is involved in a number of safety activities with respect to the Federal Government and regularly invites officials to address its major conferences.

Annual Report to Congress

The Safety Board's 1980 report was forwarded to Members of Congress on March 17, 1981. Single copies in limited supply are available to the public on written request.

Note.—Single copies of Board reports are available without charge as long as limited supplies last. Copies of recommendation letters, responses and related correspondence are also free of charge. All requests must be in wirting, identified by recommendation or report number. Address requests to: Public Inquiries Section, National Transportation Safety board, Washington, D.C. 20594.

Multiple copies of board reports may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22161.

(49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,

Federal Register Liaison Officer.

March 27, 1981.

[FR Doc. 81-9911 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-58-M

NUCLEAR REGULATORY COMMISSION

Availability of Report on Nuclear Power Plant Simulators

Correction

In FR Doc. 81–3168, appearing at page 9304 in the issue of Wednesday, January 28, 1981, the following corrections should be made:

In the first paragraph of column three on page 9304,

1. the reference to "NEDO/CR 1482" in lines seven and eight should have read, "NUREG/CR 1482".

2. the reference to "the TIM–2 Accident and to "NEDO–0660" in lines 17 and 18 should have read, "the TMI–2 Accident" and "NUREG–0660".

BILLING CODE 1505-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

March 25, 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, NW., Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202-447-6201

New

- Animal and Plant Health, Inspection Service

National Poultry Improvement Plan (NPIP)—Recordkeeping
On occasion
State or local governments
State agencies participating in the NPIP
SIC: 964
Agricultural research and services, 220,660 responses, 7,278 hours, 1 form
Charles A. Ellett, 202-395-7340

The NPIP is a voluntary State-Federal program for the improvement of poultry breeding flocks and products through improved breeding and disease control techniques. Records maintained by the official State agencies provide information relative to breeding flocks in their respective States.

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202-377-3627

New

- National Oceanic and Atmospheric Administration

Application for Federal Fisheries Permit
NOAA 88-155
On occasion, annually
Individuals or households/businesses or other institutions
U.S. fishermen
SIC: 091
Other advancement and regulation of commerce, 10,000 responses, 5,000 hours, $11,625 Federal cost, 2 forms
William T. Adams, 202-395-4814

The application provides information required for issuance of permit to domestic fishermen engaged in fishing in the U.S. fisheries conservation zone. The permit is used to enumerate the participants in individual fisheries and to determine the level of fishing effort.

Revisions

- Economic Development Administration

Current and Projected Permanent Employee and Payroll Data
ED-612
Annually
State or local governments/businesses or other institutions
Employees receiving EDA assistance
SIC: multiple
Area and regional development, 1,400 responses, 1,400 hours, $140,000 Federal cost, 1 form
William T. Adams, 202-395-4814

In the pre- and post-approval review of projects, EDA needs ED-612 from beneficiaries of its financial assistance to evaluate their: (1) job development efforts, (2) civil rights posture, and (3) business and financial plans and practices. Required by 42 U.S.C. 2000D-1, 3131(a), 3131(a), 3141(a), 3151 (a), (b), (f), 324 3246B(a), 6702, 6703, 6704, 6709. 13 C.F.R. 311, 13 C.F.R. 316.10(B)(8), 15 C.F.R. 8.4.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

New

- Social Security Administration

Study of Long-Term Disability Income Protection in Private Industry (Pretest)
SSA-4669
Nonrecurring
Businesses or other institutions
Private employers and their disability plan admin.
SIC: 637
Small businesses or organizations
General retirement and disability insurance, 250 responses, 167 hours, $430,748 Federal cost, 2 forms
Barbara F. Young, 202-395-6880

This pretest will be used for a study designed to determine the extent and adequacy of disability protection under private plans and the overlaps and gaps in coverage between the private plans and the SS disability program. The information will be obtained through a mail survey of the private firms along with extraction of plan coverage data from their documents.

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—Vivian A. Keado—202-343-6191

Extensions (No Change)

- United States Fish and Wildlife Service

Application for Refuge Fur Trapping Permit
FWS No. 3-2001
Annually
Individuals or households
Individual fur trappers
Recreational resources, 2,000 responses, 1,000 hours, $10,000 Federal cost, 1 form
Constance Buckley, 202-395-7340

The application for fur trapping permit is essential for the implementation of a furbrearer trapping program on national wildlife refuges. The form is used to evaluate each applicants qualifications and determines if they are eligible for a permit.

DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—202-523-6331

New

- Labor-Management Services Administration

Final Regulation: Alternative Method of Compliance for Certain Simplified Employee Pensions
LMSA-NMSEP-1
Other—see SF83
Businesses or other institutions
Spon. and/or Admin. of "non-model" simplified employee
SIC: all
Small businesses or organizations
Other labor services, 100 responses, 9 hours, 1 form
Arnold Strasser, 202-395-6880

This regulation is needed to relieve sponsors of "non-model" simplified employee pensions (SEPS) from the reporting and disclosure requirements of part 1 of title I of the employee Retirement Income Security Act of 1974 (ERISA) that would otherwise be applicable to such plans.

ACTION

Agency Clearance Officer—Mr. Dana Rodgers—202-254-8501

Revisions

- Vista Project Appl., Vista and Action Educa. Programs Project Progress Report, and Action/Vista Pre Application Inquiry

Action A-1022, A-1023, and A-1024
On occasion, quarterly, annually
State or local governments/businesses or other institutions
Sponsoring organ. may be Federal, State or local agen., etc.
SIC: 944 953
Small businesses or organizations
Social services, 4,200 responses, 8,400 hours, $480,000 Federal cost, 3 forms
Diane Wimberly, 202-395-6880

This form is required by all grant and project sponsor applicants who wish to

receive funds and/or volunteer services to carry out vista projects. The form is used to determine award of benefits. Form A-1023 is used by Action field staff to det. proper prog. and resource management and to monitor progress. Form A-1024, prospective sponsors or Vista volunteers and projects use this form to initially request volunteers.

GENERAL SERVICES ADMINISTRATION

Agency Clearance Officer—John F. Gilmore—202-566-1164

Reinstatements

- Application of Eleemosynary Institution

GSA-18
On occasion
Businesses or other institutions
Charitable institutions
Multiple functions, 16 responses, 4 hours, $52 Federal cost, 1 form
Franklin S. Reeder, 202-395-3785

The GSA form 18 is submitted to GSA by an eleemosynary institution requesting the donation of forfeited distilled spirits, wine, or malt beverages. The application is used by GSA to determine an institution's eligibility to receive such donations.

RAILROAD RETIREMENT BOARD

Agency Clearance Officer—Pauline Lohens—312-751-4692

Revisions

- Application and Claim for Unemployment Benefits and Employee Service

UI (ES-1) and UI-3
On occasion
Individuals or households
Claimants for unemploy. bene. and employ. serv. und. RR., etc.
General retirement and disability insurance, 698,250 responses, 57,161 hours, $6,078,000 Federal cost, 2 forms
Barbara F. Young, 202-395-6880

Section 5 of the Railroad Unemployment Insurance Act provides for payment of unemployment benefits to qualified railroad employeers and for placement of the employees in suitable jobs. The application obtains information needed for payment and placement purposes.

Arnold Strasser,

Acting Deputy Administrator for Reports Management.

[FR Doc. 81-9985 Filed 4-1-81; 8:45 am]

BILLING CODE 3110-01-M

Agency Forms Under Review

March 30, 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 U.S.C. Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

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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;

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DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202-377-3627

New

- Bureau of the Census

1982 Commodity Transportation Survey—Recordkeeping Practices Survey
TC-300
Nonrecurring
Businesses or other institutions
Samp from estab. in mfr., mineral, and assemb. of farm, etc.
Sic: multiple
Small businesses or organizations
Other advancement and regulation of commerce, 500 responses, 166 hours; $4,750 Federal cost, 1 form
Off. of Federal Statistical Policy and Standard, 202-673-7974

This questionnaire seeks information on data storage techniques for shipping documents practiced by manufacturers, mineral establishments, and assemblers of farm products. Results from survey will determine best data collection methodology for full-scale 1982 commodity transportation survey.

• International Trade Administration
Diamond Dies, Natural and Synthetic
ITA-9042
Nonrecurring
Businesses or other institutions
Prod. of natural and synthetic diamond dies
Sic: 354
Small business or organizations
Other advancement and regulation of commerce, 22 responses, 11 hours; $750 Federal cost, 1 form
William T. Adams, 202-395-4814

The survey is required to obtain current production capacity and other production requirements for natural and synthetic diamond dies for national stockpile management and mobilization planning.

• National Oceanic and Atmospheric Administration
Fisheries Technology Survey
Nonrecurring
Businesses or other institutions
Tuna fishing captains
Sic: 091
Small businesses or organizations
Other advancement and regulation of commerce, 120 responses, 48 hours; $800 Federal cost, 1 form
William T. Adams, 202-395-4814

To reduce dolphin mortality rates to levels approaching zero during purse seining for tuna in the eastern tropical pacific ocean. This is part of the marine mammal biology and technology progr as mandated by the Marine Mammal Protection Act of 1972.

• National Oceanic and Atmospheric Administration
Marine Mammal log—Marine Mammal Mortality Reports
On occasion
Businesses or other institutions
Fishermen
Sic: 091
Small businesses or organizations
Other advancement and regulation of commerce, 2,250 responses, 563 hours, $100 Federal cost, 1 form
William T. Adams, 202-395-4814

To report the taking of marine mammals under certificates of inclusion.

Revisions

• International Trade Administration
Diamond Dies, Natural and Synthetic: Production.
Imports and Exports
ITA-9015
Annually
Businesses or other Institutions
Producers, importers and exporters or diamond dies
SIC: 354
Small businesses or organizations
Other advancement and regulation of commerce; 22 responses, 11 hours; $1,000 Federal cost, 1 form
William T. Adams, 202-395-4814

Data collected are used as a statistical base in the determination of quantities of materials to be stockpiled and in the assessment of market impacts of proposed stockpile acquisitions and disposals, as required under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 Et Seq).

• Bureau of the Census
1981 Company Organization Survey—Nucleus of the Standard Statistical Establishment List (SSEL)
NC-X1A & NC-X1C
Annually
Farms/Businesses or other institutions
Multiestablishment companies in all economic areas
Small businesses or organizations
Other advancement and regulation of commerce, 80,000 responses, 72,375 hours, $2,300,000 Federal cost, 2 forms
Off. of Federal Statistical Policy and Standard 202-673-7974

SSEL provides: (1) A standard basis for assigning standard industrial classification codes of establishments engaged in all areas of economic activity, (2) a single source for the application of a common frame for the selection and maintenance of statistical samples of establishments, legal entities, or enterprises, and (3) a benchmark data base from which sample estimates can be developed more accurately and efficiently.

DEPARTMENT OF ENERGY

Agency Clearance Officer—Irene Montie—202-633-9464

New

• Departmental and Others
Application for nonexclusive patent license, (GC-498A)
Exclusive/nonexclusive patent license for DOE owned patents
GC-498A, GC-498B, & GC-498C
On occasion
Individuals or households/businesses or other institutions
Any appl., who in the disc. of the dept., has the inten. etc.
SIC: 999
Small businesses or organizations
Energy information, policy, and regulation, 50 responses, 100 hours; $31,300 Federal cost, 3 forms
Jefferson B. Hill, 202-395-7340

To gather information upon which to make a decision concerning the issuance of an exclusive/nonexclusive patent license for DOE owned patents.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

New

• Health Services Administration
Evaluation of Staff Training Project/ Black Lung Clinic Program
Nonrecurring
Individuals or households
Patients of black lung clinics
Health care services, 180 respones, 41 hours; $20,000 Federal cost, 1 form
Gwendolyn Pla, 202-395-6880

The information to be gathered is necessary for the completion of a staff training project conducted for the black lung clinic program under a contract by the American Lung Association.

Revisions

• Social Security Administration
Request for Workmen's Compensation Information
SSA-1709-U4
On occasion
State or local governments/businesses or other institutions workmen's compen. bds and priv wkrmen's compen. carrirs
General retirement and disability insurance, 30,000 responses 6,000 hours, $221,400 Federal cost, 1 form
Barbara F. Young, 202-395-6880

Section 224(A) of the Social Security Act provides that disability benefits be reduced on account of receipt of State workmen's compensation payments. This form is used to request and/or verify information about compensation payments made to disability claimants to insure proper adjustments are made to monthly benefits.

DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—202-523-6331

New

• Employment and Training Administration
Quarterly Trade Act Request/ Certification
ETA 8-73
Quarterly
State or local governments
State agencies
Sic: 944
Training and Employment, 208 responses, 1,664 hours; $13,104 Federal cost, 1 form

Arnold Strasser, 202–395–6880

The report provides State agencies with a mechanism for requesting and reporting expenditures under the Trade Act of 1974. The report is used to expedite funding by eliminating the Supplemental Budget Request (SBR) process.

DEPARTMENT OF STATE

Agency Clearance Office—Gail J. Cook—202–632–3538

Extensions (Burden Change)

• Administration of Foreign Affairs Skills Catalogue
DSP–92
On occasion
Individuals or households
Foreign service spouses
Conduct of foreign affairs, 1,000 responses, 500 hours; $2,000 Federal cost, 1 form
Phillip T. Balazs, 202–395–4814

The Skills catalogue is a repository for resume data on foreign service dependents seeking employment. The catalogue offers a resource to U.S. Government agencies for meeting temporary U.S. mission needs abroad. It can also be used to provide data to multi-national employers with job openings in specific overseas locations.

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John Winsor—202–426–1887

New

• Federal Highway Administration
Railway-Highway Crossing Hazard Identification
On occasion
State or local governments
State highway/transportation agencies
Sic: 962
Ground transportation, 56 responses, 5,600 hours; $15,000 Federal cost, 1 form
Terry Grindstaff, 202–395–7340

Each State is required by the Highway Safety Act of 1973, section 203, to identify hazardous railway-highway crossings. The Crossing hazard identification system is dependent on the road hazard identification system and the DOT–AAR national grade crossing inventory administered by the Federal Railroad Administration.

ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Mr. Phillip Ross—202–287–0747

New

• Sample Request Form
On occasion
State or local governments/businesses or other institutions
Water laboratories
Sic: All
Small businesses or organizations
Pollution control and abatement, 5,000 responses, 417 hours; $6,000 Federal cost, 2 forms
Edward H. Clarke, 202–395–7340.

This form is a revision of 158R–0026. It will be used by Federal, State, local, university, private laboratories to assist them in conducting their quality control programs and comcurrently to support the quality assurance program of EPA.

National household garden survey
Nonrecurring
Individuals or households
Households with vegetable gardens
Pollution control and abatement, 444 responses, 222 hours; $350,000 Federal cost, 1 form
Edward H. Clarke, 202–395–7340

The garden survey (monitoring data and questionnaire) is needed for accurate regulatory development and analysis of the distribution and marketing regulation. Information will be tabulated and analyzed to assess: Characteristic sludge use practices, extent and magnitude of soil contamination via sludge use, and degree of risk to U.S. population. The survey will begin immediately following OMB approval and a final report will be submitted on January 1, 1982.

FEDERAL HOME LOAN BANK BOARD

Agency Clearance Officer—Frank J. Crowne—202–377–6025.

New

• Federal Home Loan Bank Board Applicant Identification
1233
Nonrecurring
Individuals or households
Job applicants
Mortgage credit and thrift Insurance, 1,000 responses, 250 hours, 1 form
Warren Topelius, 202–395–7340

The information requested is to be utilized in conjunction with supplemental qualifications statement 1234 to evaluate applicants for the position of savings & loan examiner, GS–570–5/7. The data obtained from this form will help provide required information necessary to process the individual's application.

• Federal Home Loan Bank Board Supplemental Qualifications
Statement savings and loan examiner, GS–570–5/7
1234
Nonrecurring
Individuals or households
Job applicants
Mortgage credit and thrift insurance, 1,000 responses, 2,000 hours; $35,000 Federal cost, 1 form
Warren Topelius, 202–395–7340

The information requested is to be utilized to evaluate applicants for the position of savings and loan examiner, GS–570–5/7. The data obtained from the applicant's questionnaire will be used to rank the individual's qualifications for this position.

RAILROAD RETIREMENT BOARD

Agency Clearance Officer—Pauline Lohens—312–751–4692

New

• Student beneficiary monitoring
G–311, G–315
On occasion
Individuals or households/businesses or other institutions
Student beneficiaries and schools
Sic: 822 824
General retirement and disability insurance, 18,000 responses, 1,975 hours; $300,000 Federal cost, 2 forms
Barbara F. Young, 202–395–6880

Under the Railroad Retirement Act, a student benefit is not payable if the student ceases full-time school attendance, marries, works in the railroad industry, has excessive earnings or attains age 22. The reports will obtain information from the student and educational institution to be used in determining if benefits should cease or be reduced.

Extensions (Burden Change)

• Employee Representatives' Status and Compensation Reports
DC–2A
On occasion
Individuals or households/businesses or other institutions
Indiv. who are ofrs. or offic. of rw lab. organ. and employ.
Sic: 863
General retirement and disability insurance, 125 responses, 56 hours; $1,00 Federal cost, 2 forms
Barbara F. Young, 202–395–6880

Benefits are provided under the Railroad Retirement Act for individuals who are employee representatives as defined in section 1 of that Act. The collection obtains information on the status of such individuals and their compensation.

UNITED STATES METRIC BOARD

Agency Clearance Officer—Eugene P. Visco—703–235–2583

New

• Survey of metrication

Nonrecurring
• Businesses or other institutions
The 432 stand. writ./develop. organ. listed on the, etc.
Sic: all
Small businesses or organizations
Other advancement and regulation of commerce, 250 responses, 125 hours; $3,370 Federal Cost, 1 form
William T. Adams 202–395–4814

The U.S. Metric Board is developing a plan for meeting the requirements specified in sections 6(4), 6(5) and 6(6) of the Metric Conversion Act of 1975 (15 USC 205). To assist the board in this work, the board will conduct a brief survey of standards developing/writing organizations.

Arnold Strasser,

Acting Deputy Administrator for Reports Management.

[FR Doc. 81-9986 Filed 4-1-81; 8:45 am]

BILLING CODE 3110-01-M

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVIORAL RESEARCH

Change in Agenda for Meeting April 9–10, 1981

The President's Commission hereby gives notice of a change in the agenda for the meeting on April 9–10, 1981, previously announced in 46 **Federal Register** 18132 (March 23, 1981). The subject of compensation for research injuries will not be on the agenda for this meeting. The meeting will involve primarily testimony and discussion of issues surrounding decisions to forego life-sustaining therapy. For further information please contact: Andrew Burness, Public Information Office, at (202) 653–8051.

Alexander M. Capron,

Executive Director.

[FR Doc. 81-10070 Filed 4-1-81; 8:45 am]

BILLING CODE 6820-AV-M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 21980; 70-6577]

Arkansas Power & Light Co.; Proposed Sale and Lease-Back of Utility Assets

March 27, 1981

Notice is hereby given that Arkansas Power & Light Company ("Arkansas") Post Office Box 551, Little Rock, Arkansas 72203, an electric utility subsidiary of Middle South Utilities, Inc., as registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 12(d) of the Act and Rule 44 promulgated thereunder as applicable to the following proposed transaction. All interested persons are referred to the delcaration, which is summarized below for a complete statement of the proposed transaction.

Arkansas proposes to lease to One Arkansas Associates, a Massachusetts limited partnership ("Owner"), four parcels of land and related easements and rights ("Land") and to sell to Owner four buildings and related improvements ("Improvements"). The Land and Improvements are currently owned by Arkansas are located at, or in the vicinity of, the Arkansas Nuclear One Generating Station situated near Russellville, in Pope County, Arkansas. Owner will pay Arkansas book value for the Improvements, which includes allowance for funds used during construction, plus certain expenses incurred in connection with the proposed transaction, for a total cost currently estimnated to be approximately $21,295,000.

Pursuant to a Lease and Sublease Agreement ("Lease") Owner will lease the Improvements and sublease the Land back to Arkansas. Arkansas understands that the Lease rates during the primary terms are equivalent to an effective annual interest rate of approximately 14.08% per annum. Arkansas expects to charge the payments under the Lease to operating expenses and to account for the transaction as a lease, since the rent is such that Arkansas will not acquire any ownership interest in the Improvements subject to the Lease.

Notice is further given that any interested person may, not later than April 23, 1981, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certfificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-9921 Filed 4-1-81; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 17660; File Nos. SR-BSPS-77-5, etc.]

Bradford Securities Processing Services, Inc., and National Securities Clearing Corp.; Proposed Rule Change

March 27, 1981.

In the matter of proposed rule changes submitted by Bradford Securities Processing Services, Inc. (File Nos. SR-BSPS-77-5 and SR-BSPS-80-3) and National Securities Clearing Corporation (File No. SR-NSCC-78-2). Order modifying conditions to approval of proposed rule change of National Securities Clearing Corporation and terminating conditional authorization to implement proposed rule changes of Bradford Securities Processing Services, Inc.

On October 19, 1977, and on February 25, 1980, Bradford Securities Processing Services, Inc. ("BSPS") submitted proposed rule changes to the Commission that, if approved, would authorize BSPS to establish a trade comparison and reporting system and a balance order system for transactions in municipal and government securities.[1] On February 9, 1978, National Securities Clearing Corporation ("NSCC") submitted a proposed rule change that, if approved, would authorize NSCC to make transactions in municipal securities eligible for processing through NSCC's comparison, balance order and continuous net settlement systems.[2] In connection with those submissions,

[1] Notice of SR-BSPS-77-5 was published in Securities Exchange Act Release No. 14141 (November 7, 1977), 42 FR 59139 (November 15, 1977). That filing was amended in its entirety on February 25, 1980, and the amendment was noticed by publication in Securities Exchange Act Release No. 16654 (March 14, 1980), 45 FR 18528 (March 21, 1980). Notice of SR-BSPS-80-3 was published in Securities Exchange Act Release No. 16655 (March 14, 1980), 45 FR 18530 (March 21, 1980).

[2] SR-NSCC-78-2 was noticed by publication in Securities Exchange Act Release No. 14469 (February 14, 1978), 43 FR 7386 (February 22, 1978).

BSPS also requested that the approval of its and NSCC's proposals be conditioned on the establishment of "free" interfaces between NSCC's and BSPS's system.

By order dated November 26, 1980, the Commission approved those proposed rule changes, as amended, subject to certain conditions.[3] Generally, the order required BSPS and NSCC: to establish a joint coordinating committee to facilitate the establishment of "free" interfaces between the two systems; to negotiate the operational and financial details of the free interfaces and submit a joint interface plan to the Commission by April 15, 1981; to operate their systems on a test basis for six months with a limited number of participants; and to report to the Commission monthly during the test period concerning the operational performance of their systems. Pursuant to that order, NSCC and BSPS established a Joint Coordinating Committee and, with that Committee's assistance, began negotiating the details of the free interface. Also, as authorized by the order, both clearing agencies began providing municipal clearing services to a limited number of participants on December 15, 1980.

Recently, the Commission received three letters requesting that the Commission modify or eliminate the conditions imposed by the order approving NSCC's and BSPS's systems. In one letter, dated February 27, 1981, BSPS informed the Commission that it had not succeeded in marketing its clearing system to enough participants during the test period to justify the continuing cost of developing and operating its system and that it was discontinuing those operations. Due to BSPS's business decision to terminate automated municipal operations during the test period, BSPS requested that its proposal be withdrawn, and it rescinded its request for free interfaces with NSCC. Finally, BSPS expressed support for prompt, unconditional approval of NSCC's system for processing transactions in municipal securities.

In a separate letter, also dated February 27, 1981, NSCC requested that, in view of BSPS's decision not to operate a municipal securities processing system, the Commission modify or eliminate certain of the conditions to the Commission's order approving NSCC's system. Among other things, NSCC requested that it no longer be required to establish an interface with BSPS and that it be permitted to expand the use of its system more rapidly than authorized by the order.

Finally, in a letter dated March 2, 1981, the participant members of the Joint Coordinating Committee, which NSCC and BSPS established pursuant to the Commission's directive, expressed their support for NSCC's request that NSCC's system be permitted to expand promptly.

Notice of the submission of those letters was published in the **Federal Register** on March 12, 1981.[4] At that time, the Commission solicited public comment concerning the requests. No comments have been received.

Determinations

Because of BSPS's decision not to operate its automated comparison and clearance system for transactions in municipal securities, the Commission has determined to modify certain conditions to the order approving NSCC's and BSPS's proposal. More specifically, the Commission no longer will require: (i) that NSCC and BSPS submit by April 15, 1981 a joint plan for the establishment of interfaces between NSCC's and BSPS's municipal securities processing system; (ii) that those interfaces be established concurrently with the termination of the operation of NSCC's and BSPS's systems on a test basis; or (iii) that NSCC and BSPS maintain a coordinating committee to facilitate the establishment of the interfaces.

In revoking those requirements, the Commission recognizes that NSCC will be the only registered clearing agency currently offering automated comparison and clearance services for transactions in municipal securities. The Commission further recognizes that competition among clearing agencies provides participants with market alternatives, encourages technological development, and helps ensure that participants receive services at a competitive price, and, accordingly, the Commission encourages other registered clearing agencies to consider offering municipal clearing services. The Commission understands, however, that currently no other registered clearing agencies are prepared to offer those services. Therefore, because of the important benefits that automated comparison and clearance systems will bring to the municipal securities industry, the Commission does not believe that prompt implementation and expansion of NSCC's automated system should be delayed.[5]

In addition, the Commission has no reason to believe that NSCC's systems will be unsafe or inefficient. Nonetheless, for the reasons discussed in the order approving NSCC's and BSPS's proposals, the Commission continues to believe that NSCC's system should operate on a test basis until June 15, 1981.[6] Operation of NSCC's system on a test basis will enable NSCC and its participants to gain experience with NSCC's system in a controlled, orderly fashion and will facilitate whatever adjustments prove necessary to ensure safe and efficient operation.

Although the Commission will continue to require NSCC to operate its system on a test basis until June 15, 1981, the Commission has determined to permit NSCC to offer its system to an expanded number of participants during the test period. In the order approving NSCC's and BSPS's proposals, the Commission authorized NSCC and BSPS to offer their systems initially to no more than five participants each; after two months of operation to no more than 15 participants each; and after four months of operation to no more than 25 participants each. Because BSPS has ceased to operate its system, however, the number of persons able to use automated municipal securities processing systems during the test period has been reduced by one-half. Moreover, NSCC has informed the Commission that the limited number of participants using the systems has not been large enough for its system to be fully effective. In particular, limited participation and the recent reduced volume in the municipal market has limited the opportunity for the systems to net transaction and thereby reduce deliveries.

Accordingly, to compensate for BSPS's termination and to provide for the more effective use of NSCC's system during the test period, the Commission is authorizing NSCC to add no more than fifteen participants to its system

[3] Securities Exchange Act Release No. 17343, 45 FR 80224 (December 3, 1980).

[4] Securities Exchange Act Release No. 17668 (March 5, 1981), 46 FR 16394.

[5] In its order conditionally approving NSCC's and BSPS's systems, the Commission discussed the substantial benefits that automated comparison and clearing services would provide the municipal securities industry. Securities Exchange Act Release No. 17343 (November 26, 1980) at 19.

[6] The Commission discussed the reasons for requiring a test mode in its order, *id.*, at pp. 19–21. Briefly, the order noted that neither NSCC and BSPS had processed municipal securities transactions in an automated system in the past and, similarly, that many prospective users of the systems were unfamiliar with automated clearing systems. As a result, the Commission concluded that it was prudent to require that the systems initially be deployed in a controlled environment with a limited number of participants.

every two weeks for the remainder of the test period. The Commission, however, will monitor NSCC's expansion program closely and will take prompt action during the test period if it appears that action is necessary in the interest of the safety or efficiency of NSCC's system for processing municipal securities transactions. The Commission also will continue to require NSCC to report on its system's operation monthly and to notify the Commission promptly if NSCC experiences any problems during the expansion phase. Finally, the Commission will continue to require NSCC to provide by May 15, 1981, an opinion report prepared by an independent public accountant concerning the operation of NSCC's system of internal accounting control during the first four months of operation.[7]

In addition, BSPS's decision to discontinue developing a municipal clearing system means that BSPS cannot satisfy the order's conditions and directives. BSPS's letter specifically indicates that, for example, it will be unable to satisfy the test period and reporting requirements. For those reasons, and because the Commission has considered BSPS's letter as a request for consent to the withdrawal of its proposed rule changes, the Commission has determined to terminate the conditional approval, contained in the order of November 26, 1980, authorizing BSPS to implement its proposed rule change on a test basis.[8]

It is therefore ordered, in accordance with the foregoing determinations, that conditions to the Commission's order approving SR-NSCC-78-2 are modified as specified herein, that conditional authorization to implement SR-BSPS-77-5 and SR-BSPS-80-3 is terminated, and that SR-BSPS-77-5 and SR-BSPS-80-3 are withdrawn.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-9922 Filed 4-1-81; 8:45 am]

BILLING CODE 8010-01-M

[7] In the order conditionally approving the proposed systems, the Commission required NSCC and BSPS to provide monthly reports describing and profiling statistically the operation of their systems, and it directed both clearing agencies to provide an opinion report prepared by an independent public accountant covering the operation of their internal accounting control systems during the first four months of operation. *Id.* at 51. In its letter of February 27, 1981, to the Commission, NSCC requested that those directives ("directive (ii)") be modified, but only to the extent that the first monthly report would pertain to February. NSCC stated that, in its view, monthly reports prior to February were not beneficial, given the limited number of participants and the recent decline in volume in the municipal market. In view of the continuing need, however, for the Commission to assure that NSCC's system is implemented and monitored safely and accurately, the Commission declines to modify the two reporting requirements contained in directive (ii). Instead, the Commission will continue the requirements in directive (ii), but will permit NSCC to provide a single report covering the first three months of operation, *viz.* until March 15, 1981, and monthly reports thereafter.

[8] In the event that BSPS in the future wishes to develop municipal clearing systems, proposals to establish those systems will need to be filed with the Commission pursuant to Section 19(b) of the Act and Rule 19b-4 thereunder.

[Rel. No. 21982; 70-6566]

Central and South West Corp., et al.; Proposal of Parent To Make Capital Contributions to Subsidiaries

March 27, 1981.

In the matter of Central and South West Corporation, 2700 One Main Place, Dallas, Texas 75250; Central Power and Light Company, 102 North Chapparral Street, Corpus Christi, Texas 78401; Southwestern Electric Power Company, P.O. Box 21106, Shreveport, Louisiana 71156; and West Texas Utilities Company, 301 Cypress, Abilene, Texas 79604.

Notice is hereby given that Central and South West Corporation ("CSW"), a registered holding company, and its subsidiaries, Central Power and Light Company ("CPL"), Southwestern Electric Power Company ("SWEPCO") and West Texas Utilities ("WTU") have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 6, 7, 9, 10 and 12(f) of the Act and Rule 50(a)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration which is summarized below, for a complete statement of the proposed transaction.

CSW proposes to make capital contributions of up to $45 million to CPL prior to June 30, 1981, up to $55 million to SWEPCO and up to $10 million to WTU, both prior to August 31, 1981. The subsidiaries will each use the proceeds to repay short-term loans. CSW expects to finance the capital contributions through the sale of $6 million common stock prior to September 30, 1981 together with proceeds from the sale of new common stock under its Dividend Reinvestment and Stock Ownership, Employee Thrift and Tax Reduction Employee Stock Ownership plans.

Notice is further given that any interested person may, not later than April 20, 1981, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated address and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-9923 Filed 4-1-81; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

McCauley Model 3GFR34C(700) Propeller; Certification and Availability of Documents

The formal certification process for the McCauley Model 3GFR34C(700) Propeller initiated in September 1980 was completed December 29, 1980.

The Director of the FAA Great Lakes Region has reviewed a document entitled "Decision Basis for the Type Certification of the McCauley Model 3GFR34C(700) Propeller." Based on this summary of the certification process, the Director has approved issuance of Type Certificate P60GL dated January 30, 1981.

A copy of the "Decision Basis for the Type Certification of the McCauley Model 3GFR34C(700) Propeller" is on file in the FAA Rules Docket. The "Decision Basis" includes a copy of Type Certificate P60GL. The report is available for examination and copying at the FAA Rules Docket, Room 916, 800

Independence Avenue, S.W., Washington, D.C. Copies of the report may be obtained from the Director, FAA Great Lakes Region, 2300 E. Devon Avenue, Des Plaines, IL 60018.

Issued in Des Plaines, Illinois on March 13, 1981.

Frederick M. Isaac,

Acting Director, Great Lakes Region.

[FR Doc. 81-9545 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement; Gunnison and Chaffee Counties, Colo.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice of intent to advise the public that an environmental impact statement will be prepared for a proposed highway project in Gunnison and Chaffee Counties, Colorado.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry L. Budwig, Division Engineer, Central Direct Federal Division, P.O. Box 25246, Denver, CO 80225, Attention: Mr. Robert Arensdorf or Mr. E. C. Samuelson (303) 234-4798.

SUPPLEMENTARY INFORMATION: The Colorado Forest Highway Program Agencies (U.S. Forest Service, Colorado Department of Highways, and FHWA as lead agency) and Gunnison and Chaffee Counties are proposing to improve approximately 26 miles of the Cottonwood Pass Road (Forest Highway 59) from the end of pavement on Colorado Route 306, about 7 miles west of Buena Vista, across the existing gravel/dirt Cottonwood Pass Road to the junction with the Taylor River Road at the Taylor Park Reservoir; from there, down the Taylor River Road south of the Reservior to below the Taylor River Dam where the existing Taylor River Road has been paved. In addition, several substandard bridges on this paved portion of the Taylor River Road into Almont will be replaced with standard 30 foot wide bridges. Three of these bridge (Taylor River #8 below the dam, Lottis Creek, and Spring Creek) affect current Forest management and will be addressed outside of this EIS in 1981. This proposed project crosses both the Gunnison and San Isabel National Forests as well as private lands within Gunnison and Chaffee Counties. The project would generally follow the existing 15-20 foot gravel/dirt Cottonwood Pass-Taylor River Road; it would entail regarding, widening, paving, drainage improvements, and curve improvements to improve the capacity and safety features of the existing road. In some areas, road improvement would encroach on the 100 year floodplains and associated wetlands of Middle Cottonwood Creek (east of pass) and Pass Creek (west of pass); the project would cross minor tributaries of these creeks and the Taylor River and its tributaries. Special location and design measures would be required to avoid or reduce encroachment in these areas.

Alternatives currently being considered for this proposed action include:

No-action, maintain the existing road with no structural or geometric improvement;

Reconstruct and widen the existing road with minor realignments to improve most curves. This alternative would provide 11- or 12-foot paved travel lanes, 1- or 2-foot paved shoulders, a 6-foot ditch, and variable width/slope backslopes.

Provide other transportation modes to serve the transportation needs in this corridor.

The scoping process for this proposed action was begun in the fall of 1980 with an interagency meeting and field review. Letters of intent describing the proposed project and soliciting comments were sent to numerous federal, state, and local agencies and interested individuals and groups in March 1981. Public meetings will be held in April 1981 to obtain public input (April 7-Gunnison, CO, April 8-Buena Vista, CO). Additional interagency or public meetings may be held if significant concerns are raised during the location/environmental analysis process. FHWA and the program agencies are presently conducting environmental assessments and engineering studies for the project which will be documented in a Draft Environmental Impact Statement likely to be issued in 1982. A corridor/design public hearing(s) will be held before the Forest Highway Program agencies make a final decision on implementing the project. Questions or comments concerning the proposed project can be addressed to the individuals noted above. (Catalog of Federal Assistance Program Number 20.205, Highway Research, Planning, and Construction. The provisions of OMB Circular A-95 regarding State and local clearinghouse reivew of Federal and federally-assisted programs and projects apply to this program.)

Issued on: 26 March 1981.

C.R. Houser,

Deputy Division Engineer, Central Direct Federal Division, Denver, Colorado.

[FR Doc. 81-9553 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement: Bloomington, Indiana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for the proposed extension of College Avenue between Dodds Street and Country Club Drive in Bloomington, Monroe County, Indiana.

FOR FURTHER INFORMATION CONTACT: Mr. John Breitwieser, Staff Environmental Specialist, Federal Highway Administration, 575 North Pennsylvania Street, Room 254, Indianapolis, Indiana 46204, Telephone: 317/269-7481.

SUPPLEMENTARY INFORMATION: The FHWA in cooperation with the Indiana State Highway Commission and the City of Bloomington, will prepare an environmental impact statement on a proposal involving the extension of College Avenue in Bloomington, Indiana. The City of Bloomington ultimately desires to extend College Avenue southward and use it as a continuance of the one-way pair in conjunction with South Walnut Street (Old State Road 37).

The Walnut Street/College Avenue one-way pair runs through Bloomington as a primary arterial, providing access to the Central Business District from the north and south. The current southern terminus for this pair is at Dodds Street. From this point southward, Walnut Street, at two-lane road, carries both north-and southbound traffic. As a result, South Walnut Street is heavily congested during most of the day and becomes almost impassible during the morning and evening rush hours. While College Avenue may be extended from Dodds Street south 1.5 miles to Country Club Drive, at which point it would tie into existing South Walnut Street, there are several constraints to this extension. However, improvements to these two urban streets are considered necessary to efficiently accomodate the traffic demands for existing and projected levels along these corridors.

Alternative alignments are being considered for tying College Avenue into South Walnut Street at varying

distances from the existing terminus and subsequently widening South Walnut Street to accomodate a four-lane facility. One alternative involves tying College Avenue back into South Walnut Street at Davis Street. The second would tie College Avenue back into South Walnut Street between Driscoll and Wilson Streets, and the third would tie in at Miller Drive. Taking no action and upgrading the existing facility are also being considered as alternatives.

The project has been coordinated with the following: U.S. Heritage Conservation and Recreation Service, U.S. Corps of Engineers—Louisiville District, Second Coast Guard District—St. Louis, Mo., U.S. Fish and Wildlife Service, U.S. Soil Conservation Service, Indiana Department of Natural Resources, Indiana Aeronatuics Commission, Indiana Geological Survey, Indiana Stream Pollution Control Board, Glenn A. Black Laboratory of Archaeology, Anthropology Museum and Laboratory—Indiana State University, Sassafras Audubon Society, Bloomington Sierra Club, Bloomington Traffic Commission, Bloomington Environmental Quality Construction Commission, Region 10 Development Commission, and the Louisville and Nashville Railroad. A public information meeting was held on October 23, 1980. In addition, the opportunity for a public hearing will be advertised. Public notice will be given of the time and place of the public hearing. The draft EIS will be available for public and agency review and comment. At this point in the planning process, it is not expected that a formal scoping meeting will be held.

Based on information collected and comments received to date, the following major issues have been identified and will be addressed in the EIS: Relocation of residents and businesses; Compatiblity with present and future land use; and Flood plain impacts.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

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

Issued on: March 25, 1981.

George D. Gibson, Jr.,

Division Administrator, Indianapolis, Indiana.

[FR Doc. 81-9880 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement: Hamilton-Marion County, Indiana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for the proposed reconstruction of East 96th Street including new bridge construction over the White River on the Hamilton County-Marion County Line, Indiana.

FOR FURTHER INFORMATION CONTACT: Mr. John Breitwieser, Staff Environmentalist, Federal Highway Administration, 575 North Pennsylvania Street, Indianapolis, Indiana 46204. Telephone: 317/269-7481.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Indiana State Highway Commission, will prepare an environmental impact statement (EIS) on a proposal to upgrade East 96th Street between Keystone Avenue (SR-431) on the west and I-69 on the east. The sections of East 96th Street between Keystone Avenue and River Road and between Alisonville Road and I-69 will be reconstructed. The portion of East 96th Street connecting River Road and Allisonville Road will be on new alignment and includes the construction of a new two-lane bridge over White River. The section of improvement between Keystone Avenue and Lake Shore Drive will be widened to four lanes with a fifth lane for left turning movements at Keystone Avenue. From Lake Shore Drive to I-69, East 96th Street would be widened to two lanes with expansion to four lanes as traffic volumes warrant. A second bridge which is symmetrical to the first structure would accommodate the expanded pavement over White River. Total project length is approximately 23,100 feet (4.375 miles). East 96th Street is the county line separating Hamilton County on the north from Marion County on the south in central Indiana.

Upgrading of this roadway is considered necessary to efficiently accommodate the traffic demands for existing and projected levels along the corridor. The improvement is included in the Thoroughfare Plan for Marion County, Indiana.

There are three alternatives under consideration at the present time. The first alternate is the do-nothing. The two proposed build alternates have the same alignments between Keystone Avenue and River Road and between Allisonville Road and I-69. The alternates differ in their alignments between River Road and Allisonville Road: this section includes the bridge construction. One build alternate would be on a tangent alignment throughout. The second build alternate would be located approximately 50 feet north of this first build alternate (centerline to centerline) to avoid encroachment on a floodplan forest adjacent to the White River.

Letters describing the proposed action and soliciting comments have been sent to appropriate Federal, State and local agencies, and to private organizations who have previously expressed interest in this proposal. A public information meeting will be held as project development proceeds. The time and place of this meeting will be publicly advertised. In addition, the opportunity for a public hearing will be advertised. Public notice will be given of the time and place of the public hearing, if a hearing is requested. The draft EIS will be available for public and agency review and comment. A formal scoping meeting will be held on April 22, 1981 at 10:00 a.m. in Room 1201, Conference Room, of the Indiana State Office Building, 100 North Senate, Indianapolis, Indiana.

To ensure that the full range of issues related to this proposed action are addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties. Agencies, organizations and individuals interested in submitting comments and/or questions should direct them to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program No. 20.205, (Highway Research, Planning and Construction); the provisions of OMB Circular A-95 regarding State and local clearinghouse review of Federal and Federally-assisted programs and projects apply to this program)

Issued on: March 25, 1981.

George D. Gibson, Jr.,

Division Administrator, Indianapolis, Indiana.

[FR Doc. 81-9907 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; Oakland, Calif.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Oakland, California.

FOR FURTHER INFORMATION CONTACT: David L. Eyres, District Engineer, Federal Highway Administration, P.O. Box 1915, Sacramento, California 95809, Telephone: (916) 440-3541.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation and the City of Oakland will prepare an Environmental Impact Statement (EIS) on a proposal to reconstruct 98th Avenue in Alameda County, California. The limits of the EIS are to be 98th Avenue from the Nimitz Freeway (State Route 17) to the MacArthur Freeway (I-580), a distance of 2.6 miles.

The alternatives to be considered in the EIS include: (1) the no-build alternative, (2) reconstruction within the existing right-of-way, widening at major intersections and setback of curbs, and (3) widening configurations ranging from 52-to-80 foot traveled ways and left turn lanes as needed.

A formal scoping meeting has not been planned at this time. The City of Oakland Public Works Department has, however, held neighborhood meetings to determine the community's concerns about the project. If it later becomes apparent that a scoping meeting is necessary, one will be held.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued on: March 25, 1981.

David L. Eyres,

District Engineer, Sacramento, California.

[FR Doc. 81-9944 Filed 4-1-81; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Debt Management Advisory Committees; Meetings

Notice is hereby given, pursuant to Section 10 of Public Law 92-463, that meetings will be held in Washington on April 27, 28 and 29, 1981 of the following debt management advisory committees:

American Bankers Association
Government Borrowing Committee

Public Securities Association, U.S. Government and Federal Agencies Securities Committee

The agenda for the American Bankers Association Government Borrowing Committee meeting provides for working sessions on April 27 and April 28 and a report to the Secretary of the Treasury and Treasury staff on April 28.

The agenda for the Public Securities Association, U.S. Government and Federal Agencies Securities Committee meeting provides for working sessions on April 28 and a report to the Secretary of the Treasury and the Treasury staff on April 29.

Pursuant to the authority placed in Heads of Departments by Section 10(d) of Public Law 92-463, and vested in me by Treasury Department Order 101-5 (May 16, 1979), I hereby determine that these meetings are concerned with information exempt from disclosure under Section 552b (c)(4) and (9)(A) of Title 5 of the United States Code, and that the public interest requires that such meetings be closed to the public.

My reasons for this determination are as follows. The Treasury Department requires frank and full advice from representatives of the financial community prior to making its final decision on major financing operations. Historically, this advice has been offered by debt management advisory committees established by the several major segments of the financial community, which committees are utilized by this Department at meetings called by representatives of the Office of the Secretary. When so utilized they are recognized to be advisory committees under Public Law 92-463. The advice provided consists of commercial and financial information given and received in confidence. As such these debt management advisory committee activities concern matters which fall within the exemption covered by Section 552b(c)(4) of Title 5 of the United States Code for matters which are "trade secrets and commercial or financial information obtained from a person and privileged or confidential."

Although the Treasury's final announcement of financing plans may or may not reflect the advice provided in reports of these committees, premature disclosure of these reports would lead to significant financial speculation in the securities market. Thus, these meetings also fall within the exemption covered by Section 552b(c)(9)(A) of Title 5 of the United States Code.

The Assistant Secretary (Domestic Finance) shall be responsible for maintaining records of the meetings of these committees and for providing annual reports setting forth a summary of their activities and such other matters as may be informative to the public consistent with the policy of 5 U.S.C. of 552b.

Dated: March 27, 1981.

John E. Schmidt,

Acting Assistant Secretary (Domestic Finance.)

[FR Doc. 81-9879 Filed 4-1-81; 8:45 am]

BILLING CODE 4810-25-M

[Supplement to Department Circular Public Debt Series—No. 9-81]

Bonds of 2001 Series

March 27, 1981.

The Secretary announced on March 26, 1981, that the interest rate on the bonds designated Bonds of 2001 described in Department Circular—Public debt Series—No. 9-81 dated March 18, 1981, will be 13⅛ percent. Interest on the bonds will be payable at the rate of 13⅛ percent per annum.

Paul H. Taylor,

Fiscal Assistant Secretary.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the departmental procedures applicable to such regulations.

[FR Doc. 81-9874 Filed 4-1-81; 8:45 am]

BILLING CODE 4810-40-M

VETERANS ADMINISTRATION

Advisory Committee on Health-Related Effects of Herbicides; Meeting

The Veterans Administration gives notice under the provisions of Public Law 92-463 that a meeting of the Advisory Committee on Health-Related Effects of Herbicides will be held in Room 119 of the Veterans Administration Central Office, 810 Vermont Avenue NW., Washington, DC, on May 5, 1981, at 8:30 a.m. The purpose of the meeting will be to assemble and analyze information concerning toxicological issues which the Veterans Administration needs to formulate appropriate medical policy and procedures in the interest of veterans who may have encountered herbicidal chemicals used during the Vietnam Era.

The meeting will be open to the public up to the seating capacity of the room. Members of the public may direct questions, in writing only, to the Chairman, Barclay M. Shepard, M.D.,

and submit prepared statements for review by the Committee. Such members of the public may be asked to clarify submitted material prior to consideration by the Committee.

Transcripts of the proceedings and rosters of the Committee members may be obtained from Mr. Donald Rosenblum, Office of the Special Assistant to the Chief Medical Director for Environmental Medicine (102), Room 848, Department of Medicine and Surgery, Veterans Administration Central Office, Washington, DC 20420, (202) 389–5411.

Dated: March 26, 1981.

Rufus H. Wilson,

Acting Administrator.

[FR Doc. 81-9913 Filed 4-1-81; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 63
Thursday, April 2, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Civil Rights Commission	1
Commodity Futures Trading Commission	2
Federal Deposit Insurance Corporation	3, 4, 5
Federal Election Commission	6
Federal Home Loan Bank Board	7, 8
Federal Reserve System	9
Nuclear Regulatory Commission	10
Railroad Retirement Board	11
Securities and Exchange Commission	12

1

COMMISSION ON CIVIL RIGHTS

DATE AND TIME:

9 a.m.-5 p.m., Monday, April 6, 1981;
1:30 p.m.-5 p.m., Tuesday, April 7;
9 a.m. 12 noon, Wednesday, April 8.

PLACE: Room 512, 1121 Vermont Avenue, N.W., Washington, D.C.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: Monday, April 6:

I. Approval of Agenda.
II. Approval of Minutes of Last Meeting.
III. Program Planning Session.

Tuesday, April 7:

IV. Presentation by Mr. Leonard Walentynowitz.
V. Review of National Indian Report Recommendations.

Wednesday, April 8:

VI. Proposal for Annual Report—1981.
VII. Memorandum on National Immigration Policy.
VIII. State Advisory Committee Recharters: (A) Georgia; (B) Missouri; (C) Oklahoma; (D) Tennessee; (E) West Virginia.
IX. Action re Ohio Advisory Committee Report Entitled *Policing in Cincinnati, Ohio: Official Policy vs. Civilian Reality.*
X. Transmittal of District of Columbia Advisory Committee Case Study *Entitled Neighborhood Renewal—Reinvestment and Displacement in D.C.*
XI. Civil Rights Developments in the Midwest Region.
XII. Staff Director's Report: (A) Status of Funds; (B) Personnel Report; (C) Office Directors' Reports; (D) Correspondence; (1) Letter from and response to Representative John Conyers.

PERSONS TO CONTACT FOR FURTHER INFORMATION: Charles Rivera or Barbara Brooks, Press and Communications Division (202) 254-6697.

[S-532-81 Filed 3-31-81; 2:59 pm]

BILLING CODE 6335-01-M

2

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., Friday, April 10, 1981.

PLACE: 2033 K Street, N.W., Washington, D.C., eighth floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6374.

[S-529-81 Filed 3-31-81; 12:12 pm]

BILLING CODE 6351-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2 p.m. on Monday, April 6, 1981, to consider the following matters:

Disposition of minutes of previous meetings.

Recommendation with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Feldstein, Gelpi, Hernandez & Castillo, San Juan, Puerto Rico, in connection with the liquidation of Banco Credito y Ahorro Ponceno, Ponce, Puerto Rico.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 44,721-SR—Bank of Enville, Enville, Tennessee

Memorandum and Resolution re: Guidelines for the Sale of Real Estate (Revised).

Memorandum and Resolution re: Delegation of authority to the General Counsel and the Director of the Division of Liquidation to designate FDIC liquidation staff members to serve as members of creditors' committees formed to oversee reorganization proceedings under Chapter 11 of the Bankruptcy Code.

Memorandum and Resolution re: Delegation of authority to the Controller to negotiate and execute minor amendments to the note and deed of trust relating to the Corporation's property situated at 1776 F Street NW., Washington, D.C.

Memorandum re: Proposed amendment to the Corporation's policy for the acquisition of supplies and services dated November 20, 1978.

Reports of committees and officers:

Minutes of the actions approved by the Committee on Liquidations, Loans and Purchases of Assets pursuant to authority delegated by the Board of Directors.

Reports of the Director of the Division of Bank Supervision with respect to applications or requests approved by him and the various Regional Directors pursuant to authority delegated by the Board of Directors.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street NW., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: March 30, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-529-81 Filed 3-31-81; 11:28 am]

BILLING CODE 6714-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Monday, April 6, 1981, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b(c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of Title 5, United States Code, to consider the following matters:

Requests for amendment or rescission of conditions imposed in granting Federal deposit insurance:

Investors Bank and Trust Company, Boston, Massachusetts.
Rose Capital Bank, Tyler, Texas.

Request for an extension of time, pursuant to Part 348 of the Corporation's rules and regulations, within which to terminate a management official interlock:

Community State Bank of Galva, Galva, Illinois.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 44,549–L—State Bank of Clearing, Chicago, Illinois
Case No. 44,649–L—The Drovers' National Bank of Chicago, Chicago, Illinois
Case No. 44,719–L—Franklin National Bank, New York, New York

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents, or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

Reports of committees and officers:

Reports of the Director, Office of Corporate Audits:
Audit Report re: Audit of Washington Housing Facility—The Virginian
Memorandum re: Status of Auditee Corrective Actions
Report of the Director, Division of Liquidation:
Memorandum re: Reports Required Under Delegated Authority Compromise Settlements

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation; at (202) 389–4425.

Dated: March 30, 1981.
Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.
[S-527-81 Filed 3-31-81; 11:20 am]
BILLING CODE 6714-01-M

5

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Changes in Subject Matter of Agency Meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, March 30, 1981, the Corporation's Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Director William M. Isaac (Appointive), concurred in by Director John G. Heimann (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:
Case No. 44,703–NR—United States National Bank, (Revised) San Diego, California
Memorandum and Resolution re: State Bank of Clearing, Chicago, Illinois

The Board further determined, by the same majority vote, that no earlier notice of the changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(9)(B), and (c)(10)).

Dated: March 30, 1981.
Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.
[S-6714-01 Filed 3-31-81; 11:25 am]
BILLING CODE 6714-01-M

6

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Tuesday, April 7, 1981 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Personnel. Compliance. Litigation. Audits.

* * * * *

DATE AND TIME: Thursday, April 9, 1981 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be open to the public (fifth floor).

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
Certifications
Advisory opinions
Draft AO 1981–10: C. Normand Poirier, General Counsel, United States International Communication Agency
Draft AO 1981–11: Eric O'Keefe, National Director, Libertarian National Committee
Draft AO 1981–16: Carol C. Darr, Deputy Counsel, Carter/Mondale Presidential Committee, Inc.
Draft AO 1981–17: Mark A. Kaplan, Chairperson, Vermont State Democratic Committee
Pending legislation
Appropriations and budget
Classification actions
Routine administrative matters: Proposed Merit Pay Plan for FEC

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; Telephone: 202–523–4065.

Majorie W. Emmons,
Secretary to the Commission.
[S-531-81 Filed 3-31-81; 2:48 pm]
BILLING CODE 6715-01-M

7

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 18879, March 26, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Wednesday, April 1, 1981.

PLACE: 1700 G Street, N.W., board room, sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

CHANGES IN THE MEETING:

The following item will not be considered at the April 1, 1981 bank board meeting.
Service Corporation application.

March 31, 1981.

[S-533-81 Filed 3-31-81; 3:06 pm]
BILLING CODE 6720-01-M

8

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 10 a.m., Wednesday, April 8, 1981.

PLACE: 1700 G Street N.W., board room, sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

MATTERS TO BE CONSIDERED:

Merger and Retention of Facility—Guaranty Federal Savings & Loan Association, Pine Bluff, Arkansas *into* Savers Federal Savings & Loan Association, Little Rock, Arkansas
Service Corporation Application—East Federal Savings & Loan Association of Kinston, Kinston, North Carolina
Holding Company Acquisition and Merger—Increase in Accounts of an Insurable Type—American Financial Corporation, Cincinnati, Ohio & Great American Insurance Corporation, Cincinnati, Ohio to Acquire Town & County Savings & Loan Company, Mariemont, Ohio and Merge Said Association *into* Hunter Savings Association, Cincinnati, Ohio
Branch Office Application—Glendale Federal Savings & Loan Association, Glendale, California
Extension of Time to Establish a Branch Office—First Federal Savings & Loan Association of New Haven, New Haven, Connecticut
Merger of Three Federals—Acme Federal Savings & Loan Association of Convington, Convington, Kentucky & General Federal Savings & Loan Association, Crescent Springs, Kentucky *into* Kentucky Enterprise Federal Savings & Loan Association of Newport, Newport, Kentucky
Merger; Maintenance of Branch Office; Cancellation of Membership and Insurance and Insurance and Transfer of Stock—Union County Federal Savings & Loan Association, Maryville, Ohio *into* Merchants and Mechanics Federal Savings & Loan Association, Springfield, Ohio
Branch Office Application—Mid-Central Federal Savings & Loan Association, Wadena, Minnesota
Permission to Organize a New Federal Association—Jack K. Gray, et al., Lafayette, Louisiana
Request for a Commitment to Insure Accounts—Adair County Savings & Loan Association, Stilwell, Oklahoma (New Stock Association)

No. 468, March 31, 1981.

[S–524–81 Filed 3–31–81; 10:30 am]

BILLING CODE 6720–01–M

9

FEDERAL RESERVE SYSTEM.

Committee on Employee Benefits of the Board of Governors.

TIME AND DATE: 11 a.m., Tuesday, April 7, 1981.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. The Committee's agenda will consist of matters relating to (a) the general administrative policies and procedures of the Retirement Plan, Thrift Plan, Long Term Disability Income Plan, and Insurance Plan for Employees of the Federal Reserve System; (b) general supervision of the operations of the Plans; (c) the maintenance of proper accounts and accounting procedures in respect to the Plans; (d) the preparation and submission of an annual report on the operations of each of such Plans; (e) the maintenance and staffing of the Office of the Federal Reserve Employee Benefits System; and (f) the arrangement for such legal actuarial, accounting, administrative, and other services as the Committee deems necessary to carry out the provisions of the Plans.

Specific items will include matters concerning the Supplemental Survivor Income Plan and funding of the Retirement Plan.

2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: March 30, 1981.

James McAfee,

Assistant Secretary of the Board.

[S–522–81 Filed 3–30–81; 4:27 pm]

BILLING CODE 6210–01–M

10

NUCLEAR REGULATORY COMMISSION.

DATE: Wednesday, April 1, and Thursday, April 2, 1981.

PLACE: Commissioners Conference Room, 1717 H Street, N.W., Washington, D.C.

STATUS: Open

MATTERS TO BE CONSIDERED:

Wednesday, April 1:

2:30 p.m.: Briefing on Action Plan Items Due 1–1–81.

Thursday, April 2:

3 p.m.: Affirmation/Discussion Session
Affirmation and/or Discussion and Vote: (a) Indemnification of Two Licensees Storing Spent Fuel at Non-Reactor Facilities

AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPDATE: (202) 634–1498. Those planning to attend a meeting should reverify the status on the day of the meeting.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee (202) 634–1410.

Dated: March 25, 1981.

Walter Magee,

Office of the Secretary.

[S–530–81 Filed 3–31–81; 2:43 pm]

BILLING CODE 7590–01–M

11

RAILROAD RETIREMENT BOARD.

TIME AND DATE: 9:30 a.m., April 9, 1981.

PLACE: Board's meeting room, eighth floor, headquarters building, 844 Rush Street, Chicago, Illinois, 60611.

STATUS: Part of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portion open to the public:

(1) Appeal of nonwaiver of overpayment, Colleen Childs Chinnis.

Portion closed to the public:

(A) Appeal from referee's denial of disabled widow's annuity, Irene Smith.
(B) Appeal from referee's denial of disability annuity, Weldon W. Gilliland.

CONTACT PERSON FOR MORE INFORMATION: R. F. Butler, Secretary of the Board; COM No. 312–751–4920; FTS No. 387–4920.

[S–528–81 Filed 3–31–81; 11:45 am]

BILLING CODE 7905–01–M

12

SECURITIES EXCHANGE COMMISSION.

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of April 6, 1981, in Room 825, 500 North Capitol Street, Washington, D.C.

Closed meetings will be held on Tuesday, April 7, 1981, at 10:00 a.m., and on Thursday, April 9, 1981, following the 10:00 a.m. open meeting. An open meeting will be held on Thursday, April 9, 1981, at 10:00 a.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meetings. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meetings may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(4)(8)(9)(i) and (10).

Acting Chairman Loomis and Commissioners Evans and Friedman determined to hold the aforesaid meetings in closed session.

The subject matter of the closed meeting scheduled for Tuesday, April 7, 1981, at 10:00 a.m., will be:

Litigation matters.
Settlement of injunctive action.
Consideration of *amicus* participation.
Formal orders of investigation.
Settlement of administrative proceedings of an enforcement nature.

Subpoena enforcement action.
Institution of injunctive action
Institution of administrative proceeding of an enforcement nature.

The subject matter of the closed meeting scheduled for Thursday, April 9, 1981, following the 10:00 a.m. open meeting, will be:

Report of investigation.
Settlement of administrative proceeding of an enforcement nature.
Regulatory matters bearing enforcement implications.

The subject matter of the open meeting scheduled for Thursday, April 9, 1981, at 10:00 a.m., will be:

1. Consideration of whether to establish an Advisory Committee on Shareholder Communications for the purpose of exploring the possibilities for improving the process by which issuers communicate with the beneficial owners of stock held in the name of a broker-dealer, bank, or other nominee name. For further information, please contact Gregory H. Mathews at (202) 272–2589.

2. Consideration of whether to grant a request by the Cornell Corporate Responsibility Project that the Commission review the Division of Corporation Finance's determination concerning a certain proposal submitted to Mobile Corporation. For further information, please contact William E. Morley at (202) 272–2573.

3. Consideration of whether to authorize the publication of the view of the Division of Corporation Finance on various questions regarding Rule 13e–3 and related Schedule 13E–3 under the Securities Exchange Act of 1934. In addition, the Commission will consider the publication for comment of proposed amendments to Rule 13e–3 and Schedule 13E–3 which would codify certain staff positions with respect to the existing exceptions to the Rule and make other clarifying and technical changes to impove the operation of the Rule. For further information, please contact Joseph G. Connolly, Jr. at (202) 272–3097.

4. Consideration of whether to affirm the Freedom of Information Act ("FOIA") Officer decision denying access to portions of staff memoranda which discuss legal theories relevant to the Commission's Administrative Proceeding against Reserve Management Corp. And others, to a requestor under the FOIA, pursuant to Exemption 5 under the FOIA, which exempts intra-agency documents which would not be available by law to a party other than an agency in litigation with the agency. For further information, please contact Elisse B. Walter at (202) 272–3088.

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: Bruce Mendelsohn at (202) 272–2091.

March 30, 1981.

[S–523–81 Filed 3–31–81; 9:51 am]
BILLING CODE 8010–01–M

federal register

Thursday
April 2, 1981

Part II

Consumer Product Safety Commission

Unvented Gas-Fired Space Heaters; Stockpiling Rule and Proposal To Extend Effective Date of Safety Standard

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1212

Stockpiling Rule for Unvented Gas-Fired Space Heaters

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: The Commission issues a "stockpiling" rule prohibiting manufacturers from producing unvented gas-fired space heaters which do not comply with the Safety Standard Requiring Oxygen Depletion Safety Shutoff Systems (ODS) for Unvented Gas-Fired Space Heaters in numbers significantly greater than the numbers produced during an earlier production period specified in the rule. The oxygen depletion safety shutoff systems shut off the heater's gas supply if inadequate ventilation leads to buildup of hazardous levels of poisonous carbon monoxide. The purpose of the stockpiling rule is to prevent marketing of excessive numbers of products that do not comply with the safety standard between the date the safety standard was issued and the date it goes into effect. The stockpiling rule, by providing that noncomplying products may not be marketed in much greater numbers than were marketed before the safety standard was issued, helps carry out the purpose of the safety standard which is to reduce the unreasonable risk of injury associated with unvented gas-fired space heaters.

DATES: (1) Effective date: The stockpiling rule for this product becomes effective May 4, 1981.

FOR FURTHER INFORMATION CONTACT: Elizabeth H. Jones, Directorate for Enforcement and Administrative Litigation, Consumer Product Safety Commission, Washington, D.C. 20207, (301) 492-6400.

SUPPLEMENTARY INFORMATION:

Background

The Commission has determined that unvented gas-fired space heaters present an unreasonable risk of injury from carbon monoxide (CO) poisoning, which they produce as a product of combustion. CO, a poisonous gas, is colorless and odorless, and the hazard it presents is particularly acute during sleeping hours when people are exposed to its presence for a long period. The Commission determined, therefore, that a consumer product safety standard to reduce the risk is reasonably necessary. Accordingly, on September 17, 1980 (45 FR 61880), the Commission promulgated a standard (16 CFR Part 1212) requiring that unvented gas-fired space heaters be equipped with oxygen depletion safety shutoff systems (ODS). The ODS, when applied to unvented gas-fired space heaters, do not directly detect the presence of CO; however, they shut off the gas supply to the heater when they detect a depletion of oxygen in the surrounding space, a condition that accompanies the increase of CO.

The standard requires, in addition, that unvented gas-fired space heaters bear a permanent label that warns of the need for the user to provide fresh air when the heater is operating in order to prevent CO buildup. The label describes CO symptoms and provides information on the functioning and maintenance of ODS.

When originally promulgated on September 29, 1980, the rule had an effective date of June 15, 1981. No comments on the stockpiling rule were received, however, a manufacturer of unvented gas-fired space heaters petitioned the Commission to extend the effective date to December 31, 1981 (petition CP 81-1). The petitioner claimed that requiring production to cease more than six months before a certified ODS is available would create an economic hardship on manufacturers by greatly increased financing costs. The Commission staff analyzed the data presented and found that some economic loss would occur. After determining that extending the date would not permit the production of more heaters than were originally contemplated, but would merely extend the time during which the allowable number could be produced, the Commission granted the petition.

Elsewhere in this issue of the **Federal Register**, the Commission has proposed such an extension of the effective date. After receiving and analyzing comments on the proposal, the Commission will make a final determination on the effective date. It is important to note, however, that a change in the actual effective date will not modify the effect of this stockpiling rule, which limits the total number of heaters that can be produced between January 1, 1981 and the effective date, regardless of the actual date the standard becomes effective.

Basis For Stockpiling Rule

Section 9(d)(1) of the Consumer Product Safety Act ("the CPSA"), 15 U.S.C. 2058(d)(1), provides that a consumer product safety standard may only apply to products manufactured after the effective date of the standard. The Commission is concerned that the manufacture of unvented gas-fired space heaters not equipped with ODS be kept to a minimum from the date the standard was promulgated until the effective date of the standard. To help avoid circumvention of the purpose of the standard, section 9(d)(2) of the CPSA provides that the Commission may issue a rule that prohibits "stockpiling." As defined in section 9(d)(2), stockpiling means manufacturing or importing a product between the date a standard is promulgated and its effective date at a rate that is significantly greater than the rate at which the product was manufactured in a base period determined in the stockpiling rule. The Commission concludes that a stockpiling rule is needed to provide the industry with permissible boundaries for production.

To determine a reasonable manufacturing base period for this proposal, the Commission reviewed production figures for unvented gas-fired space heaters. From information provided by industry and other related sources, Commission staff found that production of unvented gas-fired space heaters has declined since 1976 when approximately 182,000 unvented gas-fired space heaters were produced. In 1977, production was greatly curtailed, and in 1978 no production took place. In the 1979 and 1980 production seasons, approximately 120,000 unvented gas-fired space heaters were produced each year. According to industry sources, production in 1981 is also likely to be about 120,000 units.

The Commission concludes from this information that the base period for the stockpiling rule should take into account the apparent stabilization of production that occurred during the production cycles of 1979 and 1980, a phase that is likely to continue in 1981 according to industry representatives. The production figure of 120,000 for each year probably reflects accurately the market needs for this product and appears to be a reasonable basis for selecting a base period for this proposal. Accordingly, the stockpiling rule as proposed stated that the rate of manufacture or importation of unvented gas-fired space heaters between issuance of the standard and its effective date could not exceed by more than 10% the rate at which the manufacturer or importer produced unvented gas-fired space heaters during their most productive 365-day period between January 1, 1979 and December 31, 1980. Information available to the Commission suggests that this base period is sufficient to allow for variation in sales that may affect the individual manufacturer or importer; the addition of 10% should be

sufficient to allow for ordinary changes in market shares between issuance of the standard requiring unvented gas-fired space heaters to be equipped with ODS and the effective date of the standard. A manufacturer or importer of unvented gas-fired space heaters whose business may exceed these limits because of unusual circumstances and not because of stockpiling intended to circumvent the purpose of the rule, may apply to the Commission for an exemption from the stockpiling rule. Such a request would have to be accompanied by supporting data to show that such unusual circumstances sufficiently advance the interest of consumers as to warrrant granting an exemption.

At this time, the Commission is unaware of any information indicating any new entrants into the business of manufacturing or importing noncomplying unvented gas-fired space heaters between the time the standard is issued and its effective date. However, any persons who may wish to do so should first request an exemption from the stockpiling rule for their anticipated production.

At the time of issuance of the standard, and proposal of the stockpiling rule (September 17, 1980), the information available to the Commission indicated that production of unvented gas-fired space heaters began in late January or early February of each year and was completed by early June. Therefore, it was thought that one normal production cycle was contained in the period between September 17, 1980, and June 15, 1981, when the standard becomes effective. However, information received in connection with petition CP 81–1, discussed above, indicates that some manufacturers continue production past June and that some continue production almost to the end of the year. Thus the Commission's original intent of allowing up to 110 percent of the base period production to be produced during 1981 would not be achieved under the proposal for two reasons.

First, to the extent that production for 1980 continued past September 17, 1980, the allowable production for 1981 would be reduced under the proposed rule. The final stockpiling rule issued below corrects this problem by specifying that the period of production to which the stockpiling rule will apply will be the period between January 1, 1981, and the effective date of the rule.

The other reason that manufacturers may not be able to produce the full amount of production originally intended by the stockpiling rule is that they may not be able to produce the allowable amount by the effective date of the standard. As discussed above, an extension of the effective date of the standard is being proposed elsewhere in this issue of the **Federal Register.**

It should be stressed that the stockpiling rule will apply only to units that are produced after the effective date of the stockpiling rule, which is May 4, 1981. However, the number of unvented gas-fired space heaters that may be produced after that date shall be determined by "looking back" to January 1, 1981, so that the number produced between January 1, 1981, and December 31, 1981, may not exceed 110 percent of the number produced during the base period. In the unlikely event that a manufacturer or importer had already exceeded the 110 percent limit by May 4, 1981, this stockpiling rule would prohibit further production by that manufacturer or importer after that date. However, the fact that the 110 percent limit had been exceeded before the effective date of the stockpiling rule would not be a violation of the rule.

Conclusion

Based on the foregoing information, the Commission issues a stockpiling rule providing that between January 1, 1981, and the date the standard requiring unvented gas-fired space heaters to be equipped with ODS goes into effect (currently June 15, 1981, and proposed to be extended until December 31, 1981), manufacturers and importers of unvented gas-fired space heaters that do not comply with Subparts A and B of this Part 1212 are prohibited from manufacturing or importing such heaters at a rate exceeding that provided in the rule below. For codification in the Code of Federal Regulations, the stockpiling rule is designated Subpart C of the standard requiring that unvented gas-fired space heaters be equipped with ODS. Accordingly, under section 9(d)(2) of the CPSA, the Commission amends Title 16, Chapter II, Subchapter B, of the Code of Federal Regulations by adding to Part 1212 a new Subpart C reading as follows:

Subpart C—Stockpiling

Sec.

§ 1212.30 Prohibited stockpiling.

Authority: Sec. 9(d)(2), Pub. L. 92–573, 86 Stat. 1215, 15 U.S.C. 2058(d)(2).

Subpart C—Stockpiling

§ 1212.30 Prohibited stockpiling.

(a) *General.* This Subpart prohibits stockpiling of products that do not comply with Subparts A and B of this Part 1212 between May 4, 1981, and the effective date of Subparts A and B of Part 1212.

(b) *Stockpiling.* "Stockpiling" means manufacturing or importing products that do not comply with Subparts A and B, at a rate that is significantly greater than the rate the product was manufactured or imported during a base period prescribed by the Consumer Product Safety Commission.

(c) *Prohibited acts.* Stockpiling of unvented gas-fired space heaters that do not comply with Subparts A and B of this Part 1212 so that the number of these products produced between January 1, 1981, and the effective date of Subparts A and B exceeds by 10 percent the number of such products that were manufactured or imported during the base period described in paragraph (d) of this section is prohibited. This prohibition applies only to noncomplying heaters manufactured after May 4, 1981. However, such heaters can be manufactured after that date only until the total number of such heaters manufactured since January 1, 1981, reaches 110 percent of the production during the base period. If a manufacturer had already exceeded the 1981 limit of 110 percent of base period production before May 4, 1981, there would be no violation of the rule, but the manufacturer could not produce additional noncomplying units on or after that date.

(d) *Base period.* The base period for determining the allowable production of unvented gas-fired space heaters that do not comply with Subparts A and B is, at the option of each manufacturer or importer, any period of 365 consecutive days beginning on or after January 1, 1979 and ending on or before December 31, 1980.

Effective date: May 4, 1981.

Dated: March 25, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 81-9940 Filed 4-1-81; 8:45 am]

BILLING CODE 6355-01-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1212

Unvented Gas-Fired Space Heaters; Proposal To Extend Effective Date

AGENCY: Consumer Product Safety Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has granted a petition requesting an extension of the effective date of the Safety Standard Requiring Oxygen Depletion Safety Shutoff Systems (ODS) for Unvented Gas-Fired Space Heaters to December 31, 1981.* The petition is granted in order to alleviate the potential economic hardship to the three manufacturers producing unvented gas-fired space heaters, who, under the present effective date of June 15, 1981, would not be able to produce complying heaters during the last half of 1981 because ODS devices will not be available until 1982. A June 15, 1981, effective date would require manufacturers to carry an unusually large inventory if they wish to be able to fill orders made later in the year. A "stockpiling" rule, which is issued elsewhere in this issue of the **Federal Register**, provides that between January 1, 1981, and the effective date of the standard, production of unvented gas-fired space heaters may not exceed by more than 10% the number of units produced during the base period specified in the rule. Therefore, extending the effective date from June 15, 1981, to December 31, 1981, does not permit the production of more heaters than was contemplated by the proposed stockpiling rule, but only extends the time during which the heaters may be produced.

DATES: Written comments on the proposal must be submitted to the Commission by May 4, 1981.

ADDRESSES: Written comments should be submitted to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. All material which the Commission has that is relevant to this proceeding, including any comments that may be received regarding this proposal, may be seen in, and copies obtained from, the Office of the Secretary, Consumer Product Safety Commission, 3rd Floor, 1111 18th Street NW., Washington, D.C. 20207.

FOR FURTHER INFORMATION CONTACT: Stan Morrow, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207, phone (301) 492-6453.

SUPPLEMENTARY INFORMATION: On September 17, 1980, the Commission issued a final rule requiring the use of oxygen depletion safety shut-off systems (ODS) on unvented gas-fired space heaters (45 FR 61880). At the same time, the Commission proposed a "stockpiling" rule which would limit the production of heaters without an ODS to not more than 10% of the number of units produced during an earlier base period specified by the rule (45 FR 61941). The Commission set an effective date of June 15, 1980, based on information obtained from the manufacturers indicating that production for the 1981–1982 heating season would be generally completed by June 15, 1981. Since ODS devices are expected to be available very early in 1982 at the beginning of production for the 1982–1983 season, all unvented gas-fired space heaters manufactured for the 1982–1983 season would incorporate an ODS.

In a letter dated September 25th, 1980, one manufacturer petitioned the Commission (CP 81–1) to extend the effective date to December 31, 1981. The petitioner submitted new information showing that production of unvented gas-fired space heaters would normally extend past June 15 to much later in the year. The petitioner stated that financing costs for inventory would be greatly increased if production was halted on June 15, 1981, and that orders late in the year based on seasonal variation may be lost. Furthermore, the petitioner argued that if manufacturers produced inventory before June 15, 1981, in anticipation of later orders, they might produce more non-complying heaters than would be the case if they waited to see if the predicted demand was accurate.

Production appears to be split into two distinct phases. As the petitioner points out, production through June of each year is to fill preseason orders. After June, heaters are produced and inventoried to the extent future sales are anticipated. If "fill-in" orders do not develop during the third quarter, production is curtailed for the rest of the year. This is the situation experienced by the petitioner last year, owing to a warm fall in 1980.

Two manufacturers cited increased manufacturing and inventory costs as the primary burdens they would incur if the effective date is not extended, because as much as possible of a full year's production would have to be squeezed into 5½ months. Instead of being able to ship units shortly after they are produced, units would have to be warehoused for up to six months after production. There might also be some increased risk of lost sales if a sufficient number of units were not produced by June 15. The manufacturers did not provide exact dollar costs of inventory, but the petitioner states that his inventory costs would double. One manufacturer, not the petitioner, stated that the June 15, 1981, effective date would result in the firm being able to produce only 60 percent of planned production, which would result in losing 40 percent of planned heater sales, or about 15 percent of sales of all goods produced. Potentially, this represents a significant loss of sales for this company.

By extending the effective date to December 31, 1981, normal manufacturing procedures can be maintained during 1981. Whatever financial and manufacturing burden that might be incurred because of an interruption of normal manufacturing procedures will be avoiding by extending the effective date. Although the Commission is unable to estimate the exact dollar cost of meeting an effective date of June 15, 1981, all three manufacturers stated that interest costs and warehouse expenses would increase for those firms attempting to produce all planned 1981 production before the original effective date.

The proposed stockpiling rule (published in final form elsewhere in this issue of the **Federal Register**) allows for the production of approximately 132,000 heaters between the date of promulgation of the standard and the effective date. Under the terms of the final stockpiling rule, extending the effective date will not allow the production of a larger number of non-ODS equipped heaters than was originally contemplated, but would merely allow the production of these heaters over a longer period of time.

Based on the foregoing information, the Commission believes that extending the effective date of the rule requiring oxygen depletion safety shut-off systems (ODS) for unvented gas-fired space heaters is reasonable and in the public interest since it will not increase the risk of injury to consumers and may alleviate an economic hardship to the businesses manufacturing such heaters. For these reasons, the Commission also concludes that this amendment does not constitute a material change to the standard. Furthermore, the Commission has certified that this extension, if promulgated, will not have a significant

*Acting Chairman Stuart Statler and Commissioners David Pittle and Sam Zagoria voted to propose the extension. Commissioner Edith B. Sloan voted not to extend the effective date.

economic impact on a substantial number of small businesses or other small entities.

Proposal

Therefore, in accordance with section 9(e) of the Consumer Product Safety Act, Public Law 92–573, 86 Stat. 1215, 15 U.S.C. 2058(e), the Commission proposes to extend the effective date of the standard requiring oxygen depletion safety shut-off systems for unvented gas–fired space heaters from June 15, 1981 to December 15, 1981 by revising §1212.2 of Title 16, Chapter II Subchapter B, of the Code of Federal Regulations to read as follows:

§1212.2 Effective date.

All unvented gas-fired space heaters defined at §1212.3 that are manufactured or imported after December 31, 1981, are subject to the requirements of Subpart A, and, as provided by Subpart B, shall be certified as complying with Subpart A.

(Secs. 2, 3, 7, 9, 14, 16, 27, Pub. L. 92–573, as amended, Pub. L. 94–284, Pub. L. 95–631; 86 Stat. 1207, 1208, 1212, 1220 as amended, 90 Stat. 503, 92 Stat. 3742; 15 U.S.C. 2051, 2052, 2058, 2063, 2065, 2076)

Dated: March 25, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 81-9941 Filed 4-1-81; 8:45 am]

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federal register

Thursday
April 2, 1981

Part III

Department of Transportation

Office of the Secretary

Regulatory Agenda and Review List; Semi-Annual Summary

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Ch. I

23 CFR Chs. I and II

33 CFR Chs. I and IV

41 CFR Ch. 12

46 CFR Chs. I and III

49 CFR Subtitle A, Chs. I–VI

[OST Docket No. 59; Notice 80–2]

Improving Government Regulations, Department Regulations Agenda and Review List; Semi-Annual Summary

AGENCY: Department of Transportation.

ACTION: Department Regulations Agenda and Review List.

SUMMARY: The Regulations Agenda is a semi-annual summary of each pending proposed regulation that the Department of Transportation ("Department") has issued and each proposed and final regulation that the Department expects to publish in the **Federal Register** during the succeeding 12 months or such longer projected period as may be anticipated. The Regulations Review List is a semi-annual summary of the existing regulations that the Department of Transportation has selected for review and possible revocation or revision. The Agenda and the Review List provide the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of, and allow it to more effectively participate in, the Department's regulatory activity.

ADDRESSES: The mailing address for the initiating offices of the Department which appear in the Agenda and the Review List are 400 Seventh Street, SW., Washington, D.C. 20590, except for the Federal Aviation Administration and the St. Lawrence Seaway Development Corporation, which are located at 800 Independence Avenue, S.W., Washington, D.C. 20591, and the U.S. Coast Guard, which is located at 2100 Second Street, S.W., Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT:

General

For further information on the Agenda or the Review List, in general, contact: Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590, 202–426–4723.

Specific

For further information about any particular item on the Agenda or the Review List, contact the individual listed in the column headed "Contact" for that item.

SUPPLEMENTARY INFORMATION:

Table of Contents

Supplementary Information:
- Background
- Definitions
- Regulatory Flexibility Act
- Explanation of Information on the Regulations Agenda
- Explanation of Information on the Regulations Review List
- General
- Mailing Lists for Regulatory Documents
- General Rulemaking Contact Persons
- Public Rulemaking Dockets
- Request for Comments
- Purpose

Agenda

Review List

Appendix A—Instructions for Obtaining Copies of Regulatory Documents

Appendix B—General Rulemaking Contact Persons

Appendix C—Public Rulemaking Dockets

Appendix D—Innovative Regulatory Techniques

Background

Improvement of government regulations is a prime goal of the Reagan Administration. There should be no more regulations than necessary, and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed.

To help the Department of Transportation ("Department") achieve these goals, and in accordance with Executive Order 12291 ("Federal Regulation" 46 FR 13193; February 19, 1981) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), the Department prepares a semi-annual Department Regulations Agenda for publication in the **Federal Register**. The Agenda summarizes each pending proposed regulation that the Department has issued and each proposed and final regulation that the Department expects to publish in the **Federal Register** during the succeeding 12 months or such longer projected period as may be anticipated. The Executive Order and the Regulatory Policies and Procedures also include a requirement that the Department prepare a semi-annual list of existing regulations it has selected for review and possible revocation or revision for publication in the **Federal Register.**

The Agendas and Review Lists are based on reports submitted by the intitiating offices by the beginning of February and August each year. After these reports are consolidated for, and reviewed by, the Department Regulations Council, the Department's Regulations Agenda and Review List is prepared and published in the **Federal Register.** The Department's last Regulations Agenda and Review List was published in the **Federal Register** on August 25, 1980 (45 FR 56538). The next one is scheduled for publication in the **Federal Register** on October 1, 1981.

Regulatory Flexibility Act

Since publication of the last Agenda, Congress passed the Regulatory Flexibility Act (RFA), P.L. 96–354, which requires the designation of those regulations for which a Regulatory Flexibility Analysis will be prepared, i.e., those regulations that would have a significant economic impact on a substantial number of small entities. The symbol "4" appears at the left margin, prior to the title, for each significant and nonsignificant regulation in this Agenda for which an RFA will be, or has been, prescribed. In addition, where the RFA applies to a significant regulation in this Agenda, that fact is noted in the regulation's summary under subheading C "Analysis," by the addition of a slash (/) after the words "Regulatory Evaluation" or "Regulatory Impact Analysis," followed by the words "Regulatory Flexibility Analysis."

Definitions

The Agenda and the Review List cover all rules and regulations of the Department, including those that establish conditions for financial assistance. The following definitions are provided for ease in understanding the information in this document.

(1) *Initiating office* means an operating administration or other organizational element within the Department, the head of which is authorized by law or delegation to issue regulations or to formulate regulations for issuance by the Secretary.

(2) *Significant regulation* means a regulation that is not an emergency regulation and that in the judgment of the head of the initiating office, or the Secretary, or the Deputy Secretary—

(a) Requires a Regulatory Impact Analysis (or Regulatory Analysis under

old Executive Order 12044; 43 FR 12661; March 24, 1978) or is otherwise costly;

(b) Concerns a matter on which there is substantial public interest or controversy;

(c) Has a major impact on another operating administration or other parts of the Department or other Federal Agency;

(d) Has a substantial effect on State and local governments;

(e) Has a substantial impact on a major transportation safety problem;

(f) Initiates a substantial regulatory program or change in policy;

(g) Is substantially different from international requirements or standards; or

(h) Otherwise involves important Department policy.

(3) *Major regulation* means a significant regulation for which a Regulatory Impact Analysis is required to be prepared.

(4) *Emergency regulation* means (a) a regulation that, in the judgment of the head of the initiating office, circumstances require to be issued without notice and opportunity for public comment or made effective in less than 30 days after publication in the **Federal Register**; or (b) is governed by short-term statutory or judicial deadlines.

(5) *Nonsignificant regulation* means a regulation that, in the judgment of the head of the initiating office, is neither a significant nor an emergency regulation.

A Regulatory Impact Analysis is required for each proposed regulation that (1) is likely to result in:

(a) An annual effect on the economy of $100 million or more;

(b) A major effect on the general economy in terms of costs, consumer prices, or production;

(c) A major increase in costs to prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions;

(d) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets; or

(2) The Secretary or head of the initiating office determines deserves such an analysis.

Explanation of Information on the Regulations Agenda

The Regulations Agenda is divided by initiating offices. For each initiating office the Agenda lists: (1) significant regulations, which are subdivided into two subcategories—major significant regulations and other significant regulations, (2) nonsignificant regulations, and (3) routine and frequent nonsignificant regulations. For each proposed and final regulation, the Agenda provides the following information: (1) a short descriptive title; (2) a summary; (3) the earliest expected date for a decision on whether to issue the proposed or final regulation; (4) a contact office official who can provide additional information, including advice on how to obtain documents referenced in the Agenda; and (5) the related regulatory citation in the Code of Federal Regulations. If final action has been taken on an item included on the previous semi-annual Agenda, that item is still contained in this Agenda and the final action is indicated under the "Summary" column of that item.

For a significant regulation, the summary includes: (1) a description of the proposed or final regulation; (2) a brief statement as to why it is considered significant; (3) a listing of any analyses an initiating office will prepare or has prepared for the rulemaking document; e.g., a Regulatory Impact Analysis or Evaluation, an Environmental Impact Statement (EIS), Regulatory Flexibility Analysis (RFA), and an Urban Impact Analysis; (4) a brief statement of the objectives— why the regulation is needed; (5) the legal basis for the action being taken; (6) the past and anticipated chronology of the development of the regulation including any final action taken since the last semi-annual Agenda and (7) the related regulatory citation in the Code of Federal Regulations. It should be noted that, even though a Regulatory Impact Analysis is not required for some items on the Agenda, the Department requires an economic analysis for all of its regulations. This economic analysis is contained in the Regulatory Evaluation.

For nonsignificant regulations issued routinely and frequently as part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules) to keep those requirements operationally current, only the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations are included; individual regulations are not listed.

If a regulatory docket number has already been established, it is contained in parentheses immediately following the short descriptive title of the regulation. If a member of the public desires further information regarding a particular proposal or regulation, reference should be made to this docket number. The Federal Highway Administration also provides an FHPM number at this point for easier reference by those who use the Federal-aid Highway Program Manual (FHPM). The numbers following the FHPM represent, respectively, the volume, chapter, section and subsection at which the material is located in the FHPM.

In the "Earliest Expected Decision Date" column, abbreviations are used to indicate the particular documents being considered for issuance by that date. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, NPRM for Notice of Proposed Rulemaking, and FR for Final Rule. Listing a date in this column is not an indication that a proposal or a final rule will be issued on that date; it is the earliest date on which a decision is expected to be made on whether to issue the document listed. Submittal of any proposed or final rule to the Office of Management and Budget for review, under Executive Order 12291, must follow such a decision. For major rules, this review could take 60 days or more. If any document is issued, publication in the **Federal Register** would follow within a few days. These dates are based on current schedules. Subsequently received information could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

It should be noted that some of the items on the Agenda result from programs that were established to review existing regulations and revoke or revise those regulations that the initiating office determined were not achieving their intended purpose. Projects under regulatory development that resulted from a review of existing regulations to determine whether they should be revoked or revised are preceded by the word "Review" in the "Title" column. Because some reviews can be large-scale undertakings, and because there are already a number of these in the regulatory development process, the Department thought it would provide the public with valuable information if it indicated not only which regulatory reviews are under consideration but also which reviews have now reached the stage where proposed revisions are being, or have been, prepared. The number of regulatory projects that an initiating office can handle is limited by available resources. Therefore, the number of projects in the regulatory development

stage may limit the number of reviews that can be added.

Explanation of Information on the Regulations Review List

The Regulations Review List is divided by initiating offices. For each office, it provides the following information: (1) a short description of the existing regulations involved, including the related citation to the Code of Federal Regulations; (2) a brief description of the reasons for each selection; (3) a contact office or official who can provide additional information; and (4) the target date for completing the review and determining the corrective course of action to be taken. The action taken can be revocation or revision of the regulation, or it can be a determination that no regulatory action is necessary because the regulation is found to be achieving its goals and the goals and objectives of Executive Order 12291 and the Department's Regulatory Policies and Procedures. If final action has been taken on an item included on the previous semi-annual Review List, that item is still contained in this Review List and the final action is indicated under the "Reasons for Selection" column for that item.

General

To allow for easier use of the Agenda and for quick comparison with earlier Agendas, the Department has instituted the following additional procedures in the Agenda: (1) Items listed on the Agenda or Review List retain the same order in each semi-annual publication. If subheadings are used within an initiating office's listing, then the same order is retained within each subheading. (2) New items are added at the end of the appropriate portion of the Agenda or Review List and are identified by an asterisk on the left side of the "Title" when first added. (3) New substantive information added to items that were on an earlier Agenda or Review List is printed in italics.

Mailing Lists for Regulatory Documents

To assist the public in obtaining regulatory documents issued within the Department of Transportation, an Appendix A has been included in this document. The appendix contains instructions on how to be placed on mailing lists for copies of regulatory documents, including the Department's Semi-Annual Regulations Agenda, issued by the operating administrations of the Department and the Office of the Secretary. There is no charge for this service; however, because of the costs involved, the number of copies of a document forwarded to an individual requestor may be limited. Persons already on mailing lists for particular documents within the Department will remain on those lists and should not reapply.

By following the instructions specified in the appendix, a person can be placed on a mailing list for future copies of the Department's Regulations Agenda, which will be updated and published in the **Federal Register** every year during April and October. By using the Agenda, individuals can determine which Notice or Advance Notice of Proposed Rulemaking, to be issued by elements of the Department, is of interest to them. Then, using the instructions in the appendix, such persons also can be placed on a mailing list to ensure that, after the document of interest is issued, a copy will be mailed to them for their review and comment. In this way, individuals will be relieved of the burden of having to review the **Federal Register**, perhaps on a daily basis. The Department expects that this process will ensure that those people placed on mailing lists will receive early notice so that their views on the document can be adequately prepared and presented within the established comment period.

General Rulemaking Contact Persons

To assist persons desiring to obtain general information concerning the rulemaking process within the Department's operating administrations, an Appendix B has been added to the Agenda. This appendix sets forth the addresses and the telephone numbers of the persons who can respond quickly to requests for general rulemaking information. Please note, however, that questions related to particular rulemaking actions should still be referred to the contact person listed with the particular rulemaking on the Agenda.

Public Rulemaking Dockets

To facilitate the inspection of docket files and the submission of comments by the public, an Appendix C sets forth the addresses and working hours for the Rules Docket for each operating administration.

Request for Comments

Agenda

Our Agenda is intended primarily for the use of the public. In each of the seven Agendas that we have issued, we have made modifications and refinements that we believe provide the public with more helpful information as well as make the Agenda easier to use. We have, for example, tried to give as many **Federal Register** and Code of Federal Regulations citations as possible so that the public can easily check source documents when they are needed for more information; we also have tried to maintain the same order in the list of the regulations in the Agenda, adding new items at the end and putting new information in italics so that it would be easier for the public to follow the development of a regulation from one Agenda to the next. We would now like to ask you, the public, to make suggestions or comments on how the Agenda could be further improved. For example, do you find the information presented in an easily understandable manner? Do you find it easy to follow a regulation's development from Agenda to Agenda? Do you find that the format for setting out the information enables you to use the Agenda easily? Do you find that the explanation of the information in the Agenda and the Review List is clearly explained in the preamble to the Agenda? Your responses to these questions or any other comments or suggestions you may have should be sent to Neil R. Eisner, whose address appears above.

Reviews

In an effort to comply further with the spirit of Executive Order 12291 and the Regulatory Flexibility Act, we are also seeking suggestions on existing regulations that should be included on our Review List; that is, which existing regulations issued by an operating administration of the Department or the Office of the Secretary do you believe need to be reviewed to determine whether they should be revised or revoked? The Department is particularly interested in obtaining information on requirements that have a "significant economic impact on small entities" and therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please send them, along with your explanation of why they should be reviewed, to the concerned operating administration or the Office of the Secretary, at the appropriate address noted in the "Addresses" paragraph above.

It should be noted that the Department has already initiated a systematic review of 46 of its most costly and controversial existing regulations for possible revision/rescission. The regulations selected for this priority review are identified by a bullet ("•") in the left margin preceding the title. Several of the selected regulations are also included either in the Agenda or review portion of this notice; however, selection for priority review will ensure that they will receive

special expedited attention and that they will be reviewed in a systematic fashion.

Innovative Regulatory Techniques

The Department of Transportation is reviewing its regulations for regulatory areas where the application of innovative regulatory techniques would be appropriate. The Department invites the assistance of the public in this search.

Particular techniques that have shown promise throughout the federal government are (1) the creation of marketable rights; (2) the use of economic incentives; (3) the use of performance standards; (4) the use of market-oriented compliance measures; (5) the enhancement of competition; (6) the use of information disclosure; (7) the use of voluntary standards; and (8) the tailoring of standards to distinguish among categories of regulated entities ("tiering"). More complete descriptions of these innovative techniques are set forth in Appendix D. The Department of Transportation is already using these techniques in many regulatory programs. However, the views of the public are solicited with respect to other regulatory programs where these techniques can be applied effectively to reduce the burdens on regulated entities or to reduce governmental costs. If you have any suggestions, please send them to the concerned operating administration or the Office of the Secretary, at the appropriate address noted in the "Address" paragraph above. Additional information on the innovative techniques program can be obtained by contacting Neil R. Eisner, whose address appears above.

Purpose

The Department is publishing this Regulations Agenda and Review List in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity. Knowledge of the nature and scope of this activity, as well as the specific proposals and reviews being considered, should result in more effective public participation in the Department's regulatory activity. For example, awareness of the dates when notices may be issued seeking public comment should allow appropriate planning and more efficient use of the comment period. By providing the expected date for a decision on whether to issue a final rule, the Department expects that more appropriate planning by those concerned with the regulation will also be possible.

This publication in the **Federal Register** does not impose any binding obligation on the Department, or any of the offices within the Department, with regard to any specific item on the Agenda or the Review List. Regulatory action in addition to the items listed is not precluded.

If further information is desired on any of the items listed in the Agenda or the Review List, the public is encouraged to contact the individual listed for the particular item. Additional information concerning the Agenda or the Review List, in general, or the Department's Regulatory Policies and Procedures may be obtained from Neil R. Eisner, whose address and telephone number appear above.

Issued in Washington, D.C.

Andrew L. Lewis,

Secretary of Transportation.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

OST — Office of the Secretary

Significant Regulations: Major

Title	Summary	Contact	Earliest expected decision date
Allocation of "Slots" at Washington National Airport.	**A. Description:** Proposed amendment to establish procedures for allocating the hourly number of instrument flight operations (takeoffs and landings) or "slots" that may be reserved at Washington National Airport (WNA) in accordance with the FAA's High Density Rule. **B. Why significant:** This proposal is considered a significant rulemaking project due to substantial public interest and potential costs to airlines. **C. Analysis:** Regulatory *Impact* Analysis..... **D. Need:** The Civil Aeronautics Board and the Department of Justice have expressed concerns about continuing the antitrust immunity under which the airline scheduling committees currently allocate slots at WNA. A new method of allocation may become necessary. **E. Legal basis:** Sections 103, 306, 307(a), (b), and (c), and 313(a), Federal Aviation Act of 1958, as amended (49 U.S.C. §§ 1303, 1347, 1348(a), (b), and (c), and 1354(a)); § 6(c) DOT Act (49 U.S.C. § 1655(c)); Sec. 2, Act for the Administration of Washington National Airport, 54 Stat. 688. **F. Chronology:** The CAB in conjunction with the FAA commissioned the Polinomics Research Laboratories, Inc., to research the allocation problem. A report of its findings has been prepared. Another report by Econ, Inc. analyzing a slot allocation auction procedure has been prepared under an FAA contract. *On August 15, 1980, the Secretary of Transportation issued a Policy for the Operation of Washington National Airport (WNA). The policy and implementing regulations were published in the* ***Federal Register*** *on September 18, 1980 (45 FR 62406). On October 29, 1980, DOT issued an emergency regulation for the temporary allocation of slots at WNA for the period December 1, 1980 until April 26, 1981, because of the failure of the scheduling committee to come to an agreement for that period. The emergency regulation was published in the* ***Federal Register*** *on November 3, 1980 (45 FR 72637). The NPRM for a long term solution to the slot allocation problem was issued on October 27, 1980 (45 FR 71236). A public hearing was held on February 13, 1981, and the comment period was extended until February 26, 1981 (46 FR 932, January 5, 1981).* **G. Citation:** 14 CFR Part 93.....	Harvey Safeer, (202) 426-3331.	*Further action to be determined.*

OST — Office of the Secretary

Significant Regulations: Other

Title	Summary	Contact	Earliest expected decision date
Title VI Civil Rights Regulation.....	**A. Description:** The proposed regulations would assemble in one package all DOT procedures and requirements concerning all recipients of financial assistance under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4). **B. Why Significant:** Substantial public interest is anticipated and it will affect all of the DOT elements and the administration of all grant programs.	Robert J. Coates, (202) 426-4754.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

OST — Office of the Secretary

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	C. Analysis: Regulatory Evaluation **D. Need:** The Department has an existing Title VI regulation dating from 1970, and a Title VI order promulgated by Secretary Coleman on Jan. 19, 1977, and reaffirmed by Secretary Adams in March of that year. A new regulatory package is being developed to replace the previous layering of regulations. **E. Legal Basis:** 42 U.S.C. 2000d–4 **F. Chronology:** *NPRM published in the* **Federal Register** January 19, 1981 (46 FR 5588). Comment period closes April 20, 1981. **G. Citation:** 49 CFR pt. 21		
Minority Business Enterprise Program (*Direct Contracting*).	**A. Description:** This regulation would implement the requirements of DOT Order 4000.7A for DOT operating elements to take affirmative action to assure that minority business enterprises participate in Departmental procurement programs. **B. Why Significant:** Substantial public interest is anticipated given the proposed action's potential impact on DOT's procurement programs. **C. Analysis:** Regulatory Evaluation **D. Need:** To implement the provisions of the DOT Order 4000.7A by providing detailed instructions for carrying out the affirmative action requirements of the Order. To supplement the 1978 amendments to the Small Business Act. **E. Legal Basis:** Executive Order 11625; Executive Order 12138; 45 U.S.C. 803 P.L. 95–507. The Department is now considering whether a DOT rule adding provisions to those established by P.L. 95–507 is necessary in the direct contracting field. **F. Chronology:** NPRM was published on May 17, 1979 (44 FR 28928). The comment period closed on July 16, 1979. The Department published a final rule concerning its financial assistance programs on March 31, 1980 (45 FR 21172). **G. Citation:** 49 CFR Part 23	Robert Ashby, (202) 426–4723.	*Further action to be determined.*
†**Review:** Minority Business Enterprise Program (Financial Assistance Programs).	**A. Description:** The Department is reviewing its regulation establishing a minority business enterprise (MBE) program in its financial assistance programs (49 CFR Part 23). **B. Why Significant:** This regulation has been very controversial, is of interest to most DOT grant receipients and contractors, and affects the operations of all DOT financial assistance programs. **C. Analysis:** Regulatory Evaluation/Regulatory Flexibility Analysis (for NPRM). **D. Need:** As part of the Administration's program of reviewing regulations that are costly or controversial, the Department has decided that it is necessary to consider substantial revisions of the existing rule. The aim of the revisions would be to reduce regulatory burdens associated with the present rule.	Robert Ashby, (202) 426–4723.	FR (Interim amendment), April 1981.NPRM (revision of entire regulation) May 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

OST — Office of the Secretary

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	E. Legal Basis: Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); Title 23 of the U.S.C.; 49 U.S.C. 1730; 45 U.S.C. 906; 49 U.S.C. 1615. **F. Chronology:** Final Rule published March 31, 1980 (45 FR 21172). NPRM to make interim amendment to this final rule, proposing to delete two controversial provisions, pending revision of the entire rule, published March 12, 1981 (46 FR 16282). Comment period closed March 26, 1981. Final rule for interim amendment anticipated in April 1981. Proposed revision of entire regulation anticipated May 1981). **G. Citation:** 49 CFR Part 23		
Financial Assistance to Participants in Rulemaking Proceedings (Docket No. 48).	**A. Description:** This proposal would permit, but not require, each agency of the Department to fund eligible members of the public for the reasonable and actual costs of preparing and presenting their views at selected agency rulemaking proceedings. **B. Why Significant:** This issue concerns a matter on which there is substantial public interest and controversy and would have a significant impact on the operating administrations and the Office of the Secretary. **C. Analysis:** Regulatory Evaluation **D. Need:** This rule would substantially increase the number of active, informed, and independent participants at many rulemaking proceedings within the Department, thereby increasing the diversity and balance of views presented to the Department, and enhancing the Department's knowledge of the interests likely to be affected by its proposed rules. **E. Legal Authority:** The Department's rulemaking authority under the Department of Transportation Act, 49 U.S.C. 1651 *et seq.*, and related statutes. **F. Chronology:** On Jan. 13, 1977, the Department published regulations for a one-year demonstration program to provide financial assistance to certain participants in rulemaking proceedings of NHTSA. (42 FR 2863). At the same time, the Department issued an ANPRM, inviting public comments on the feasibility, wisdom, and scope of a permanent Department-wide program of financial assistance. Upon conclusion of the demonstration program, NHTSA evaluated the program and recommended that the Department establish an amended version of the program throughout the Department. On March 16, 1978, the demonstration program in NHTSA was extended until the Secretary decided whether to issue final, permanent Departmental regulations (43 FR 10918). On January 23, 1979, the regulation governing the NHTSA financial assistance demonstration program was revised to improve its administration. The Department is not in a position at this time to proceed with the issuance of an NPRM in view of the action taken by Congress, on the Department's Fiscal Year *1981* appropriations. *The Department's FY 1981 Appropriations Act prohibits the funding of public participation in the Departmental rulemaking proceedings.* **G. Citation:** 49 CFR pt. 5	Sam Podberesky, (202) 426-4723.	Further action to be determined.
Public Availability of Information	**A. Description:** This involves a revision of DOT's Freedom of Information Act regulations. Specific areas to be revised may include the fee schedule and the policy on waivers of fees for public interest groups and the press.	Rebecca Lima Dalley, (202) 426-4542.	NPRM *April 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

OST — Office of the Secretary

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	B. Why Significant: Substantial public interest		
	C. Analysis: Regulatory Evaluation		
	D. Need: Freedom of Information Regulations need periodic revision to keep current with changes in case law, policy, and implementation costs.		
	E. Legal Basis: 5 U.S.C. 552 (Freedom of Information Act)		
	F. Chronology: The regulations were last revised in 1975. (40 FR 7915) A new revision is currently under internal development.		
	G. Citation: 49 CFR pt. 7		
Nondiscrimination on the Basis of Handicap.	**A. Description:** The Department is considering certain additions and changes to its rules forbidding discrimination against handicapped persons in DOT programs. This rulemaking package will consist of two parts: (1) an NPRM that would amend section 27.71 of the existing DOT section 504 rule, to clarify requirements pertaining to Federally-assisted airports; (2) an NPRM that would add a new section 27.77 to the 504 rule, to cover financial assistance programs of NHTSA.	Robert C. Ashby, (202) 426-4723.	NPRM *May 1981.*
	B. Why Significant: The section 504 rule is a controversial regulation affecting all parts of DOT as well as many providers and users of DOT-funded or operated programs. Additions and changes to the rule will be of considerable interest to the public.		
	C. Analysis: Regulatory Evaluation		
	D. Need: These regulatory actions would clarify and complete the FAA and NHTSA portions of the 504 rule.		
	E. Legal Basis: Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794).		
	F. Chronology: The Final Rule establishing the Department's section 504 regulations was published May 31, 1979 (44 FR 31442).		
	G. Citation: 49 CFR Part 27		
*Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—State Transportation Agencies[1] EEO Affirmative Action Programs.	**A. Description:** The proposed regulation would set forth requirements and procedures for all State Departments of Transportation (DOTs) equal employment opportunity compliance programs. It would also consolidate FHWA, FRA, and UMTA responsibilities in this area.	Robert J. Coates, (202) 426-4754.	NPRM April 1981
	B. Why Significant: This proposed regulation would affect the equal opportunity employment programs of all State transportation agencies.		
	C. Analysis: Regulatory Evaluation		
	D. Need: OST, FHWA, FRA, and UMTA each have resposibility for implementing the equal employment opportunity programs of State DOTs. This proposed rule would assure full coordination among these departmental elements, reduce the burden on the recipients, simplify reporting requirements, and eliminate duplication of effort.		
	E. Legal Basis: Section 22(a) of the Federal-Aid Highway Act of 1968, as amended; Section 905 of the Railroad Revitalization and Regulatory Reform Act of 1976; Section 19 of the Urban Mass Transportation Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973.		

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

OST — Office of the Secretary

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	F. Chronology: The proposed regulation will be forwarded to EEOC for review and coordination. Following EEOC approval, DOT will publish the NPRM. **G. Citations:** 23 U.S.C. 140(a), 45 U.S.C. 801, 49 U.S.C. 1615, 49 CFR 1.48(c), 2.49(u), 1.51(a).		

OST — Office of the Secretary

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Consolidation of Transportation Grants to U.S. Territories.	The regulation would comply with Title V of Pub. L. 95–134, which permits departments and agencies to consolidate grant programs, reduce reporting requirements, and waive local matching fund requirements. NPRM was published on 1/8/79 (44 FR 1765) (49 CFR pt. 29).	*Don Ryan,* (202) 426–9605.	*FR May 1981.*
Official Seal	Revision of regulations governing description and use of the Department's seal. *Final Rule published November 17, 1980 (45 FR 7566)* (49 CFR pt. 3).	Sam Podberesky, (202) 426–4723.	*Action complete.*
Rulemaking procedures	Amendments to the Office of the Secretary regulations on notice-and-comment rulemaking. (49 CFR pt. 5).	Sam Podberesky, (202) 426–4723.	Further action to be determined.
Nondiscrimination on the Basis of Age in DOT Financial Assistance Programs.	This regulation would prohibit age discrimination by recipients of DOT financial assistance programs. NPRM published on October 22, 1979 (44 FR 60946).	Leslie Baldwin, (202) 426–4388.	*Further action to be determined.*
Amendments to Department Organizational Manual.	These amendments would update the Department's Organizational Manual to reflect changes in the organizational structure, nomenclature, and delegation of the Department. *Final Rule published December 18, 1980 (45 FR 83402).*	*Bob Ross,* (202) 426–4723.	*Action complete.*
Part-time Career Employment Program.	This *internal order* would convert certain full-time positions in the Department to permanent part-time positions, in accordance with the Federal Employees' Part-Time Career Employment Act of 1978. *Comment period closed on November 14, 1980 (45 FR 61074).*	*Norma Phelpes, (202) 426–0185.*	*Final Internal Order, March 1981.*
Comments on Relocation of Standard Time Zone Boundary in the State of Alaska.	Comments are being requested on the Department's decision to move Juneau, Alaska, and parts of the surrounding area from the Pacific time zone to the Yukon time zone. NPRM was published on June 9, 1980 (45 FR 38423) (49 CFR pt. 71). *Final rule published September 25, 1980 (45 FR 63493).*.	Bob Ross, (202) 426–4723.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Significant Regulations: Major

Title	Summary	Contact	Earliest expected decision date
†**Review:** Proposed Design Standards for Tank Barges (Docket No. CGD 75-083). Upgrade Existing Tank Barge Construction (Docket No. CGD 75-083a).	**A. Description:** This action would encompass two regulatory projects centered on tank barge construction standards which resulted from Presidential initiatives of March 17, 1977, directing study of the tank barge pollution problem. One project will address new barge construction while the other will pertain to existing barges. **B. Why Significant:** Considered significant due to substantial Congressional and public interest. **C. Analysis:** Regulatory *Impact* Analysis, Environmental Impact Statement/*Regulatory Flexibility Analysis.* **D. Need:** Increased public awareness of the oil pollution problem, as well as international and domestic interest in this area, have made *improved* design standards *important* as a means of reducing the possibility of pollution. **E. Legal Basis:** Sec. 201, 86 Stat. 427, as amended (46 U.S.C. 391a). **F. Chronology:** The upgrade of tank barge construction standards was published as an NPRM in the **Federal Register** of December 24, 1971 (36 FR 24960). As a result of the 63 written comments received, it was decided that the standards needed to be studied further, especially as they would apply to existing barges. In 1974, the Coast Guard and the Maritime Administration performed a joint study of the tank barge pollution problem which found that certain construction techniques might provide a significant advantage for eliminating oil pollution from tank barges. However, the study had several weaknesses and regulatory action was not taken. In July 1977, the Coast Guard began a reexamination of the tank barge construction standards. It was determined that new *barge* construction should be treated separately from existing barges. An ANPRM concerning impacts related to existing barges was published on June 14, 1979 (44 FR 34440). An NPRM on the standards for new construction was published on June 14, 1979 (44 FR 34440). Public hearings were held on August 2, 1979 (Washington, D.C.); August 15, 1979 (Seattle); August 23, 1979 (New Orleans); September 5, 1979 (Washington, D.C.); and September 7, 1979 (St. Louis). The comment period ended September 30, 1979. The comment period was extended to December 1, 1979. Supplemental Notice published March 13, 1980 (45 FR 16438) *announced a* National Academy of Sciences (NAS) study which was conducted from February 15, 1980 through January 31, 1981. *Receipt of the study has been delayed until April.* **G. Citation:** 46 CFR pts. 32-40	LCDR *Spackman,* (202) 426-4431; LCDR Rock, (202) 426-2183.	*Further action to be determined.*
Review: Construction and Equipment; Existing Self-Propelled Vessels Carrying Bulk Liquefied Gases (Docket No. 77-069).	**A. Description:** Would amend regulations for existing self-propelled vessels that carry bulk liquefied gases by including the substantive requirements for the "Code for Existing Ships Carrying Liquefied Gases in Bulk" adopted by the Intergovernmental Maritime Consultative Organization (IMCO). *These amended regulations would also* increase safety levels of existing ships carrying gas. **B. Why Significant:** This is significant because it involves a large number of existing U.S. and foreign flag ships which carry liquefied gas and *because* it is the subject of substantial public interest. **C. Analysis:** Regulatory *Impact* Analysis	LCDR *McGowan,* (202) 426-2160.	*NPRM December 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG — **U.S. Coast Guard**

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest expected decision date
	D. Need: Increased use of liquefied gases has intensified the problems associated with this product. Since this product has unique properties and dangers, a dedicated set of regulations is needed to address them. **E. Legal Basis:** R.S. 4417(a) as amended by section 5, P.L. 95-474 (46 U.S.C. 391a); See 6(d)(1), 80 Stat. 937 (49 U.S.C. 1655(b)(1)). This rulemaking is also the Port and Tanker Safety Act of 1978. **F. Chronology:** An Advance Notice of Proposed Rulemaking was published June 30, 1977 (42 FR 33353). This action *was taken pursuant* to the Port and Tanker Safety Act of 1978. **G. Citation:** 46 CFR pts. 31, 34, 38, 40, 54, 98, 154.....		
*Damage Stability and Flooding Protection Standards for Great Lakes Bulk Dry Cargo Vessels (Docket No. CGD 80-159).	**A. Description:** 3Would require a level of subdivision for new ships which is at least equivalent to that required for Maritime Administration construction loan guarantees. Would reduce the risk of catastrophic sinking and increase the time available to utilize recently improved survival gear. **B. Why Significant:** This project would initiate a significant change in policy which differs substantially from international standards. Additionally, it could result in a major price increase for an individual industry. **C. Analysis:** Regulatory Impact Analysis..... **D. Need:** Due to lack of subdivision in the cargo hold, catastrophic sinkings of Great Lakes bulk carriers can occur very rapidly and with little or no warning, thus precluding the use of survival gear. Unique features of Great Lakes geography and shipping may permit application of unusual alternatives such as route modifications to increase the safety of existing vessels. **E. Legal Basis:** RS 4405 (46 U.S.C. 375); R.S. 4417 (46 U.S.C. 391); R.S. 4462 (46 U.S.C. 416). **F. Chronology:** January 7, 1981, work plan approved..... **G. Citation:** 46 CFR Parts 45 and 93.....	*Mr. J. Howell, (202) 426-2187.*	*NPRM February 1982.*

USCG — **U.S. Coast Guard**

Significant Regulations: Other

Title	Summary	Contact	Earliest expected decision date
†**Review:** Qualifications of the Person in Charge of Oil Transfer Operations, Tankerman Requirements (Docket No. CGD 79-116 and 79-116a).	**A. Description:** Would redefine and establish qualifying criteria for certifying individuals engaged in the carriage and transfer of the various categories of dangerous cargoes in bulk. **B. Why Significant:** Considered significant because this is the result of a Presidential initiative. **C. Analysis:** Regulatory Evaluation, Environmental Impact Statement, Inflationary Impact Statement/*Regulatory Flexibility Analysis.*	CDR *Arnet,* (202) 426-2251.	*FR October 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	D. Need: Most pollution incidents are the result of personnel error; consequently, the minimum qualifications of persons involved in handling polluting substances should be specified. **E. Legal Basis:** 86 Stat. 427, as amended (46 U.S.C. 391a); Sec. 6(b)(1), 80 Stat. 937 (49 U.S.C. 1655(b)(1)); 49 CFR 1.46(n)(4). **F. Chronology:** Environmental Analysis and Inflationary Impact Statement completed February, 1977. NPRM published April 25, 1977 (42 FR 21190). Public hearing June, 1977. Extensive comments were received on this NPRM and it was withdrawn on April 30, 1979. *NPRM published December 1980 (45 FR 83268 and 45 FR 83290). Public hearings held in January and February 1981.* **G. Citation:** 33 CFR pt. 155; 46 CFR pts. 12, 13, 30, 31, 35, 70, 90, 98, 105, 151, 153, and 157.		
Review: Pollution Prevention, Vessels and Oil Transfer Facilities (Docket No. CGD 75-124a).	**A. Description:** Would reduce accidental or intentional discharge of oil or oily wastes during vessel operations. **B. Why significant:** This regulation is the significant part of Docket No. CGD 75-124. Substantive changes to the NPRM are proposed so that a supplemental NPRM is needed. It is considered significant due to opposition from the owners/operators of offshore marine service vessels and inland waterways vessels to the oil-water separator requirements of 33 CFR 155.330. Also, considerable expense may be incurred by the towing service to install separators and monitors or alarms, if alternative measures are not used. Without these sections, the remainder of CGD 75-124 is nonsignificant and was published as a final rule on January 31, 1980 (45 FR 7156). *The Coast Guard is presently attempting to determine whether a significant number of small entities would be affected by this rulemaking; a Regulatory Flexibility Analysis may be required..* **C. Analysis:** Regulatory Evaluation..... **D. Need:** (1) Necessity to reduce the number of oil spills. (2) Clarification of existing rules. (3) Additional requirement for oil-water separators under the 1973 International Convention for the Prevention of Pollution from Ships. **E. Legal Basis:** Section 311(j)(1) (C) and (D) of the Federal Water Pollution Control Act, as amended; (33 U.S.C. 1321(j)(1) (C) and (D)). **F. Chronology:** NPRM published June 27, 1977 (42 FR 32670). Supplemental NPRM published October 27, 1977 (42 FR 56625). Public hearings held: New Orleans, LA. 11/22/77, St. Louis, MO. 11/30/77, Wash., D.C., 11/28/77. **G. Citation:** 33 CFR 155.330—155.410.....	*Lt. B. Balch,* (202) 426-9578.	NPRM *October 1981.*
†**Review:** Licensing of Pilots (Docket No. CGD 77-084).	**A. Description:** This proposal would require: recency of service for each route upon which a pilot is authorized to serve; licenses to be issued with tonnage limitations commensurate with pilot experience; and consideration of shiphandling simulator training for pilots of very large vessels including Very Large Crude Carriers (VLCC).	*Mr. J. Hartke, (202) 755-8683.*	*NPRM July 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	B. Why Significant: Considered significant because there is substantial interest among marine personnel about this matter and because opposition is expected from Federal pilots. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis*. **D. Need:** Increased ship size has led to unusual handling characteristics with which some pilots may not be familiar. This rule will allow use of simulator training for these kinds of vessels. **E. Legal Basis:** 46 U.S.C. 214, 224, 230, 233, 237; 49 U.S.C. 1655(b)(1). **F. Chronology:** A Regulatory Analysis and Work Plan were completed in October 1978. *NPRM published November 28, 1980 (45 FR 79258). Public hearings were held in January and February 1981. Revisions to the NPRM are planned as a result of the hearings.* **G. Citation:** 46 CFR pt. 10		
Tank Vessel Operations Regulations, Puget Sound (Docket No. CGD 78-041).	**A. Description:** This regulation would govern the operation of tank vessels in the Puget Sound area to protect against environmental harm resulting from vessel or structure damage, destruction, or loss. **B. Why Significant:** This is considered a significant rulemaking due to Congressional and public interest. In addition, it may generate controversy among the public, environmentalists, and the oil industry. **C. Analysis:** Regulatory Evaluation, Environmental Impact Statement. **D. Need:** To reduce the possibility of environmental harm resulting from oil spills in Puget Sound by governing the operation of tankers so as to reduce the risk of collision or grounding. **E. Legal Basis:** Port and Waterways Safety Act (33 U.S.C. 1221).	*Mr. Ziegfeld, (202) 755-6146.*	FR December 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	F. Chronology: Secretary Adams signed a 180-day Interim Rule on March 14, 1978, prohibiting entry of oil tankers in excess of 125,000 Deadweight Tons in Puget Sound March 23, 1978 (43 FR 12257). ANPRM published March 27, 1978 (43 FR 12840) with public hearing held April 20–21, 1978. NPRM published April 12, 1979 (44 FR 21974). Public hearings were held in Washington State on June 11–14, 1979. The interim navigation rule will remain in effect until cancelled (44 FR 36174). The Puget Sound rulemaking has been broken into three parts: 78–041 Tank Vessel Operations, 78–041a Puget Sound VTS Service Area, and 78–041b, Puget Sound VTS General Rules. 78–041b, the General Rules, were published as a final rule on July 21, 1980 (45 FR 48822). *On August 11, 1980, the effective date was deferred until October 1, 1980, and a correction to the interim final rule was published August 11, 1980 (45 FR 53135). An editorial correction to the August 11, 1980, publication was published November 10, 1980 (45 FR 74471).* The Puget Sound VTS Service Area portion (78–041a) was reclassified as nonsignificant and future issues of the agenda will list it in the nonsignificant section. A supplemental notice on the new nonsignificant portion was published on July 21, 1980 (45 FR 48826). The Tank Vessel Operations (78–041) portion remains significant. A supplemental NPRM announcing tanker/tug risk analysis tests was published on July 21, 1980 (45 FR 48827). **G. Citation:** 33 CFR pts. 160, 161		
Personnel Job Safety Requirements for Fixed Installations on the Outer Continental Shelf (Docket CGD 79–077).	**A. Description:** This regulation would develop personnel safety and health requirements for artificial island, fixed installations, and other devices on the Outer Continental Shelf (OCS). *(This regulation has been reclassified as a nonsignificant regulation. It is now listed in the nonsignificant portion of this Agenda.)*	LT Cashman, (202) 472–5160.	*NPRM April 1981.*
Drawbridge Operation Regulations—Newark Bay and Passaic and Hackensack Rivers, New Jersey (Docket No. CGD 78–173).	**A. Description:** Would amend the regulations to provide more equitable balance between the needs of land and marine modes of transportation in scheduling drawbridge openings; would generally update the regulations. **B. Why Significant:** Involves coordination with other agencies within DOT and is a matter of significant public interest. **C. Analysis:** Regulatory Evaluation **D. Need:** Increased use of rail, road, and water transportation in this heavily industrialized and heavily populated area, mariners' complaints of long delays before bridge openings, and a general need to update existing regulations. **E. Legal Basis:** Sec. 5, 28 Stat. 362, 33 U.S.C. 499; 80 Stat. 937, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5). **F. Chronology:** A fact-finding public hearing was held November 17, 1977 to provide the basis for formulating the proposed rule. NPRM published February 28, 1980 (45 FR 16203). Public hearings were held in Newark, N.J. and Rutherford, N.J. on April 23, 1980. *FR published November 6, 1980 (45 FR 73653).* **G. Citation:** 33 CFR 117.200	Mr. F. Teuton, (202) 426–0942.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG — **U.S. Coast Guard**

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Vessel Traffic Service (VTS), Berwick Bay, La. (Docket 73-186).	Would codify certain operating procedures now being done under local order. (33 CFR pt. 161).	*Ens LeBlanc,* (202) 426-4958.	NPRM *May 1981.*
VTS Houston-Galveston, Texas (Docket No. CGD 74-029).	Would make mandatory a now voluntary vessel traffic service. *NPRM published September 18, 1980 (45 FR 62158).* (33 CFR pt. 161).	*Ens LeBlanc,* (202) 426-4958.	FR *May 1981.*
Review: Revision of Electrical Regulations (Docket No. CGD 74-125).	Would generally revise and undate the electrical regulations to conform to latest technology and to include steering requirements for vessels other than tank vessels. This project was downgraded from significant. Supplemental NPRM published March 3, 1980 (45 FR 13982).	LCDR Mowery, (202) 426-2206.	FR *May 1981.*
Pilot Ladders and Powered Pilot Hoists (Docket No. CGD 74-140).	Would establish new regulations for pilot hoists and revise regulations for pilot ladders and chain ladders. NPRM published July 23, 1979. (44 FR 43016). Publication of FR deferred pending evaluation of comments. (46 CFR pts. 160, 163).	Mr. R. Markle, (202) 426-1445.	FR *May 1981.*
Review: Fixed Fire Extinguishing Systems on Uninspected Vessels (Docket No. CGD 74-284).	Would establish standards for the construction and installation of Halon 1301 and other fixed fire extinguishing systems as optional systems for compliance with existing regulations. (46 CFR 162.029).	Mr. K. Wahle, (202) 426-1444.	NPRM *June 1981.*
Elevators and Dumbwaiters (Docket No. CGD 75-001).	Would adopt the 1978 American National Standards Institute (ANSI) code with certain modifications for vessel construction. NPRM published April 5, 1976 (41 FR 14386). (46 CFR pt. 58).	Mr. B. Jackson, (202) 426-2206.	FR *July* 1981.
Review: Compatibility of Bulk Liquid Cargoes (Docket No. CGD 75-059).	*Establishes* cargo loading standards to prevent the intermingling of cargo likely to create dangerous conditions. (46 CFR pt. 150) NPRM published March 27, 1980 (45 FR 30132). Final rule published on October 23, 1980 (45 FR 70262.).	Mr. R. Query, (202) 426-1217.	*Action complete.*
Opening Signals for Drawbridges (Docket No. 75-237).	If approved, would establish uniform signals for opening drawbridges. *NPRM published June 1980 (45 FR 43226)* (33 CFR pt. 117).	Mr. Teuton, (202) 426-1380.	FR *May 1981.*
Review: Advance Notice of Arrival (Docket No. CGD 75-238).	*Requires* advance notice to Captain of the Port (COTP) of vessel arrivals, departures and hazardous conditions. NPRM published June 15, 1978 (43 FR 25958). Public hearing held October 12, 1978 in Washington, D.C., and October 20, 1978 in Houston, Texas. Interim final rules published November 5, 1979 (44 FR 63672). *FR published August 28, 1980 (45 FR 57392).* (33 CFR pt. 161).	LT *Allen,* (202) 426-1927.	*Action complete.*
†**Review:** Stability Standards for Towing and Offshore Vessel Hull Forms (Docket No. CGD 76-018).	Would establish intact stability standards for both towing and free-route modes of subject vessels. ANPRM published April 12, 1976 (41 FR 15349). (46 CFR pt. 42).	Mr. F. Perrini, (202) 426-2187.	NPRM *April 1981.*
Review: Subdivision and Stability of Passenger Vessels (Docket No. CGD 76-053).	Proposes more flexible regulations by allowing alternate compliance with Intergovernmental Maritime Consultative Organization as an alternative to existing requirements. (46 CFR pts. 73, 74).	Mr. J. Howell, (202) 426-2187.	NPRM *June 1981.*
†Pilotage Requirements (Docket No. CGD 76-060).	Would clearly delineate when and in what areas pilots are required. (46 CFR 157.20-40).	CDR McCowan, (202) 426-2240.	*Further action to be determined.*
Review: Stability Standards for Hopper Dredges (Docket No. CGD 76-080).	Would improve capability of a dredge to withstand flooding caused by damage to hull or interior piping. NPRM published December 10, 1979 (44 FR 70791). (46 CFR pt. 93).	Mr. D. Ewing, (202) 426-2187.	FR *May 1981.*
Cargo Monitors on Tank Vessels (Docket No. CGD 76-088b).	Proposed requirements for installation and use of cargo monitors. NPRM published June 27, 1977 (42 FR 32684). (33 CFR pt. 157).	*LCDR* Cool, (202) 426-4431.	*Supplemental NPRM July 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: Deepwater Port Safety Zone Regulations (Docket No. CGD 76-096).	Would establish regulations for safety zones at U.S. Deepwater Ports. NPRM published February 14, 1980 (45 FR 10172). *FR published December 19, 1980 (45 FR 85644).* (33 CFR pt. 150).	Mr. F. Martin, (202) 472-5052.	*Action Complete.*
Review: Casualty Reporting (Docket No. CGD 76-170).	Would update the regulation by changing the monetary and other damage criteria. As a result of numerous comments, a revised NPRM was published. NPRM published October 19, 1978 (43 CFR 48982). Correction published October 23, 1978 (43 FR 49316). NPRM published December 3, 1979 (44 FR 69308). *Interim final rule published November 24, 1980 (45 FR 77439).* (46 CFR 4.05).	CDR Blomquist, (202) 426-1455.	*Further action to be determined.*
Review: Radar Observer Endorsement for Personnel (Docket No. CGD 76-193a).	Would require specialized training in use of radar equipment. *NPRM published November 6, 1980 (45 FR 73716).* (48 CFR Pt. 10).	CDR *Arnet, (202) 426-2251.*	*FR July 1981.*
Review: Shipboard Fumigation Standards (Docket No. CGD 76-206).	Proposed operational requirements for fumigation procedures on vessels. (46 CFR pt. 147a).	LT Norris, (202) 426-1577.	NPRM *June 1981.*
Review: Exemption for Cargo Vessels in Alaska Serving Remote Villages (Docket No. CGD 76-223).	Would allow special uses for specific vessels serving in the Alaskan Trade. (46 CFR pts. 6, 30, 42, 43, 70, 90, and 151; 33 CFR pt. 1).	LTJG Murray, (202) 426-2190.	FR *May 1981.*
Requirement to Stop to Permit Boarding (Docket No. CGD 76-232).	Would require boat operators to stop when ordered to do so by CG Boarding Officer. (33 CFR pt. 177).	*Mr. R. Dewees,* (202) 426-4176.	*Withdrawn.*
Review: Marine Safety Investigations (Docket No. CGD 77-018).	Would implement investigation authority under Ports and Waterways Safety Act. NPRM published January 25, 1979 (44 FR 5368). (33 CFR pt. 168).	LT Allen, (202) 426-1927.	FR *May 1981.*
Damage Stability, Subchapter "O" Barges (Docket No. CGD 77-027).	Would apply damage stability requirements for chemical vessels to ocean chemical barges. (46 CFR 151.10-10).	Mr. F. Perrini, (202) 426-2187.	NPRM May 1981.
Ocean Dumping Surveillance Equipment Requirements, (new Part) (Docket No. CGD 77-029).	Would establish equipment requirements to conduct surveillance to prevent unlawful dumping of material into ocean waters. NPRM published December 13, 1979 (44 FR 72188). *After reviewing the comments and evaluating the current state of ocean dumping, the Coast Guard has determined that this proposal would be too expensive for the potential benefits to be expected. For this reason, the proposal is being withdrawn.* (33 CFR pt. 158).	LCDR Voyik, (202) 755-7938.	*To be withdrawn.*
Review: Suspension & Revocation Proceedings—Consolidation of Regulations (Docket No. CGD 77-037).	*Combines* disparate regulations to clarify the appeal process. No substantive changes will be made. (46 CFR pt. 1.5) *Final Rule published on September 29, 1980 (45 FR 64185).*	LT McDaniel, (202) 426-9776.	*Action complete.*
Review: Designation of Oceanographic Vessels (Docket No. CGD 77-081).	Would establish standard procedures for designating oceanographic research vessels and allow their exemption from certain manning requirements. *NPRM published December 22, 1980 (45 FR 84104).* (46 CFR pt. 188).	CDR McCowen, (202) 426-2240.	*FR May 1981.*
Vessel Traffic Service (VTS) New York, N.Y. (Docket No. CGD 77-087).	Establishes regulations for vessel traffic service in New York Harbor. NPRM published February 16, 1978 (43 FR 6906). Final Rule published August 2, 1979 (44 FR 45381). Effective date suspended indefinitely September 24, 1979 (45 FR 50005) (44 FR 2133). (33 CFR pt. 161).	Mr. F. Schwer, (202) 426-4958.	*Undergoing Executive Order 12291 Review.*
Requirement for First Purchaser List Kept by Boat Dealers (Docket No. CGD 77-115).	Would require boat dealers to assist in creating a list of retail purchasers so manufacturers could send notice to alert of safety defects. *NPRM published December 29, 1980 (45 FR 85475).* (33 CFR pt. 179).	Mr. Ellison, (202) 426-1065.	*FR September 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
†**Review:** Waterfront Facilities (Docket No. CGD 77-128).	Would revise waterfront facility regulations by consolidating and updating general regulations. ANPRM published April 10, 1978 (43 FR 15108). (33 CFR pts. 126-32).	LT Allen, (202) 426-1927.	NPRM *May 1981.*
Review: Amendments to Alternative Compliance (Docket No. CGD 77-136).	Would provide editorial improvement and clarification of existing regulations. *NPRM published January 26, 1981 (46 FR 8030).* (33 CFR pt. 87).	Mr. T. Foley, (202) 426-4958.	*FR May 1981.*
Review: Miscellaneous Changes to *46 CFR 56* (Docket No. CGD 77-140).	Would update Title 46, Subchapter F—Marine Engineering. (46 CFR pt. 56).	LCDR Jenkins, (202) 426-2160.	NPRM *August 1981.*
Revision of Navigation Safety Regulations (Docket No. CGD 77-196).	This docket was previously titled "Designation of Confined or Congested Waters." 33 CFR Part 164 is being revised. This revision would amend existing navigation safety regulations and incorporate changes in electronic position fixing devices and electronic relative motion analyzers, delete references to confined or congested waters, and resolve certain other ambiguities. (33 CFR pt. 164).	*Mr. L. Stephey, (202) 426-4958.*	*Further action to be determined.*
Lifesaving Systems for Great Lakes Vessels (Docket No. CGD 77-202).	Would amend regulations for lifeboats and other equipment to improve chances of personnel survival following abandonment of vessel. This project has been redocketed and will appear in future agendas under the number CGD 77-202. Redocketed from No. CGD 75-033. (46 CFR Subchapters D, H, I, T, and Q).	Mr. R. Markle, (202) 426-1445.	NPRM *April 1981.*
Review: Second Class Operator for Towing Vessels (Docket No. CGD 77-204).	Would allow able seaman service on ocean going vessels to be credited toward second class towboat license. NPRM published May 25, 1978. (43 FR 22653). (46 CFR pt. 10).	*CDR Struck, (202) 426-2240.*	Further action to be determined.
Review: Halon 1301 Fire Extinguishing Systems for Merchant Vessels (Docket No. CGD 77-232).	Would allow Halon 1301 for specific types of installations. (46 CFR 164.035).	Mr. R. Eberly, (202) 426-2197.	NPRM *June 1981.*
Navigation Lights for Small Vessels (Docket No. CGD 77-233).	Would specify approval procedures and installation requirements for International Rules navigation lights for small vessels. NPRM published September 7, 1978 (43 FR 39946). *Supplemental NPRM published December 29, 1980 (45 FR 85468).* (33 CFR pt. 89).	Mr. L. Gray, (202) 426-4027.	*FR July 1981.*
Officers On Uninspected Vessels (Docket No. CGD 78-027).	The amendment would clarify 46 CFR 157.30-10 regarding the number of deck officers and engineers to be on board uninspected vessels. *NPRM published October 27, 1980 (45 FR 70920).*	CDR McCowen, (202) 426-2240.	*FR May 1981.*
Hazardous Substances, Pollution Prevention for Vessels and Marine Transfer Facilities (Docket No. CGD 78-032).	Would establish regulations to prevent pollution from hazardous substances from vessels and marine transfer facilities. (33 CFR pts. 154, 155 and 156).	*S. Mojonnier, (202) 426-9578.*	ANPRM *June 1981.*
†Liquefied Natural Gas Waterfront Facility (Docket No. CGD 78-038).	Would establish LNG Waterfront Facility Safety Regulations in accordance with Memorandum of Understanding between USCG and Materials Transportation Bureau, RSPA. ANPRM published August 3, 1978 (43 FR 34362). Will merge with CGD 77-128. Supplemental ANPRM published March 8, 1979 (44 FR 12693). (33 CFR pt. 126).	*LT Allen, (202) 426-1927.*	NPRM *May 1981.*
*Vessel Traffic Service (VTS), Puget Sound (Docket No. CGD 78-041a).	Would establish requirements for a Vessel Traffic Service in the Puget Sound area. This rulemaking was separated from Docket No. CGD 78-041 which appears earlier in this Agenda as a significant rulemaking. Published December 22, 1980 (45 FR 80457); originally scheduled to go into effect February 1, 1981. Effective date delayed March 31, 1981 (46 FR 10706) for review under E.O. 12291.	Mr. Ziegfeld, (202) 755-6146.	Undergoing Executive Order 12291 Review

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: St. Mary's River, Vessel Traffic Service (Docket No. CGD 78-079).	Would revise and restate existing anchorage and navigation regulations for St. Mary's River, re-promulgating them under the authority of the Ports and Waterways Safety Act. *NPRM published January 5, 1981 (46 FR 946). Comment period extended on February 19, to May 15, 1981 (46 FR 12987).* (33 CFR pt. 161).	*Mr. E. LaRue, (202) 426-4958.*	*FR June 1981.*
Notification of Marine Casualties (Docket No. CGD 78-098).	If approved, would require vessels within a certain distance of United States coasts to notify the Coast Guard of certain casualties. Further action on this project depends on the outcome of a study suggested in response to the ANPRM. ANPRM published April 16, 1979 (44 FR 22476). (33 CFR pt. 124 transferred to 161).	*LT Balch,* (202) 426-9578.	Study pending.
Aluminum Hatch Covers Aboard Tank *Ships* (Docket No. CGD 78-121).	Would prohibit aluminum hatch covers on tank *ships*, because they can melt down in ship-board fires. *NPRM published October 27, 1980 (45 FR 70918).* (46 CFR 32.60-1).	Mr. R. Eberly, (202) 426-2197.	*FR August 1981.*
Review: Bulk Chemical Tanker Update (Docket No. CGD 78-128).	Would update and revise standards for self-propelled vessels carrying hazardous liquid. (46 CFR pt. 153). *NPRM published July 17, 1980 (45 FR 48058).*	LT *Frago,* (202) 426-1217.	FR *May 1981.*
Review: Accessibility of Fire Extinguishers on Boats (Docket No. CGD 78-137).	Would require boat operators to keep portable fire extinguishers in a readily accessible location. (46 CFR pt. 25).	Mr. Dewees, (202) 426-4176.	*Withdrawn.*
Review: Private Electronic Aids to Navigation (Docket No. CGD 78-145).	Would delete the prohibition of Private Aids to Navigation to provide uniform regulatory treatment. (33 CFR pt. 66).	LT Johnson, (202) 426-1974.	*Withdrawn.*
Inland Waters Navigation Regulations—Waters Connecting Lake Huron and Lake Erie (Docket No. CGD 78-151).	Would modernize existing regulations. (33 CFR pt. 162).....	Mr. LaRue, (202) 426-4958.	NPRM *May 1981.*
Review: Survey Period for Oil Lubricated Tailshafts with Mechanical Seals (Docket No. CGD 78-153).	*Extends* the drawing interval for oil lubricated tailshafts with mechanical seals. NPRM published November 1, 1979 (44 FR 62915). *FR published August 7, 1980 (45 FR 52387).* (46 CFR pt. 63).	LT M. Rolman, (202) 426-2190.	*Action complete.*
Review: Mandatory Marking of Obstructions (Docket No. CGD 78-156).	Would clarify and consolidate the requirements for marking of obstructions. (33 CFR pt. 64).	LT Johnson, (202) 426-1974.	NPRM *July 1981.*
Review: Private Aids to Navigation and State Aids to Navigation (Docket No. CGD 78-157).	Would codify and clarify the aids to navigation regulations concerning State and private aids to navigation. (33 CFR pt. 66).	LT Johnson, (202) 426-1974.	*Further action to be determined.*
Review: Mandatory Markings for Artificial Islands, Installations, and other Devices (Docket No. CGD 78-158).	Would revise the marking regulations to bring them into agreement with the latest procedures. (33 CFR pt. 67).	LT Johnson, (202) 426-1974.	*Further action to be determined.*
Review: Aids to Navigation—General Interference with. Damages to and Charges for Aids to Navigation (Docket No. CGD 78-159).	Would codify, revise and clarify the existing regulations. (33 CFR pts. 60, 62, 66, 70, 74, and 76).	LT Johnson, (202) 426-1974.	*Further action to be determined.*
Review: General Revision to Subchapter N (Docket No. CGD 78-160).	Proposed general revisions to Subchapter N, Artificial Islands and Fixed Structures on the Outer Continental Shelf. Revisions to include changes made necessary by new legislation and the Coast Guard Commercial Diving Rules. NPRM published May 1, 1980 (45 FR 29072). (33 CFR pt. 140).	LCDR T. Barrett, (202) 472-5160.	*FR May 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: Termination of Windsurfer Exemption (Docket No. CGD 78-163).	Would determine whether to continue an exemption that allows operators of windsurfer boats to not carry personal flotation devices. ANPRM published March 29, 1979. *NPRM published July 17, 1980 (45 FR 47876). (33 FR pt. 175).*	*Mr. Dewees, (202) 426-4176.*	*Further action to be determined.*
Approval of Inflatable Personal Flotation Devices (PFDs) (Docket No. CGD 78-174).	Would establish performance standards for inflatable PFDs and procedures for granting *product* approval to these devices. ANPRM published March 15, 1979 (46 CFR pt. 160).	*LT Weiss,* (202) 426-1444.	NPRM *September 1981.*
Offshore Oil Lightering (Docket No. CGD 78-180).	Would establish requirements for vessel to vessel transfers of oil or hazardous materials if the cargo is bound for a U.S. port. NPRM published May 31, 1979 (44 FR 31486). (33 CFR pt. 156).	*LCDR Hendrickson, (202) 426-9578.*	*Supplemental NPRM June 1981.*
Review: Amendment to Hull Identification Requirements (Docket No. CGD 79-013).	Would further delineate responsibility for marking boats with a hull identification number. Would require a second number inside the boat to aid in identification of stolen boats. *NPRM published December 29, 1980 (45 FR 85476).* (33 CFR pt. 181).	*Mr. Ellison, (202) 426-1065.*	*FR July 1981.*
Review: Stability Subchapter (Docket No. CGD 79-023).	Would bring together all the existing stability regulations and identifiable past practices into a single subchapter including a part pertaining to the carriage of passengers and separate parts pertaining to cargoes, vessel use, and special types.	Mr. D. Ewing, (202) 426-2187.	NPRM *May 1981.*
Port and Tanker Safety Act Delegations Under Section 9, Ports and Waterways Safety Act (Docket No. CGD 79-026).	Would delegate to Captains of the Port authority and responsibility to prohibit vessel operations and cargo transfers which may be unsafe. (33 CFR pt. 160) *NPRM published December 3, 1979 (44 FR 69306).* (33 CFR pt. 160).	*LT Allen, (202) 426-1927.*	*Supplemental NPRM March 1981.*
Installation, Maintenance and Inspection of Pilot Accommodation and Chain Ladders, and Powered Pilot Hoists (Docket No. CGD 79-032).	Would establish inspection procedures and timetables for embarkation apparatus.	LT Murray, (202) 426-2190.	NPRM *March 1981.*
Limited Access Areas: (Docket No. CGD 79-034).	Would realign limited access area regulations in 33 CFR. (33 CFR pts. 125, 127, 128, and 165).	*LT Allen, (202) 426-4958.*	FR *May 1981.*
Steering Gear, Drills and Tests (Docket No. CGD 79-038).	Would require all inspected vessels over 100 gross tons and foreign vessels over 1600 gross tons to have written procedures for loss of steering control, and to conduct log emergency steering drills. Docket No. CGD 79-038a incorporates changes to Title 46 CFR and CGD 79-038b incorporates changes to Title 33 CFR.	LT Rolman, (202) 426-1464.	NPRM *June 1981.*
Crane Operator Qualifications and Standards for Offshore Crane Design Inspection, Testing and Operation (Docket No. CGD 79-059).	Would develop required qualifications for crane operators employed on the Outer Continental Shelf and standards for crane design, inspection, and testing. ANPRM published January 10, 1980 (45 FR 2052). (33 CFR pt. 146 and 46 CFR pt. 92).	LTJG Silka, (202) 472-5160.	NPRM *April 1981.*
46 CFR Subchapter D, Tank Vessels Corrections and Clarifications to conform to Title 33 CFR (Docket No. CGD 79-061).	Would eliminate conflicting requirements in Titles 46 and 33 CFR for minimum bolts per flange on transfer connections, fixed piping. In addition, eliminates confusion in tank barge security and smoking regulations. *This project has been redocketed and will appear under the number CGD 80-009 in the future.*	LT Murray, (202) 426-2183.	NPRM *April 1981.*
†Marine Personnel Safety Standards (Docket No. CGD 79-065).	Would develop a new Subchapter prescribing general personnel safety standards for inspection vessels and offshore facilities. (Subchapter V).	*CDR J. DeLeonardis, (202) 426-2183 LT F. Whipple (202) 426-5160.*	NPRM *April 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Stowage of Lifeboats and Liferafts (Docket No. CGD 79-072).	Would amend various subchapters to require inspected vessels under 1600 gross tons on coastwise voyage and having widely separated accommodation or working spaces, to carry inflatable liferafts in those areas capable of accommodating 50 percent of the people on board. NPRM published December 3, 1979 (44 FR 69311). *Supplemental NPRM published May 27, 1980 (45 FR 35366).*	*CDR J. DeLeonardis, (202) 426-2183.*	FR *May 1981.*
†Personnel Job Safety Requirements for Fixed Installations on the Outer Continental Shelf (Docket No. CGD 79-077).	This regulation would develop personnel safety and health requirements for artificial island, fixed installations and other devices on the Outer Continental Shelf (33 CFR Subchapter No. 46 CFR Subchapter 1A and V.) *This has been reclassified from significant to nonsignificant.*	LT Cashman, (202) 471-5150.	NPRM *April 1981.*
Vessel Personnel Licensing and Certification Standards of Foreign Countries (Docket No. CGD 79-081(a)).	Establishes procedures for verification of training, qualification and watchkeeping standards of personnel serving on foreign tank vessels. Interim FR Published April 7, 1980 (45 FR 23425).	CDR D. Struck, (202) *426-2240.*	*Further action to be determined.*
Foreign Tank Vessel Manning Levels (Docket No. CGD 79-081(b)).	Would establish minimum manning levels for foreign tank vessels while operating on U.S. navigable waters. *NPRM published November 17, 1980 (45 FR 75712).*	CDR D. Struck, (202) *426-2240.*	*FR June 1981.*
Amendment to Application of Vessel Numbers (Docket No. 79-087).	Would delete date of birth and citizenship data from application for vessel number. *NPRM published August 21, 1980. (45 FR 55768). (33 CFR pt. 174).*	*Mr. Dewees,* (202) 426-4176.	*Further action to be determined.*
Shipment of Bulk Hazardous Waste by Water (Docket No. CGD 79-095).	Would establish requirements for transportation of bulk hazardous wastes. *NPRM published October 14, 1980 (45 FR 67708).*	Mr. R. M. Query, (202) 426-1217.	*FR May 1981.*
U.S. Coast Guard Reserve (Docket No. CGD 79-105).	Would update the administrative regulations pertaining to the Coast Guard reserve.	Mr. Cotter, (202) 426-2348.	FR December *1981.*
Merchant Mariner's Documents for Industrial Workers (Docket No. 79-109).	Would establish regulations for endorsements to merchant marine documents for special skills of industrial workers.	CDR Struck, (202) 755-8684.	*Withdrawn.*
Inland Waterways Navigation Thimble Shoals (Docket No. CGD 79-120).	Would make two existing regulations consistent. (33 CFR pts. 128 and 162).	ENS Le Blanc, (202) 426-4958.	NPRM January 1981.
Applications for Exemptions for SBT, CBT or COW, for Existing Vessels in Specific Trades (Docket No. CGD 79-126).	Would establish procedures for exemption from Segregated Ballast (SBT), Clean Ballast (CBT), or Crude Oil Washing (COW), for existing vessels in specific trades. *NPRM published May 22, 1980. (45 FR 34306). FR published January 15, 1981 (46 FR 3510); originally scheduled to go into effect on February 2, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under E.O. 12291..*	LCDR A. Spackman, (202) 426-4431.	*Undergoing Executive Order 12291 review.*
Joint U.S. Canada Vessel Traffic Management regulations for the Pacific region (Docket No. CGD 79-131).	Would implement the provisions of an Agreement for a Cooperative Vessel Traffic Management System for the Pacific Region. (33 CFR pt. 161).	CDR Cruickshank, (202) 426-1940.	NPRM *August 1981.*
Shipboard Noise Abatement (Docket No. CGD 79-134).	Would develop noise abatement standards (noise levels, hearing conservation program, etc.) for inspected vessels over 100 gross tons. (Will be included in subchapter V).	*LT Murray, (202) 426-2183.*	NPRM *May 1981.*
Start-in-Gear Protection (Docket No. CGD 79-137).	Would establish a requirement for manufacturers of outboard engines producing more than 115 pounds of thrust to have a feature that would prevent the engine from being started while the transmission was in gear. NPRM published March 24, 1980 (45 FR 18987); comment due July 24, 1980. *FR published January 15, 1981 (46 FR 3514); scheduled to go into effect on August 1, 1982, subject to review under E.O. 12291 (33 CFR 181 and 183).*	Mr. L. Granholm, (202) 426-4027.	*Undergoing Executive Order 12291 review.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: Special Service Load Line Vessels, Hurricane Season (Docket No. CGD 79-142).	*Allows* manned vessels with special service load lines to be operated during the hurricane season if the provisions of a Coast Guard approved heavy weather plan are followed. NPRM published April 21, 1980 *(published August 28, 1980)* (45 FR 26722).	Mr. D. Ewing, (202) 426-2187.	*Action complete.*
Permanently Moored Tank Barges *(Docket No. CGD 79-143).*	Would clarify the inspection and certification standards for permanently moored tank barges.	LTJG Olds, (202) 426-2190.	*Withdrawn.*
Electronic Relative Motion Analyzer (Docket No. CGD 79-148).	*Requires* an electronic relative motion analyzer to be carried by all tankers of 10,000 gross tons or above. NPRM published February 21, 1980 (45 FR 11790). *FR published August 14, 1980 (45 FR 69037).*	Mr. F. Schwer, (202) 426-4958.	*Action complete.*
Review: Inland Waterways Navigation Great Lakes (Docket No. CGD 79-151).	Would update existing regulations in 33 CFR pt. 162, *NPRM published August 25, 1980 (45 FR 56365). FR published January 26, 1981 (46 FR 7959); originally scheduled to go into effect on February 25, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under E.O. 12291.*	*ENS Le Blanc,* (202) 426-4958.	*Undergoing Executive Order 12291 review.*
Review: Tank Vessels Transferring Outer Continental Shelf Oil (Docket No. CGD 79-152).	Would require vessels transferring Outer Continental Shelf oil from offshore oil exploration or production facilities to have segregated ballast tanks, dedicated clear ballast tanks, or special ballast arrangements. *NPRM published May 1, 1980. (45 FR 29087). FR published December 15, 1980 (45 FR 82248).*	LCDR R. Tweedie, (202) 426-4431.	*Action complete.*
Review: Load Line Equivalent Regulations (Docket No. CGD 79-153).	Would rearrange existing regulations in 46 CFR 42, Load Line, to comply with International Maritime Consultative Organization Resolution A.320(IX).	Mr. D. Ewing, (202) 426-2187.	NPRM *May 1981.*
Deepwater Port Liability Fund Requirements. (Docket No. CGD 79-158).	Would implement provisions of the Deepwater Port Act of 1974 to establish and administer liability limits and compensation relative to accidental oil spills at deep water port sites. (33 CFR pts. *137.150). NPRM published October 2, 1980 (45 FR 67708).*	Mr. F. Martin, (202) 472-5052.	*May 1981.*
Review: Tank Stop Valves (Docket No. CGD 79-159).	Would amend the regulations for tank stop valves to make them applicable to sluice gates and sluice valves as well as piping systems.	LCDR Jenkins, (202) 426-2160.	*ANPRM May 1981.*
Modification to Line Throwing Device Requirements. (Docket No. *CGD 79-160).*	Would modify the regulation requiring a linethrowing device only in cargo vessels over 500 gross tons and passenger vessels on international voyages. *NPRM published December 11, 1980 (45 FR 81616).*	LTJG Olds, *(202) 426-2183.*	*FR September 1981.*
Review: Revocation of Obsolete Specifications I (Docket No. CGD 79-165a).	*Revokes* approval specifications for wood life floats and obsolete floating water lights. *FR published September 29, 1980 (45 FR 64186).*	Mr. F. Thompson, (202) 426-2174.	*Action complete.*
Review: Revocation of Obsolete Specifications II (Docket No. CGD 79-165b).	Would revoke approval specifications for cork and balsa ring life buoys and material specifications for cork and balsa. *NPRM published October 2, 1980. (45 FR 65207). This project has been redocketed as CGD 80-155 and will be listed under this number in future Agendas..*	Mr. F. Thompson, (202) 426-2174.	*FR May 1981.*
*Use of Dangerous Articles as Ship's Stores (Docket No. CGD 79-166).	Would establish acceptance, handling, and use of dangerous articles as products approved for use on board vessels. (46 CFR pt. 147).	*Mr. J. McAnulty, (202) 426-1577.*	NPRM *August 1981.*
Review: Painters for Life Floats and Buoyant Apparatus (Docket No. CGD 79-167).	Would require life floats and buoyant apparatus to have painters that are secured to the vessel.	Mr. R. Markle, (202) 426-1444.	NPRM *May 1981.*
Launching Devices for Liferafts (Docket No. CGD 79-168).	Proposed specification for approval of devices used for launching inflatable liferafts. (46 CFR pts. 160 and 163).	LCDR *McCall,* (202) 426-1445.	NPRM *June 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: License in Temporary Grades (Docket No. CGD 79-173).	Would provide for licenses in temporary grades or special endorsements or licenses to permit temporary service. *NPRM published August 18, 1980 (45 FR 54776).*	CDR D. Struck, (202) *426-2240.*	FR *May 1981.*
Disclosure of Safety Standards and Country of Registry (Docket No. CGD 79-180).	Would update 46 CFR 80.10 in compliance with 46 U.S.C. 362(b).	CDR DeLeonard, (202) *426-2183.*	FR *May 1981.*
†Shipboard Asbestos Standards (Docket No. CGD 79-181).	Would develop safety standards threshold values, etc., for use of asbestos on inspected vessels. (Will be included in Subchapter V).	LT Fust, (202) 426-2183.	NPRM *April 1981.*
Update of Subchapter O Cargo List (Docket No. CGD 80-001).	Would update the subchapter O cargo table in 46 CFR 151.05. *NPRM published July 3, 1980 (45 FR 45327).*	Mr. J. Jakabcin, (202) *426-6260.*	*FR May 1981.*
Update of the Subchapter D Cargo Lists (Docket NO. CGD 80-002).	Would update the Subchapter D Cargo Lists (46 CFR 30-40). *NPRM published April 14, 1980 (45 FR 23575). FR published August 7, 1980 (45 FR 52386).*	Mr. C. Payne, (202) 426-2559.	*Action complete.*
*Tank Vessels, Corrections and Clarifications to Title 33 CFR (Docket No. CGD 80-09).	Would eliminate conflicting requirements in Titles 46 and 33 CFR for minimum bolts per flange on transfer connections, fixed piping. In addition it would eliminate confusion in tank barge security and smoking regulations.	LT Murray, (202) 426-2183.	NPRM March 1981.
Prince William Sound VTS Amendment (Docket No. CGD 80-010).	Updates Prince William Sound Vessel Traffic System regulations. *NPRM published December 29, 1980 (45 FR 85471).* (33 CFR pt. 161).	Mr. E. LaRue, (202) 426-4958.	FR *May 1981.*
*Emergency Position Indicating Radiobeacons (EPIRBS) (Docket No. 80-24).	Would require use of EPIRB's on vessels operating on the Great Lakes.	Mr. Markle, (202) 426-1444.	NPRM *June 1981.*
*Review: Coast Guard Claims regulations (Docket No. CGD 80-33).	This proposal would update the regulations pertaining to claims made against the Coast Guard. (33 CFR pt. 25).	LCDR Bissell, (202) 426-2245.	FR March 1981.
Update Incorporations by Reference (Docket No. CGD 80-46 and 47).	*Updates* private standards incorporated by reference in Boating Safety standards (33 CFR pt. 183). NPRM published June 9, 1980 (45 FR 38417).	Mr. Gray, (202) 426-4027.	*Action complete.*
Comments on Draft Consumer Affairs Program (Docket No. CGD 80-62).	Establishes a consumer affairs program throughout the U.S. Coast Guard.	Mr. O'Brien, (202) 426-2290.	*Action complete.*
Valve Inspection for Thermal Fluid Heaters (Docket No. 80-64).	Would clarify the inspection standards for valves on thermal heaters.	LTJG Olds, (202) *426-2183.*	NPRM *May 1981.*
Carriage of Liquefied Gases (Docket No. 80-65).	Would *prohibit carrying liquefied gas in technologically outdated types of containers.* (46 CFR 38.05).	*LT P. Wieczynski,* (202) 426-1217.	NPRM *September 1981.*
Personnel Safety and Health Requirements for Industrial Vessels (Docket No. CGD 80-15).	This regulation would develop health and safety requirements for industrial vessels. (46 CFR Subchapters 1 and 1A.).	LT Cashman, (202) 471-5150.	*Withdrawn.*
*Regulated Navigation Area, Tomlinson Bridge, New Haven, Conn. (Docket No. CGD 80-069).	Would include a portion of the waters of New Haven Harbor around the Tomlinson Bridge as a Regulated Navigation Area. NPRM published June 16, 1980 (45 FR 40621). (33 CFR pt. 128).	LT Allen, (202) 426-1927.	Further action to be determined.
*Loran C Position Transmitting System (Docket No. CGD 80-093).	Would require an automatic position transmitting capability of deep draft ships approaching Hinchen Brook Entrance and in the lower portion of Prince William Sound, Alaska. (33 CFR pt. 161).	Mr. Foley, (202) 426-4958.	NPRM April 1981.
*Mooring and Fleeting of Tows on Snoke Island, Texas (Docket No. 80-094).	Would prohibit the mooring and fleeting of tows on Snake Island, Texas. (33 CFR 128).	ENS LeBlanc, (202) 426-4958.	NPRM June 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG **U.S. Coast Guard**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
*San Juan, Puerto Rico Restricted Seaplane Landing Area (Docket No. 80-095).	Would redefine the restricted seaplance landing area in San Juan Harbor, Puerto Rico. NPRM published December 11, 1980 (45 FR 81607). (33 CFR pt. 162).	ENS Leblanc, (202) 426-4958.	FR May 1981.
*COLREGS Demarcation Line, Chesapeake Bay, VA. (Docket No. CGD 80-096).	Would relocate the Collison Avoidance Regulations (COLREGS) Demarcation line at the entrance to Chesapeake Bay to less congested waters. (33 CFR pt. 82). NPRM published December 18, 1980 (45 FR 83267).	ENS LeBlanc, (202) 426-4958.	FR March 1981.
*Documentation of Vessels (Docket No. CGD 80-107).	Would revise 46 CFR parts 66 and 67 to implement the provisions of Public Law 96-594.	Mr. P. Carnilla, (202) 426-1492.	NPRM September 1981.
*Qualifying Corporations as U.S. Citizens for Documentation Purposes under 46 U.S.C. 883-1 (Docket No. CGD 80-108).	Would consolidate and revise existing regulations dealing with corporate citizenship into a separate subpart of Title 46 CFR pt. 67.	LT M. Drazal, (202) 426-1492.	NPRM June 1981.
*Inflatable Liferaft Stability (Docket No. CGD 80-113).	Would provide specific rules for function, size, and placement of stability appendages.	Mr. M. Daniels, (202) 426-1445.	ANPRM June 1981.
*Barge Lighting Exemption, Pilot Rules for Western Rivers (Docket No. CGD 80-115).	Would delete the list of lighting exemptions for barges moored at certain banks or docks as now listed in 33 CFR pt. 95 and authorize Captains of the Port to authorize or deny lighting exemption requests (33 CFR pt. 95).	ENS LeBlanc, (202) 426-4958.	NPRM March 1981.
*Portable Deadlights on Great Lakes Vessels (Docket No. CGD 80-116).	Would permit inside portable deadlights on deckhouse and companion way doors as alternatives to hinged inside deadlights.	Mr. F. Thompson, (202) 426-2174.	NPRM March 1981.
*Proposed Changes to Puget Sound VTS Rules (Docket No. CGD 80-119).	Would solicit public comment on determining appropriate means to reduce conflicts between various areas of Puget Sound and adjacent waterways (33 CFR pt. 161).	Mr. Whittem, (202) 426-1940.	ANPRM May 1981.
*Revocation of certain Load Line Regulations (Docket No. CGD 80-120).	Would revoke obsolete load line regulations and revise other regulations accordingly (46 CFR pt. 43).	Mr. F. Thompson, (202) 426-2174.	NPRM March 1981.
*General Provisions: Offshore Supply Vessels (Docket No. CGD 80-133).	Would establish procedures for registering offshore supply vessels.	LT Rolman, (202) 426-1464.	FR October 1981.
*Vessel Navigational Visibility (Docket No. CGD 80-134).	Would identify constraints on operation and recommend effective procedures to eliminate or reduce inadequate bridge visibility.	LCDR Henry, (202) 426-2197.	ANPRM April 1981.
*Fire test for carpets (Docket No. 80-135).	Would clarify "equivalent fire resistive" carpet and specify limitations on use of carpet aboard commercial vessels other than passenger vessels.	Mr. W. Boyce, (202) 426-2197.	NPRM June 1981.
*Maneuvering Performance Regulations (Docket No. CGD 80-136).	Would establish performance standards for new tank vessels; and possibly all vessels.	Mr. P. Cojeen, (202) 426-2197.	ANPRM April 1981.
*Private/Semiprivate facilities (Docket No. CGD 80-138).	Would add definition of "private" and "semiprivate" wash rooms and toilet facilities to inspected vessel rules as now in Mobile Offshore Drilling Units, American Bureau of Shipping (ABS) rules.	Mr. F. Thomspon, (202) 426-2174.	NPRM August 1981.
*Load Line Survey Fees (Docket No. CGD 80-143).	Would permit American Bureau of Shipping (ABS) to set fees without Coast Guard regulatory action.	Mr. J. Howell, (202) 426-2188.	NPRM March 1981.
*Great Lakes Pilotage Rates (Docket No. CGD 80-148).	Would increase the basic rates for Great Lakes Pilotage by an average of 10 percent. NPRM January 12, 1981 (46 FR 2656).	Mr. J. Hartke, (202) 755-8863.	FR March 1981.
*Review: Revocation of Obsolete Specifications (Docket No. 80-155).	Would revoke approval specifications for cork and balsa ring life buoys and material specifications for cork and balsa.	Mr. F. Thompson, (202) 426-2174.	NPRM March 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

USCG — U.S. Coast Guard

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
*Material Standards for Fixed Structures (CGD 80-160).	Description: Would revise and update 33 CFR, Subchapter N, including lifesaving and firefighting equipment.	Lt. Whipple, 472-5160.	NPRM March 1981.

USCG — U.S. Coast Guard

Routine and Frequent Nonsignificant Regulations

Title	Total	Contact	Decision date
Safety/Security Zone Regulations	15	Mr. Ziegfeld, (202) 755-6146.	*April 1981—April 1982.*
Anchorage Area Regulations	12	Mr. Ziegfeld, (202) 755-6146.	*April 1981—April 1982.*
Drawbridge Regulations	50	Mr. F. Teuton, (202) 426-1380.	*April 1981—April 1982.*

FAA — Federal Aviation Administration

Significant Regulations: Major

Title	Summary	Contact	Earliest expected decision date
Flammability Standard for Crewmember Uniforms (Docket No. 14451).	**A. Description:** Would revise *existing regulations* to establish flammability specifications for crewmember uniforms that will provide protection against heat and flame. **B. Why Significant:** This proposal is considered a significant rulemaking project due to substantial public interest and potential cost to airlines. **C. Analysis:** Regulatory *Impact* Analysis **D. Need:** To establish basic flammability specifications for crewmember uniforms, since clothing now used is made of conventional fabrics which may be ignited under many of the emergency conditions that may result. **E. Legal Basis:** Secs. 313(a), 601, and 604, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421(a), 1422; Sec. 6(c) DOT Act (49 U.S.C. § 1655(c)).	William J. Sullivan, (202) 755-8716.	NPRM *July* 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest expected decision date
	F. Chronology: Prior to April 1974, a number of informal conferences were held with members of the public including the Association of Flight Attendants (AFA), regarding flammability of flight attendant uniforms. A project was established to examine AFA claims regarding uniform flammability. National Bureau of Standards (NBS) Center for Fire Research was selected as research contractor. ANPRM No. 75-13 was issued March 16, 1975 (40 FR 11737), to solicit public information and comments. A follow-up contract was established with the NBS to evaluate comments and conduct further testing, the contract was extended through August 1979. The results of the contractual effort are being used in the development of the NPRM. A public hearing was held on May 28 and 29, 1980, to further explore the technical and economic factors that would be involved in implementing flammability standards. Participants in the hearing agreed to explore nonregulatory solutions to the problems raised by AFA. *Notice 75-13B reopening the comment period until December 16, 1980 was published August 21, 1980 (45 FR 55760).* **G. Citation:** 14 CFR Part 121		
Review: Operations Review Notice No. 7 (Docket No. 17669).	**A. Description:** Would revise the flight and duty time limitations and rest requirements for flight crewmembers used by domestic, flag, and supplemental air carriers, commercial operators of large aircraft, and air travel clubs. **B. Why Significant:** This proposal is considered a significant regulation because of the controversy associated with the complexity and enforcement problems of the current rules. **C. Analysis:** *Regulatory Impact Analysis* **D. Need:** This proposal is needed to eliminate the complexity of the current regulations and to assure that flight and duty time limitations are based upon today's operating environment. **E. Legal Basis:** Secs. 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1424) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)). **F. Chronology:** The proposals contained in this notice are based on related proposals discussed at the December 1975 Operations Review Conference. The notice was published in the Federal Register on February 27, 1978 (43 FR 8070), with a closing date of May 30, 1978, for public comments. The initial comment period was extended by supplemental notice on May 25, 1978 (43 FR 22540), to July 14, 1978, with reply comments allowed on or before August 18, 1978. *A Supplemental Notice of Proposed Rulemaking (SNPRM) was published August 11, 1980 (45 FR 53315). The comment period closes October 10, 1980. Reply comments are due by November 10, 1980. Comment period extended to December 10, 1981. Notice to extend comment period published October 19, 1980 (45 FR 67283). SNPRM issued January 20, 1981 (46 FR 5484).* **G. Citation:** 14 CFR Pts. 121 and 123	William J. Sullivan, (202) 755-8716.	*FR Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Significant Regulations: Other

Title	Summary	Contact	Earliest expected decision date
Parts Manufacturer Approvals (Docket No. 17147).	**A. Description:** *Would (1) simplify the procedure for approving a PMA applicant's design on the basis of identicality to an already approved design; (2) reduce PMA application and reporting requirements; and (3) add a marking requirement which will facilitate field installation of replacement parts manufactured under a PMA and help avoid use of incorrect parts.* **B. Why Significant:** The proposed revision is considered to be significant because it is controversial. **C. Analysis:** Regulatory Evaluation **D. Need:** Differences of opinion exist with respect to the methods available for showing identicalness of parts. Also the Parts Manufacturer Approval application and reporting requirements may be unnecessarily burdensome. **E. Legal Basis:** Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C 1354(a), 1421, and 1423). **F. Chronology:** *This project* was initiated December 23, 1975. NPRM No. 77-19 was published in the Federal Register (42 FR 43985). Comment period later reopened until January 4, 1978 (NPRM No. 77-19A, 42 FR 61048) and again reopened until May 15, 1978 (NPRM No. 77-19B, 43 FR 15432). Portions of NPRM *77-19* dealing with other subjects *were* handled separately. Supplemental Notice of Proposed Rulemaking (SNPRM) *was published January 15, 1981 (46 FR 3775). Initial comment period closes April 15, 1981; reply comment period closes May 15, 1981.* **G. Citation:** 14 CFR Pt. 21	William J. Sullivan, (202) 755-8716.	*FR September 1981.*
Review: *Establishment of New Part 125. (Formerly "Part 91 Upgrade").*	**A. Description:** Upgrades the general aviation standards applicable to the operation of certain large aircraft, when not operated as an air carrier and to revise certain regulations applicable to commercial operators and air travel clubs. **B. Why Significant:** This is considered significant due to substantial public interest in the constraints to be proposed for safer operations of large aircraft under the regulations. **C. Analysis:** Regulatory Evaluation **D. Need:** Experience indicates that these proposed regulations are necessary to replace the current regulations with clearer regulations that are based upon safety, rather than economic criteria. **E. Legal Basis:** Secs. 313(a) and 601-610 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421-1430) and Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)). **F. Chronology:** The NPRM was published in the Federal Register on November 11, 1979 (44 FR 66324). The closing date for comments was February 19, 1980. *Delay and reestablishment of effective date published on February 4 and 5, respectively (46 FR 10705 and 10902). Final Rule published on October 9, 1980 (45 FR 67235).* **G. Citation:** 14 CFR Pt. 91	William J. Sullivan, (202) 755-8716.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
Review: Operations Review Notice No. 14.	**A. Description:** Would establish regulations for flight and duty time limitations and rest requirements for flight attendants used by domestic, flag, and supplemental air carriers, commercial operators of large aircraft and air travel clubs. **B. Why Significant:** This proposal is considered a significant regulation because there is substantial public interest in it. **C. Analysis:** Regulatory Evaluation **D. Need:** Because flight attendants perform important duties relating to the safety of flight, flight and duty time limitations and rest requirements are necessary to prevent excessive fatigue from adversely affecting the performance of those duties. **E. Legal Basis:** Secs. 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1424) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)). **F. Chronology:** The proposals contained in this notice are based on related proposals discussed at the December 1975, Operations Review Conference. **G. Citation:** 14 CFR Pts. 121 and 123	William J. Sullivan, (202) 755-8716.	NPRM *February 1983.*
Administrative User Charges. (Docket No. 19110).	**A. Description:** Would revise existing FAA fees for aircraft registration and for recording conveyances affecting title to, or any interest in, aircraft. In addition, it proposes to establish fees for FAA certification of pilots, instructors, and other airmen, including medical certification. It is intended that this proposed rule will provide for the recovery of expenses that the FAA incurs in these activities. The proposed action would be in accordance with the sense of the Congress. **B. Why Significant:** This proposal is considered a significant project because it involves an area of substantial public interest and controversy. **C. Analysis:** Regulatory Evaluation **D. Need:** This proposal will provide for the recovery of expenses that the FAA incurs in these activities and is in accordance with the sense of Congress. **E. Legal Basis:** Secs. 313, 503, 505, 601, 602, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1401, 1403, 1421, and 1422); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)), Title V; Independent Offices Appropriation Act of 1952 (31 U.S.C. 483(a)). **F. Chronology:** NPRM published on April 20, 1978 (43 FR 16924). The closing date for comments was July 19, 1978. **G. Citation:** 14 CFR Pts. 47, 49, 61, 63, 65, 67, 143, and 187.	John M. Rodgers, (202) 426-3420.	FR *June 1981.*
Wind Shear. (Docket No. 19110)	**A. Description:** *Would revise existing regulation* to require all large passenger-carrying aircraft be equipped with a device that will display wind shear information to the pilots. **B. Why Significant:** This action is considered a significant project because it will generate substantial public interest and will be controversial.	William J. Sullivan, (202) 755-8716.	NPRM *April 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	C. Analysis: Regulatory Evaluation		
	D. Need: As a result of several accidents involving wind shear, the FAA believes it is necessary to identify equipment that will enable pilots to identify low level wind shear conditions.		
	E. Legal Basis: Secs. 313(a), 601 and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1424) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).		
	F. Chronology: In 1975, the FAA began a two year effort to develop a wind shear program. As part of the program, FAA began work to develop a wind shear warning and pilot aiding device which has achieved encouraging results. Following the initial announcement of this proposal it was determined that a regulatory analysis would not be required; however, an evaluation will be made and docketed. The ANPRM was published on May 3, 1979 (44 FR 25807) and comment period closed August 3, 1979.		
	G. Citation: 14 CFR Pt. 121		
Metropolitan Washington Airports Policy.	**A. Description:** Develops and implements a comprehensive policy and regulations (1) defining the respective roles of Washington National and Dulles International Airports, and (2) governing the future use, operation, development and maintenance of those airports.	Charles Erhard, (703) 557-0972.	*Undergoing E.O. 12291 review.*
	B. Why Significant: The proposed policy is of substantial interest to the public, potentially affecting State and local governments and the aviation community.		
	C. Analysis: Regulatory Evaluation		
	D. Need: The lack of a firm, long-range policy has substantially hindered maximum effective and efficient management of the airports. Planning and funding processes have necessasrily been limited to relatively short-term objectives. Efforts to lessen the impact of the airports on surrounding communities continue to be hampered by the absence of well-defined policy goals and guidelines. Aircraft operators using the airports have been similarly disadvantaged with respect to long-term planning and objectives.		
	E. Legal Basis: *Sections 103, 307, 313 of the Federal Aviation Act of 1958 (49 U.S.C. 1303, 1348 and 1354); Sections 2 and 5 of the Act for the Administration of Washington National Airport, 54 Stat. 688 as amended by 61 Stat. 94; Sec. 4 of the Second Washington National Airport Act, 64 Stat. 770; Sec. 6 of the Department of Transportation Act (49 U.S.C. 1655).*		
	F. Chronology: A Notice of Proposed Policy was published March 23, 1978 (43 FR 12141). The NPRM was published January 21, 1980 (45 FR 4314). The comment period closed April 15, 1980. *The Amendments were published September 18, 1980 (45 FR 62406). Effective date extended to April 26, 1981, published October 27, 1980 (45 FR 11251). Notice proposing additional extension of effective date until October 25, 1981, published on March 5, 1981 (46 FR 15458).*		
	G. Citation: 14 CFR Pts. 93 and 159		
Allocation of "Slots" at Washington National Airport.	*This regulation now appears in the OST portion of the Agenda.*		

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Additional Equipment Requirements for Multiengine Turbojet Airplanes. (Formerly "Third Attitude Gyro, Ground Proximity Warning System, and Cockpit Voice Recorders").	Proposed amendment to add instrument and equipment requirements (1) to require a third gyroscopic attitude instrument, independently powered in case of total aircraft electrical failure, on all multiengine turbojet powered airplanes not already required to have a third gyroscopic attitude and (2) to require a ground proximity warning system and a cockpit voice recorder on all turbojet powered airplanes configured with 6 or more passenger seats. (14 CFR Pts. 23, 25, 91, and 121).	William J. Sullivan, (202) 755-8716.	*Further action to be determined.*
Review: Aircraft Engine Regulatory Notice (Docket No. 16919).	Proposed amendment to resolve a number of regulatory issues raised by engine manufacturers and to update those standards. *The NPRM was published November 20, 1980 (45 FR 76872). The comment period closed February 18, 1981.* (14 CFR Pts. 23, 25, 27, 29, and 33).	William J. Sullivan, (202) 755-8716.	*FR September 1981.*
Takeoff and Landing Minimums. (Formerly "Instrument Approach Procedures").	The rule clarifies prescribed conditions for approach and landing under specified weather conditions. The NPRM was published March 6, 1980 (45 FR 14801). The comment period closed May 6, 1980. *The amendment was published January 8, 1981 (46 FR 2280); scheduled to go into effect on May 8, 1981, subject to review under E.O. 12291.* (14 CFR Pts. 91 and 121).	William J. Sullivan, (202) 755-8716.	*Undergoing Executive Order 12291 Review.*
Airport Noise Regulations (Docket No. 16279).	Environmental Protection Agency's proposed revision to require airport noise certification as a condition for Airport and Airway Development Act funding. The NPRM was published on 11/22/76 (41 FR 51522). *The Final Rule was published January 26, 1981 (46 FR 8316).* (14 CFR Pt. 91).	Richard Tedrick, (202) 755-9027.	*Undergoing Executive Order 12291 Review.*
Review: Operations Review Notice No. 11. *Docket No. 21269.*	*This proposal features provisions providing for the use of "mini-evacuation" tests, requirements for the elimination of the three-pointer altimeter in turbojet-powered airplanes, and allows for the use of "blocked seats" under certain conditions. The NPRM was published January 19, 1981. The comment period closes April 20, 1981.* (14 CFR Pts. 121, 145, and 183).	William J. Sullivan, (202) 755-8716.	*FR October 1981.*
Review: Operations Review Notice No. 12. *Docket No. 21071.*	Proposed extensive revisions to update and improve regulations applicable to aircraft maintenance, preventive maintenance, rebuilding and alteration of aircraft. *The NPRM was published November 20, 1980 (45 FR 76894). The comment period closed February 18, 1981.* (14 CFR Pts. 43 and 91).	William J. Sullivan, (202) 755-8716.	*FR October 1981.*
Review: Operations Review Notice No. 13.	Proposed miscellaneous revisions and other editorial and clarifying changes to (14 CFR Pts. 43, 63, 65, 91, 105, 121, 123, 127, 143, 145, and 147).	William J. Sullivan, (202) 755-8716.	NPRM *September 1981.*
Review: Part 91 Notice (Docket No. 16431).	The agency conducted a Regulatory Review Conference of 14 CFR Part 91, Subpart B, in September 1977, in order to update that part. This action will cover all proposals covered by the review except for lost communications. (14 CFR Pt. 77).	*Hal Becker,* (202) 426-3656.	NPRM *June 1981.*
Review: Part 91 Review Lost Communications (Docket No. 16431).	The FAA conducted a Regulatory Review Conference of 14 CFR Pt. 91 Subpart B, in September 1977, in order to update that part. This action will cover the special proposal on lost communications.	*Hal Becker,* (202) 426-3656.	NPRM *June 1981.*
Pearson Airpark (Docket No. 18311).	*Excludes* persons from the requirement of communicating with Portland Tower while operating in the Pearson Airpark Traffic Pattern. The NPRM was published on Sept. 28, 1978 (43 FR 44549). (14 CFR Pt. 93). *The amendment was published November 6, 1980.*	James Burns, (202) 426-3656.	FR *Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: Objects Affecting Navigable Airspace (Docket No. 16920).	*Would* amend regulations including areas such as notice requirements, obstruction standards, aeronautical studies, determinations, antenna farm areas and discretionary review/petition procedures. Notice of Review was published on 6/19/78 (43 FR 26322). (14 CFR Pt. 77). *Review Conference held December 4–8, 1980.*	*Keith Potts,* (202) 426–3731.	NPRM *April 1981.*
Civil Helicopter Noise Certification (Docket No. 13410).	Would establish noise certification levels and procedures for civil helicopters. An ANPRM was published 12/28/73, (38 FR 35487). The NPRM was published 7/19/79 (44 FR 42410). The comment period *was extended until March 5, 1981 (46 FR 931) (14 CFR Pt. 36).*	Richard Tedrick, (202) 755–9027.	FR *July 1981.*
Implementation of OMB Circular A–95 (Docket No. 17337).	Final procedures and regulations implementing OMB Circular A–95 (coordination of Federal assistance programs with State, areawide, and local planning agencies), based on public comment on interim procedures in Special Federal Aviation Regulation 35 (42 FR 59476, 11/17/77). (14 CFR Pt. 152).	John Gable, (202) 426–8090.	FR *June 1981.*
Implementation of Energy Policy (Docket No. 16617).	Implementation of the Energy Policy and Conservation Act. The NPRM was published on 3/31/77. (42 FR 17135). (14 CFR Pt. 11).	Charles M. Hoch, (202) 755–9717.	FR *June 1981.*
Review: Update of Part 139.....	Revision of 14 CFR Part 139 to update and clarify the part including fire-fighting and rescue requirements. (14 CFR Pt. 139).	Jose Roman, (202) 426–3087.	NPRM *April 1981.*
Protective Breathing Equipment.....	Proposed rule to establish minimum performance standards and operating rules for protective breathing equipment. (14 CFR Pts. 25, 29, 37, 91 and 121).	William J. Sullivan, (202) 755–8716.	NPRM *March 1981.*
Pilot Oxygen Mask Use Requirements (Formerly "Supplemental Oxygen").	Proposed rule to permit certain widebody turbojet airplanes to operate up to flight level of 45,000 feet above sea level without requirements for the pilot to use supplemental oxygen. (14 CFR Pts. 25, 29, 37, 91, and 121).	William J. Sullivan, (202) 755–8716.	NPRM *March 1981.*
Review: Metropolitan Washington Airports Regulations.	Proposed revision to reflect changed operational conditions and policies and to simplify, clarify and consolidate the regulations pertaining to the National Capital Airports. (14 CFR Pt. 159).	*Edward S. Faggen,* (703) 557–8123.	NPRM *April 1981.*
Miscellaneous Minor Amendments. Docket No. 21129.	Proposed nonsubstantive amendments that are routine, editorial and clarifying in nature. *The NPRM was published December 4, 1980. The comment period closed February 4, 1981.* (14 CFR Pts. 23, 25, 37, 45, 61, 63, 65, 91, and 121).	William J. Sullivan, (202) 755–8716.	FR *December 1981.*
Aircraft Owners and Pilots Association (AOPA) Petition to Revise Part 91 (Docket No. 18334).	Proposed amendment based upon AOPA petition to revise regulations in a format and language more understandable by pilots. The petition states that the proposed changes are not intended to significantly change the substance of the present regulations. An ANPRM was published January 22, 1979. (44 FR 4571). (14 CFR Pt. 91).	William J. Sullivan, (202) 755–8716.	NPRM *July 1981.*
Foreign Airman Certification.....	Proposed amendments to establish priorities for processing applications by foreign airmen for U.S. Airman Certificates. (14 CFR Pts. 61, 63, 65, and 67).	William J. Sullivan, (202) 755–8716.	NPRM June 1981.
Noise Standards for Propeller Driven Agricultural and Firefighting Airplanes (Docket No. 18382).	The regulation restricts the operation of agricultural and firefighting airplanes which do not comply with the noise limits of Appendix F of 14 CFR Part 36. The NPRM was published *December 23, 1976* (41 FR 56065). *The amendments were published October 9, 1980 (45 FR 67064.* (14 CFR Parts 21, 36, and 91).	James Densmore, (202) 755–9468.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Recording of Aircraft Titles and Security Documents—Notice of Lien (Docket No. 14236).	Proposed amendment to prescribe specific procedures for filing Noice of Lien with the Aircraft Registry. This proposal would also require release of the Notice filed upon satisfaction of the lien. The NPRM was published January 13, 1975 (40 FR 2445). (14 CFR Part 49).	Virginia Swimmer, (405) 686-2284.	FR *June 1981.*
Cessna Finance Petition. (Docket No. 17311).	Petition for rulemaking to amend Part 47 to provide all persons who hold a security interest in aircraft the same protection now afforded the seller of an aircraft under a conditional sales contract. The ANPRM was published 10/20/77 (42 FR 55891). The NPRM was published May 22, 1980 (45 FR 34826). The comment period was extended to August 21, 1980. (14 CFR Pt. 47).	Virginia Swimmer, (405) 688-2284.	FR *June 1981.*
Security Requirements Applicable to U.S. Commuter Air Carriers Certificate Holders. (Docket No. 19726).	Implements safety standards mandated by the Airline Deregulation Act of 1978, and insures that commuter air carrier passengers enjoy the same level of security as persons traveling on air carriers holding Certificates of Public Convenience and Necessity from the CAB. The NPRM was published 11/1/79 (44 FR 63048). Comment period closed *February 11, 1980. The amendments were published January 15, 1981 (46 FR 3782). Not yet effective; subject to review under E.O. 12291.* (14 CFR Pt. 121).	*William J. Sullivan, (202) 755-8716.*	*Undergoing E.O. 12291 Review.*
Combustion Heater Fire Protection (Formerly "Heater Air Ducts").	Proposed rule to require that ventilating and combustion air ducts be made of fireproof materials whenever such ducts are located near combustion heaters. *The NPRM was published February 28, 1980. (45 FR 13106). The comment period closed April 28, 1980 (14 CFR Pt. 23). Final Rule published on October 23, 1980 (45 FR 70386).*	*William J. Sullivan, (202) 755-8716.*	*Action complete.*
Use of Alcohol or Drugs (Formerly "Blood Alcohol Level Tests").	Proposed rule which will subject Certificated Flight Crewmembers suspected of being under the influence of alcohol to blood-alcohol tests and establish a specific blood-alcohol content level at which a pilot is considered to be intoxicated. (14 CFR Pts. 61 and 91).	*William J. Sullivan, (202) 755-8716.*	NPRM *July 1981.*
Review: Airworthiness Review Amendment No. 8 Miscellaneous and Procedural Amendments (Docket No. 14779 *and 14324).*	Improves and updates the airworthiness standards contained in the regulations that apply to the type certification of aircraft, engines, propellers, related operating and maintenance rules, and procedural requirements. The NPRM was published July 11, 1975. (40 FR 29140). *The amendments were published September 11, 1980. (45 FR 60154)* (14 CFR Pts. 1, 21, 26, 27, 31, 33, 35, 43, and 45).	William J. Sullivan, (202) 755-8716.	*Action complete.*
Microwave Landing System (MLS).	Proposed rule to recognize the MLS selected by ICAO and to prescribe measuring standards and procedures for the approval, installation, operation, and maintenance of such systems on non-Federal navigation facilities. *The NPRM was published September 8, 1980. (45 FR 59256). The comment period closes November 7, 1980.* (14 CFR Pt. 171).	William Redeen, (202) 426-8634.	FR *July 1981.*
Airplane Tires (Formerly "Tires Retrofit") (Docket No. 19793).	Proposed rule to require installation of improved tires on certain turbojet transport category airplanes. The NPRM was published 11/27/79. (41 FR 68759). The comment period closed 2/27/79. (14 CFR Pt. 91).	William J. Sullivan, (202) 755-8716.	FR *April 1981.*
Revision of Applicability of Part 139.	Proposed amendment to require the certification of airports serving commuter air carriers, as well as air carriers holding certificates of public convenience and necessity from the CAB. This revision would respond to the Airline Deregulation Act of 1978 and ensures that passengers traveling aboard commuter air carriers enjoy the same level of safety as passengers traveling aboard CAB certificated air carriers. *The NPRM was published June 12, 1980. (45 FR 39857). The comment period closed August 11, 1980.* (14 CFR Part 139).	Jose Roman, Jr., (202) 426-3087.	FR *June 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Review: Rotorcraft *Review Notice No. 1 Certification, IFR, and Deicing.*	*This notice proposes to add new airworthiness standards and update existing criteria in the areas of instrument flight rules (IFR) certification and ice protection certification. It also proposes revisions to the applicability of sections of Part 27 and 29 which allow for increased productivity for rotorcraft engaged primarily in utility or cargo operations and provides additional protection for rotorcraft carrying 10 or more passengers. The NPRM was published December 18, 1980. The comment period closes April 17, 1981 (45 FR 83424). A public meeting was held August 18–20, 1980.* (14 CFR Parts 1, 27, 29, 33, 43, 45, 61, 91, 121, 127, 133, and 135).	William J. Sullivan, (202) 755–8716.	*FR September 1981.*
Review: Light Transport Airplane Airworthiness Standards (Docket No. 18600).	Proposed new Part to establish airworthiness standards for a new light transport category of multiengine airplanes having a maximum seating capacity of 60 and a maximum gross weight of 50,000 pounds to accommodate the future needs of the commuter and air taxi industry. *The notice terminating the review was published December 29, 1980 (45 FR 85600).* (14 CFR Parts 1, 21, 36, 91, and 135).	William J. Sullivan, (202) 755–8716.	*Action complete.*
Minimum Equipment Lists (MEL)	Proposed amendment to clarify existing MEL provisions by combining the MEL regulatory authority contained in Parts 91, 121, 133, 135, and 137 into a single regulatory section in Part 91. (14 CFR Parts 91, 121, 133, 135, and 137).	William J. Sullivan, (202) 755–8716.	NPRM *April 1981.*
Hang Gliding	Proposed addition to FAR Part 101 to designate general safety rules for hang gliding in order to accommodate increasing hang gliding activity in the National Airspace System. (14 CFR Part 101).	*Hal Becker,* (202) 426–3656.	NPRM *April 1981.*
Parachute Jumping, Notice and Authorization Requirements.	*Proposed amendments would require notice of parachute jumps in terms of above mean sea level and would require ATC authorization for jumps in/into a terminal control area (14 CFR Part 105).*	*Hal Becker, (202) 426–3656.*	*NPRM April 1981.*
Review: Operations on and in Vicinity of an Airport.	Proposed review of rules pertaining to operations on/in the vicinity of controlled and uncontrolled airports, including radio communications, altitudes, and noise abatement areas. (14 CFR Part 91).	*Hal Becker, (202) 426–3656.*	*NPRM July 1981.*
Notice of Construction, Alteration, Activation, and Deactivation of Airports.	Proposed amendments to require persons proposing to construct, alter, activate, or deactivate a civil or joint use airport to provide prior notice of such actions to the Administrator. (14 CFR Part 157).	*Harold Baker,* (202) 426–8777.	*Withdrawn.*
Terminal Control Areas (TCA's): Honolulu (Docket No. 18605 APC–1).	Terminal Control Areas (TCA's) reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. The NPRM was published December 17, 1979 (44 FR 73114). The comment period closed March 17, 1980 *This Amendment was published August 4, 1980.* (45 FR 54015) (14 CFR Part 71).	*John Watterson,* (202) 426–8488.	*Action complete.*
Terminal Control Areas (TCA's): Phoenix.	Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. The NPRM was published April 7, 1980 (45 FR 23457). The comment period was extended to August 6, 1980. (14 CFR Part 71).	*S. Wugalter,* (202) 426–8488.	FR *September 1981.*
Terminal Control Areas (TCA's): Tampa.	Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71). NPRM published February 4, 1980 (45 FR 7559). Comment period closes 5/5/80.	*S. Wugalter,* (202) 426–8488.	FR *August 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Terminal Control Areas (TCA's): Fort Lauderdale / Miami. *Docket No. 186905/80-R30-4.*	Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. *The NPRM was published September 22, 1980. (45 FR 62839). The comment period closed December 22, 1980.* (14 CFR Part 71).	*S. Wugalter,* (202) 426-8488.	*FR August 1981.*
Terminal Control Areas (TCA's): Orlando.	Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	*S. Wugalter,* (202) 426-8488.	*NPRM August 1981.*
Terminal Control Areas (TCA's): Memphis.	Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	*S. Wugalter,* (202) 426-8488.	*NPRM April 1981.*
Terminal Control Areas (TCA's): Portland.	Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	*S. Wugalter,* (202) 426-8488.	*NPRM May 1981.*
Update List of Advisory Circulars....	Spot Amendment to update the list of advisory circulars contained in Appendix I which include certain programming, design, and construction standards for airport development projects submitted for approval under the Airport Aid Program. *Updated list of Advisory Circulars included in project titled "Review Airport Aid Program" published May 22, 1980. (45 FR 34782). (14 CFR Part 152).*	James Burnett, (202) 426-3057.	*Action complete.*
Implementation of EPA JT3D Smoke Standards for In-Use Engines.	The amendment is required to implement and enforce EPA revision to their smoke standards for JT3D Airplane Engines. The NPRM was published April 14, 1980 (45 FR 25350). The comment period closed June 28, 1980. (14 CFR Part 11). *The SFAR was published October 30, 1980 (45 FR 71960).*	E. M. Ballenzweig, (202) 755-8933.	*Action complete.*
Implementation of EPA 1981 Gaseous Emissions Standards and Revised Test Procedures.	Proposed amendment would implement expected major revision in EPA standards for aircraft engine emissions.	E. M. Ballenzweig, (202) 755-8933.	*Project cancelled.*
Stage 2 Operating Noise Limits for Airplanes Engaged in Foreign Air Commerce *Docket No. 20251..*	Implements Title III of the Aviation Safety and Noise Abatement Act of 1979. The NPRM was published April 14, 1980 (45 FR 25355). The comment period closed June 28, 1980. *The Amendment was published November 28, 1980 (45 FR 79302). (14 CFR Part 36).*	James Densmore, (202) 755-9468.	*Action complete.*
Operations Review Notice No 8A (Docket No 17897).	Proposed amendment to require that all flight attendants remain seated at their assigned stations during taxiing except to perform duties related to the safety of the airplane and its occupants. NPRM published June 19, 1980 (45 FR 41956). *On August 28, 1980 the comment period was reopened. (45 FR 59295). The comment period closed October 23, 1980. Reply comments were due by November 23, 1980.* (14 CFR 121 and 127).	W. J. Sullivan, (202) 755-8716.	FR *April 1981.*
Air Carrier—Carry-On Baggage—(Formerly National Federation of the Blind (NFB)—Carriage of Canes).	Petition for rulemaking to permit the stowage of a blind person's flexible cane in a readily accessible location, on all passenger-carrying flights, so that the cane would be available to that person in case of evacuation of an aircraft in an emergency situation. *The NPRM was published November 13, 1980. The comment period closed January 12, 1981 (45 FR 75138).*	W. J. Sullivan, (202) 755-8716.	*FR July 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA **Federal Aviation Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Size of Registration Marks—(Formerly Modification of Aircraft Registration Markings).	Proposed amendment to increase height of markings from 3 inches to 12 inches on certain fixed-wing aircraft, decrease height of markings from 20 inches to 3 inches on airships and balloons, and retain the 3-inch height of markings on experimental amateur-built, and experimental exhibition aircraft. NPRM published July 31, 1980 (45 FR 50810) *The comment period was extended until November 28, 1980 (45 FR 64207)* (14 CFR 39).	W. J. Sullivan, (202) 755-8716.	FR *June 1981.*
Terminal Control Area (TCA): Kansas City. *Docket No. 18605/80-AWA-b.*	*Modification* of existing Terminal Control Area to reduce size of TCA, where not needed, to provide safe and efficient use of the terminal area. *The NPRM was published September 2, 1980. (45 FR 58163). The comment period closed October 17, 1980. (14 CFR Part 71). The amendment was published November 20, 1980 (45 FR 76654).*	*S. Wugalter,* (202) 426-8488.	*Action complete.*
Special Airport Traffic Area and Communication Rule.	Proposed amendments to establish special airport traffic areas for certain Canadian airports that are adjacent to the U.S.-Canadian border and which have operating air traffic control towers; the amendments would also require aircraft communications with those towers while operating in the area.	*Hal Becker,* (202) 426-3656.	NPRM *April 1981.*
*Airworthiness Review Closeout Notice.	This notice completes the Airworthiness Review Program and announces the availability of an index of proposals and their disposition. Notice issued October 20, 1980 (45 FR 71195).	William J. Sullivan, (202) 755-8716.	Action complete.
*Export Airworthiness Approvals (Docket No. 17502).	Petition for rulemaking to amend § 21.339(a) to allow restricted category aircraft to be eligible for special export airworthiness approvals and to amend the restricted category civil aircraft operating limitations. The NPRM was published November 20, 1980 (45 FR 76868). The comment period closed January 19, 1981. (14 CFR Part 21).	William J. Sullivan, (202) 755-8716.	FR December 1981.
*Pitot Heat Indication Systems (Docket No. 18904).	Petition to amend the rules to require installation of pitot heat indicating systems only on transport category airplanes operated for hire. A summary of the petition was published on October 18, 1979 (44 FR 60107). The comment period closed November 14, 1979. The NPRM was published January 2, 1981 (46 FR 00076). The comment period closed March 5, 1981. (14 CFR Parts 91, 121, 123, and 135).	William J. Sullivan, (202) 755-8716.	FR April 1981.
*Pyrotechnic Devices for Certain Over-Water Flights (Docket No. 18904).	Petition to establish minimum standards for pyrotechnic signaling devices required for certain overwater operations. This action would require these devices to at least meet U.S. Navy Weapons System Specifications WS 13697B. A summary of the petition was published on October 18, 1979 (44 FR 60107). The comment period closed November 14, 1980. (14 CFR Parts 91, 121, and 135).	William J. Sullivan, (202) 755-8716.	NPRM April 1981.
*Operation of Foreign-Registered Aircraft (Docket No. 20298).	Allows Parts 121, 127, and 135 operators to operate foreign-registered aircraft in foreign air transportation and between points within the United States. This rule implements the "International Air Transportation Competition Act of 1979" (P.L. 96-192). NPRM 80-8 was published May 1, 1980 (45 FR 29064). Comment period closed June 30, 1980. The Amendments were published October 16, 1980 (45 FR 68646). (14 CFR Parts 121, 127, and 135).	William J. Sullivan, (202) 755-8716.	Action complete.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA — Federal Aviation Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
*FAA Access to Flight Data Recorder and Cockpit Voice Recorder Tapes (Docket No. 20661).	Proposed amendment to allow the FAA to obtain flight data recorder and cockpit voice recorder information at any time at any place. The information is needed to study human factor elements associated with aircraft operation. NPRM 80-14 was published August 28, 1980 (45 FR 57694). The comment period closed October 27, 1980. A supplemental NPRM was published January 19, 1981 (46 FR 5506). The comment period closes May 18, 1981. (14 CFR Parts 121 and 135).	William J. Sullivan, (202) 755-8716.	FR October 1981.
*Elimination of Duties and Activities of Flight Crewmembers Not Required for Safe Operation of Aircraft (Docket No. 20659).	Prohibits flight crewmembers from performing duties and activities not required for the safe operation of aircraft during critical phases of flight. NPRM 80-12 was published August 28, 1980. (45 FR 57684). Comment period closed October 27, 1980. The amendments were published January 19, 1981 (46 FR 05500). Scheduled to go into effect on May 18, 1981 subject to Executive Order 12291 review. (14 CFR Parts 121 and 135).	William J. Sullivan. (202) 755-8716.	Undergoing Executive Order 12291 review.
*Airworthiness Standards: Aircraft and Products Design and Procedural Standards for Type Certificates, Type Certificate Amendments and Supplemental Type Certificates (Docket No. 20660).	Proposed amendments to provide the FAA the means to requre updating of safety standards for type certificates, amended type certificates, and supplemental type certificates. NPRM 80-13 was published August 28, 1980 (45 FR 57687). Comment period extended until March 31, 1981 (45 FR 80434). (14 CFR Parts 21, 39, and 91).	William J. Sullivan, (202) 755-8716.	FR December 1981.
*Extension of Termination Date of SFAR 29: Limited IFR Operations of Rotorcraft (Docket No. 14237).	This amendment extends the expiration date of Special Federal Aviation Regulation No. 29 until December 31, 1982. This will allow the FAA additional time to determine whether the airworthiness requirements should be revised. The Special Federal Aviation Regulation (SFAR) extension was published October 30, 1980 (45 FR 71919).	William J. Sullivan, (202) 755-8716.	Action complete.
*Terminal Control Area (TCA) St. Louis (Docket No. 18605) 80-AWA-10.	Terminal Control Area (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. The NPRM was published August 18, 1980. (45 FR 54766). The comment period closes October 2, 1980. The amendment was published October 20, 1980 (45 FR 70853).	John Watterson, (202) 426-8488.	Action complete.
*Noise Levels for Turbojet-Powered Airplanes and Large Propeller-Driven Airplanes (Docket No. 16231).	Environmental Protection Agency's proposed revision to FAR 36 requiring further reductions in noise levels of subsonic aircraft.	Richard Tedrick, (202) 755-9027.	FR June 1981.
*Acoustical Change Definition (Docket No. 20026).	Proposed in response to ATA petition (published March 6, 1980) to define "acoustical change" and to limit its applicability in maintenance situations.	Richard Tedrick, (202) 755-9027.	NPRM Apr. 1981.
*Terminal Control Area (TCA) San Antonio.	Terminal Control Areas (TCAs) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	S. Wugalter, (202) 426-8488.	NPRM July 1981.
*Terminal Control Area (TCA) Buffalo.	Terminal Control Areas (TCAs) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	S. Wugalter, (202) 426-8488.	NPRM Nov. 1981.
*Terminal Control Area (TCA) New York (Modification).	Terminal Control Areas (TCAs) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	S. Wugalter, (202) 426-8488.	Rule May 1981.
*Terminal Control Area (TCA) San Diego (Modification).	Terminal Control Areas (TCAs) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	S. Wugalter, (202) 426-8488.	NPRM Jan. 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA

Federal Aviation Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
*Terminal Control Area (TCA) Honolulu (Modification).	Terminal Control Areas (TCAs) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	S. Wugalter, (202) 426-8488.	NPRM Apr. 1981.
*Terminal Control Area (TCA) Las Vegas (Modification).	Terminal Control Areas (TCAs) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment. (14 CFR Part 71).	S. Wugalter, (202) 426-8488.	NPRM July 1981.
*Proposed Issuance of Notices to Airmen (NOTAMs) for Communicating Emergency Flight Rules.	Proposed amendment would expressly establish the NOTAM system as an authorized means by which emergency flight rules are communicated to pilots and operators.	Haf Becker, (202) 426-3656.	FR Apr. 1981.
*Exclusive—Use Requirements Supplemental Air Carriers and Commercial Operators (Docket No. 20784).	Proposal to delete the provisions in Section 121.155 of the Federal Aviation Regulations that a supplemental air carrier or commercial operator may not use any aircraft that it does not have the sole possession, control and use of for flight for at least 6 months. This updating of the Federal Aviation Regulations would eliminate, without any derogation of safety, an unnecessary economic burden which the present rule imposes on this segment of aviation. NPRM 81-2 issued Jan. 16, 1981. Comment period closed March 27, 1981. (14 CFR Part 121).	William J. Sullivan, (202) 755-8716.	FR Jan. 1982.
*Flight Operations Control Systems (Docket No. 18591).	Based upon a Transamerica Airlines (TIAS) and World Airways (WRLS) joint petition for rule making, the FAA is considering amending Part 121 to allow among other things all operations to be conducted under a flight operations control system. Notice 80-16 (14 FR 67103) issued Oct. 2, 1980, published the entire petition and requested comments to assist the FAA in determining what if any regulatory proposals should be developed. Comment period closed Jan. 7, 1981. Based on comments received an NPRM will be issued proposing changes to Part 121 (14 CFR 121).	William J. Sullivan, (202) 755-8716.	NPRM Aug. 1981.
*Standards and Certification for Issuance of Airman Medical Certificate (Docket No. 21130).	Proposes exemption procedures for the issuance of airman medical certificates to persons with certain medical conditions who do not initially qualify for certification under the medical standards in the Federal Aviation Regulations. The NPRM was published January 2, 1980 (45 FR 80296). The comment period on NPRM 80-24 closed Feb. 4, 1981. A public hearing was held Feb. 3-4, 1981. (14 CFR Part 67).	William J. Sullivan, (202) 755-8716.	FR Aug. 1981.
*Review: Rotorcraft Review Notice No. 2—Systems.	This notice is the second of a series of notices that propose to add new airworthiness, operation, and maintenance standards for rotorcraft. This particular notice proposes changes to Parts 27, 29, and 91 and deals only with the flight controls and associated systems on rotorcraft. (14 CFR Parts 27, 29, and 91).	William J. Sullivan, (202) 755-8716.	NPRM Apr. 1981.
*Review: Rotorcraft Review Notice No. 3—Powerplants.	This notice is the third of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the engine and related equipment certification requirements in Parts 27 and 29 of the Federal Aviation Regulations. (14 CFR Parts 27 and 29).	William J. Sullivan, (202) 755-8716.	NPRM May 1981.
*Review: Rotorcraft Review Notice No. 4—Airframe.	This is the fourth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the airframe and related equipment requirements in Parts 27 and 29 of the Federal Aviation Regulations. (14 CFR Parts 27 and 29).	William J. Sullivan, (202) 755-8716.	NPRM May 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FAA — Federal Aviation Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
*Review: Rotorcraft Review Notice No. 5—Operations and Maintenance.	This is the fifth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the operations and maintenance requirements pertaining to rotorcraft and covered in Parts 43, 45, 61, 91, 121, 127, 133, and 135 of the Federal Aviation Regulations. Part 1 would also be amended to add a definition of a Class D rotorcraft-load combination. (14 CFR Parts 43, 45, 61, 91, 121, 127, 133, and 135).	William J. Sullivan, (202) 755-8716.	NPRM May 1981.

FAA — Federal Aviation Administration

Routine and Frequent Nonsignificant Regulations

Title	Summary	Contact	Decision date
	Approximate Number		
Other Items:			
Part 95 Instrument Flight Rules Altitudes.	2500	William J. Sullivan, (202) 755-8716.	April 1, 1981.
Airworthiness Directives	300	William J. Sullivan, (202) 755-8716.	April 1, 1981.
Stndard Instrument Approach Procedures.	2800	William J. Sullivan, (202) 755-8716.	March 31, 1982.
Airspace Actions	525	*S. Wugalter,* (202) 426-8488.	March 31, 1982.

FHWA — Federal Highway Administration

Information Notice

Title	Summary	Contact	Earliest Expected Decision Date
	The Federal Highway Administration (FHWA) has reordered the items that appeared in the last Agenda in order to improve the usefulness of the Agenda for those who follow the FHWA's programs. Within the categories of "Significant," "Nonsignificant," and "Routine and Frequent," proposals and regulations in this Agenda are subdivided by subject area. The subject areas are the same as those used for the relevant subchapters in Title 23 and Title 49 of the Code of Federal Regulations. The Review List has also been subdivided by the same subject areas as the Agenda. A substantial number of items that appeared in the last Agenda have been placed on this Review List in order to more accurately reflect the status of these items. Where a rulemaking action listed in the August 25, 1980, FHWA agenda has been moved to the Review List, this means that a decision on what, if any, regulatory document FHWA plans to issue has been deferred until the review has been completed. An index which cross-references all proposals and regulations as they appeared in the last published Agenda with their new location is provided at the end of the FHWA's portion of this Agenda/Review List.		

FHWA

Federal Highway Administration

Significant Regulations: Major

Title	Summary	Contact	Earliest Expected Decision Date
	ENGINEERING AND TRAFFIC OPERATIONS		
Withdrawal of Interstate Segments and Substitution of Alternative Projects. (Docket No. 79–29).	**A. Description:** This regulation *implements* Sections 103(e)(2) and 103(e)(4) of Title 23 U.S.C., as amended by the Federal-Aid Highway Act of 1976 and the Surface Transportation Assistance Act of 1978 (STAA). Section 103(e)(2) provided for the withdrawal of nonessential Interstate routes and the substitution of alternative Interstate routes. However, the STAA amended this Section to prohibit the designation of any Interstate routes or portions thereof under the authority of this paragraph after the date of enactment of STAA. Section 103(e)(4) provides for the withdrawal of nonessential Interstate routes and the substitution of other transportation projects, both highway and non-highway, by dates specified in the Surface Transportation Assistance Act of 1978. **B. Why Significant:** There is substantial public interest and controversy concerning this proposal. **C. Analysis:** Regulatory *Impact* Analysis..... **D. Need:** This regulation is needed to implement the provisions of 23 U.S.C. 103 enacted in the 1976 Federal-Aid Highway Act, as amended by the Surface Transportation Assistance Act of 1978. **E. Legal Basis:** 23 U.S.C. 103(e)(2) and 103(e)(4) ..... **F. Chronology:** The current substitution regulations were issed on June 12, 1974. The Federal-Aid Highway Act Amendments of 1974 and the Federal-Aid Highway Act of 1976 amended the original statutory provisions enacted by the Federal-Aid Highway Act of 1973. Provisions of the Surface Transportation Assistance Act of 1978 were incorporated prior to issuing the NPRM. NPRM published January 10, 1980 (45 FR 2296). *Final rule published October 20, 1980 (45 FR 69360).* **G. Citation:** 23 CFR Part 476, Subpart D and Part 450	FHWA *C. L. Shufflebarger (202) 426–0404* or F. Calhoun, (202) 426–0762. UMTA Richard White, (202) 472–6991.	*Action complete.*
Buy America Requirements (Docket No. 78–35).	**A. Description:** This amendment to an existing regulation would establish provisions for the protection of domestic structural steel on construction projects with an estimated cost of $450,000 or more. **B. Why Significant:** This regulation involves a matter which may become controversial or arouse significant public interest. **C. Analysis:** Regulatory *Impact* Analysis..... **D. Need:** This regulation is required to implement the provisions of Section 401 of the Surface Transportation Assistance Act of 1978. **E. Legal Basis:** Section 401 of the Surface Transportation Assistance Act of 1978: P.L. 95–599.	*Peter P. Picard,* (202) 426–4847.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA **Federal Highway Administration**

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest Expected Decision Date
	F. Chronology: *A final* regulation was issued *under emergency procedures* on November 17, 1978 (43 FR 53717). FHWA asked for comments, and the comment period closed on January 17, 1979. *An emergency amendment to the existing final rule was published on November 17, 1980 (45 FR 75643) in order to implement a recent court order. An NPRM was published on November 24, 1980 (45 FR 77455). The comment period closed on January 23, 1981.* **G. Citation:** 23 CFR 635.410		
Geometric Design Criteria for Resurfacing, Restoration, and Rehabilitation (RRR) of Streets and Highways Other Than Freeways (Docket No. 78–10).	**A. Description:** This regulation would contain criteria intended to provide additional flexibility in some of the basic geometric features of design, primarily those in which modification would result in appreciable savings in costs and other impacts while improving safety. **B. Why Significant:** This regulation is considered significant because the adoption of new design criteria specifically for RRR projects has proven to be controversial. **C. Analysis:** Regulatory Impact Analysis **D. Need:** To implement the 1976 amendment to 23 U.S.C. 101 redefining "construction" to include resurfacing, restoration, and rehabilitation. Geometric design criteria are needed to effectively administer a RRR program for preservation work on the Federal-aid highway systems. **E. Legal Basis:** 23 U.S.C. 101, 109, 315, and 402: 49 CFR 1.48(b). **F. Chronology:** An ANPRM published August 25, 1977, (42 FR 42876) offered three alternatives. A Notice published October 28, 1977 (42 FR 56751) extended the comment period for the ANPRM to November 22, 1977. A notice of withdrawal of the ANPRM was published January 9, 1978 (43 FR 2734). Because of the adverse comments, all alternatives were rejected and FHWA decided to develop a new set of criteria for Resurfacing, Restoration, and Rehabilitation (RRR) projects. An NPRM was published on August 23, 1978 (43 FR 37556). A correction to the NPRM was published September 12, 1978 (43 FR 40539). A Notice published on October 19, 1978 (43 FR 48658) extended the comment period for the NPRM to January 4, 1979. On May 23, 1979 (44 FR 29921) FHWA published as a Notice a status report on the creation of an internal task force appointed to evaluate comments received on the NPRM and make recommendations to the Administrator. *An NPRM was published on January 5, 1981 (46 FR 1228). A public meeting was held on February 3, 1981. Comments must be received on or before May 5, 1981.* **G. Citation:** 23 CFR pt. 625	Alvin R. Cowan or *Kenneth Davis,* (202) 426–0312.	*Further action to be determined.*
	FEDERAL MOTOR CARRIER SAFETY REGULATIONS		
Minimum Cab Space Dimensions (Docket No. MC–79).	**A. Description:** This regulation would specify minimum size for the cab portion of the regulated commercial vehicles manufactured after a certain date. **B: Why Significant:** This proposal has the potential of being costly if extensive changes to cab configuration become necessary. **C. Analysis:** Regulatory *Impact* Analysis	Gerald J. Davis, (202) 426–9767.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest Expected Decision Date
	D. Need: Changes in truck technology and maximum limitation on size by States have led to the development of reduced cab space in favor of increased cargo space to remain within State length limitations. The impact on safe operations and driver work place may be negatively affected. **E. Legal Basis:** 49 U.S.C. 304 and 1655..... **F. Chronology:** An ANPRM was issued on February 14, 1978 (43 FR 6273). Comment period closed on July 14, 1978. A review of present cab sizes was conducted and a report issued on February 27, 1980. *No further action anticipated until additional research is completed; earliest possible action will not occur within the next 12 months.* **G. Citation:** 49 CFR 393.....		
†**Review:** Hours of Service of Drivers (Docket No. MC–70–1).	**A. Description:** The Federal Highway Administration (FHWA) is proposing a revision of the regulations pertaining to hours of service limitations for commercial vehicle drivers engaged in interstate or foreign commerce. **B. Why Significant:** This proposal may be controversial and could have a major cost impact on the motor carrier industry. **C. Analysis:** Regulatory Impact Analysis/*Regulatory Flexibility Analysis.* **D. Need:** This action being taken in response to numerous petitions and requests from public interest groups, labor organizations, and individual drivers for the revision of these regulations. **E. Legal Basis:** 49 U.S.C. 304 and 1655..... **F. Chronology:** An ANPRM which stated that FHWA was considering an extensive review of the Hours of Service of Drivers regulation was published on February 12, 1976 (Docket MC–70, Notice 76–14, 41 FR 6275). A second ANPRM was issued on May 22, 1978 (43 FR 21905) setting forth three plans for comments. A notice of public hearings was published August 29, 1978 (43 FR 38608). Public hearings were held in 7 major cities. Further analytical research is underway and an NPRM *will be* considered when that research is completed. The recordkeeping requirements imposed by the current regulation will also be reviewed as part of this action. A request for comment relating to this regulation was issued on January 14, 1980 (45 FR 5781) based on a petition filed by owner operators requesting longer driving and working hours. *Petition denied on December 15, 1980.* **G. Citation:** 49 CFR pt. 395.....	Gerald J. Davis, (202) 426–9767.	*NPRM September 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA — Federal Highway Administration

Significant Regulations: Other

Title	Summary	Contact	Earliest Expected Decision Date
	PLANNING		
Review: Urban Transportation Planning Process: Transportation Improvement Program.	**A. Description:** *Revisions to these regulations implement recently adopted national and departmental goals in such areas as urban policy, increased emphasis on Transportation System Management, and urban goods movement; implement the transportation planning aspects of the 1977 Clean Air Act Amendments; accommodate recommendations made by FHWA's Regulations Reduction Task Force; and clarify and make more uniform the planning and project development procedures of FHWA and UMTA for major transportation investments.* **B. Why Significant:** These are significant regulations since they significantly impact the Urban Mass Transportation Administration (UMTA) and involve important Department policy. **C. Analysis:** Regulatory Evaluation **D. Need:** Continuing review has identified areas where added flexibility will not impair effectiveness *and recent national policies and statutory changes need to be implemented.* **E. Legal Basis:** 23 U.S.C. 104(f)(3), 134 and 315 **F. Chronology:** The recommendations of the FHWA Regulation Reduction Task Force were adopted in October 1977. *Surface Transportation Assistance Act of 1978 enacted on November 6, 1978.* Following agreement with UMTA and EPA, insofar as air quality is concerned, proposed regulatory changes will be prepared. *An NPRM was issued on October 30, 1980 (45 FR 71990) and a final rule on January 19, 1981 (46 FR 5702). Effective date delayed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291. A one-year followup comment period was provided. The need for future revisions to these regulations will be considered on the basis of comments received and the experience gained under these regulations.* **G. Citation:** 23 CFR pt. 450, Subpt. A and C. *49 CFR 613* (FHPM 4–4–2 and 4–4–6).	FHWA Sam Rea, (202) 426–2961 UMTA Bob Kirkland, (202) 426–4991.	*Undergoing Executive Order 12291 review.*
Major Urban Transportation Investment (Docket No. 78–21).	**A. Description:** The proposed regulation requires that State and local transportation officials conduct an analysis of alternatives for all major urban transportation investments for highway or public transportation. **B. Why Significant:** The proposed rule involves important Departmental policy and major urban investments of the Urban Mass Transportation Administration and the Federal Highway Administration. **C. Analysis:** Regulatory Evaluation **D. Need:** The increased flexibility in the use of Federal-aid highway funds for mass transit-related activities has led to the need for a single investment policy for both Federal Highway Administration and Urban Mass Transportation projects to ensure that federal funds are used effectively. **E. Legal Basis:** 23 U.S.C. 134 and 315 and 49 U.S.C. 1601 et seq.	FHWA V. Paparella, (202) 426–0215. UMTA Joel Fttinger, (202) 426–2360.	*Withdrawn.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA **Federal Highway Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest Expected Decision Date
	F. Chronology: An NPRM was published in the Federal Register on December 7, 1978 (43 FR 57478). *This proposal has been withdrawn (45 FR 71990, Oct. 30, 1980). Objectives will be pursued by administration of existing policies and through the FHWA and UMTA joint planning regulations.* **G. Citation:** 23 CFR pt. 455, subpt. A and B, and 49 CFR pt. 620.		
Transportation Planning and Environmental Process Guidelines (Action Plans).	**A. Description:** This ANPRM requested comments on the need for revisions to the urban transportation planning requirements (23 CFR 450), Subparts A and C and 49 CFR 613, Subpart B, the Major Urban Mass Transportation Investment Policy (41 FR 41512, September 22, 1976), and the Environmental Process Guidelines (23 CFR 795). **B. Why Significant:** The ANPRM covers areas of substantial public interest and important Department policies. **C. Analysis:** Regulatory Evaluation **D. Need:** Concerns have been raised over the complexity of these requirements and the relationship between planning and other program areas. Further, national concerns such as air quality and energy are not fully reflected in present regulations. **E. Legal Basis:** 23 U.S.C. 104(f)(3), 109(h), 134, 307, and 315, and the Urban Mass Transportation Act of 1964 as amended. **F. Chronology:** The FHWA Regulations Reduction Task Force recommended changes to the Urban transportation planning requirements. Discussion of potential areas for changes have been initiated between FHWA and UMTA. *Revisions to the FHWA/UMTA urban transportation planning regulations have been developed under a separate agenda item. Consequently, this initiative no longer is needed. Please see item entitled "Review: Urban Transportation Planning Process: Review: Transportation Improvement Program.".* **G. Citation:** 23 CFR 450, Subparts A and C, 49 CFR 613, Subpart B, and 23 CFR 795.	FHWA Sam Rea, (202) 426-2961. IMTA Bob Kirkland (202) 426-4991.	*Withdrawn.*
Certification of Speed Limit Enforcement (Docket No. 78-41).	**A. Description:** The regulation revises the procedure used by the States: (1) in monitoring speeds on highways with a 55 mile per hour speed limit, (2) in calculating a statewide value for the percentage of all traffic exceeding 55 miles per hour on such highways and (3) certifying annually that they are enforcing the 55-mile per hour National Maximum Speed Limit. **B. Why Significant:** This regulation would have substantial impact on State and local governments and impact on NHTSA programs and is being developed in coordination with NHTSA. **C. Analysis:** Regulatory Evaluation **D. Need:** This regulation is needed to implement the modified 55 mph enforcement provisions of the Surface Transportation Assistance Act of 1978. **E. Legal Basis:** 23 U.S.C. 141, 154	William F. Bauch, (202) 426-1993.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest Expected Decision Date
	F. Chronology: A Notice of Proposed Rulemaking (NPRM) was published in the ***Federal Register*** November 5, 1979. (44 FR 63680). While this rulemaking is underway, the States are meeting the requirements of 23 U.S.C. 141 and 154 by following the instructions contained in two ***Federal Register*** documents published as an emergency rule and an extension to an emergency rule: 43 FR 59464, December 20, 1978 and 44 FR 55592, September 27, 1979 respectively. Comment period closed January 9, 1980. *Final rule published on September 29, 1980 (45 FR 64488).* **G. Citation:** 23 CFR 658.7		
	RIGHT-OF-WAY AND ENVIRONMENT		
Review: Outdoor Advertising Control and Acquisition.	**A. Description:** This regulation would provide a definition of "effective control" of outdoor advertising as required by 23 U.S.C. 131. It would also set further requirements for signs exempt from control under the statute and establish the basic framework for State development of police power regulations and procedures. The regulation would also outline the requirements for Federal participation in the acquisition of compensable nonconforming outdoor advertising devices. **B. Why Significant:** This proposal may involve substantial public interest, is controversial and involves important departmental policy. **C. Analysis:** Regulatory Evaluation **D. Need:** This regulation is necessary for the maintenance of national uniformity in the outdoor advertising control program. Since 23 U.S.C. 131 is regultory in nature, it is necessary to establish and maintain minimum Federal program requirements. **E. Legal Basis:** 23 U.S.C. 131, 148, and 315; 49 CFR 1.48 **F. Chronology:** The proposal involves the consolidation of two existing regulations, 23 CFR pt. 750, subpts. D and G, and one interim regulation 23 CFR pt. 750, subpt. E. The regulations have been in effect since September 16, 1975 and July 29, 1974, respectively. The interim regulations have been in effect since October 18, 1976. The proposed consolidation will be issued as an NPRM. An ANPRM published April 30, 1979 (44 FR 25387) and a Notice published May 17, 1979 (44 FR 28946) announced public hearings as part of an overall review of the Highway Beautification Program. These currently proposed regulations may be modified as a result of this review. A Notice published June 15, 1979 (44 FR 34516) announced a hearing site change and a change in hearing procedures. On June 25, 1979 (44 FR 37100), a Notice announced amendments to the Highway Beautification Act by the Surface Transportation Assistance Act of 1978. A Notice published on July 12, 1979 (44 FR 40781) announced the establishment of a National Advisory Committee on Outdoor Advertising and Motorist Information. On July 23, 1979 (44 FR 43236), a Notice announced the availability of a report on Directional and Informational Sign Standards and Systems. This report is to be considered as part of the reassessment of the Highway Beautification Program. *No further action anticipated until Advisory Committee submits recommendations; earliest possible action will not occur within the next year.* **G. Citation:** 23 CFR pt. 750, subpt. C. (FHPM 7-6-2)	Richard Moeller, (202) 245-0021.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest Expected Decision Date
Review: Air Quality Guidelines.....	**A. Description:** *This* regulation, *which was developed jointly with UMTA, establishes* administrative procedures regarding: (1) conformity of highway plans, programs, and projects with air quality implementation plans, and (2) priority *for* highway improvements with air quality benefits. This regulation is a revision of existing Air Quality Guidelines. **B. Why Significant:** This Regulation is considered significant because it affects another Federal agency and may be controversial. **C. Analysis:** Regulatory Evaluation..... **D. Need:** Currently, permanent administrative procedures on funding sanctions, priority of highway improvements with air quality benefits, and conformity of highway plans, programs, and projects with air quality implementation plans are lacking even though the existing Air Quality Guidelines were amended on November 19, 1979 (44 FR 66193) to provide interim procedures. These regulations are a result of the Clean Air Act Amendments of 1977 which became law in August 1977. **E. Legal Basis:** Clean Air Act Amendments of 1977. (42 U.S.C. 7401). **F. Chronology:** A joint EPA/FHWA Notice on Sec. 176(a) of the Clean Air Act Amendments, which covers only project approval sanctions, was published June 11, 1979 (44 FR 33473). Interim procedures were published November 19, 1979 (44 FR 66193). *An interim final rule was published on January 26, 1981 (46 FR 8426). Public comments were requested and the docket will remain open until July 27, 1981. Comments will be considered in determining the need for future revisions to this rule.* **G. Citation:** 23 CFR pt. 770. (FHPM 7-7-9).....	*FHWA* Harter M. Rupert, (202) 426-4836, *UMTA John Collins, (202) 426-1908.*	*Further action to be determined.*
Review: Environmental Impact and Related Statements.	**A. Description:** These regulations implement the National Environmental Policy Act and Section 138 of the Federal-Aid Highway Act. *They* specify the procedures to be used by FHWA *and UMTA* in the preparation and processing of Environmental Impact and Section 4(f) statements. These regulations *were* developed jointly with the Urban Mass Transportation Administration (UMTA). **B. Why Significant:** These regulations will involve substantial public interest and controversy and will implement important departmental policy. **C. Analysis:** Regulatory Evaluation..... **D. Need:** Executive Order 11991 authorizes the Council on Environmental Quality (CEQ) to issue regulations to implement the National Environmental Policy Act. *DOT policies and procedures must conform to these CEQ regulations.* **E. Legal Basis:** These revisions are required because of regulations which were promulgated by CEQ.	FHWA Dale Wilken, (202) 426-4093, UMTA John Collins, (202) 426-1908.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest Expected Decision Date
	F. Chronology: The CEQ regulations were published for public comment in the Federal Register on June 9, 1978. (43 FR 25230). Final CEQ regulations were published November 29, 1978 (43 FR 55978). An NPRM was published October 15, 1979 (44 FR 59438). On November 19, 1979, the original deadline for comments of November 14, 1979 was extended to December 3, 1979 (44 FR 66213). A Notice published December 31, 1979 (44 FR 77293) contained interim instructions to FHWA field offices for compliance with the CEQ regulations and DOT Order 5610.1C of September 18, 1979 which was published October 1, 1979 (44 FR 56420). *Final rule was issued on October 30, 1980 (45 FR 71968).* **G. Citation:** 23 CFR pt. 771 (FHPM 7-7-2)		
†Minimum Levels of Financial Responsibility.	**A. Description:** Section 30 of the Motor Carrier Act of 1980, Pub. L. 96-296 (signed July 1, 1980) gives the Secretary of Transportation the statutory authority to modify, by regulation, the minimum levels of financial responsibility for motor carriers within 1 year of enactment of the Act. **B. Why Significant:** It has been determined that this proposal may have substantial impact on the motor carrier or insurance industry. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis.* **D. Need:** The purpose of the financial responsibility provision of the Act is to create incentives for the motor carrier industry to focus on the safety aspects of highway transportation and to assure the general public that a motor carrier maintains an adequate level of financial responsibility sufficient to satisfy claims covering public liability, property damage, and environmental restoration. **E. Legal Basis:** The Motor Carrier Act of 1980, Pub. L. 96-296 Section 30. **F. Chronology:** *An ANPRM was published on August 28, 1980 (45 FR 57676). An NPRM was published on January 26, 1981 (46 FR 8186). The comment period will close on April 13, 1981.* **G. Citation:** 49 CFR 387	Gerald Davis, (202) 426-9767.	*Further action to be determined.*
Employee Safety and Health Standards (Docket No. MC-64).	**A. Description:** This regulation would provide safety and health standards to govern employees engaged in the operation, maintenance, and loading and unloading of motor vehicles, designed to eliminate uncertainty with regard to the jurisdictional authority of the Occupational Safety and Health Administration (OSHA). **B. Why Significant:** This proposal may have a significant impact on OSHA.. **C. Analysis:** Regulatory Evaluation. **D. Need:** These standards are designed to eliminate uncertainty with regard to the jurisdictional authority of the OSHA and to improve safety and health standards for employees of motor carriers.. **E. Legal Basis:** 49 U.S.C. 304 and 1655.	Gerald Davis, (202) 426-9767.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA — **Federal Highway Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest Expected Decision Date
	F. Chronology: An NPRM was issued March 2, 1978 (43 FR 8566) and the closing date for the comment period was May 31, 1978. A notice on June 9, 1978 (43 FR 25145) extended the comment period to June 30, 1978. As a result of the analysis of the comments, another NPRM is being considered. *No further action is anticipated within the next 12 months.* **G. Citation:** 49 CFR pt. 399.		

FHWA — **Federal Highway Administration**

Nonsignificant Regulations

Title	Summary	Contact	Earliest Expected Decision Date
	GENERAL MANAGEMENT AND ADMINISTRATION		
Rulemaking Procedures	The proposed rule would *incorporate the Federal Highway Administration's redtape reduction policy and* provide procedures for processing petitions for rulemaking and related matters.	Stan Abramson, (202) 426-0761.	*NPRM May 1981.*
Administrative Hearings	This rule is proposed to provide a general procedure for administrative hearings. This proposed rule would allow the Administrator to initiate administrative proceedings on discretion, or on complaint, and would govern procedure under such proceedings. (23 CFR 20).	Hugh T. O'Reilly, (202) 426-0780.	NPRM *May 1981.*
	PAYMENT PROCEDURES		
Review: Reimbursement Vouchers.	This revision to an existing regulation would establish uniform policy for withholding requirements to adequately protect the Federal interest in projects administered by State highway agencies. The revision would also incorporate current policies for closing projects and filing final vouchers. *No action necessary at this time.* (23 CFR 140A; FHPM 1-4-6).	Harvey Wood, 202) 426-0563,.	*Withdrawn.*
Review: *Payroll and Related Expense of Public Employees: General Administration and other Overhead: and Cost Accumulation Centers and Distribution Methods.*	This revision to an existing regulation prescribes policies and procedures governing the extent to which Federal funds may participate in the cost of salaries and wages and related labor costs, incurred by public forces of State highway departments, counties, cities, or other political subdivisions. Final rule published January 15, 1981 (46 FR 3501). *Originally scheduled to go into effect on February 17, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under E.O. 12291.* (23 CFR pt. 140; FHPM 1-4-5).	J. E. Lewis, (202) 426-0562.	*Under Executive Order 12291 review.*
	NATIONAL HIGHWAY INSTITUTE		
Education and Training Programs	This amendment extends period of time for which a grant recipient may receive financial support from 12 months of full-time study to 24 months of full-time study. *Final rule published on October 9, 1980 (45 FR 67091).* (23 CFR 260A).	Larry Jones, (202) 426-3100.	Action complete.
	PLANNING		
Review: Carpool and Van Pool Projects.	This regulation revision reflects the required changes brought about by the Surface Transportation Assistance Act of 1978 plus related program modifications. NPRM published December 10, 1979 (44 FR 70753). *Final rule published January 8, 1981 (46 FR 2298). Effective date delayed until March 31, 1981 (46 FR 10706) for review under E.O. 12291.* (23 CFR pt. 656: FHPM 4-8-3).	Barbara Reichart, (202) 426-0210.	*Undergoing Executive Order 12291 review.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA **Federal Highway Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest Expected Decision Date
Review: Highway Planning Program Administration (Docket No. 78-24).	This revision to an existing regulation would reflect recent policy changes in management of the highway planning and research program, e.g., allowing separate projects for components of the program (urbanized area planning, statewide planning, research and development), and applying matching rates to time periods rather than a fiscal year fund, etc. NPRM was published January 11, 1979 (44 FR 2400). As a result of comments received to the Docket, as well as internal coordination, *FHWA is considering combining this regulation with* 23 CFR Part 450, Subpart B, Metropolitan Planning Funds, since both deal with program administration. (23 CFR Part 420, Subpart A and Part 450, Subpart B; FHPM 4-1-2-1).	R. B. Puckett, (202) 426-0175.	*Further action to be determined.*
Review: Payback Regulation Amendments.	Federal Highway Administration regulations in 23 CFR Part 480 prescribe the circumstances under which states must repay the Federal Government for the Federal contribution to the purchase of property for Interstate highway projects that are later withdrawn. Congress, in Public Law 96-106, amended 23 U.S.C. 103(e) to change the circumstances under which repayment must be made. This revision to an existing regulation would incorporate the legislative changes in 23 CFR Part 480. *NPRM published November 20, 1980 (45 FR 76705).*	C. L. Shufflebarger, (202) 426-0404.	*FR 1981.*
	RESEARCH AND DEVELOPMENT		
Review: Research and Development (R&D) Programs (Docket No. 79-21).	*These revisions to existing regulations will reduce unnecessary requirements, increase administrative flexibility and simplify procedures in* R&D work funded with Federal-aid highway funds. An NPRM was published September 27, 1979 (44 FR 55766). (23 CFR parts 520, 524, 530, 540, 544 and 560; FHPM 5-2-1, 5-2-4, 5-4-1, 5-4-3, and 5-6-1).	Harry H. Hersey, (703) 557-5257.	FR *1981.*
	ENGINEERING AND TRAFFIC OPERATIONS		
Review: Erosion and Sediment Control on Highway Construction Projects.	This revision to an existing regulation would update practices for the prevention and abatement of erosion and sediment damage on highway projects. *No action necessary at this time.* (23 CFR pt. 650: FHPM 6-7-3-1).	Stanley Davis, (202) 472-7690.	*Withdrawn.*
Review: Permits for Highway Work In or Adjacent to Streams.	This revision to an existing regulation would update procedures dealing with permits and include memoranda of understanding with the Coast Guard and the Corps of Engineers as appendices. *No action necessary at this time.* (23 CFR pt. 650: FHPM 6-7-1-1).	Stanley Davis, (202) 472-7690.	*Withdrawn.*
Resurfacing, Restoration and Rehabilitation (RRR) Work.	This regulation would set forth policy and project procedures for implementing RRR program as it relates to pavement design practices. *No action is anticipated on this regulation within the next 12 months.* (FHPM 6-2-4-2).	Leon M. Noel, (202) 426-0327.	*Further action to be determined.*
Review: Skid Resistant Surface Design.	This regulation would set forth pavement design policy as it pertains to skid resistance on Federal-aid highway projects. An NPRM was published April 10, 1980 (45 FR 24505). *Comments received on NPRM were evaluated. No action is anticipated on this regulation within the next 12 months.* (23 CFR 628: FHPM 6-2-4-3).	Leon M. Noel, (202) 426-0327.	*Further action to be determined.*
Selection of Pavement Type.....	This regulation would set forth policy for the selection of pavement type on Federal-aid projects. *ANPRM published on August 21, 1980 (45 FR 55763). No action necessary at this time. Withdrawal notice to be published.* (FHPM 6-2-4-4).	Leon M. Noel, (202) 426-0327.	*To be withdrawn.*
Review: Relinquishment of Highway Facilities.	This revision to an existing regulation would *revise* procedures relating to relinquishement of highway facilities. *It has been determined that a need for this regulation does not exist.* (23 CFR pt. 620: FHPM 6-1-1-8).	R. J. Kreklau, (202) 426-0334.	*Withdrawn.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA — Federal Highway Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest Expected Decision Date
Review: Reimbursement for Railroad Work.	This revision to an existing regulation would update and simplify policies and procedures on reimbursement to the States for railroad work done on projects undertaken pursuant to the provisions of 23 CFR pt. 646 B. *No action necessary at this time.* (23 CFR 140: FHPM 1-4-3).	J. A. Carney, (202) 426-0104.	*Withdrawn.*
Roadway Drainage	This regulation would provide policy and procedures for the design of roadway drainage systems for conveying runoff from highways. *No action necessary at this time.* (23 CFR pt. 650).	Philip L. Thompson, (202) 472-7690.	*Withdrawn.*
Review: Design and Construction Criteria for Bikeway Construction (Docket No. 79-3).	This regulation establishes design and construction guidelines for bikeways. ANPRM published on February 8, 1979 (44 FR 7979). NPRM published August 4, 1980 (45 FR 51720). *No action is anticipated on this regulation within the next 12 months.* (23 CFR pts. 652 and 663).	*Richard Lemieux,* (202) 426-0314.	*Further action to be determined.*
Review: Design Standards for Highways.	This regulation would amend the existing geometric design standards for highways for new construction and major reconstruction of federal-aid highways by replacing several publications incorporated by reference in 23 CFR Part 625 with a single new publication. Public comments *were requested* on the geometric design criteria as presented in a draft of the new publication A Policy on Geometric Design of Highways and Streets prepared by the American Association of State Highway and Transportation Officials. *Comments received as a result of* NPRM published February 14, 1980 (45 FR 10236) *are being evaluated. Notice regarding status of proposed rule published November 17, 1980 (45 FR 75690) indicates further rulemaking action is not anticipated before Fall 1982.* (23 CFR Part 625, FHPM 6-2-1-1).	Wilson B. Harkins, (202) 426-0313.	*Further action to be determined.*
Design and Construction Requirements for Highway Pedestrian Overpasses and Underpasses.	This regulation would develop standards for the design and construction of pedestrian overpasses and underpasses for accessibility and usability by physically handicapped persons (per March 7, 1979, Agreements with Architectural and Transportation Barriers Compliance Board). *This regulation would follow the completion of the research in progress titled "Design Guidelines to Make Crossing Structures Accessible to the Physically Handicapped." Rulemaking action is not anticipated within the next year.*	Ali Sevin and Larry King, (202) 426-0306 or Lee Burstyn, (202) 426-0761.	*Further action to be determined.*
Review: Traffic Control Devices on Federal-Aid and Other Streets and Highways.	This revision to an existing regulation prescribed the policies and procedures of FHWA relative to obtaining basic uniformity in the visible features and functioning of traffic control devices on all highway open to public travel in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways. An NPRM was published September 27, 1979 (44 FR 55598). *Final rule was published January 8, 1981 (46 FR 2038); originally scheduled to go into effect on January 30, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under E.O. 12291.* (23 CFR pt. 655: FHPM 6-8-3-1).	Donald P. Ryan, (202) 426-0411.	*Under Executive Order 12291 review.*
Review: Forest Highways	This revision to an existing regulation would update and simplify administrative procedures applicable to Forest Highway projects administered by direct Federal offices and State highway agencies. *The revisions will conform to the Surface Transportation Assistance Act of 1978. NPRM published on August 25, 1980 (45 FR 56355). (23 CFR pt. 660: FHPM 6-9-2-1).*	R. C. Coles, (202) 426-0460.	FR *May 1981.*
Review: Contract Procedures (Docket No. 78-16).	This revision to an existing regulation would simplify Federal-aid contract procedures. NPRM was published on August 18, 1978 (43 FR 36685). (23 CFR pt. 635: FHPM 6-4-1-6).	K. L. Ziems, (202) 426-4847.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest Expected Decision Date
Review: General Materials Requirements.	This regulation would simplify procedures relating to general material requirements for Federal-aid construction work. *NPRM published January 29, 1981 (46 FR 9642). No action is anticipated on this revision within the next 12 months.* (23 CFR pt. 635: FHPM 6-4-1-16).	K. L. Ziems, (202) 426-4847.	*Further action to be determined.*
Review: Accommodation of Utilities.	This revision to an existing regulation would update and simplify policies and procedures for accommodating utility facilities on the rights-of-way of Federal and Federal-aid highway projects. An NPRM was published April 17, 1980 (45 FR 26280). (23 CFR pt. 645: FHPM 6-6-3-2).	J. A. Carney, (202) 426-0104.	*Further action to be determined.*
*__Review:__ Traffic Safety in Highway and Street Work Zones.	This proposal would modify existing requirements to assure a reduction in the incidence of accidents occurring where two-way traffic is maintained on one roadway of a normally divided highway. NPRM published October 16, 1980 (45 FR 68663). (23 CFR 630J: FHPM 6-4-2-12).	Kenneth L. Ziems, (202) 426-4847.	Further action to be determined.
Review: Utility Relocation, Adjustments and Reimbursement.	This revision to an existing regulation would update and simplify the policies and procedures for the adjustment and relocation of utility facilities on Federal-aid highway projects and projects under the direct supervision of the Federal Highway Administration. An ANPRM was published March 8, 1979 (44 FR 12209). *An NPRM was published November 20, 1980 (45 FR 76924). No action is anticipated on this revision within the next 12 months.* (23 CFR pt. 645: FHPM 1-4-4).	J. A. Carney, (202) 426-0104.	*Further action to be determined.*
Uniform Criteria for Warning Devices at Railroad-Highway Grade Crossings (Docket No. 78-13).	This regulation would issue uniform nationwide criteria for the selection of various types of warning devices to be installed at railroad-highway grade crossings. ANPRM published August 10, 1978 (43 FR 35491) and June 12, 1980 (45 FR 40062). *No action is considered necessary at this time. Withdrawal notice to be published.* (23 CFR 625, 646, and 655).	Justin True, (202) 426-0411.	*To be withdrawn.*
	RIGHT-OF-WAY AND ENVIRONMENT		
Review: Archeological and Paleontological Salvage.	This regulation covered procedures for implementing the provisions of Title 23, U.S.C. Section 305 involving the use of highway funds for archeological and paleontological salvage on Federal and Federal-aid highway projects. It *was rescinded* because the content is covered in other regulations (46 FR 9570, January 29, 1981). (23 CFR pt. 765; FHPM 7-7-4).	Larry Isaacson, (202) 426-9173.	*Action Complete.*
Review: Procedures for Abatement of Highway Traffic Noise and Construction Noise (Docket No. 78-33).	This revision would make substantial reductions in the detailed procedures and interpretive information in the existing regulation. This is being done pursuant to the FHWA Regulation Reduction Task Force recommendations. An ANPRM was published December 6, 1978 (43 FR 57161). (23 CFR pt. 772; FHPM 7-7-3).	H. M. Rupert, (202) 426-4836.	NPRM *April 1981.*
	HIGHWAY SAFETY		
State Highway Safety Agency (Docket No. 79-10).	This rule replaces the existing Joint FHWA/NHTSA Orders on State agencies with a new Part 1251, State Highway Safety Agency in Title 23, Code of Federal Regulations. It proposes to establish new requirements for the authority and function of State highway safety agencies. NPRM published June 21, 1979 (44 FR 36204), and a revised NPRM published December 6, 1979 (44 FR 70192). *Final rule published on September 8, 1980 (45 FR 59143).* (23 CFR 1251).	FHWA J. L. Rummel, (202) 426-2131, NHTSA George Reagle, (202) 426-0068.	*Action Complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA — Federal Highway Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest Expected Decision Date
Innovative Project Grants	This rule provides criteria, procedures, and policies for administration of Innovative Project Grants under 23 U.S.C. 407 when funds are appropriated. ANPRM published July 19, 1979 (44 FR 42233). *NPRM published October 23, 1980 (45 FR 70282). Final rule published on December 22, 1980 (45 FR 84037). NHTSA has primary responsibility for this action.* (23 CFR pt. 1217).	FHWA J. L. Rummel, (202) 426-2131, NHTSA Charles Livingston, (202) 426-0837.	*Action Complete.*
Skid Accident Reduction Program	This rule would set forth policy for development and implementation of a program in each State designed to reduce the number and severity of wet weather accidents. *No action is anticipated within the next 12 months.* (FHPM 8-2-3-1).	*Mike Burke,* (202) 426-2131.	*Further action to be determined.*
	FEDERAL MOTOR CARRIER SAFETY REGULATIONS		
Review: Visual Acuity	The FHWA is considering amending the Physical Qualification for Drivers regulation (49 CFR 391.41) by reviewing and determining minimum visual acuity in each eye separately as well as binocular acuity for commercial vehicle drivers. *The existing rule will be reviewed during a general review of all qualification requirements.* (49 CFR pt. 391).	Gerald J. Davis, (202) 426-9767.	*Withdrawn.*
*Radioactive Materials Routing	This regulation exempts radioactive materials from the routing provisions contained in the Federal Motor Carrier Safety Regulations at 49 CFR 397.9. This action is necessary in order to prevent duplication of rules. Final Rule published January 8, 1981 (46 FR 2126); originally scheduled to go into effect on February 2, 1982; effective date delayed until March 31, 1981 subject to review under Executive Order 12291.	Gerald J. Davis, (202) 426-9767.	Undergoing Executive Order 12291 review.
Toxic Gases in Truck Cabs (Docket No. MC-80).	This regulation would set maximum toxic gas levels in truck cabs. ANPRM published January 1978 (43 FR 120). NPRM published June 18, 1979 (44 FR 34992). *No further action is anticipated within the next 12 months.* (49 CFR pt. 392).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*
Ambient Temperature in Heavy Duty Truck Cabs (Docket No. MC-81).	This regulation would set maximum permissible ambient temperatures in truck cabs. ANPRM published on February 8, 1978 (43 FR 5397). *No further action is anticipated within the next 12 months.* (49 CFR pt. 399).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*
Review: Compliance with Motor Carrier Noise Standards.	The FHWA is considering amending the noise emission standards to add a new minimum distance of 31 feet from which to measure highway noise. FHWA is also considering eliminating the correction factor which allowed a variance for noise tests taken at hard sites, e.g., asphalt, compared to those taken at soft sites, e.g., grassy areas. NPRM published April 3, 1980 (45 FR 22120).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*
Review: Qualification of Drivers	*The FHWA is considering revising* the regulation which provides that no waiver for handicapped drivers will be granted to drivers of buses or trucks transporting hazardous materials. *Request for comments* was published on June 12, 1980 (45 FR 39672). (49 CFR 391.49).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*
Assignment of Motor Carrier Safety Ratings (*Docket No. MC-88*).	The Federal Highway Administration is responsible for determining and reporting to the ICC a safety rating for each carrier applicant seeking operating authority from the ICC. This regulation formalizes current procedures. *NPRM published November 23, 1979 (44 FR 67193).* (49 CFR pt. 385).	James Jeglum, (202) 426-1724.	*Further action to be determined.*
Rear Vision Mirrors (Docket MC-80).	This amendment would serve to clarify the rule change published May 1, 1979, *and was developed in response to a rulemaking petition. NPRM published on October 9, 1980 (45 FR 67107). No further action is anticipated within the next 12 months.* (49 CFR 393).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA — Federal Highway Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest Expected Decision Date
*Review: Inspection, Repair, and Maintenance—Inspection Requirements for Leased Vehicles.	This proposed revision to an existing regulation would exempt commonly controlled motor vehicles from the inspection procedure for vehicles leased less than 30 days. This proposal was developed in response to a rulemaking petition. NPRM published on October 23, 1980 (45 FR 70288). No further action is anticipated within the next 12 months. (49 CFR 396).	Gerald J. Davis, (202) 426-9767.	Further action to be determined.
Review: Disqualifying Offenses, Drugs.	The FHWA is considering amending the Disqualification of Drivers regulation (49 CFR 391.15) by reviewing and enlarging that group of substances and drugs whose use by drivers operating commercial motor vehicles, is forbidden and is considered a disqualifying offense. *NPRM published on November 24, 1980 (45 FR 77466). No further action is anticipated within the next 12 months.* (49 CFR pt. 391).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*
Review: Exemption from Preparing Driver's Daily Logs for *Operations of Less Than 10 Hours* (Docket No. MC-70-2).	This regulation would propose to exempt certain drivers from preparing the driver's log when they operate *less than 10 hours.* ANPRM published on November 9, 1978 (43 FR 58418). *NPRM published on December 15, 1980 (45 FR 82291).* (49 CFR pt. 395).	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*
Review: The Use of 4-Way Flashers on Slow Moving Vehicles.	This action will consider changing existing regulations to allow the use of 4-way flashers to warn of potential hazards, *and was developed in response to a rulemaking petition. NPRM published on December 11, 1980 (45 FR 81621). No action is anticipated on this change within the next 12 months.*	Gerald J. Davis, (202) 426-9767.	*Further action to be determined.*

FHWA — Federal Highway Administration

Routine and Frequent Nonsignificant Regulations

Title	Summary	Contact	Earliest Expected Decision Date
ENGINEERING AND TRAFFIC OPERATIONS			
Manual on Uniform Traffic Control Devices.	6	J. C. Partlow, (202) 426-0411, Robert E. Conner, (202) 426-0411.	April 1, 1981–March 1982.
RIGHT-OF-WAY AND ENVIRONMENT			
Relocation Assistance-Moving Payments-Moving Expense Schedules.	2	Robert Moore, (202) 426-0116.	July 1981–January 1982.
FEDERAL MOTOR CARRIER SAFETY REGULATIONS			
*Miscellaneous Amendments—Federal Motor Carrier Safety Regulations.	1	Gerald J. Davis (202) 426-9767.	June 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA **Federal Highway Administration**

Cross-Reference Index

Title	New Location
Review: Outdoor Advertising Control and Acquisition	Agenda—Significant Regulations—Right-of-Way and Environment
Air Quality Guidelines	Agenda—Significant Regulations—Right-of-Way and Environment
Construction Contract Equal Opportunity Compliance Procedures	Review List—Civil Rights
Minimum Cab Space Dimensions (Docket No. MC-79)	Agenda—Significant Regulations—Federal Motor Carrier Safety Regulations
Employee Safety and Health Standards (Docket No. MC-64)	Agenda—Significant Regulations—Federal Motor Carrier Safety Regulations
Geometric Design Criteria for Resurfacing, Restoration, and Rehabilitation (RRR) of Streets and Highways Other than Freeways (Docket No. 78-10).	Agenda—Significant Regulations—Engineering and Traffic Operations
Withdrawal of Interstate Segments and Substitution of Alternative Projects (Docket No. 79-29).	Agenda—Significant Regulations—Engineering and Traffic Operations
Hours of Service Drivers (Docket No. MC-70-1)	Agenda—Significant Regulations—Federal Motor Carrier Safety Regulations
Environmental Impact and Related Statements	Agenda—Significant Regulations—Right-of-Way and Environment
Review: Urban Transportation Planning Process: Transportation Improvement Program.	Agenda—Significant Regulations—Planning
Non-Urbanized Area Public Transportation (Docket No. 78-40)	Review List—Public Transportation
Equal Employment Opportunity on Federal-Aid Highway Construction Contracts.	Review List—Engineering and Traffic Operations
Certification of Speed Limit Enforcement (Docket No. 78-41)	Agenda—Significant Regulations—Engineering and Traffic Operations
Major Urban Transportation Investment (Docket No. 78-21)	Agenda—Significant Regulations—Planning
Buy America Requirements (Docket No. 78-35)	Agenda—Significant Regulations—Engineering and Traffic Operations
Transportation Planning and Environmental Process Guidelines (Action Plans).	Agenda—Significant Regulations—Planning
Minimum Levels of Financial Responsibility	Agenda—Significant Regulations—Federal Motor Carrier Safety Regulations
Review: New Research and Development (R&D) Studies and Work Programs (Docket No. 79-21).	Agenda—Nonsignificant Regulations—Research and Development (new title—Research and Development (R&D) Programs)
Review: R&D Management General	Agenda—Nonsignificant Regulations—Research and Development (new title—Research and Development (R&D) Programs)
Review: R&D Report and Implementation Activities (Docket No. 79-21)	Agenda—Nonsignificant Regulations—Research and Development (new title—Research and Development (R&D) Programs)
Review: Federal-Aid Funds Without State Matching (Docket No. 79-21)	Agenda—Nonsignificant Regulations—Research and Development (new title—Research and Development (R&D) Programs)
Review: R&D Management Option (Docket No. 79-21)	Agenda—Nonsignificant Regulations—Research and Development (new title—Research and Development (R&D) Programs)
Review: Highway Planning Program Administration (Docket No. 78-24)	Agenda—Nonsignificant Regulations—Planning
Review: Public Road Mileage for Apportionment of Highway Safety Funds, Safer Off-System Roads Funds and Hazard Elimination funds.	Review List—Planning
Review: Procedures for Abatement of Highway Traffic Noise and Construction Noise (Docket No. 78-33).	Agenda—Nonsignificant Regulations—Right-of-Way and Environment
Review: General Policy and Definitions	Review List—Right-of-Way and Environment
Review: State Highway Department Responsibilities	Review List—Right-of-Way and Environment
Review: Reimbursement Provisions	Review List—Right-of-Way and Environment

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Cross-Reference Index—Continued

Title	New Location
Review: Civil Rights	Review List—Right-of-Way and Environment
Review: The Real Property Acquisition Function-Policy	Review List—Right-of-Way and Environment
Review: The Acquisition Function-General Provisions and Project Procedures.	Review List—Right-of-Way and Environment
Review: The Acquisition Function-General Provisions and Project Procedures-Functional Replacement of Real Property in Public Ownership.	Review List—Right-of-Way and Environment
Review: The Acquisition Function-Negotiations	Review List—Right-of-Way and Environment
Review: The Acquisition Function-Administrative Settlements, Legal Settlements, and Court Awards.	Review List—Right-of-Way and Environment
Review: Appraisal and Appraisal Review Policy	Review List—Right-of-Way and Environment
Review: Property Management	Review List—Right-of-Way and Environment
Review: Disposal of Right-of-Way	Review List—Right-of-Way and Environment
Review: Junkyard Control and Abatement	Review List—Right-of-Way and Environment
Review: Relocation Assistance—General	Review List—Right-of-Way and Environment
Review: Relocation Assistance—Relocation Services	Review List—Right-of-Way and Environment
Review: Relocation Assistance—Moving Payments	Review List—Right-of-Way and Environment
Review: Relocation Assistance—Replacement Housing Payments	Review List—Right-of-Way and Environment
Review: Relocation Assistance—Mobile Homes	Review List—Right-of-Way and Environment
Review: Relocation Assistance—Replacement Housing As Last Resort	Review List—Right-of-Way and Environment
Review: Land Service Facilities	Review List—Right-of-Way and Environment
Review: Right-of-Way Revolving Fund	Review List—Right-of-Way and Environment
Review: Management of Airspace	Review List—Right-of-Way and Environment
Review: Bond Issue Projects	Review List—Payment Procedures
Review: Advance Construction of Federal-Aid Projects	Review List—Engineering and Traffic Operations
Review: Reimbursement for Employment of Public Employees on Federal-Aid Projects.	Agenda—Nonsignificant Regulations—Payment Procedures (new title—Payroll and Related Expense of Public Employees; General Administration and Other Overhead; and Cost Accumulation Centers and Distribution Methods)
Review: Disqualifying Offenses, Drugs	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Review: Visual Acuity	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Review: Forest Highways	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Erosion and Sediment Control on Highway Construction Projects.	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Permits for Highway Work In or Adjacent to Streams	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Coordination of Water Resources Development Projects	Review List—Engineering and Traffic Operations
Review: Required Contract Provisions—Federal-Aid Contracts	Review List—Engineerings and Traffic Operations
Review: Contract Procedures (Docket No. 78-16)	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA **Federal Highway Administration**

Cross-Reference Index—Continued

Title	New Location
Review: Contract and Force Account, Justifications Required for Force Account Work.	Review List—Engineering and Traffic Operations (new title—Highway Construction Work to be Performed by Methods Other than Contract Awarded by Competitive Bidding)
Review: General Materials Requirements	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Authorization to Proceed to Physical Construction	Review List—Engineering and Traffic Operations
Review: Landscape and Roadside Development	Review List—Right-of-Way and Environment
Resurfacing, Restoration and Rehabilitation (RRR) Work	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Skid Resistant Surface Design	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Selection of Pavement Type	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Traffic Control Devices on Federal-Aid and Other Streets and Highways.	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Motorist Aid Systems	Review List—Engineering and Traffic Operations
Review: Traffic Surveillance and Control	Review List—Engineering and Traffic Operations
Review: Relinquishment of Highway Facilities	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Reimbursement for Railroad Work	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Utility Relocation and Adjustment	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations (new title—Utility Relocation, Adjustments and Reimbursement)
Review: Accommodation of Utilities	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Railroad Highway Projects	Review List—Engineering and Traffic Operations
Review: Project Agreements	Review List—Engineering and Traffic Operations
Review: Exemption from Preparing Driver's Daily Logs for Operations Between Certain Fixed Locations (Docket No. MC-70-2).	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations (Retitled "Exemption from Preparing Driver's Daily Logs for Operation of Less than 10 Hours")
Review: Rear End Underride Protection	Review List—Federal Motor Carrier Safety Regulations
Toxic Gases in Truck Cabs (Docket No. MC-80)	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Ambient Temperature in Heavy Duty Truck Cabs (Docket No. MC-81)	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Review: Relocation Assistance-Moving Payments-Moving Expense Schedules.	Agenda—Routine and Frequent Nonsignificant Regulations—Right of Way and Environment
Roadway Drainage	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Uniform Criteria for Warning Devices at Railroad-Highway Grade Crossings (Docket No. 78-13).	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Review: Guide for Bicycle Facilities (Docket No. 79-3)	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations (Retitled "Design and Construction Criteria for Bikeway Construction")
Review: The General Part of the Federal Motor Carrier Safety Regulations.	Review List—Federal Motor Carrier Safety Regulations
Appalachian Highway Procedures	Review List—Planning

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA

Federal Highway Administration

Cross-Reference Index—Continued

Title	New Location
Carpool and Van Pool Projects	Agenda—Nonsignificant Regulations—Planning
State Highway Safety Agency (Docket No. 79-10)	Agenda—Nonsignificant Regulations—Highway Safety
Innovative Project Grants	Agenda—Nonsignificant Regulations—Highway Safety
Manual on Uniform Traffic Control Devices	Agenda—Routine and Frequent Nonsignificant Regulations List—Engineering and Traffic Operations
Review: Water Supply and Sewage Treatment at Safety Rest Areas	Review List—Engineering and Traffic Operations
Review: Federal-Aid Highway Systems	Review List—Planning
Design Standards for Highways	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Design and Construction Requirements for Highway Pedestrian Overpasses and Underpasses.	Agenda—Nonsignificant Regulations—Engineering and Traffic Operations
Assignment of Motor Carrier Safety Ratings (Docket No. MC-88)	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Payback Regulation Amendments	Agenda—Nonsignificant Regulations—Planning
Review: Archeological and Paleontological Salvage	Agenda—Nonsignificant Regulations—Right-of-Way and Environment
Qualification of Drivers	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Review: Compliance with Motor Carrier Noise Standards	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Maximum Weight of Trucks on Interstate System Highway: Variable Load Suspension Axles: Dummy Axles: Interpretation and Application of the Bridge Formula.	Review List—Engineering and Traffic Operations
State Internal Audit Responsibility	Review List—General Management and Administration
Reimbursement Vouchers	Agenda—Nonsignificant Regulations—Payment Procedures
Skid Accident Reduction Program	Agenda—Nonsignificant Regulations—Highway Safety
The Use of 4-Way Flashers on Slow Moving Vehicles	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Rear Vision Mirrors (Docket MC-80)	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
Miscellaneous Amendments—FMCSR	Agenda—Routine and Frequent Nonsignificant Regulations List—Federal Motor Carrier Safety Regulations
Review: The Need for First-Aid Kits on Buses	Review List—Federal Motor Carrier Safety Regulations
Transportation of Migrant Workers	Review List—Federal Motor Carrier Safety Regulations
Education and Training Programs	Agenda—Nonsignificant Regulations—National Highway Institute
Administrative Hearings	Nonsignificant Agenda—General Management and Administration
Disqualification of Drivers (traffic records)	Review List—Federal Motor Carrier Safety Regulations
Selection of Motor Carriers for Survey	Review List—Federal Motor Carrier Safety Regulations
Rulemaking Procedures	Nonsignificant Agenda—General Management and Administration
*Review: Inspection, Repair, and Maintenance—Inspection Requirements for Leased Vehicles.	Agenda—Nonsignificant Regulations—Federal Motor Carrier Safety Regulations
*Review: Traffic Safety in Highway and Street Work Zones	Nonsignificant Agenda—Engineering and Traffic Operations
*Review: On-premise Signs	Review List—Right-of-Way and Environment

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FHWA — Federal Highway Administration

Cross-Reference Index—Continued

Title	New Location
*Mitigation of Environmental Impacts to Privately Owned Wetlands	Review List—Right-of-Way and Environment

NHTSA — National Highway Traffic Safety Administration

Significant Regulations: Major

Title	Summary	Contact	Earliest expected decision date
Light Truck Fuel Economy Rulemaking (Docket No. FE 78-01).	**A. Description:** *Establishes* average fuel economy standards for model years 1983-1985 light trucks with gross vehicle weight ratings of 8,500 pounds or less. **B. Why Significant:** The rule is considered significant because of the impact on the automotive industry, the public, and energy consumption. **C. Analysis:** Regulatory Analysis **D. Need:** Conservation of petroleum **E. Legal Basis:** Motor Vehicle Information and Cost Savings Act, as amended, 15 U.S.C. 2002. **F. Chronology:** NPRM issued 12/31/79. (44 FR 77199). Final Rule *published December 11, 1980. (45 FR 81593).* **G. Citation:** 49 CFR pt. 533	Richard Strombotne, (202) 426-0846.	*Action complete.*
†Passenger Automobile *and Light Truck* Fuel Economy Rulemaking.	**A. Description:** Analysis to determine whether and what fuel economy standards should be established for the time frame beyond MY 1985. The primary constraint to the achievement of higher corporate average fuel economy (CAFE) is likely to be the industry's ability to support the requisite capital investments. Post-1985 actions require a comprehensive evaluation of total resources available to the manufacturers. Therefore, the notice addresses both passenger cars and trucks. **B. Why Significant:** The rule is considered significant because of the impact on the automotive industry, the public, and energy consumption. **C. Analysis:** Regulatory *Impact* Analysis/*Regulatory Flexibility Analysis.* **D. Need:** Conservation of petroleum **E. Legal Basis:** Motor Vehicle Information and Cost Savings Act, as amended 15 USC 2002, as amended 15 U.S.C. 2002 Sec 502(a)(4). **F. Chronology:** *ANPRM published January 26, 1981. (46 FR 8056). Comment period closes April 27, 1981.* **G. Citation:** *49 CFR pt. 531*	Richard Strombotne, (202) 426-0846.	*To be withdrawn.*
†Heavy Duty Vehicle Brake Systems (Formerly Truck and Trailer Brake Systems).	**A. Description:** Would establish long term agency interest in such advanced braking system concepts as antilock systems, automatic brake adjustors for heavy trucks and buses, and disc brakes for heavy trucks and buses. **B. Why Significant:** This rule is considered significant because of the level of public and Congressional interest. **C. Analysis:** Regulatory *Impact* Analysis/*Regulatory Flexibility Analysis.*	A. Mallians, (202) 426-0842.	Research underway.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA — **National Highway Traffic Safety Administration**

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest expected decision date
	D. Need: To establish long term plans for truck braking regulations. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended. **F. Chronology:** ANPRM issued February 28, 1980 (45 FR 13155), Research underway. **G. Citation:** 49 CFR 571.121, 49 CFR 571.105–75		
†Multipiece Rims on Trucks and Buses. (Docket No. 71–19).	**A. Description:** NHTSA is examining the need to issue a performance requirement for multipiece rims because of their potential for explosive separation. *NHTSA is exploring means of mitigating the problem through options such as positive locking indicators assuring proper assembly or the manufacture of single piece rims.* **B. Why Significant:** This rulemaking is considered significant because of the level of interest shown by users and manufacturers of these rims, and because of the cost impacts. **C. Analysis:** Regulatory *Impact* Analysis/Regulatory Flexibility Analysis. **D. Need:** Balance the safety hazards associated with the use of these rims against the added costs of using safer single-piece rims or *improved multi-piece rims.* **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended. **F. Chronology:** ANPRM issued March 5, 1979. (44 FR 12072). Comments received June 4, 1979. Cost and impact study results are being analyzed. **G. Citation:** 49 CFR 571.120	A. Mallians, (202) 426–0842.	Further action to be determined.
†Crashworthiness Ratings *(Docket No. 79–17).*	**A. Description:** Would require manufacturers to disseminate crashworthiness performance information concerning their cars to the public. **B. Why Significant:** This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace. **C. Analysis:** Regulatory *Impact* Analysis/*Regulatory Flexibility Analysis.* **D. Need:** To provide consumers with comparative information on the crashworthiness performance of new car models. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended, and Motor Vehicle Information and Cost Savings Act, as amended. 15 U.S.C. 1401, Section 112(d); 15 U.S.C. 1941, Section 201(d). **F. Chronology:** *NPRM published January 22, 1981 (46 FR 7025).*. **G. Citation:** 49 CFR Ch. 5	Michael Brownlee, (202) 426–1740.	*Further action to be determined.*
*Low Tire Pressure Warning Devices.	**A. Description:** Would require new cars and light trucks to be equipped with devices to show the driver that the inflation pressure is low in one or more of the tires. **B. Why Significant:** The rule is considered significant because of the potential costs.	A. Malliaris, (202) 426–0842.	Further action to be determined.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA — National Highway Traffic Safety Administration

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest expected decision date
*Occupant Crash Protection	**C. Analysis:** Regulatory Impact Analysis **D. Need:** To reduce the number of accidents caused by underinflated tires.. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended. **F. Chronology:** ANPRM published January 26, 1981. (46 FR 8062). **G. Citation:** 49 CFR pt. 571 **A. Description:** Would delay for one year the effective date of the first phase of automatic restraint requirements of Safety Standard No. 208 and would seek public comment on the amendment. **B. Why Significant:** The rule is considered significant because of the impact on the automobile industry. **C. Analysis:** Regulatory Impact Analysis **D. Need:** To take into account changed economic circumstances and reduced production plans for large cars since the Standard was adopted in 1977. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended, 15 U.S.C. 1392, 1407. **F. Chronology:** NPRM issued 2/9/81 **G. Citation:** 49 CFR pt 571.208	Mike Finklestein, (202) 426-0842.	FR March 1981.

NHTSA — National Highway Traffic Safety Administration

Significant Regulations: Other

Title	Summary	Contact	Earliest expected decision date
Confidential Business Information (Docket No. 78-10).	**A. Description:** Codifies existing method of processing confidential information from manufacturers. **B. Why Significant:** This rule is considered significant because of the controversial nature of confidential business information. **C. Analysis:** Regulatory Evaluation **D. Need:** To assure the manufacturer a more predictable process of information gathering and to streamline and speed up NHTSA use of data. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended, and the Motor Vehicle Information and Cost Savings Act, as amended, 15 USC 1381; 15 USC 2002. **F. Chronology:** NPRM issued 5/25/78. (43 FR 22412). *FR published January 8, 1981 (46 FR 2049), scheduled to go into effect on April 9, 1981, subject to review under Executive Order 12291.* **G. Citation:** 49 CFR pt. 512	Frank Berndt, (202) 426-9511.	*Undergoing Executive Order 12291 review.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA — **National Highway Traffic Safety Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
†Heavy Duty Vehicle Brake Systems (Docket 79-03). (Formerly Air Brake Systems).	**A. Description:** Would establish a new Air Brake Standard (No. 130) for trucks, buses, and trailers over 10,000 pounds gross vehicle weight rating, to replace Air Brake Standard No. 121. This new standard will include requirements for hydraulically braked heavy trucks and buses. **B. Why Significant:** The rule is considered significant because of the level of public and Congressional interest. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis*. **D. Need:** To correct the inadequacies in Standard No. 121 resulting from many revisions and Court action, and to include hydraulically braked heavy trucks and buses not previously included. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended. **F. Chronology:** ANPRM issued 2/15/79. (44 FR 9783). Comment period closed 4/16/79. Research is being conducted. **G. Citation:** 49 CFR 571.121	A. Malliaris, (202) 426-0842.	Research underway.
Bumper Standard	**A. Description:** NHTSA released an updated cost-benefit analysis on the bumper standard on June 1, 1979. It concluded that an amendment to the existing standard is not warranted at this time. **B. Why Significant:** This rulemaking is considered significant because of the level of interest shown by Congress and bumper manufacturers, and because of the cost impacts to consumers. **C. Analysis:** Regulatory Evaluation **D. Need:** Congress has asked for a cost benefit study analyzing the merits of 2.5 mph bumpers vs. 5.0 mph bumpers *This study has been completed.* **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended, and Motor Vehicle Information and Cost Savings Act, as amended. **F. Chronology:** ANPRM issued 3/1/79. (44 FR 11569). Comment period closed 4/30/79. Task Force organized and contractor began work on Bumper Study, April 2, 1979. Final report published June 1, 1979. **G. Citation:** 49 CFR pt. 581	Michael Brownlee, (202) 426-1740.	Further action to be determined.
†Pedestrian Protection	**A. Description:** Would reduce adult pedestrian leg injuries and child injuries through modification of the bumper *area.* (49 CFR 571). **B. Why Significant:** The rule *was originally* considered significant because of the design impact on the automotive industry, and cost and other impacts. Preliminary reviews indicated that the rule would be costly as defined by Executive Order 12044. *The scope of the rule was later narrowed substantially. Accordingly, the rule was reclassified as nonsignificant. A new entry appears in the nonsignificant section of the Agenda.* **C. Analysis:** Regulatory *Evaluation* **D. Need:** To develop a countermeasure to reduce a portion of the pedestrian fatalities and injuries resulting from pedestrian involvements with passenger cars.	A. Malliaris, (202) 426-0842.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA — National Highway Traffic Safety Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	E. Legal Basis: National Traffic and Motor Vehicle Safety Act of 1966, as amended. **F. Chronology:** *NPRM published January 22, 1981 (46 FR 7015). Comment closing date is May 22, 1981.* **G. Citation:** 49 CFR Part 571		
†Air Brake Systems	**A. Description:** Would reinstate the 60 mph stopping distance requirement in standard No. 121, without a no wheel lock-up requirement, to replace the one invalidated by the Ninth Circuit Court of Appeals decision: PACCAR, INC. v. NHTSA 573 F 2d 632. This will be an interim action while research and analysis is underway to develop requirements for a new Standard No. 130. **B. Why Significant:** The rule is considered significant because of the level of public and Congressional interest. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis.* **D. Need:** To prevent degradation of current braking performance as a result of the Court's action while research and analysis is underway to support a new Standard No. 130. **E. Legal Basis:** National Traffic and Motor Vehicle Safety Act of 1966, as amended. **F. Chronology:** None yet **G. Citation:** 49 CFR 571.121	A Malliaris, (202) 426-0842.	*Research underway.*

NHTSA — National Highway Traffic Safety Administration

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Seat Belt Assemblies (Docket No. 74-14).	*Improves* seat belt comfort, convenience, reliability and effectiveness by prescribing parameters for performance of seat belt assemblies. (49 CFR 571.208). NPRM issued 12/20/79 (44 FR 77210). *Final Rule published January 8, 1981. (46 FR 2064).*	A. Malliaris, (202) 426-0842.	*Action Complete.*
School Bus Seat Spacing (Docket No. 73-03).	Would amend 49 CFR 571.222 to *permit increased* school bus seat spacing.	A. Malliaris, (202) 426-0842.	NPRM 1981.
Adjudicative Procedures Fuel Economy.	*Establishes* procedures and rules of practice for adjudications to enforce the fuel economy provisions in Title V of the Motor Vehicle Information and Cost Savings Act. This was issued as an interim final rule 10/16/78 (43 FR 47507-28). Public comments were invited. *FR published December 11, 1980 (45 FR 81574).* (49 CFR pt. 511).	Stephen Wood, (202) 426-2992.	*Action Complete.*
Door Locks and Door Retention Components.	This amendment would clarify existing test procedures and extend the applicability of FMVSS 206 such that present side door requirements cover transverse rear doors. (49 CFR 571.206).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA **National Highway Traffic Safety Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Fields of Direct View (Docket No. 70-7).	*Establishes* requirements *(for passenger cars)* for the maximum allowable size of obstructions in the field of view of drivers, *and* the luminous transmittance of glazing. NPRM issued 11/6/78. (43 FR 51677). *Final Rule published January 2, 1981. (46 FR 40); (49 CFR 71.128); scheduled to go into effect on September 1, 1984, subject to review under Executive Order 12291.*	A. Malliaris, (202) 426-0842.	*Undergoing Executive Order 12291 review.*
Rear View Mirrors (Docket No. 71-3a).	This proposal would amend FMVSS 111 *by establishing requirement for passenger cars* to: a) reduce the blind areas by upgrading mirror visability using improved compliance testing procedures, b) upgrade occupant protection requirements and add pedestrian protection requirements using shatter resistant and breakaway or foldaway tests, c) set specifications for day-night reflectance requirements to reduce headlight glare, d) set specifications for convex mirror quality and use, and e) minimize obstruction of the forward view by establishing mirror location specifications. NPRM issued 11/6/78. (43 FR 51657). (49 CFR 571.111).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Hydraulic Brake Systems (Docket No. 70-27).	*Extends* the applicability of FMVSS 105-75 from passenger cars to cover on a general basis, multi-purpose passenger vehicles, buses, and trucks with a Gross Vehicle Weight Rating (GVWR) of 10,000 lbs. or less. The notice proposes extending the standard on a limited basis to trucks, buses, and MPVs with a GVWR of more than 10,000 lbs. NPRM issued 10/18/79, (44 FR 60113). *Final Rule published January 2, 1981 (46 FR 55); scheduled to go into effect on September 1, 1984, subject to review under Executive Order 12291.* (49 CFR 571.105-75).	A. Malliaris, (202) 426-0842.	*Undergoing Executive Order 12291 review.*
Brake System Inspectability	Would require vehicle modifications in order to inspect for certain levels of brake degradation in accordance with proposed test procedures and criteria for measurement.	A. Malliaris, (202) 426-0842.	Further action to be determined.
Theft Protection (Docket No. 1-21).	*Upgrades the performance requirements of the existing standard for passenger cars to prevent the inadvertent activation of the steering wheel lock while the vehicle is in motion. Extends all requirements of the amended standard to light trucks and vans.* NPRM issued 5/1/78. (43 FR 18577). *Final Rule published December 29, 1980 (45 FR 86450) scheduled to go into effect on September 1, 1982, subject to review under Executive Order 12291.* (49 CFR 571.114).	A. Malliaris, (202) 426-0842.	*Undergoing Executive Order 12291 review.*
Consumer Information—Wet Stopping Distance.	*Would* develop a new rule for consumer information if tests indicate that there are significant differences in wet stopping distances among different models of cars on asphalt or concrete road surfaces. (49 CFR 575.105).	Michael Brownlee, (202) 426-1740.	*Further action to be determined.*
Rear Lighting and Signalling	Would establish requirement for *a high mounted brake light. NPRM published January 8, 1981 (46 FR 2132).* (49 CFR 571.108).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
†Battery Explosions	Would establish performance requirements and labeling of batteries to reduce the incidence of battery explosions while jump starting. (49 CFR 571).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Controls & Displays (Docket No. 1-18).	Would amend the standard to include several symbols adopted by the International Standards Organization (ISO). (49 CFR 571.101).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Truck Rear Underride Protection	Would require protective devices to reduce vehicle penetration under the rear-ends of heavy trucks and trailers (without resulting in overly severe forces being transmitted to restrained and unrestrained occupants in vehicles that crash into the devices). *NPRM published January 8, 1981. (46 FR 2136). (49 CFR 571).*	A. Malliaris, (202) 426-0842.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA **National Highway Traffic Safety Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Fuel System Integrity (Docket No. 73-20).	Would establish specific performance requirements in Safety Standard No. 301-75 for non-metallic fuel tanks (plastic tanks) used in motor vehicles. ANPRM issued 6/2/79. (44 FR 33441). Further action postponed indefinitely pending further analysis.	A. Malliaris, (202) 426-0842.	Withdrawn.
Tire Identification and Recordkeeping.	Would require ID on outward facing sidewall of motor vehicle tires. *NPRM published December 15, 1980. (45 FR 82293).* (49 CFR pt. 574).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Glazing Materials	This technical amendment would delete the abrasion resistance requirements for certain types of glazing used on side windows of light trucks and vans. NPRM issued 9/27/79. (44 FR 55610). (49 CFR 571.205).	A. Malliaris, (202) 426-0842.	FR 1981.
Vehicle Speed Control (Docket No. 79-06).	Trailways Bus Company petitioned for *an* FMVSS to require road speed governors for all commercial vehicles. A request for comments was published in the Federal Register on 3/19/79 with a closing date of 8/17/79. (44 FR 16461). Further Agency action will await results from *long range* research.	A. Malliaris, (202) 426-0842.	*Withdrawn.*
New Pneumatic Tires	Amendment would delete Appendix A (Tire Tables) of FMVSS 109 to ease introduction of new tire concepts and to add criteria to insure compatibility of new concepts with existing tire types. *NPRM published August 28, 1980. (45 FR 57466) (49 CFR 571.109).*	A. Malliaris, (202) 426-0842.	FR *1981.*
State Highway Safety Agencies	This Joint NHTSA-FHWA rule replaces the existing Joint FHWA/NHTSA Orders on State agencies with a new Part 1251, *State Highway Safety Agency* in Title 23, Code of Federal Regulations. It proposes to establish new requirements for the authority and function of State highway safety agencies. NPRM published June 21, 1979 (44 FR 36204) and a revised NPRM published December 6, 1979 (44 FR 70192). *FR published September 8, 1980 (45 FR 59143)* (23 CFR pt. 1251).	George Reagle, (202) 426-0068.	*Action complete.*
Innovative Project Grants (Docket 79-11).	This joint FHWA-NHTSA rule *provides* criteria, procedures, and policies for administration of Innovative Project Grants under 23 U.S.C. 407 when funds are appropriated. ANPRM published July 19, 1979 (44 FR 42233). NHTSA has primary responsibility for this action. (23 CFR pt. 1217). *NPRM published October 23, 1980 (45 FR 70282). FR published December 22, 1980 (45 FR 84037).*	Charles Livingston, (202) 426-0837.	*Action complete.*
Low Tire Pressure Warning	Would require installation of a tire low pressure warning indicator to warn drivers when inflation pressure drops below recommended pressure. *This action has been reclassified as significant because further studies indicate that costs may be greater than originally anticipated. A new entry appears in the significant section of the Agenda. ANPRM published January 26, 1981. (46 FR 8062).*	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
†Commercial Vehicle Conspicuity	Would improve the conspicuity of commercial vehicles by establishing in FMVSS 108 performance requirements for the total lighting and marking system of commercial vehicles (excluding headlights). ANPRM issued May 27, 1980 (45 FR 35405) (49 CFR 571.108).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
†Side Door Strength	Would upgrade FMVSS 214 requirements *for passenger cars and extend the upgraded standard* to light trucks, vans and MPVs. ANPRM issued 12/6/79. (44 FR 70204). Public meeting held in Washington on January 31 and February 1, 1980.	A. Malliaris, (202) 426-0842.	Further action to be determined.
Child Restraint Tether Anchorages.	Would require anchorages for use with child restraint systems equipped with a top tether strap. *NPRM published December 11, 1980 (45 FR 81625)* (49 CFR 571.210).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA — National Highway Traffic Safety Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Rear View Mirrors	Would require rearview mirrors in vans equipped with rear windows. NPRM issued December 31, 1979. (44 FR 77224). Comments received February 14, 1980. (49 CFR 571.111).	A. Malliaris, (202) 426-0842.	*Withdrawn.*
New Pneumatic Tires	Amendment to FMVSS 110 would specify a minimum tire reserve load. (49 CFR 571.110).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Lamps, Reflective Devices, and Associated Equipment.	This proposal would require the headlights and taillights of motorcycles to be illuminated at all times when the engine is running. This action results from a granted rulemaking petition. (49 CFR 571.108).	A. Malliaris, (202) 426-0842.	*Withdrawn.*
Lamps, Reflective Devices, and Associated Equipment.	This proposal would remove the dimensional specifications for headlamp retaining rings. This action results from a granted rulemaking petition. (49 CFR 571.108).	A. Malliaris, (202) 426-0842.	*NPRM 1981.*
Impact Protection for the Driver from the Steering Control System.	This technical amendment would revise the test requirements of FMVSS 203 to permit force loads in excess of 2,500 pounds for a cumulative period not to exceed 3 milliseconds. (49 CFR 571.203).	A. Malliaris (202) 426-0842.	NPRM *1981*
Tire Selection and Rims Non-Passenger Cars.	These technical amendments would clarify existing requirements or resolve minor specific technical problems. (49 CFR 571.120). *NPRM published October 30, 1980 (45 FR 71834).*	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Lamps, Reflective Devices, and Associated Equipment.	This proposal for a technical modification to FMVSS 108 would require that rear lamp reflex reflector tests be changed to require a 10 instead of a 7 inch test diameter size. The action results from a granted rulemaking petition (49 CFR 571.108).	A. Malliaris, (202) 426-0842.	*NPRM 1981*
Lamps, Reflective Devices, and Associated Equipment.	This notice for comments is for a possible technical modification to FMVSS 108 to have special tests for waterproof boat trailer lights. This action results from a granted rulemaking petition (49 CFR 571.108) *Notice for comments published July 3, 1980 (45 FR 45334).*	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Glazing Materials	Would update FMVSS 205 by referring to latest edition of companion commercial standard (ANS Z-26), thereby permitting use of modern materials.	A. Malliaris, (202) 426-0842.	*NPRM 1981.*
School Bus Body Joint Strength	Would amend FMVSS 221 to modify the exempt status of maintenance access panels.	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Lamps, Reflective Devices, and Associated Equipment.	This notice for comments is for a possible amendment to FMVSS No. 108 to modify headlamp configurations and for a possible addition or tests for plastic headlamps (49 CFR 571.108).	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Lamps, Reflective Devices, and Associated Equipment.	*The final rule corrects* a previous amendment that inadvertently modified a lamp vibration test when making other changes to FMVSS No. 108. *The final rule was published July 28, 1980 (45 FR 49941) (49 CFR 571.108).*	A. Malliaris, (202) 426-0842.	*Action complete.*
†Flammability of School Bus Interior Materials.	Would utilize guidelines prescribed by UMTA to define flammability characteristics of School "ERR97"Bus Interior Materials.	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
Seat Belt Assemblies	*Amends* FMVSS 209 to exempt load limiting belts used with automatic restraint systems from elongation requirements. *NPRM published August 4, 1980. (45 FR 51626). Final Rule, published January 18, 1981. (46 FR 2618); scheduled to go into effect on September 1, 1982, subject to review under Executive Order 12291. (49 CFR 571.209).*	A. Malliaris, (202) 426-0842.	*Undergoing Executive Order 12291 review.*
Seat Belt Assemblies	Would amend FMVSS 209 to modify resistance to light test procedures. NPRM issued 5/1/80 (45 FR 29102).	A. Malliaris, (202) 426-0842.	*FR 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA **National Highway Traffic Safety Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Highway Safety Plan	Would revise Volume 102, *Highway Safety Plan,* of the Highway Safety Program Manual to clarify confusing provisions, to eliminate redundancies, to establish program priorities, to improve management and financial processes, and to reflect the increased role mandated for the central state highway safety agencies. (23 U.S.C. § 402).	Chuck Livingston, (202) 426-0837.	*NPRM 1981.*
Fuel Economy Exemptions			
Exemption from and Establishment of Fuel Economy Standards (Docket No. LVM 77-01).	Analysis of petition for exemption from 1979 and 1980 standards and setting of alternative standards for Avanti Motor Corp. *NPRM published January 19, 1981 (46 FR 5022).* (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	*FR 1981.*
Exemption from and Establishment of Fuel Economy Standards (Docket No. LVM 77-02).	Analysis of petition for exemption from 1979 and 1980 standards and setting of alternative standards for Rolls-Royce Motors, Inc. *NPRM published October 9, 1980 (45 FR 67108)* (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	*FR 1981.*
Exemption from and Establishment of Fuel Economy Standards (Docket No. LVM 77-04).	Petition granted for exemption from 1979 and 1980 standards and setting of alternative standards for Aston Martin Lagonda. NPRM issued April 10, 1980 (45 FR 24511). *Final rule published October 9, 1980 (45 FR 67095)* (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	*Action complete.*
Exemption from and Establishment of Fuel Economy Standards (Docket No. LVM 77-05).	Analysis of petition for exemption from 1979 and 1980 standards and setting of alternative standards for Excalibur Automobile Corp. *NPRM published July 31, 1980 (45 FR 50840)* (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	*FR 1981.*
Exemption from and Establishment of Fuel Economy Standard.	Analysis of petition for exemption from 1979 and 1980 standards and setting of alternative standards for Lamborghini, S.p.A. Firm did not sell vehicles in 1979 or 1980. (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	*Petition mooted.*
Exemption from and Establishment of Fuel Economy Standard.	Analysis of petition for exemption from 1979 and 1980 standards and setting of alternative standards for Maserati, S.p.A. *NPRM published December 22, 1980 (45 FR 84103).* (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	*FR 1981.*
†*Motorcycle helmets	The proposal *would* extend the applicability of FMVSS 218 to large and small helmets, thus covering all size helmets. The Standard currently covers only those helmets which use a size "C" headform for compliance testing to the standard.	A. Malliaris, (202) 426-0842.	*Further action to be determined.*
*Controls and Displays	Makes an intrepretative amendment to FMVSS 101 concerning the identification requirements for turn signal controls. (49 CFR 571.108). Final rule issued October 30, 1980 (45 FR 71803).	A. Malliaris, (202) 426-0842.	Action complete.
*Child Restraint Systems	Amends child restraint padding requirements. NPRM issued October 16, 1980 (45 FR 68694). Final Rule published December 15, 1980 (45 FR 82264). (49 CFR 571.213).	A. Malliaris, (202) 426-0842.	Action complete.
*Anthropomorphic Test Dummies	Establishes new accelerometer requirements for the 3-year-old test dummy. (49 CFR 572). Final Rule published December 15, 1980. (45 FR 82265).	A. Malliaris, (202) 426-0842.	Action complete.
*Controls and Displays	Would amend standard 101 to allow use of alternative color for highbeam telltale. (49 CFR 571.101) NPRM published October 30, 1980 (45 FR 71832).	A. Malliaris, (202) 426-0842.	FR 1981.
†*Pedestrian Protection	Would reduce adult pedestrian leg injuries and child injuries through modification of the bumper area. NPRM published January 22, 1981. (46 FR 7015). Comment closing date is May 22, 1981. (49 CFR 571).	A. Malliaris, (202) 426-0842.	Further action to be determined.
†*Glazing Materials	Would amend FMVSS No. 205 to adopt less stringent requirements for glass-plastic glazing materials. ANPRM published January 26, 1981 (46 FR 8067).	A. Malliaris, (202) 426-0842.	Further action to be determined.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

NHTSA — National Highway Traffic Safety Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
†*Vehicle Classification—Compact Vans/Station Wagons.	Would invite comment on possible amendments to the safety and fuel economy regulations, with respect to the manner in which compact vans/station wagons and certain other vehicles are classified.	S. Wood, (202) 426-2992.	Further action to be determined.
†*Steering Control Rearward Displacement.	Would extend the applicability of the Standard from vehicles with an unloaded weight of 4,000 pounds to vehicles with an unloaded weight of 5,500 pounds. (49 CFR 571.204).	A. Malliaris, (202) 426-0842.	Further action to be determined.
†*Inclusion of Alcohol Fuels in Fuel Economy Program.	Would include vehicles which operate on alcohol fuels in the automotive fuel economy program.	R. Strombotne, (202) 426-0846.	Further action to be determined.
†*Fuel Economy Exemptions: Exemption from and Establishment of Fuel Economy Standards.	Would establish a single alternate average fuel economy standard for all LVMs for MY 1981 thru 1985 (49 CFR pt. 525).	R. Strombotne, (202) 426-0846.	Further action to be determined.
*Uniform Tire Quality Grading	Would amend the Uniform Tire Quality Grading Standards to permit deferral for up to four months of the sidewall molding requirements of the regulation as they apply to new tire lines. Also would extend the deadline for conversion to a new tread label format. NPRM published January 26, 1981 (46 FR 8063). (49 CFR Part 575).	Michael Brownlee (202) 426-1740.	FR 1981.
*Uniform Tire Quality Grading	Would amend the Uniform Tire Quality Grading Standards to prescribe a standardized process for translating treadwear and traction test results into tire grades. Also would expand the numerical increments used to denote treadwear grades. NPRM published February 2, 1981. (46 FR 10429) (49 CFR Part 575).	Michael Brownlee, (202) 426-1740.	Further action to be determined.
*Three-Year Carryforward and Carryback of Fuel Economy Credits for Manufacturers of Light Trucks.	Establishes regulations governing the transfer between model years of monetary credits earned by motor vehicle manufacturers for exceeding the average fuel economy standards for light trucks. Final Rule published December 18, 1980 (45 FR 83233). (49 CFR Part 535).	S. Wood, (202) 426-2992.	Action Complete.
*Uniform Tire Quality Grading	Would include rolling resistance for tires as a substitute for top temperature resistance grade in the Uniform Tire Quality Grading Standards. (49 CFR Part 575).	Michael Brownlee (202) 426-1740.	Further action to be determined.
*Seat Belt Assemblies	Would amend Standard 209 by citing the current American Society of Testing Materials' (ASTM) specifications. (49 CFR 571.209).	A. Malliaris, (202) 426-0842.	NPRM 1981.
*Anthropomorphic Test Dummies	Would provide performance criteria for the adult surrogate dummies which would be required in dynamic testing of vehicles if Standard 214, Side Door Strength, is upgraded. (49 CFR Part 572).	A. Malliaris, (202) 426-0842.	Further action to be determined.
*Fields of Direct View	Would address blind spots in driver's direct fields of view for trucks, buses and multipurpose passenger vehicles with a GVWR of 10,000 pounds or less. NPRM published November 6, 1978 (43 FR 51677). (49 CFR 571.128).	A. Malliaris, (202) 426-0842.	Further action to be determined.
†*Fields of Direct View	Would address blind spots in driver's direct fields of view for trucks, buses and multipurpose passenger vehicles with a GVWR over 10,000 pounds. NPRM published November 6, 1978 (43 FR 51677). (49 CFR 571.128).	A. Malliaris, (202) 426-0842.	Further action to be determined.
*Rearview Mirror Systems	Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR of 10,000 pounds or less. NPRM published November 6, 1978 (43 FR 51657). (49 CFR 571.111).	A. Malliaris, (202) 426-0842.	Further action to be determined.
†*Rearview Mirror Systems	Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR over 10,000 pounds. NPRM published November 6, 1978 (43 FR 51657). (49 CFR 571.111).	A. Malliaris, (202) 426-0842.	Further action to be determined.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FRA — Federal Railroad Administration

Significant Regulations

Title	Summary	Contact	Earliest expected decision date
Strobe Lights on Locomotives (Docket No. RSGC-2).	**A. Description:** Lighted warning devices that include strobe lights have been shown to be more readily visible than normal lighting devices. FRA is considering requiring the installation of strobe lights on locomotives. **B. Why Significant:** Degree of controversy reflected by response to ANPRM. **C. Analysis:** Regulatory *Evaluation* **D. Need:** Grade crossing accidents represent the single largest group of railroad related fatalities each year. Available data indicate that the conspicuity of locomotives may be a factor in many of these accidents. Limited research with one railroad has indicated that equipping locomotives with strobe lights will improve their conspicuity and may lead to a reduction in these accident statistics. **E. Legal Basis:** The Federal Railroad Safety Act of 1970 (45 U.S.C. 431); Locomotive Inspection Act (45 U.S.C. 22 et seq.). **F. Chronology:** The ANPRM was published March 7, 1978 (43 FR 9328). NPRM was published June 18, 1979 (44 FR 34982). **G. Citation:** Will be 49 CFR pt. 222	*Steve Urman, (202) 426-9178.*	*FR September 1981.*

FRA — Federal Railroad Administration

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Railroad Bridge and Tunnel Safety Inquiry.	*The Safety Inquiry will examine the present condition of railroad bridges and tunnels. Options for assuring proper rating of bridges and the inspection and maintenance of bridges and tunnels will be considered.*	William R. Paxton, (202) 426-0912.	*Notice of Safety Inquiry October 1981.*
Railroad Noise Emission Compliance Regulations (Docket No. RNE-1).	The proposed rule would amend FRA railroad noise emission compliance regulations to reflect EPA Standards for fixed railroad facilities that were published on January 4, 1980; 45 FR 1252 (49 CFR pt. 210).	*Steve Urman,* (202) 426-9178.	NPRM *December 1981.*
Safety Standards for Cabooses (Docket No. RSC-76-6).	The proposed rule would seek to establish comprehensive safety standards for cabooses.	Robert E. Abbott, (202) 426-9186.	*Further action to be determined.*
Rail Services Assistance to States Under Section 5 of the DOT Act (FRA Economic Docket No. 4).	This action would amend 49 CFR pt. 266 to implement proposals offered by the grantees at a recent public meeting, and to make changes necessitated by the enactment of the Local Rail Services Assistance Act of 1978. Interim regulations published on August 30, 1979 (44 FR 51128). FRA is currently working with interested parties to implement comments and suggestions.	Jo Anne McGowan, (202) 426-*1677.*	FR *May 1981.*
Review: Track Safety Regulations.	Outgrowth of regulatory review in general safety inquiry. Revision and updating of current requirements (49 CFR pt. 213). NPRM published September 6, 1979 (44 FR 52104).	William R. Paxton, (202) 426-0912.	*To be withdrawn May 1981.*
Review: Safety Appliance Standards.	Outgrowth of regulatory review in general safety inquiry. Revised standards for new and existing equipment (49 CFR pt. 231).	Ralph R. Smith, (202) 426-9187.	*January 1982*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

FRA — Federal Railroad Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
†**Review:** Power Brake Rules.....	Outgrowth of regulatory review in general safety inquiry *and the Department's priority review of costly and controversial regulations.* Revision and updating of current requirements (49 CFR pt. 232).	*R. Mowatt-Larson, (202) 426-0924.*	*September 1981.*
Review: Signal and *Train Control Regulations.*	Outgrowth of regulatory review in general safety inquiry. Revision and updating of current requirements of Parts 235 and 236.	S. H. Stotts, (202) 426-0912.	*December 1982.*
*Formal Rules of Practice for Passenger Service.	This rule establishes rules of practice for hearing applications under sections 402(f) and 402(h) of the Rail Passenger Service Act. Final rule published January 12, 1981 (46 FR 2613).	Gregory B. McBride, (202) 472-5438.	Action complete.
*Amendments to Regulations Implementing Section 905 of the 4R Act.	This action would amend 49 CFR Part 265 to make changes necessitated by the promulgation of the Department of Transportation's comprehensive Minority Business Enterprise regulation (49 CFR Part 23). Part 265 will be revised to omit those provisions now covered in Part 23.	Janet Grady, (202) 472-5311.	*May 1981.*
*Informal Rules of Practice for Passenger Service.	This final rule establishes rules of practice for hearing applications under sections 402(e) and 406 of the Rail Passenger Service Act. Final rule published September 29, 1980 (45 FR 64191).	Gregory B. McBride, (202) 472-5438.	Action complete.
Amendments to Regulations Implementing Section 905 of the 4R Act.	The amendments to 49 CFR pt. 265 would implement section 905 of the Railroad Revitalization and Regulatory Reform Act of 1976 for contracts on the Northeast Corridor Improvement Project by supplementing P.L. 95-507 to provide coverage for smaller contracts, for women-owned businesses, and for verification of a contractor's status. FRA is not proceeding with these amendments in view of pending DOT-wide requirements.	Gregory B. McBride, (202) 472-5438.	Withdrawn.
*Railroad Passenger Equipment Safety Standards (Docket No. RSP-1).	Development of initial passenger equipment safety standards mandated by Section 202 of the Federal Railroad Safety Act of 1970, as amended by P.L. 96-423.	R. Mowatt-Larssen, (202) 426-0924.	ANPRM September 1981.
*Amendments to State Participation Regulations.	Revise State Participation Regulations to reflect the broader scope of participation authorized by Section 206 of the Federal Railroad Safety Act of 1970, as amended by P.L. 96-423.	Dan Inabinett, (202) 426-9252.	NPRM April 1981.

UMTA — Urban Mass Transportation Administration

Significant Regulations: Major

Title	Summary	Contact	Earliest expected decision date
†*"Buy America" Requirements of Surface Transportation Assistance Act of 1978.	**A. Description:** This rulemaking proposes amendments to the existing Buy America Requirements. The amendments would permit subcomponents manufactured in the United States that receive Customs Bureau tariff exemptions to retain their domestic identity for purposes of determination of origin under the Buy America Requirements. A definition of "final assembly" is also proposed. **B. Why Significant:** There is substantial public interest concerning these regulations because of their impact in urban mass transportation projects. **C. Analysis:** Regulatory Impact Analysis/Regulatory Flexibility Analysis.	John Collins, (202) 426-1906.	FR August 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA — **Urban Mass Transportation Administration**

Significant Regulations: Major—Continued

Title	Summary	Contact	Earliest expected decision date
	D. Need: These regulations implement section 401 of the Surface Transportation Assistance Act of 1978. **E. Legal Basis:** 49 U.S.C. 1602 note; P.L. 95-599, Section 401. **F. Chronology:** The NPRM was published on January 19, 1981 (46 F.R. 5815). Comments on alternative approaches are invited until April 20, 1981. **G. Citation:** 49 CFR pt. 660		

UMTA — **Urban Mass Transportation Administration**

Significant Regulations: Other

Title	Summary	Contact	Earliest expected decision date
Withdrawal of Interstate Segments and Substitution of Alternative Projects (Docket No. 77-9).	The regulation *was* jointly developed by UMTA and FHWA and is summarized elsewhere in this agenda by the Federal Highway Administration. *Final Rule published on October 20, 1980 (45 FR 63390)(49 CFR pt. 626).*	Richard White, (202) 472-6991.	*Action complete.*
†Private Enterprise Participation in Federally-Assisted Programs.	**A. Description:** Pursuant to Sections 3(e) and 8(e) of the UMT Act, as amended, UMTA plans to publish procedures regarding the involvement of private mass transit operators in federally-assisted programs. *The subject matter of this rulemaking will include consideration of private enterprise participation in paratransit programs.* **B. Why Significant:** While these regulations would implement statutory requirements, this is a controversial issue for both the transit industry and private operators. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis.* **D. Need:** To resolve an area of continuing controversy **E. Legal Basis:** Sections 3(e)(1) and (2), and Section 8(e) of the UMT Act, as amended. **F. Chronology:** 8(e) was added to the Urban Mass Transportation Act by the Federal Public Transportation Act of 1978. NPRM to be prepared by *July 1981.* **G. Citation:** 49 CFR pt. 619	*James Stratton, (202) 426-4060.*	NPRM *July 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA — Urban Mass Transportation Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
Paratransit Policy	**A. Description:** UMTA had planned to publish a policy regarding the availability of federal assistance for public and private operators in the provision of paratransit services. In addition, an ANPRM was to be issued seeking comments on development of more specific guidelines concerning paratransit and the involvement of private operators in the planning and provision of service. Paratransit services mean to encompass those forms of collective passenger transportation which provide flexible, shared-ride service to the general public, or to special categories of users (such as elderly or handicapped persons) on a regular and predictable basis, but which do not necessarily operate on fixed schedules or over prescribed routes. *UMTA has decided not to publish an ANPRM on this subject. Some of the subject matter that would have involved Paratransit Policy has been withdrawn. Instead, it will be developed in conjunction with the rulemaking on Private Enterprise Participation in Federally Assisted Programs. UMTA does plan to publish a notice setting forth its general views on Paratransit.* **B. Why Significant:** The regulation is expected to have a direct or indirect effect on competition. **C. Analysis:** Regulatory Evaluation **D. Need:** To provide uniform guidance to public and applicant. **E. Legal Basis:** The UMT Act, 49 U.S.C. 1602 & 1604 **F. Chronology:** ANPRM *project has been withdrawn. A notice setting forth UMTA's general views on Paratransit is expected to be issued in July 1981.* **G. Citation:**	Douglas Birnie, (202) 426–4060.	*ANPRM withdrawn: Notice July 1981.*
Urban Transportation Planning Process/Transportation Improvement Program.	The regulation *was* being jointly developed by UMTA and FHWA and is summarized elsewhere in this agenda by the Federal Highway Administration. *An NPRM was published on October 30, 1980 (45 FR 71990). The comment period closed on December 24, 1980. Final rule published on January 19, 1981 (46 FR 5702); originally scheduled to go into effect February 18, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291. The docket for comments on the final rule will close on January 19, 1982.*	Bob Kirkland, (202) 426–4991, or *Sam Zimmerman (202) 426–2360.*	*Undergoing Executive Order 12291 review.*
Environmental Procedures	*This regulation was jointly developed by UMTA and FHWA and is summarized elsewhere in this agenda by the Federal Highway Administration. Final rule published on October 30, 1980 (45 F.R. 71968). (49 CFR pt. 622).*	John Collins, (202) 426–1908.	*Action complete.*
Public Transportation to Non-Urbanized Areas.	The regulation is being jointly developed by UMTA and FHWA and is summarized elsewhere in this agenda by the Federal Highway Administration. *The existing regulation controlling this program was published on December 13, 1978, (23 CFR 825) and was effective immediately without prior comments. While this action has been withdrawn, the existing regulation has been added to both the UMTA and the FHWA Regulations Review Lists and is summarized elsewhere in this agenda. (49 CFR pt. 657).*	Kay Regan, (202) 472–7037.	*Withdrawn.*
Major Urban Transportation Investment.	*This regulation has been combined with the UMTA/FHWA joint regulation on Urban Transportation Planning Process/Transportation Improvement Program and is summarized elsewhere in this agenda by the Federal Highway Administration.*	*Sam Zimmerman, (202) 426–2360.*	*Withdrawn.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA **Urban Mass Transportation Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
"Buy America" Requirements of Surface Transportation Assistance Act of 1978.	**A. Description:** These regulations implement section 401 of the Surface Transportation Assistance Act of 1978, which provides, with exceptions, that funds authorized may not be obligated for urban mass transportation projects unless materials and supplies are of United States origin. These regulations were issued as a final rule but comments were solicited until February 15, 1979 and changes will be made based on the comments received. A separate NPRM *has been* issued addressing several issues raised during the comment period. **B. Why Significant:** There is substantial public interest concerning these regulations because of their impact in urban mass transportation projects. **C. Analysis:** Regulatory Evaluation **D. Need:** These regulations implement section 401 of the Surface Transportation Assistance Act of 1978. **E. Legal Basis:** 49 U.S.C. 1602 note; P.L. 95-599, Section 401. **F. Chronology:** The statute creating this provision was signed by the President on November 6, 1978 and required immediate implementation. The emergency final rule was published on December 6, 1978. (43 FR 57144) Comments were invited through February 15, 1979. *Final rule published on January 19, 1981 (46 FR 5808); originally scheduled to go into effect on February 18, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291. A separate NPRM was also issued on January 19, 1981 (46 FR 5815) and is summarized elsewhere in the UMTA agenda.* **G. Citation:** 49 CFR pt. 660	John Collins, (202) 426-1908.	*Undergoing Executive Order 12291 review.*
Regulation Implementing the Nondiscrimination Section of the Urban Mass Transportation Act.	**A. Description:** The proposed regulations would unify the civil rights regulations that recipients of funds under the Urban Mass Transportation Act must meet. **B. Why Significant:** Substantial public interest is anticipated. **C. Analysis:** Regulatory Evaluation **D. Need:** Regulations are needed to implement a new statutory provision which consolidates UMTA's authority to assure effective and uniform compliance with civil rights and equal employment opportunity requirements in a manner comparable to other agencies within the Department of Transportation. **E. Legal Basis:** Section 19 of the UMT Act (49 U.S.C. § 1615). **F. Chronology:** Section 19 was added to the UMT Act in November 1978 by the Federal Public Transportation Act of 1978. **G. Citation:** 49 CFR *pt. 628*	*Charlene Thomas, (202) 426-6371.*	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA — Urban Mass Transportation Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
Minority Business Enterprise Requirements—Transit Vehicle Manufacturers.	**A. Description:** The recently issued DOT Rulemaking concerning Participation by Minority Business Enterprises (March 31, 1980, 45 FR 21172) contains a provision that transit vehicle manufacturers are required to have an UMTA-approved MBE program in order to be eligible to bid on UMTA-assisted transit vehicle procurements. UMTA is proposing guidelines for these MBE programs which will become part of the DOT regulations. Once the guidelines are finalized, transit vehicle contracts would be exempted from the MBE program of UMTA recipients. This regulation would be part of the DOT MBE regulations. **B. Why Significant:** Substantial public interest is anticipated given the potential impact on transit vehicle manufacturers. **C. Analysis:** Regulatory Evaluation **D. Need:** To implement the DOT MBE requirements for application to transit vehicle manufacturers. **E. Legal Basis:** 49 U.S.C. 1615; E.O. 11625 **F. Chronology:** DOT NPRM issued on May 17, 1979 (44 FR 28928); DOT FR issued March 31, 1980 (45 FR 21172); *Further action to be determined.* **G. Citation:** 49 CFR pt. 23	Irvin Bromall, (202) *426-6371.*	*Further action to be determined.*
†Materials Fire Safety Standards for Rail Rapid Transit and Light Rail Transit Vehicles.	**A. Description:** The proposed regulations would establish standards for flammability and smoke emission and toxicity of materials used in Rail Rapid Transit and Light Rail Transit Vehicles. **B. Why Significant:** The proposed regulations could have a substantial impact on a major transportation safety problem. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis.* **D. Need:** The proposal would establish materials fire safety standards to minimize the fire threat in Rail Rapid Transit and Light Rail Transit vehicles. The standards are directed primarily at new vehicle construction. **E. Legal Basis:** Sections 3 and 5 of the UMT Act, as amended. **F. Chronology:** *The rulemaking activity for this entry has been withdrawn. UMTA will issue a statement of information on this topic in the "Notice" section of the* ***Federal Register.*** **G. Citation:** 49 CFR *pt. 633*	Robert Haught, (202) 426-9545.	*Withdrawn. Notice June 1981.*
*Safety Information Reporting and Analysis System for Rail Transit Systems.	**A. Description:** UMTA is proposing regulations that would establish a requirement for periodic reporting of accidents and casualty information that occur in Rail Rapid Transit and Light Rail Transit operations. **B. Why Significant:** The proposed regulations could have a substantial impact on a major transportation safety problem. **C. Analysis:** Regulatory Evaluation	Lloyd Murphy, (202) 426-6588.	NPRM June 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA **Urban Mass Transportation Administration**

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	D. Need: Information collected will be used to maintain cognizance of the status of rail transit safety, ascertain the need for improvements in rail transit safety, and establish research and development projects for safety improvements. **E. Legal Basis:** Sections 3 and 5 of the UMT Act, as amended, and Section 107 of the National Mass Transportation Assistance Act of 1974. **F. Chronology:** NPRM expected to be issued by *June 1981*. **G. Citation:** 49 CFR *pt. 632*.		
†Maintenance Requirements	**A. Description:** UMTA is considering a policy along with implementing regulations that would require each mass transit operator to maintain facilities and equipment purchased with UMTA funds consistent with practices necessary to adequately provide for safety, comfort, and preservation and expansion of transit service. *The final form of this undertaking will be based on the comments received on the ANPRM.* **B. Why Significant:** This proposal concerns a matter on which there may be substantial controversy and it initiates a substantial change in policy. **C. Analysis:** Regulatory Evaluation/*Regulatory Flexibility Analysis.* **D. Need:** There is a substantial Federal interest in assuring that maximum use is made of Federal money. The contemplated policy and regulations would: (a) increase performance and useful life of equipment and facilities; (b) minimize replacement costs; and (c) result in cost savings. **E. Legal Basis:** Sections 3 and 5 of the UMT Act, as amended. **F. Chronology:** ANPRM *issued on January 21, 1981 (46 FR 6334). The closing date for comments is May 22, 1981. The final form of this undertaking will depend on the comments received on the ANPRM.* **G. Citation:** *49 CFR pt. 638*	Charlotte Adams, (202) 472-6997.	Further action to be determined.
Bus Rehabilitation Program, UMTA Docket 80-A.	**A. Description:** Regulations to implement a policy in which UMTA will participate in the rehabilitation of older buses. The regulations *set out the* guidelines for eligibility and participation in the program. **B. Why Significant:** Substantial controversy was generated upon publication of the NPRM. **C. Analysis:** Regulatory Evaluation **D. Need:** To provide a national funding basis for a bus rehabilitation program and to ensure the prudent use and maximum effectiveness of Federal and local money. **E. Legal Basis:** Sections 3 and 5 of the UMT Act, as amended.	Charlotte Adams, (202) 472-6997.	Undergoing Executive Order 12291 review.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA — Urban Mass Transportation Administration

Significant Regulations: Other—Continued

Title	Summary	Contact	Earliest expected decision date
	F. Chronology: NPRM published February 11, 1980 (45 FR 9244). Comments were invited through May 2, 1980 (after an extension of the comment period). Based on the substantial controversy generated upon publication of the NPRM, this proposal was reclassified as a significant regulation. *Final rule published on January 29, 1981 (46 FR 9862), originally scheduled to go into effect March 31, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291.*		
	G. Citation: 49 CFR pt. 640		
*Air Quality Guidelines	This regulation was jointly developed by UMTA and FHWA and is summarized elsewhere in this agenda by the Federal Highway Administration. Interim final rule issued on January 19, 1981, and effective immediately (46 FR 8426; January 26, 1981). The closing date for comments on this final rule will be July 27, 1981. This rule is subject to review under Executive Order 12291.	Jocelyn Karp, (202) 426-1906; or James Getzewich, (202) 426-4991.	Further action to be determined.
*Exemption Procedures	**A. Description:** UMTA plans to publish procedures that would allow persons to petition for exemptions from existing UMTA regulations.	Jocelyn Karp, (202) 426-1906.	NPRM May 1981.
	B. Why Significant: The regulation would provide for the exemption from significant regulations.		
	C. Analysis: Regulatory Evaluation		
	D. Need: To provide a formal mechanism for the public to obtain exemptions.		
	E. Legal Basis: Sections 3, 5, and 12(a) of the UMT Act of 1964 as amended (49 U.S.C. §§ 1602, 1604 and 1608(a)).		
	F. Chronology: NPRM to be prepared and issued by May 1981.		
	G. Citation: 49 CFR pt. 602		

UMTA — Urban Mass Transportation Administration

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
†Charter Bus Regulations	These regulations provide more detailed information regarding the restrictions placed on charter bus operations in section 3(f) of the UMT Act, 49 U.S.C. 1601. UMTA received considerable comments as a result of an ANPRM dated December 29, 1976 (41 FR 56680) and a hearing held thereafter. *ANPRM published on January 19, 1981 (46 FR 5394). The comment period closed on March 5, 1981. (49 CFR pt. 604).*	Ernesto Fuentes, (202) 426-1906.	*NPRM June 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA **Urban Mass Transportation Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Innovative Techniques and Methods Set-Aside.	These regulations would prescribe policies and procedures for administering the grant programs for projects using innovative techniques and methods in the management and operation of public transportation services *under Section 4(i) of the UMT Act, as amended. The NPRM was published on December 1, 1980 (45 FR 79669). The comment period closed on February 25, 1981. This is being withdrawn as a rulemaking document. Provisions of the NPRM will be used for guidance. The application instructions for this program will be issued by UMTA in the "Notice" section of the* ***Federal Register.*** (49 CFR pt *644).*	*Norm Ensrud,* (202) 426-4984.	*Notice October 1981.*
Rail Transit Car Testing	These regulations would prescribe policy guidance for the testing of rail transit cars, the test schedule to be followed and requirements of the tests to be performed *UMTA will issue this as a statement of information in the "Notice" section of the* ***Federal Register.*** (49 CFR pt. 662).	Robert Haught, (202) 426-9545.	*Withdrawn, Notice October 1981.*
Miscellaneous Amendments—Organization, Functions, and Procedures.	These amendments will reflect modifications in the organization and distribution of functions as well as changes in the delegations of authority within the Urban Mass Transportation Administration. (49 CFR pt. *601*).	Patricia Colbert, (202) 426-4011.	*FR April 1981.*
Public Hearing Requirements	UMTA's regulations implement Section 5(i)(3) of the Urban Mass Transportation Act of 1964, as amended. This section requires a public hearing or an opportunity for a public hearing prior to increases in general levels of transit fares or substantial changes in service. A notice of proposed rulemaking was published on July 16, 1979 (44 FR 41272). Comments *were* invited through August 30, 1979. FR published April 17, 1980 (45 FR 26298) (49 CFR Part 635). The final rule invited comments through June 20, 1980 on UMTA's treatment of "substantial changes in service." *Final rule published on January 19, 1981 (46 FR 5746). (49 CFR pt. 635A); originally scheduled to go into effect on February 18, 1981. Effective date postponed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291.*	Charlotte Adams, (202) 472-6997.	*Undergoing Executive Order 12291 review.*
Investigation of Safety Hazards in Urban Mass Transportation Systems.	These regulations would establish the policy and proceedings to be followed in the implementation of Section 107 of the National Mass Transportation Assistance Act of 1974, including the investigation of an unsafe condition, the requiring of a plan for correcting an unsafe condition, and the withholding of financial assistance until such a plan is approved or implemented. *(49 CFR pt. 631).*	*Edward Boyle,* (202) 426-9545.	*Further action to be determined.*
Standards and Procedures for Third Party Contracts.	These standards and procedures would provide guidance on third party contracting by recipients of Federal assistance from UMTA. They would implement OMB Circular A-102, Attachment B and Attachment O. A Notice of Proposed Rulemaking was published on September 20, 1979 (44 FR 54513). Comments were invited through November 15, 1979. The comment period was extended to January 3, 1980 in a notice published in the ***Federal Register*** on November 1, 1979 (44 FR 62918). *(49 CFR Part 666).*	Arlan Eadie, (202) 426-2710.	*Further action to be determined.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA — Urban Mass Transportation Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Capital Assistance Grants to Meet Special Needs of Elderly and Handicapped (16(b)(2) Program).	UMTA is proposing regulations governing the administration of Section 16(b)(2) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1612(b)(2)). This program provides assistance in meeting the transportation needs of elderly and handicapped persons, where existing transportation services are unavailable, insufficient, or inappropriate. The regulations would set application procedures, and detail the role of the States in the program. *UMTA will include the application requirements for this program in the regulations for the UMTA Capital Grant Assistance Projects. Information unique to the Section 16(b)(2) program will be published in the "Notice" section of the Federal Register.*	*Bill Hannon,* (202) 472-6997.	*Withdrawn, Notice of September 1981.*
Regulations Governing Formula Operating Assistance Grants to Urbanized Areas.	These regulations would streamline the policies and procedures governing the Operating Grant Program of Section 5 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1604). Included in the regulations would be application procedures, general program requirements, and project management requirements. *The closing date for comments was December 1, 1980* (49 CFR pt. *645*).	*Candace Noonan,* (202) 472-6997.	*FR May 1981.*
Human Resource Needs in Transit Industry.	Section 20 of the Urban Mass Transportation Act of 1964, as amended, provides that the Secretary of Transportation, through UMTA, may provide financial assistance for national and local programs that address human resource needs as they apply to public transportation activities. It is intended that the number of minority and female employees in the public transportation field will be increased and that the quality of opportunities will be increased through outreach, training, and management development. The proposed regulations would set out the types of potential eligible projects and the requirements that a project must meet to receive Section 20 funds. *UMTA will publish a statement of information for this program in the "Notice" section of the Federal Register.*	Irvin Bromall, (202) 426-6371.	*Withdrawn, Notice August 1981.*
Maintenance of Effort Requirements.	These regulations would implement Section 5(f) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1604(f), which deals with maintenance of effort by designated recipients of Federal mass transportation funds. The maintenance of effort requirement is imposed to ensure that state and local support and mass transportation non-farebox revenues will be maintained for provision of mass transportation services. The proposed regulations would implement 1978 legislative changes giving recipients of funds greater flexibility in meeting the requirements. A Notice of Proposed Rulemaking was published on August 27, 1979 (44 FR 50068). Comments were invited through October 11, 1979. (49 CFR Part *646*).	Candace Noonan, (202) 472-6997.	*Further action to be determined.*
Project Management Guidelines for Grantees.	These regulations would provide grantees with guidelines and procedures to be applied in administering UMTA grants, cooperative agreements, and loans. These guidelines are intended to assist grantees in meeting various grant management responsibilities and reporting requirements. *NPRM published September 11, 1980 (45 FR 60306).* (49 CFR pt. *662*).	Timothy Wolgast (202) 426-4011.	*FR April 1981.*
Guidelines for Preparation and Submission of Transportation Improvement Program (TIP).	These regulations would provide external guidance for the preparation and submission of the Transportation Improvement Program (TIP) pursuant to Joint Planning Regulations of UMTA and FHWA (23 CFR pt. 450; 49 CFR pt. 631). The information contained in these regulations presents current statutory and UMTA requirements pertaining to TIP. The intent of the regulations is to clarify and facilitate the preparation and submission of the TIP.	Timothy Wolgast, (202) 426-4011.	*Withdrawn.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

UMTA — Urban Mass Transportation Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
†Application Instructions for Capital Assistance Projects.	These regulations would provide program information and application instructions and procedures for capital assistance under Sections 3 and 5 of the Urban Mass Transportation Act of 1964, as amended, and for assistance for Interstate Substitution and Federal-Aid Urban Systems (FAUS) non-highway Public Mass Transit Projects under the Federal-Aid Highway Act of 1973. *(49 CFR pt. 643)*..	Charlotte Adams, (202) 472-6997.	NPRM September 1981.
Stockpiling of Buses (UMTA Docket 80-B).	These regulations would provide guidance concerning the evaluation of requests by grantees for permission to stockpile older buses being replaced with UMTA assistance. NPRM published March 3, 1980 (45 FR 13994). Comments were invited through April 16, 1980. *Final rule published on January 19, 1981 (46 FR 5480); originally scheduled to go into effect on February 18, 1981. Effective date postponed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291. (49 CFR 639).*	Charlotte Adams, (202) 472-6997.	*Undergoing Executive Order 12291 review.*
Application Procedures for Technical Studies Grants.	The regulations would provide guidance and set out requirements for the preparation of Technical Studies Grant applications for funds made available under Section 8 of the UMT Act, as amended. Section 8 funds are available for technical studies for the planning, engineering, design and evaluation of mass transportation systems and projects in urban and urbanized areas. *UMTA will issue and information statement for this program in the "Notice" section of the Federal Register.*	James Getzewich, (202) 426-4991.	Withdrawn, *Notice July 1981.*
*Delivery of Section 8 Funds to Small Urbanized Areas (Those with Populations Between 50,000 and 200,000).	The proposed policy would offer states two options in addition to the current way UMTA delivers planning funds for small urbanized areas. The first option would pass UMTA funds for small urbanized areas through the state and delegate to it certain management functions without the need for Metropolitan Planning Organization (MPO) concurrence. The second option, which could only be selected if the affected MPOs agree to it, would involve an agreement with FHWA whereby UMTA would fund large MPOs directly for both highway and transit planning and FHWA would fund smaller MPOs for both types of planning.	James Getzewich, (202) 426-4991.	Further action to be determined.
†Technology Introduction.....	These regulations would implement Section 3(a)(1)(C) of the UMT Act of 1964, as amended, by prescribing policies and procedures for administering the grant program for projects that would introduce new technology into public transportation. NPRM published on January 19, 1981 (46 FR 5832). The comment period closed on March 20, 1981. The NPRM is being withdrawn as a formal rulemaking document. Until then, the NPRM will be used as guidance. UMTA will include application requirements for this program in the regulations for the UMTA Capital Grant Assistance Projects. Information unique to the Section 3(a)(1)(C) program will be published in the "Notice" section of the Federal Register.	Robert Haught, (202) 426-9545..	Further action to be determined. Notice July 1981.
*Urban Initiatives Program.....	UMTA issued regulations governing its Urban Initiatives Program. The Urban Initiatives Program provides funding for mass transportation projects that enhance urban development. The regulations codify and clarify existing requirements and guidelines concerning the program. An NPRM was published on October 23, 1980 (45 FR 70412). Comments were received through December 8, 1980. A Final Rule was issued on January 19, 1981 (46 FR 5802), with an effective date of February 18, 1981. Effective date postponed until March 31, 1981 (46 FR 10706) for review under Executive Order 12291.	Casimir Bonkowski, (202) 472-7037.	Undergoing Executive Order 12291 review.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

SLSDC — Saint Lawrence Seaway Development Corporation

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Tariff of Tolls Amendment	Incorporation of surcharge provisions of Seaway Closing Procedures into 33 CFR Part 402. *Final Rule published October 27, 1980 (45 FR 70864).*	Robert D. Kraft, (202) 426-3574.	*Action complete.*
Operational Regulations	Periodic update of 33 CFR Part 401 operational regulations developed, for the most part, jointly with the Seaway Authority of Canada. *Most recent Final Rule published August 7, 1980 (45 FR 52376).*	Frederick A. Bush, (315) 764-3245.	*Next update June 1, 1981.*

RSPA — Research and Special Programs Administration

Significant Regulations

Title	Summary	Contact	Earliest expected decision date
Highway Routing of Radioactive Materials (Docket No. HM-164).	**A. Description:** This regulation *establishes* routing requirements for the highway carriage of radioactive materials. **B. Why Significant:** There is substantial public interest and controversy over the regulation and it *will* have a significant impact on the Federal Highway Administration. **C. Analysis:** Regulatory Evaluation **D. Need:** To provide a basis for deciding whether Federal routing requirements are necessary for the highway transportation of hazardous materials. **E. Legal Basis:** 49 U.S.C. 1803, 1804, 1808 **F. Chronology:** Administrative ruling on Federal pre-emption; Published a public notice and invitation to comment on Aug. 15, 1977 (42 FR 41202); Public hearing (New York) was held on Nov. 10, 1977 (42 FR 64487); Ruling published April 20, 1978 (42 FR 16945); Rulemaking: ANPRM issued Aug. 17, 1978 (43 FR 36492); Public hearing (Washington) was held on Nov. 29, 1977. NPRM issued January 31, 1980 (45 FR 7140.) Published NPRM announcing dates and locations of five public hearings on March 6, 1980 (45 FR 14609). Two additional hearings announced May 15, 1980 (45 FR 32030). All hearings completed. *FR published January 19, 1981 (46 FR 5298). Scheduled to go into effect February 1, 1982, but undergoing review under Executive Order 12291.* **G. Citation:** 49 CFR pt. 177	M. Morris, (202) 426-2075.	*Undergoing Executive Order 12291 review.*
Development of New Standards for Liquefied Natural Gas (LNG) Facilities (Docket No. OPSO-46).	**A. Description:** Comprehensive new standards for the siting, design, construction, operation, and maintenance of LNG facilities. **B. Why Significant:** Considered significant due to substantial public interest and controversy, and due to potential danger of large-scale LNG spills. **C. Analysis:** Regulatory Evaluation **D. Need:** The concerns of Federal, State, and local agencies over LNG safety. **E. Legal Basis:** 49 U.S.C. 1672	L. Furrow, (202) 426-2392.	*Undergoing Executive Order 12291 review.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

RSPA — Research and Special Programs Administration

Significant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
	F. Chronology: ANPRM published April 21, 1977 (42 FR 20076); NPRM (siting, design, and construction); published February 8, 1979 (44 FR 8142); NPRM (operation and maintenance); published February 11, 1980 (45 FR 9220); Final Rules (siting, design, and construction): Published February 11, 1980 (45 FR 9184). *Effective March 15, 1980, except as noted.* Final rules (operation and maintenance) *published October 23, 1980 (45 FR 70390). Effective July 23, 1981, except as noted, subject to review under E.O. 12291. Petitions for reconsideration answered August 28, 1980 (45 FR 57402).* **G. Citation:** 49 CFR pt. 193 (new)		
Tank Car Safety Improvements: Specifications and Retrofit (Docket No. HM-175).	**A. Description:** This project would extend the puncture and thermal protection systems now required for DOT 112 and 114 tank cars to existing DOT 105 tank cars and to other newly constructed tank cars. (New construction of DOT 105 tank cars is addressed in Docket No. HM-174, Safety Improvement Program for DOT 105 Tank Cars.). **B. Why Significant:** There is substantial public interest in tank car safety and in retrofit issues. **C. Analysis:** Regulatory Evaluation **D. Need:** To determine the extent to which current thermal and puncture standards should be applied to the existing DOT 105 tank car fleet, and to other similarly used tank cars. **E. Legal Basis:** 49 U.S.C. 1803, 1804, 1808 **F. Chronology:** ANPRM published July 21, 1980 (45 FR 48668); public comment period *closed* October 16, 1980.	L. A. Peterson, (202) 426-0897.	NPRM *April* 1981.

RSPA — Research and Special Programs Administration

Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Intermodal Portable Tanks (Docket No. HM-167).	*Standards* for new specifications for portable tanks and procedures for use of these portable tanks for certain hazardous materials. NPRM published Dec. 11, 1978 (43 FR 58050). (49 CFR 107.400-.407, 178.271, 178.272). *FR published January 29, 1981 (46 FR 9880). Effective May 1, 1981.*	E. Altemos, (202) 426-0656.	*Undergoing Executive Order 12291 review.*
Review: Recodification of Radioactive Requirements (Docket No. HM-169).	Proposed consolidation, simplication and recodification of the existing requirements applicable to the transportation of radioactive materials to make them compatible with latest revised international standards as promulgated by the International Atomic Energy Agency. NPRM published Jan. 8, 1979 (44 FR 1852). (New pt. 127 to 49 CFR).	R. Rawl, (202) 426-2311.	*FR May 1981.*
Safety Improvement Program for DOT 105 Tank Cars (Docket No. HM-174).	*Changes* current safety performance standards of DOT 105 tank cars (49 CFR pt. 179). NPRM concerning thermal standards for new tank cars, and coupler retrofit, published July 21, 1980 (45 FR 48671). *FR published January 26, 1981 (46 FR 8005). Originally scheduled to go into effect March 1, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under E.O. 12291.*	*L. A. Peterson, (202) 426-0897.*	*Undergoing Executive Order 12291 review.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

RSPA — Research and Special Programs Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Cryogenic Liquids (Docket No. HM-115).	Proposed standards and procedures for the transportation of cryogenic liquids, (NPRM published Mar. 8, 1979). (44 FR 12826) (49 CFR 172.101, 173.316). Hearing (Washington, D.C.) held on April 17, 1979. Comment period extended to October 9, 1979 to permit further consideration of issues raised in hearing.	P. Seay, (202) 755-4906.	*FR April* 1981.
Definition of a Flammable Solid (Project 118-71).	Consideration of new standards for classifying a material as a flammable solid. Previously part of Docket HM-118, which was terminated May 22, 1980 (45 FR 34560) to permit publication of ANPRM.	C. Schultz, (202) 426-2311.	ANPRM *April* 1981.
Radiation Exposure for Transportation Workers (Project 263-78).	Consideration of methods which will reduce radiation exposure levels to transportation workers (New Sections). Proposal converted to ANPRM to permit development of basic data.	R. Rawl, (202) 426-2311.	ANPRM September 1981.
Review: Reclassification of Operating Procedures For Motor Vehicles (Project 261-78).	Proposed simplification and recodification of the existing operating procedures for transportation of hazardous materials by motor vehicles as prescribed in Part 177. *Development of driver training requirements (formerly Project 270-78). (49 CFR pt. 177).*	*J. Fulnecky,* (202) 426-1700.	NPRM July 1981.
Use of Interested Inspectors for Cylinder Inspections (Docket No. HM-74A).	Proposal would result in ending of "Interested" inspectors to perform inspections and testing of domestically manufactured low pressure gas cyclinders (NPRM published Mar. 17, 1976 (44 FR 11179). (49 CFR pt. 178). *This docket has been withdrawn for further study of justification.*	H. Mitchell, (202) 426-2075.	*Further action to be determined.*
Development of Training Requirements for Drivers of Cargo Tank Motor Vehicles (Project 270-78).	Development of minimum driver training requirements necessary to prevent unintentional releases of hazardous materials. (49 CFR pt. 177). *This proposal has been reconsidered and is now merged into Project 261-78, Reclassification of Operating Procedures for Motor Vehicles,* Supra.		
Specification for 55-gallon Plastic Drum (Project 278-78).	Proposal to authorize use of 55-gallon capacity plastic drums with certain hazardous materials. (49 CFR pt. 178).	M. Gigliotti, (202) 755-4906.	NPRM *April* 1981.
Development of Standards and Requalification Tests for Cargo Tank Hoses (Project 271-78).	Development of standards and periodic tests to prevent rupture of hoses used to load and unload cargo tanks. (49 CFR pts. 173, 177). *Docket withdrawn. Present data insufficient for rulemaking.*	*J. Fulnecky,* (202) 426-1700.	*Withdrawn.*
Consolidation and Revision of Requirements for the Carriage of Explosives by Vessel (Project 279-78).	Proposed consolidation and revision of requirements for the carriage of military and commercial explosives by vessel and adoption of United Nations scheme for classification and compatibility of explosives for the water mode. (49 CFR pt. 176).	K. Norris, (202) 426-1577.	NPRM *May 1981.*
Oxidizing Materials Definition, Criteria and Proposed Regulations (Project 160-71).	Development of new standards for classifying a material as an oxidizing material. (49 CFR pt. 173).	C. Schultz, (202) 426-2311.	ANPRM *June 1981.*
Attendance of Cargo Tanks During Transportation (Project 272-78).	Proposed revision of attendance requirements to include transportation activities other than loading and unloading. (49 CFR pt. 178). *Docket withdrawn. Present data insufficient for rulemaking.*	*J. Fulnecky* (202) 426-1700.	*Withdrawn.*
Consolidation of Specifications and Establishment of Performance Standards for Specification Bags (Docket No. HM-153).	Consolidation of specifications and development of performance standards for specification bags. Sufficient data have been developed to proceed with publication of NPRM.	M. Gigliotti, (202) 755-4906.	NPRM *April 1981.*
Organic Peroxide Requirements (Project 186-72).	Proposed listing of and packaging requirements for organic peroxides. (49 CFR Parts 172, 173). May be combined with Project 160-71, Oxidizing Materials Definition, Criteria and Proposed Regulations. (49 CFR pt. 173).	C. Schultz, (202) 426-2311.	ANPRM June 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

RSPA **Research and Special Programs Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Aluminum Cylinder Specification *(Docket No. HM-176).*	Development of specifications for aluminum cylinders. (49 CFR pts. 173, 178). *NPRM published August 14, 1980 (45 FR 54097).*	A. Mallen, (202) 755-4906.	*FR April 1981.*
Matches (Project 281-78)	Proposed revision and simplification of requirements concerning matches (49 CFR pts. 172, 173).	H. Mitchell, (202) 426-2075.	NPRM *May* 1981.
Marking and Record Retention for Cylinders (Docket No. HM-172).	Proposed revision and clarification of cylinder marking requirements; deletion of approval for changes to owner markings, user markings, and serial numbers; deletion of submission requirements for cylinder test reports and substitute record retention requirement. NPRM published Feb. 14, 1980 (45 FR 9960). (49 CFR pts. 173, 178).	*D. Henry, (202) 426-2075.*	*FR April 1981.*
Fusion Welding of Multi-Unit Tank Car Tanks (Project 252-77).	Proposed requirements to authorize fusion welding of multi-unit tank car tanks. (49 CFR pt. 178).	A. Mallen, (202) 755-4906.	NPRM *June* 1981.
Etiologic Agents (Docket No. HM-142).	Proposed new standards and procedures for the transportation of etiologic (ie. disease-causing) agents. (49 CFR pt. 173).	G. Cushmac, (202) 426-2311.	NPRM *May* 1981.
Standards to Reduce Spill Size Risks Associated with Pipeline Transportation of Highly Volatile Liquids such as Liquid Petroleum Gas (Docket No. PS-53).	Proposal would require valve spacing or other requirements to minimize the amount of commodity or vapor that can spread into populated areas in event of a spill. NPRM published September 5, 1978, (43 FR 39402). Amended NPRM published September 13, 1979. (44 FR 53187). (49 CFR pt. 195). *Notice of NPRM withdrawal published January 8, 1981 (46 FR 2130).*	F. Robinson, (202) 426-2392.	*Action complete.*
Standards to Reduce Pipeline Failure Rates in Pipelines Carrying Highly Volatile Liquids (LPG/NH_3) (Docket No. PS-55).	Testing or operating requirements would be proposed to assure the safe operation of existing pipelines transporting highly volatile liquids. NPRM published November 7, 1978, (43 FR 52500). (49 CFR pt. 195). *FR published September 8, 1980 (45 FR 59161). Effective October 8, 1980.*	F. Robinson, (202) 426-2392.	*Action complete.*
Requirements for Reporting Gas Incidents (Docket No. OPS-49).	The present reporting forms provide additional and more appropriate information about gas safety problems and require reports from certain systems not now covered. NPRM issued June 5, 1978 (43 FR 24478). Comment period was extended to July 7, 1978 (43 FR 30590). Supplemental Notice to NPRM of June 5, 1978, published March 5, 1979. (44 FR 12070) (49 CFR pt. 191).	R. Langley, (202) 426-*2392.*	FR November *1981.*
Design and Construction of Pipelines Carrying *Highly* Volatile Liquids (Docket No. PS-56A).	*Operation* standards for pipelines carrying highly volatile liquids. ANPRM published February 5, 1979, (44 FR 6961). *This rule requires* the addition of water to ammonia in pipelines. (49 CFR pt. 195). NPRM published February 7, 1980 (45 FR 8323). *FR published January 2, 1981 (46 FR 39). Originally scheduled to go into effect February 2, 1981. Effective date delayed until March 31, 1981 (46 FR 10706) for review under EO 12291.*	*F. Robinson,* (202) 426-2392.	*Undergoing Executive Order 12291 review.*
Retention of Radiographic Film	Recordkeeping requirement for radiographic film would be revoked for hazardous liquid pipelines (49 CFR pt. 195).	F. Robinson, (202) 426-2392.	*NPRM April 1981.*
Offsetting Longitudinal Weld Seams on Adjacent Pipe Lengths (Docket No. OPSO-48).	Construction requirement for offsetting weld seams on adjacent pipe lengths in hazardous liquid pipelines are revoked (49 CFR pt. 195). NPRM published September 26, 1977. (42 FR 48900). *FR published September 8, 1980 (45 FR 59161). Effective September 8, 1980.*	*F. Robinson,* (202) 426-2082.	*Action complete.*
Time Required to Hydrostatically Test a Hazardous Liquids Pipeline (PS-63).	An 8-hour minimum time period is established for hydrostatically testing hazardous liquid pipelines. NPRM published March 13, 1980 (45 FR 16230). (49 CFR pt. 195). *FR published September 8, 1980 (45 FR 59166). Effective September 8, 1980.*	F. Robinson, (202) 426-2392.	*Action complete.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

RSPA **Research and Special Programs Administration**

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Placing Longitudinal Weld Seams in Upper Pipe Half (PS-66).	Proposal would require location of longitudinal weld seams in the upper half of pipe during construction of hazardous liquid pipelines. ANPRM published March 27, 1980, (45 FR 20142). (49 CFR pt. 195).	F. Robinson, (202) 426-2392.	NPRM *June 1981.*
Heat Treatment of Hard Spots in Steel Pipe. (PS-58).	Allowable temperature for heat treating hard spots in steel pipe would be increased. NPRM published September 13, 1979, (44 FR 53185). (49 CFR pt. 192).	*W. Dennis,* (202) 426-2392.	*FR April.*
Qualifying Components for Use in Gas Pipelines. *(PS-64).*	General criteria would be proposed for qualifying the use of pipeline components other than the pipe itself. NPRM published March 3, 1980 (45 FR 13783). (49 CFR pt. 192).	L. Furrow, (202) 426-2392.	*FR April 1981.*
Transportation of Natural and Other Gas by Pipeline (PS-57).	Requirements for procedures and instrumentation for use in monitoring gas for odorants would be proposed. NPRM published February 22, 1979 (44 FR 10604). (49 CFR pt. 192).	*W. Dennis,* (202) 426-2082.	FR *April 1981.*
Leak Survey (PS-62)	Present leak survey requirements would be amended in accordance with practices necessary for safety. (49 CFR pt. 192). NPRM published December 13, 1979 (44 FR 72201).	*W. Dennis, (202) 426-2392.*	*FR May 1981.*
Interior Piping (PS-67)	The adequacy of existing standards with regard to safety problems concerning interior piping would be examined and new standards may be proposed. ANPRM published April 3, 1980 (45 FR 22118). (49 CFR pt. 192).	R. Langley, (202) 426-2392.	NPRM *July* 1981.
Procedures To Guard Against Blasting Effects in Gas Pipelines.	Proposed standards requiring gas pipeline operators to have procedures to protect facilities affected by blasting. (49 CFR pt. 192).	*L. Furrow, (202) 426-2392.*	NPRM *July* 1981.
Location, Size, and Operating Pressure of Pipelines (PS-61).	Operators would be required to maintain maps and records to identify the location, size, and operating pressure of all pipelines. ANPRM published November 29, 1979 (44 FR 68493). (49 CFR pt. 192).	R, Langley, (202) 426-*2392.*	NPRM *June* 1981.
Hot Taps in Gas Pipelines (PS-60).	Operators would be required to identify a pipeline by pressure monitoring or other means before performing a hot tap on it. (49 CFR pt. 192). NPRM published November 29, 1979 (44 FR 68491).	R. Langley, (202) 426-*2392.*	FR *April 1981.*
Excavation Damage (PS-59)	Operators would be required to participate in a program to prevent excavation damage to underground pipelines (49 CFR pts. 192 and 195). NPRM published November 15, 1979 (44 FR 65792).	R. Simmons, (202) 426-2082.	FR *April 1981.*
Reporting Abnormal Operations at LNG Facilities.	Requirements for reporting abnormal operations at LNG facilities would be proposed. (49 CFR pt. 193).	L. Furrow, (202) 426-*2392.*	ANPRM *April 1981.*
Review: Line Markers on Navigable Waterways for Pipelines.	The required number, size, and location of line markers along navigable waterways, including definition of "navigable waters" would be made more appropriate. (49 CFR pt. 192).	R. Simmons, (202) 426-2082.	ANPRM April *1981.*
Cargo Tank Corrosion (Project 285-79).	Consideration of the effects of corrosion to the structural integrity of cargo tanks. Would establish a prescribed test for the degree of corrosion of cargo tanks (49 CFR pt. 178).	A. Mallen, (202) 755-4906.	NPRM August *1981.*
Miscellaneous Hazardous Materials Communications Regulations (Project 289-79).	Development of miscellaneous proposals dealing with the communications regulations such as odorization of gas and availability of shipping papers to emergency response personnel. (49 CFR pt. 172).	L. Metcalfe, (202) 426-0656.	NPRM June *1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

RSPA — Research and Special Programs Administration

Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Transportation of Wet Electric Storage Batteries (Docket No. HM-173).	Would establish new standards for transportation of wet cell electric storage batteries, and for wet cell battery equipped wheelchairs on passenger-carrying aircraft. Separated from Docket No. HM-166 due to public interest. NPRM published May 21, 1979 (44 FR 29503). Meeting announcement and request for comment published Feb. 28, 1980 (45 FR 13153). (49 CFR pt. 173) Meetings held on April 3 (Washington, D.C.) and April 16, 1980 (Denver, Colorado). Due to public interest and comments, a second NPRM will be published.	E. Mazzullo, (202) 426-2075.	*NPRM April 1981.*
Elimination of Certain Reporting Requirements (Docket No. HM-36A (49 CFR pt. 171).	The MTB analyzed the hazardous materials incident data base and *concluded* that continued reporting of incidents involving certain materials *is* of minimal value when weighed against the burden placed upon the carriers who are required to prepare and submit incident reports. NPRM published June 16, 1980 (45 FR 40628). *FR published November 6, 1980 (45 FR 73682). Effective January 1, 1981.*	R. Abis, (202) 472-2726.	*Action complete.*
*Reports of Leaks, and Federal Safety Standards.	Addressee for written lean and annual reports to be changed. Requirements for filing inspection and maintenance plans to be deleted. (49 CFR pts. 191, 192).	L. Furrow, (202) 426-2392.	FR April 1981.
*Transportation of Liquids by Pipeline.	Safety standards for hazardous liquid pipelines to be reissued to comport with the Hazardous Liquid Pipeline Safety Act of 1979 (49 CFR pt. 195).	E. Robinson, (202) 426-2392.	FR April 1981.
*Transportation of Hazardous Materials on Trailer-On-Flatcar (Docket No. HM-177)..	Would establish standards for TOFC operations. Hearing announcement and request for comment published January 26, 1981 (46 FR 8055). (49 CFR pt. 174).	R. Barlow, (202) 755-4906.	FR June 1981.
*Air Transportation of Limited Quantities of Low Level Radioactive Materials; Exemption Renewal.	To extend the limited exemption in Part 175 that provides for air transport of limited quantities of radioactive materials having very low radiation levels. (49 CFR pts. 172, 175).	T. Allan, (202) 426-2075.	NPRM April 1981.

RSPA — Research and Special Programs Administration

Routine and Frequent Nonsignificant Regulations

Title	Summary	Contact	Earliest expected decision date
Conversion of Individual Exemptions to Regulations of General Applicability (Docket No. HM-139).	NPRM approximately every four months; with FR targeted approximately two months thereafter.	D. Raines, (202) 472-2726.	*April 1981-April 1982.* Most recent FR undergoing Executive Order 12291 review.
Minor Regulatory Adjustments to Regulations of General Applicability (Docket No. HM-166).	NPRM approximately every four months; with FR targeted approximately two months thereafter.	D. Raines, (202) 472-2726.	*April 1981-April 1982.* Most recent FR undergoing Executive Order 12291 review.
Matter Incorporated by Reference (hazardous materials). (Docket No. HM-22).	NPRM every six months; with FR targeted two months thereafter.	J. Horning, (202) 426-2075.	*April 1981-April 1982.* Most recent FR undergoing Executive Order 12291 review.
Withdrawal of Certain Delegations of Authority to the Bureau of Explosives (Docket No. HM-163).	Prior responsibilities delegated to the Bureau of Explosives would be withdrawn in series of rulemaking actions. NPRM every three months; with FR targeted two months thereafter. The final rule under this docket is expected to be published in the first half of *1981.*	D. Raines, (202) 472-2726.	*April 1981-April 1982.* Most recent FR undergoing Executive Order 12291 review.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

AGENDA

RSPA — Research and Special Programs Administration

Routine and Frequent Nonsignificant Regulations—Continued

Title	Summary	Contact	Earliest expected decision date
Matter Incorporated by Reference (pipelines).	Documents incorporated by reference would be updated to later published editions. NPRM every *year*, with FR *six* months later. *Most recent FR published February 2, 1981 (46 FR 10157). Originally scheduled to go into effect March 4, 1981. Effective date delayed until March 31, 1981 (44 FR 10706) for review under EO 12291.*	R. Simmons, (202) 426-2082.	*April 1981-April 1982.* Most recent FR undergoing Executive Order 12291 review.

REVIEW LIST

OST — Office of the Secretary

Regulations selected for review	Reasons for selection	Contact	Target date
● *Minority Business Enterprise (Financial Assistance Program) (49 CFR Part 23).*	*This rule requires DOT financial assistance recipients to establish affirmative action plans to increase the use of minority and women-owned businesses. The rule is very controversial and is the subject of several lawsuits. DOT is in the midst of a thorough review of this rule.*	*Robert Ashby, (202) 426-4723.*	*April 1981.*
● *Nondiscrimination on the Basis of Handicap (49 CFR Part 27).*	*This rule requires all DOT-assisted programs to become accessible to handicapped persons. While many parts of the rule are not controversial, the part pertaining to mass transit programs is potentially very costly and is strongly opposed by the transit industry. The House and Senate passed separate versions of legislation last session that would have reduced the perceived impact of this rule. DOT is currently reviewing this rule. Many of the rule's mass transit provisions are required by administrative guidelines now under the jurisdiction of the Department of Justice (DOJ). In order for DOT to change its regulation, joint review and action by DOT and DOJ would be needed.*	*Robert Ashby, (202) 426-4723.*	*May 1981.*

USCG — U.S. Coast Guard

Regulations selected for review	Reasons for selection	Contact	Target date
Charges for Duplicate Medals and Sales of Personal Property, Equipment or Services and Rental (33 CFR 1.26).	Length of time since last evaluated: changing economic factors.	Mr. A. Bell, (202) 426-1863.	May 1981.
Agency regulations regarding the Coast Guard Reserve program (33 CFR pt. 8).	Length of time since last evaluated and need to reflect changed procedures.	*Mr. Cotter, (202) 426-2350.*	*June 1981.*
Boating Safety: Equipment Requirement Personal Flotation Devices (33 CFR 175.15).	Length of time since last evaluated; Research and Development project initiated to determine need for carriage regulations revision.	LCDR Schmect, (202) 426-4176.	*September 1981.*
Boats and Associated Equipment: Safe Loading (33 CFR pt. 183, subpart C).	Length of time since last evaluated; standards may not be effective for all boats to which these regulations apply. *Review of this rule resulted in a determination that more technical data was needed to determine what the standard for safe loading should be. A study has been contracted for that purpose; it will take approximately one year.*	Mr. L. Gray, (202) 426-4027.	*Action complete.*
Boats and Associated Equipment: Safe Powering (33 CFR pt. 183, subpart D).	Length of time since last evaluated; standards may not be effective for all boats to which these regulations apply.	Mr. L. Gray, (202) 426-4027.	July *1981.*
Boats and Associated Equipment: Flotation Standards (33 CFR pt. 183).	Length of time since last evaluated; standards may be limited in applicability.	Mr. L. Gray, (202) 426-4027.	*June 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

USCG **U.S. Coast Guard**

Regulations selected for review	Reasons for selection	Contact	Target date
Licensing of Merchant Seamen.....	Reporting requirements associated with licensing may be a burden for the public.	CAPT Hand, (202) 426-1500.	March 1981.
Vessel Documentation.....	These regulations contain public reporting requirements which have been in effect for many years and should be reviewed.	Mr. Yglesias, (202) 426-1494.	March 1981.
Oil Transfer and Oil Pollution.....	These regulations may contain overtapping reporting requirements that could be eliminated.	CAPT Corbett, (202) 426-2010.	May 1981.
● Puget Sound Vessel Traffic Service Rule (33 CFR Part 161, Subpart B; App. A).	This interim rule prohibits oil tankers weighing more than 125,000 dead weight tons (DWT) from entering Puget Sound. This interim rule took effect in 1978. The purpose of the regulation was to protect against environmental harm from oil or polluting material spills that result from vessel damage, destruction and loss. This interim rule has been extremely controversial. It is favored by environmentalists and opposed by oil industry and shipping groups. Presently, tests are being conducted by the Coast Guard, in the area, to determine the risks of tanker spillage.	Mr. D. Sigfeld, (202) 755-6146.	July 1981.
● Marine Sanitation Devices on Vessels (33 CFR Part 159.	These regulations govern the design and construction of marine sanitation devices in accordance with the regulations and performance standards promulgated by the Environmental Protection Agency (EPA) under section 312 of the Federal Water Pollution Control Act. They also contain the procedures by which Coast Guard enforces its own and EPA standards pertaining to these devices. The purpose of the regulations is to eliminate the discharge of untreated sewage from vessels into the waters of the United States. This is one of the Coast Guard's most controversial regulations. The Coast Guard estimates the annual cost of the rule to be $100,000,000. The Coast Guard estimates the cost of retrofitting boats with these devices to be $1,000,000,000. The regulation is appropriate for review because of its cost and because of its unpopularity with boat owners. Any revision of the regulation, however, will require coordination with the EPA.	Mr. Bruce Novack, (202) 426-1477.	July 1981.
● Documentation and Admeasurement of Vessels (46 CFR Subchapter G).	These regulations implement several very old vessel documentation laws. Those laws stipulate that commercial vessel owners must obtain documentation on their vessels from the Coast Guard. The implementing regulations are considered burdensome because they contain extremely heavy paperwork requirements. Until now, the annual public cost of documentation has been 750,000 person-hours of paperwork. However, the 96th Congress enacted legislation (P.L. 96-594) that will allow the Coast Guard to prescribe simplified documentation procedures that would eliminate a large portion of the paperwork requirements. This law will be effective on July 1, 1982.	Mr. J. Lewis, (202) 426-2192.	July 1981.
● Pollution Prevention Regulations (33 CFR Part 157).	These regulations were promulgated pursuant to 46 U.S.C. 391a(7) (Port and Tanker Safety Act) (PTSA). The regulations require segregated ballast tanks, clean ballast tanks, and crude oil washing systems in various combinations for oil tankers. The purpose of the regulations is to prevent pollution. The PTSA also requires a regulation to be promulgated by January 1, 1986, that would require retrofitting of United States flag vessels of between 20-40,000 tons that are 15 years old or older with these pollution prevention systems. The Coast Guard initially calculates the cost will be $5-6 billion over a period of 20-30 years. These regulations should be reviewed because of their cost. Also there has been, in the past, some opposition from tank vessel owners. However, the PTSA is fairly specific in requiring certain pollution prevention systems and legislation may be needed.	Mr. J. Angelo, (202) 426-4432.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

USCG — U.S. Coast Guard

Regulations selected for review	Reasons for selection	Contact	Target date
● Vessel Reporting Requirements (33 CFR Part 161).	These regulations were also developed and promulgated pursuant to the PTSA. They require vessel owners to report their locations, arrivals and departures when carrying certain hazardous cargoes. The barge industry and certain boat owners in the past, have opposed these regulations. This regulation should be reviewed because of its controversy and impact on the barge and towing industry.	Mr. Bruce Novack, (202) 426-1477.	July 1981.
● Navigation Safety Regulations (33 CFR Part 164).	These regulations were promulgated pursuant to the PTSA (46 U.S.C. 391a). The implementing regulations require that commercial tank vessels carry dual radar systems and redundant (back-up) steering systems. The cost is estimated to be $50,000 per tank vessel on a one-time only basis. Again, the PTSA is fairly specific in its requirements, but a review is warranted because of controversiality with vessel owners and costs.	Mr. Tom Evans, (202) 426-2262.	July 1981.

FAA — Federal Aviation Administration

Regulations selected for review	Reasons for selection	Contact	Target date
● Rotorcraft Certification and Operating Rules (14 CFR Parts 27, 29, 91 and 127).	These rules have remained relatively unchanged for a considerable period of time while rotorcraft technology has steadily advanced. These regulations are currently under review for the purpose of updating them. They are clearly costly and controversial. These rules are costly because they apply some inappropriate fixed-wing airplane requirements to rotorcraft. Because they may not adequately recognize many of the unique operating characteristics and environments of rotorcraft, as compared to fixed-wing airplanes, they have been subjected to extensive criticism from manufacturers and operators who seek the elimination of unnecessary restrictions.	William Sullivan, (202) 755-8716.	July 1981.
● General Operating and Flight Rules (14 CFR Part 91).	These rules impose costly equipment and operational requirements. They are controversial because large segments of the general aviation community believe changes should be made to make these regulations simpler, more comprehensive, and easier to apply. These are the most basic and widely applicable Federal Aviation Regulations.	William Sullivan, (202) 755-8716.	July 1981.
● Pilot Certification, Ground Instructor, and Pilot School Rules (14 CFR Parts 61 and 141).	These rules are both costly and controversial. Although revised in the early 1970's, these rules may not be in step with current advances in teaching and testing techniques. The age limitations and experience requirements to qualify for pilot certification may be unduly burdensome and in need of change. The need for separate regulations for the certification of pilots, pilot schools, and gound instructors may no longer be necessary. These separate rules may create inconsistencies in pilot training and testing methods and result in unequal treatment of applicants for pilot certificates.	William Sullivan, (202) 755-8716.	July 1981.
● Air Carrier Certification, Operating and Maintenance Rules (14 CFR Part 121).	These rules are costly and some are controversial. Requirements on flight crewmember flight and duty time, flight dispatch and flight control systems, and maintenance reporting requirements, contained in this set of rules, impose significant costs on air carrier certificate holders. The disparities between the large air carrier and the small air taxi and communter airline operating rules may be eliminated where appropriate and more unified rules can be developed. At the time of a recent major revision to air taxi and commuter airline operating rules, a commitment was made to review and update the operating rules to correct apparent disparities. Review of these regulations would accomplish this necessary goal.	William Sullivan, (202) 755-8716.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

FAA — Federal Aviation Administration

Regulations selected for review	Reasons for selection	Contact	Target date
● Production and Quality Control System Rules (14 CFR Part 21).	These rules are costly and controversial. They are costly because holders of production certificates must adhere to stringent quality control standards, including establishing a quality control organization and, sometimes, testing each item produced. The rules also involve considerable paperwork burdens. They are controversial because manufacturers other than the original manufacturer can produce replacement parts for aeronautical products by complying with less stringent standards than imposed on the original manufacturer. Some argue that the rules are anticompetitive in nature.	William Sullivan, (202) 755-8716.	July 1981.
● Deregulation of Sport Aviation (14 CFR Parts 21 and 91).	Operation and construction of sport aircraft under the present rules is costly and controversial. It is costly to the owner-pilots of these aircraft because of the requirement that these aircraft meet the same airworthiness standards as factory-built aircraft and be maintained to the same standards. There is a substantial cost to the FAA to monitor this segment of the aviation community. It is controversial because, fundamentally, sport aviation enthusiasts perceive themselves to be greatly over regulated in relation to their impact on aviation safety.	William Sullivan, (202) 755-8716.	July 1981.
● Normal, Utility, and Acrobatic Category Airworthiness Rules (14 CFR Part 23).	These rules are costly because of the extra and possibly unnecessary, expenses of administration and certification of small, simpler airplanes. They are controversial for the same reason. The rules apply the same certification standards over a broad spectrum of airplanes even though they cover all kinds of small airplanes, from the most rudimentary to very sophisticated and complex multi-engine airplanes.	William Sullivan, (202) 755-8716.	July 1981.
● Repair Station Rules (14 CFR Part 145).	These rules are controversial because they are no longer current. They were developed when the aviation industry was just entering the jet age. They have not adapted to the changing state-of-the-art and no longer fulfill the needs of the industry. In addition, they include a number of burdensome paperwork requirements and, on the whole, they impact heavily on small businesses. These regulations have never been thoroughly reviewed.	William Sullivan, (202) 755-8716.	July 1981.

FHWA — Federal Highway Administration

Title	Reasons for Selection	Contact	Earliest Expected Target Date
	General Management and Administration		
*State Internal Audit Responsibility (23 CFR pt. 12).	FHWA policy on minimization of redtape	Harvey Wood, (202) 426-0563.	October 1981.
	Payment Procedures		
*Bond Issue Projects (23 CFR pt. 140).	FHWA policy on minimization of redtape	J. E. Lewis, (202) 426-0562.	April 1982.
	Civil Rights		
*Construction Contract Equal Opportunity Compliance Procedures (23 CFR pt. 230, subpart D).	To revise and update policies and procedures and incorporate provisions of a Memorandum of Understanding between DOT/FHWA and the Department of Labor/Office of Federal Contract Compliance Programs relative to respective responsibilities under Executive Order 11246 and title 23.	Edward W. Morris, Jr., (202) 426-0471.	October 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

FHWA — Federal Highway Administration

Title	Reasons for Selection	Contact	Earliest Expected Target Date
	Related agenda item on Review List—Engineering and Traffic Operations		
*● Civil Rights Requirements (23 CFR Parts 200, 230).	These regulations carry out program and employment nondiscrimination requirements under Title VI of the Civil Rights Act of 1964, Executive Order 11246, and other authorities. These regulations have requirements that may overlap or duplicate other civil rights rules, and also contain a number of recordkeeping and reporting requirements that need scrutiny. An effort to consolidate some of the employment requirements of these rules with similar UMTA and FRA requirements has been underway for several months. Review of the portion of Part 230 dealing with contract compliance should be coordinated with the review of programs of the Office of Federal Contract Compliance (OFCCP) in the Department of Labor, since FHWA's requirements implement OFCCP requirements.	R. Edward Quick, (202) 426-0693.	July 1981.
	Planning		
*Public Road Mileage for Apportionment of Highway Safety Funds, Safer Off-System Roads Funds and Hazard Elimination Funds (23 CFR pt. 460).	To consider expansion of the existing regulation to include safer off system roads funds and hazard elimination funds; FHWA policy on minimization of redtape.	D. W. Briggs, (202) 426-0199.	October 1981.
*Appalachian Highway Procedures (23 CFR pt. 633, subpart B).	FHWA policy on minimization of redtape; recent legislative change; recent policy decisions by the Appalachian Regional Commission.	R. B. Pucket, (202) 426-0175.	October 1981.
*Federal-Aid Highway Systems (23 CFR pt. 470, subpart A).	FHWA policy on minimization of redtape; reflect amendments contained in the 1976 and 1978 Highway Acts.	R. B. Puckett, (202) 426-0275.	October 1981.
*Required Contract Provisions—Federal-Aid Contracts (23 CFR pt. 633).	FHWA policy on minimization of redtape	K. L. Ziems, (202) 426-4847.	October 1981.
*Highway Construction Work to be Performed by Methods Other than Contract Awarded by Competitive Bidding (23 CFR pt. 635).	FHWA policy on minimization of redtape	K. L. Ziems, (202) 426-4847.	October 1981.
*Railroad Highway Projects (23 CFR pts. 140 and 646).	FHWA policy on minimization of redtape	J. A. Carney, (202) 426-0104.	October 1981.
*Authorization to Proceed to Physical Construction (23 CFR pt. 635).	FHWA policy on minimization of redtape	K. L. Ziems, (202) 426-4847.	October 1981.
*Advance Construction of Federal-Aid Projects (23 CFR pt. 630).	FHWA policy on minimization of redtape	K. C. Kippley, (202) 426-0673.	October 1981.
*Motorist Aid Systems (23 CFR pt. 655).	FHWA policy on minimization of redtape	Robert Harp, (202) 426-0411.	October 1981.
*Traffic Surveillance and Control (23 CFR pt. 655).	FHWA policy on minimization of redtape	Robert Harp, (202) 426-0411.	October 1981.
*Project Agreements. (23 CFR pt. 630, subpart C).	FHWA policy on minimization of redtape	L. Pettigrew, (202) 426-0334.	October 1981.
*Water Supply and Sewage Treatment at Safety Rest Areas (23 CFR pt. 650, subpart E).	FHWA policy on minimization of redtape	Stanley R. Davis, (202) 472-7690.	April 1982.
*Equal Employment Opportunity on Federal-Aid Highway Construction Contracts (23 CFR pt. 230, Subpart A).	FHWA policy on minimization of redtape	K. L. Ziems, (202) 426-4847.	October 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

FHWA **Federal Highway Administration**

Title	Reasons for Selection	Contact	Earliest Expected Target Date
*Maximum Weight of Trucks on Interstate System Highway; Variable Load Suspension Axles; Dummy Axles; Interpretation and Application of the Bridge Formula (23 CFR pt. 657).	This regulation would provide guidance on the use of Variable Load Suspension Axles and Dummy Axles in the Bridge Formula, which is used to determine the maximum weight of motor vehicles permitted to use the Interstate System highway in accordance with 23 U.S.C. 127.	David Oliver, (202) 426-0825.	April 1982.
● Design Standards for Highways (23 CFR Part 625).	This rule, by incorporating by reference a number of other FHWA rules and industry consensus standards, prescribes the technicals requirements for highway construction. Some states have complained that these standards are too rigid, and would prefer to set their own design standards. FHWA has proposed to take an approach of this kind for standards for the rehabilitation, restoration and resurfacing of highways other than freeways. The review is needed to establish whether a more flexible approach of this kind is appropriate for new construction as well.	Alvin R. Cowan (202) 426-0312.	July 1981.
● Buy America (23 CFR 635, 410).	This regulation implements the requirements of the Surface Transportation Assistance Act of 1978 that requires that preference be given to items produced in the United States in FHWA funded projects. The regulation has been the subject of considerable criticism and controversy. The controversy centers on the extent that the domestic steel industry deserves the protection afforded it under the statute, whether sufficient domestic supplies exist and the increased costs resulting from using more expensive domestic products. The FHWA regulation is also the subject of pending litigation..	Ken Ziems (202) 426-4847.	July 1981.
	Right-of-Way and Environment		
*Landscape and Roadside Development (23 CFR pt. 752).	Consolidation and simplificaton of policies and procedures relating to highway landscaping and plant establishment, safety rest areas and information centers and systems, scenic strips in connection with Federal-aid highway projects, joint use and joint development, and access for the handicapped at Interstate rest area facilities. Respond to comments on interim final regulations published May 5, 1978 (43 FR 19390).	Ken Rickerson, (202) 426-0314.	May 1981.
*General Policy and Definitions (23 CFR pt. 710).	FHWA policy on minimization of redtape	Douglas A. Wubbels, (202) 426-0142.	October 1981.
*State Highway Department Responsibilities (23 CFR pt. 710).	FHWA policy on minimization of redtape	Douglas A. Wubbels, (202) 426-0142.	October 1981.
*Reimbursement Provisions (23 CFR pt. 710).	FHWA policy on minimization of redtape	Douglas A. Wubbels, (202) 426-0142.	April 1982.
*Civil Rights (23 CFR pt. 710)	FHWA policy on minimization of redtape	Douglas A. Wubbels, (202) 426-0142.	April 1982.
*The Real Property Acquisition Function-Policy (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*The Acquisition Function-General Provisions and Project Procedures (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*The Acquisition Function-General Provisions and Project Procedures-Functional Replacement of Real Property in Public Ownership (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*The Acquisition Function-Negotiations (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*The Acquisition Function-Administrative Settlements, Legal Settlements, and Court Awards (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

FHWA — Federal Highway Administration

Title	Reasons for Selection	Contact	Earliest Expected Target Date
*Appraisal and Appraisal Review Policy (23 CFR pt. 720).	FHWA policy on minimization of redtape	Gerald Kennedy, (202) 426-0142.	April 1982.
*Property Management (23 CFR pt. 713).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*Disposal of Right-of-Way (23 CFR pt. 713).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*Junkyard Control and Abatement (23 CFR pt. 751).	FHWA policy on minimization of redtape	Richard Moeller, (202) 245-0021.	April 1982.
*Relocation Assistance—General (23 CFR pt. 740).	FHWA policy on minimization of redtape	Robert Moore, (202) 426-0116.	April 1982.
Relocation Assistance—Relocation Services (23 CFR pt. 740).	FHWA policy on minimization of redtape	Robert Moore, (202) 426-0116.	April 1982.
*Relocation Assistance—Moving Payments (23 CFR pt. 740).	FHWA policy on minimization of redtape	Robert Moore, (202) 426-0116.	April 1982.
*Relocation Assistance—Replacement Housing Payments (23 CFR pt. 740).	FHWA policy on minimization of redtape	Robert Moore, (202) 426-0116.	April 1982.
*Relocation Assistance—Mobile Homes (23 CFR pt. 740).	FHWA policy on minimization of redtape	Robert Moore, (202) 426-0116.	April 1982.
*Relocation Assistance—Replacement Housing As Last Resort (23 CFR pt. 740).	FHWA policy on minimization of redtape	Robert Moore, (202) 426-0116.	April 1982.
*Land Service Facilities (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*Right-of-Way Revolving Fund (23 CFR pt. 712).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*Management of Airspace (23 CFR pt. 713).	FHWA policy on minimization of redtape	Tom Johns, (202) 426-0142.	April 1982.
*Mitigation of Environmental Impacts to Privately Owned Wetlands (23 CFR pt. 777).	Respond to comments received on interim final rule published July 31, 1980 (45 FR 50728).	Charles DesJardins, (202) 426-9173.	April 1982.
*On-Premise Signs (23 CFR pt. 750).	FHWA policy on minimization of redtape	Richard Moeller, (202) 245-0021.	April 1982.
● Guidelines for the Development of Environmental Action Plans (23 CFR part 795).	This regulation requires FHWA recipients to write "action plans" describing how they will take environmental impacts into account and meet the other administrative requirements in the environmental area. Given newer and more specific rules concerning meeting environmental requirements and the relationship of environmental matters to transportation planning, it is questionable whether the action plan requirement is needed in its present form. The review is needed to determine whether the administrative burden imposed on grant recipients by this regulation can be eliminated as superfluous.	Stephen J. Kimlicko, (202) 426-1033.	July 1981.
● Air Quality Guidelines/Environmental Impact Procedures (23 CFR part 770, 771).	These rules set forth procedures that implement, respectively, a DOT-EPA interagency agreement pursuant to the Clean Air Act amendments of 1977 and the 1978 Council on Environmental Quality (CEQ) regulations. In each case, DOT had little discretion to move beyond the agreement or the CEQ rules, and DOT could do little on its own to change the rules. The relevant part of the 1977 Clean Air Act amendments and the CEQ rules themselves are controversial and implementation of the DOT rules in Air Act amendments or CEQ regulations are warranted. Any changes will have to be made jointly with EPA, CEQ, and other interested agencies.	Leon N. Larson, (Environmental Impact Procedures) (202) 426-0351. Harter M. Rupert (Air Quality) (202) 426-4836.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

FHWA — Federal Highway Administration

Title	Reasons for Selection	Contact	Earliest Expected Target Date
	Public Transportation		
*Non-Urbanized Area Public Transportation (23 CFR pt. 825).	Update and simplify current procedures; respond to comments received on regulations published on December 13, 1978 (43 FR 58306).	FHWA Sheldon G. Strickland, (202) 426-0153. UMTA Kay Regan, (202) 472-7037.	October 1981.
	Federal Motor Carrier Safety Regulations		
*Disqualification of Drivers (traffic records) (49 CFR pt. 391, subpart B).	Consideration is being given to a proposal that would require the disqualification of Interstate truck and bus drivers based on the driver's traffic or accident record..	Gerald J. Davis, (202) 426-9767.	June 1981.
*The General Part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR pt. 390).	FHWA policy on minimization of redtape; to improve and simplify the regulations.	Gerald J. Davis, (202) 426-9767.	October 1981.
*The Need for First-Aid Kits on Buses (49 CFR pt. 393).	FHWA policy on minimization of redtape; determine the need to continue requiring first-aid kits on Interstate buses.	Gerald J. Davis, (202) 426-9767.	October 1981.
*Rear End Underride Protection (49 CFR pt. 393).	Improve rear end protection on heavy motor vehicles in conjunction with action taken by the National Highway Traffic Safety Administration on January 18, 1981.	Gerald J. Davis, (202) 426-9767.	October 1981.
*Selection of Motor Carriers for Survey (49 CFR pt. 385).	Publish criteria for selection of carriers for safety and hazardous materials surveys in response to a rulemaking petition.	Gerald J. Davis, (202) 426-9767.	October 1981.
*Transportation of Migrant Workers (49 CFR pt. 398).	Improve procedures for ensuring safe transportation of migrant workers in interstate commerce.	Gerald J. Davis, (202) 426-9767.	April 1982.
*Retail Fertilizer Distribution Exemption (49 CFR pt. 390).	Exempt certain fertilizer distribution operations from the Federal Motor Carrier Safety Regulations in response to a rulemaking petition.	Gerald J. Davis, (202) 426-9767.	October 1981.
● Hours of Service (49 CFR Part 395).	This regulation, litle changed from its original version published 40 years ago by the ICC, limits the number of hours interstate truck drivers can drive and be on duty in a given day or week. Its rationale is that long hours mean tired drivers, and that tired drivers are more likely to be in accidents. The principal monitoring and enforcement device for this rule is the "driver's log," in which drivers record their activities. FHWA has been gathering data on the relationship between driver fatigue and accidents, and on the economic impact of changing the rule, pursuant to a 7½ year-old rulemaking petition from a drivers' group to further restrict hours of service. Litigation involving this regulation is also pending. A review is needed to focus on the safety justification for the present limitation, economic effects of relaxing present requirements, and, most importantly, finding a less burdensome, more cost-effective enforcement mechanism than the driver's log.	Gerald J. Davis, (202) 426-9767.	July 1981
● Commercial Vehicle Inspection, Repair, and Maintenance (49 CFR parts 396).	This regulation requires regular inspections of commercial vehicles for mechanical and other defects and calls for the preparation of various reports. The rule's rationale is to require operators to give sufficient attention to maintenance of their vehicles, since sloppy maintenance can cause accidents. The rule was controversial when it was promulgated in 1979. One focus of a review would be on ways of reducing recordkeeping an reporting requirements.	Gerald J. Davis, (202) 426-9767.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

NHTSA — National Highway Traffic Safety Administration

Regulations selected for review	Reasons for selection	Contact	Target date
Side Door Strength (49 CFR 571.214).	Public Interest	Frank Ephraim, (202) 426-1574.	*Evaluation Report* published 8/30/79. (44 FR 50878).
Exterior Protection (49 CFR 571.215 and 49 CFR pt. 581).	Cost and Public Interest	Frank Ephraim, (202) 426-1574.	*Spring 1981.*
Fuel system Integrity (49 CFR 571.301).	Cost, Safety Benefits and Public Interest	Frank Ephraim, (202) 426-1574.	*1981.*
School Bus Seating System (49 CFR 571.222).	Public Interest	Frank Ephraim, (202) 426-1574.	*1981.*
Hydraulic Brakes (49 CFR 571.105).	Cost and Safety Benefits	Frank Ephraim, (202) 426-1574.	*1981.*
Lamps, Reflective Devices and Associated Equipment (49 CFR 571.108).	Cost, Safety Benefits	Frank Ephraim, (202) 426-1574.	*Summer 1981.*
Head Restraints (49 CFR 571.202).	Costs	Frank Ephraim, (202) 426-1574.	*1981.*
Seating Systems (49 CFR 571.207).	Costs	Frank Ephraim, (202) 426-1574.	*1981.*
Child Seating Systems (49 CFR 571.213).	Public Interest	Frank Ephraim, (202) 426-1574.	*1981.*
Occupant Protection (49 CFR 571.208).	Cost, Safety Benefits and Public Interest	Frank Ephraim, (202) 426-1574.	*June 1981.*
Impact Protection for the Driver from the Steering Control System (49 CFR 571.203) and Steering Control Rearward Displacement (49 CFR 571.204).	Safety Benefits	Frank Ephraim, (202) 426-1574.	*Evaluation Report published January 26, 1981 (46 FR 8066).*
Windshield Glazing Materials (49 CFR 571.205).	Costs, Safety Benefits	Frank Ephraim, (202) 426-1574.	1981.
Windshield Mounting (49 CFR 571.212).	Costs, Safety Benefits	Frank Ephraim, (202) 426-1574.	1981.
● Passenger Car Fuel Economy (49 CFR Part 531).	This regulation sets fleet fuel economy standards for model years 1982-84. It was costly and controversial. The estimated capital cost to the auto industry to fully implement the rule was $2,050 million with an average added cost per vehicle of $95. (But most of these capital costs have already been incurred.) NHTSA estimates that over the life of the affected vehicles 39 billion gallons of gasoline ($319 per car) will be saved.	Ellen Kranidas, (202) 426-1600.	July 1981.
● Light Truck fuel Economy (49 CFR Part 533).	These regulations require light truck manufacturers to meet minimum annual standards for fleet fuel economy for model years 1982-85. They were costly and have also been controversial. To meet the standards it is estimated that the industry will have to spend $4,800 million with an additional average cost per vehicle of $169; however, most of the industry costs would probably result even without a standard due to market forces. NHTSA estimates that over the life of the affected vehicles 11.2 billion gallons of gasoline ($1,770 per truck) will be saved.	Ellen Kranidas, (202) 426-1600.	July 1981.
● Automatic Occupant Protection (49 CFR 571.208).	This regulation is controversial and costly. If the regulation is implemented as currently planned, i.e., notwithstanding the proposal to delay implementation for large cars, the capital costs and recurring costs to the auto industry are estimated to be several hundred million dollars.	Ellen Kranidas, (202) 426-1600.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

NHTSA **National Highway Traffic Safety Administration**

Regulations selected for review	Reasons for selection	Contact	Target date
● Bumper Standard (49 CFR 571.215 and 581).	The current requirement that passenger cars bumpers withstand impacts at speeds up to 5 mph has been controversial. It has been the focus of a number of legislative hearings. Industry objections include cost and concerns about added weight and fuel consumption. Recurring costs of up to $400 million have been associated with the rule.	Frank Ephraim, (202) 426-1576.	July 1981.
● Air Brake Systems (49 CFR 571.121).	Some of this standard was previously withdrawn as a result of a 1978 court decision. The remaining sections of the rule are still controversial. The trucking industry is evidently concerned that the "no lock-up" stopping distance requirement will be reinstated. In addition, they object to the standard on grounds of cost and alleged lack of an identified need.	Frank Ephraim, (202) 426-1576.	July 1981.
● Uniform Tire Quality (49 CFR 571.104).	The regulations in question require manufacturers to grade tires for tread wear, traction, and temperature. They are controversial. The manufacturers claim that the grading system is not reliable and therefore potentially misleading and confusing.	Frank Ephraim, (202) 426-1574.	July 1981.
● Head Restraints (49 CFR 571.202).	This regulation, which was promulgated in 1969, is designed to reduce the frequency and severity of neck injuries in passenger car accidents. It is estimated that the rule requires a recurring investment of $130 million (an additional cost of $19 per vehicle). A review of the rule is currently under way.	Frank Ephraim, (202) 426-1574.	July 1981.
● Side Impact Protection (49 CFR 571.214).	This regulation provides minimum standards for side door crash resistence for passenger cars under static test conditions. NHTSA estimates that the standard saves 2,800 lives and averts 7,000 injuries a year. A recurring cost of $300 million (an additional cost of $38 per vehicle) is associated with the requirement. An initial review of this regulation, originally promulgated in 1974, was completed in 1979.	Frank Ephraim, (202) 426-1574.	July 1981.
● Light Truck Hydraulic Brakes (49 CFR 571.105-75).	This regulation applies requirements similar to passenger car standards for minimum stopping distances and parking brakes to light trucks and vans. Total costs for complying with the requirements of the standard will be $10.2 million.	Ellen Kranidas, (202) 426-1600.	July 1981.
● Seat Belt Comfort and Convenience (49 CFR 571.208).	This regulation will provide for several changes in seat belt construction that are intended to increase usage. It is controversial but the costs are limited.	Ellen Kranidas, (202) 426-1600.	July 1981.
● Fields of Direct View (Docket No. 70-7).	This regulation will provide minimal standards of visibility from automobiles. This will include standards for the size of passenger car pillars blocking forward and rear views, the forward field of vision, and light transmittance through auto windows. The costs and benefits of this action are unclear. There has been controversy over the amount of lead time needed for all companies to comply.	Ellen Kranidas, (202) 426-1600.	July 1981.
● Theft Protection (49 CFR 571.114).	These regulations extend the passenger car ignition locking systems requirements to light trucks and vans. In addition, there is a provision aimed at eliminating an inadvertent activation of the steering column lock. The initial cost impact to consumers is estimated to be $10 million.	Ellen Kranidas, (202) 426-1600.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

UMTA — Urban Mass Transportation Administration

Regulations selected for review	Reasons for selection	Contact	Target date
*Public Transportation to Non-Urbanized Areas.	Update and simplify current procedures; respond to comments received on the regulations published on December 13, 1978 (43 FR 58308).	Kay Regan, (202) 472-7037.	October 1981.
*Charter Bus Regulations	Continuing controversy	Ernesto Fuentes, (202) 426-1906.	June 1981.
*Public Hearing Requirements for Section 5(i)(3) of the UMT Act of 1964, as amended.	Continuing controversy	Charlotte Adams, (202) 472-6997.	June 1981.
● Buy America Regulations (49 CFR Part 660).	This regulation implements the requirements of the Surface Transportation Assistance Act of 1978 that requires that preference be given to items produced in the United States in UMTA funded projects. The regulation has been subject to considerable controversy centering on the extent that domestic industry should be protected and the increased costs resulting from using more expensive domestic products. UMTA believes this regulation can increase the cost of capital purchases up to 10%. (UMTA currently has a $2 billion capital grant program.).	John J. Collins, (202) 426-1906.	July 1981.

FRA — Federal Railroad Administration

Regulations selected for review	Reasons for selection	Contact	Target date
General Safety Inquiry	FRA has initiated a General Railroad Safety Inquiry to obtain information from the public to assist in evaluating and improving its safety program. A series of public hearings, each focused on a single regulatory topic, has been scheduled as indicated below.		
Topic: Power Brakes (49 CFR pt. 232).	Hearing notice published August 8, 1978 (43 FR 36659). Hearing held on September 13 and 14, 1978. Rulemaking to be initiated; see listing under Nonsignificant Regulations. *A more complete review of the power brake regulation is being conducted under the Department's priority review of costly and controversial regulations.*	R. Mowatt-Larssen, (202) 426-0924.	*Action complete.*
Topic: Signal and *Train Control Regulations* (49 CFR pts. 235 and 236).	Hearing notice published December 12, 1978 (43 FR 58100). Public hearing rescheduled for February 21 and 22, 1979. Notice of change in hearing dates published in Federal Register on January 3, 1979 (44 FR 925). Hearing held February 22 and 23, 1979. Rulemaking to be initiated; see listing under Nonsignificant Regulations.	R. Mowatt-Larssen, (202) 426-0924.	*Action complete.*
Reducing Reporting and Recordkeeping Burdens (49 CFR Parts 228, 258, 260, and 268.	FRA has selected the following regulations to be reviewed to determine whether the substantial reporting and recordkeeping burdens they impose on the public, including small businesses, can be decreased or eliminated. Part 228—Hours of Service for Railroad Employees. Part 258—Regulations Governing Section 505 of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended. Part 260—Regulations Governing Section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended. Part 268—Merger and Consolidation Procedures.	Part 228—Mr. Lawrence I. Wagner, (202) 426-8836. Parts 258, 260, and 268 Mr. Lawrence A. Friedman, (202) 426-7737.	December *1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

FRA — Federal Railroad Administration

Regulations selected for review	Reasons for selection	Contact	Target date
● Power Brake Rules (49 CFR Part 232).	The present rules prescribe a series of operational air Brake inspections and tests as well as a series of single car inspection, testing and repair requirements that are performed in shops and on repair tracks. Except for the addition of section 232.19 in 1972 to accommodate run-through trains operated by more than one railroad, the Power Brake Rules have not been changed since they were issued in 1958. Because of subsequent changes in railroad operations and technological advances, a major restructuring of these rules to make them consonant with the present railroad operating environment and to provide more flexibility in achieving safety and operating efficiency is needed. FRA roughly estimates the current requirements could cost the railroad industry more than $100 million each year..	Edward F. Conway, (202) 426-8836.	July 1981.
● Regulations on Hours of Service of Railroad Employees (49 CFR Part 228).	The Hours of Service Act prescribes the maximum hours that certain railroad employees, such as train crew members, train dispatchers, tower operators and signal maintainers, may remain on duty within any 24-hour period. The Act sets out employee working conditions and defines "time on duty" and "designated terminals." 49 CFR Part 228 contains regulations necessary to implement the Act.	J. Thomas Furphy, (202) 426-8256.	July 1981.
● Movement of Defective Cars.....	The Safety Appliance Act (49 U.S.C. 13) imposes unduly severe statutory restrictions on the movement of individual cars with defective safety appliances (e.g., handholds, ladders, sill steps, uncoupling levers) and defective brakes. For example, cars with these defects may only be moved for purposes of repair to the nearest repair point on the same railroad that discovered the defect. Many of these statutory requirements are counterproductive from the standpoint of safety and increase accident possibilities. They also result in considerable delays for shippers and expense to the railroad industry. Elimination of these statutory requirements would enable cars with these defects to be handled in the same manner as cars with other defects now covered in 49 CFR Part 215. Amendments to these statutory requirements may necessitate regulatory revisions. FRA roughly estimates that these statutory requirements could cost the railroads more than $25 million each year.	J. Thomas Furphy, (202) 426-8285.	July 1981.

RSPA — Research and Special Programs Administration

Regulations selected for review	Reasons for selection	Contact	Target date
Shippers-General Requirements for Shipments and packagings (49 CFR pt. 173) (includes the following items):.			
Electric Storage Batteries Wet (49 CFR 173.260).	Due to inquiries requesting an interpretation of this section and to eliminate the possibility of noncompliance based on a misunderstanding of the requirements, there is a need to simplify and clarify present standards. See Transportation of Wet Cell Electric Batteries (Docket No. HM-173). *Upon review, a decision was made to establish new standards for the transportation of wet electric storage batteries. This project has been added to the RSPA portion of the Agenda.*	J. Horning, (202) 426-2075.	*Action complete.*
Charcoal (49 CFR 173.162).....	.....do	J. Horning, (202) 426-2075.	*July 1981.*
Flammable solid; definitions criteria (49 CFR 173.150).	Inquiries; lack of objective regulatory standard. *See Definition of a Flammable Solid (Project 118-71).*	J. Horning, (202) 426-2075.	*February 1981.*

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

RSPA — Research and Special Programs Administration

Regulations selected for review	Reasons for selection	Contact	Target date
Toxic materials; definitions, criteria, and proposed regulations (49 CFR 173.326, 173.343).	Need for quantitative criteria	J. Horning, (202) 426-2075.	September 1981.
Hydrostatic Testing (49 CFR pt. 195, subpart E).	There is a need to clarify present standards as indicated by extent of interpretation.	F. Robinson, (202) 426-2392.	*May 1981.*
Welding Requirements (49 CFR pt. 195, subpart D).	Present requirements to be examined in light of changes in technology.	*B. Gloe, (202) 426-2082.*	*March 1981.*
Petroleum Gas Systems (49 CFR pt. 192).	This review has been merged into the Master Meter and LPG Distribution Systems review.		
Master Meter and LPG Distribution Systems (49 CFR pt. 192).	There is a need to simplify current standards for small systems such as master meter systems.	R. Langley, (202) 426-2082.	April 1981.
● Highway Routing of Radioactive Materials (HM-164).	The Department recently issued—to become effective February 1, 1982—a regulation establishing a Federal system for selecting routes for truck carriage of radioactive materials. Basically, interestate highways, and beltways around urbanized areas, where available, must be used. States, after consultation with affected local governments, may designate substitutes for interstate highway segments, if the substitutes are safer. State and local laws inconsistent with the Federal system will be preempted. This aspect of the regulation generated a great deal of controversy.	J. C. Allen, (202) 472-2726.	July 1981.
● Monitoring of External Corrosion Control (49 CFR 192.465(a)).	Gas pipeline operators currently are required annually to check the performance of cathodic protection systems which serve to control metal corrosion and extend the useful life of pipelines. This is costly for gas mains under city streets in close proximity to other underground utilities. It is also controversial because some in the industry contend that it is not possible to get valid performance data under conditions which exist in cities; hence, there is no return on the expense of complying with the regulation. The Department is conducting a study to verify this regulation's testing techniques. Annual compliance costs for this regulation are approximately $80 million.	G. Mocharko (202) 426-2392.	July 1981.
● Line Markers for Mains and Transmission Lines (49 CFR 192.707(a)).	These regulations require markers to be placed at each crossing of a navigable waterway by a pipeline. However, benefits from the regulation may be questionable because some navigable waterways do not carry commercial traffic. Costs associated with the rule are high (installation cost of $100 million for all navigable waterways) because the signs, to be effective, must be large.	R. Simmons, (202) 426-2392.	July 1981.
● Repair and Removal of Defects (49 CFR 192.245 and 195.232).	These rules, which specify what repairs are permitted on defective pipe welds, may be more restictive than required for safety. Less stringent repair methods have been shown to be safe under most conditions. Changing the rules to allow some repairs of defective welds, rather than total removal, could save industry about $20 million per year.	W. Gloe, (202) 426-2082.	July 1981.
● Data Collection and Reporting: Welds and Leaks (49 CFR 195.234(g) and 49 CFR Part 191).	The pipeline industry questions the usefulness to government and industry of the reports of weld testing and of leaks requried by these regulations. While any safety enforcement program requires recordkeeping in order to operate, it is possible to be more specific, and therefore less burdensome, in identifying problems for which reporting and recordkeeping are useful. Annual costs of the current regulation are more than $6 million.	R. Langley, (202) 426-2392.	July 1981.

DEPARTMENT OF TRANSPORTATION SEMI-ANNUAL REGULATIONS AGENDA AND REVIEW LIST

REVIEW LIST

RSPA — Research and Special Programs Administration

Regulations selected for review	Reasons for selection	Contact	Target date
● Regulation of Paint (49 CFR 173.128).	Regulations applicable to small quantity paint containers may impose a greater burden on paint shippers than is necessary to promote safety. In 1980, reporting requirements for incidents involving carriers of paint were reduced. The next step is to address the more basic question of the best regulatory framework for transportation of this flammable liquid. Savings to the paint industry could exceed $1 million annually.	*A. I. Roberts, (202) 426-0656.*	*July 1981.*

Appendix A—Instructions for Obtaining Copies of Regulatory Documents

United States Coast Guard (USCG)

Anyone desiring a copy of a USCG regulatory document listed in the Agenda should write to: U.S. Coast Guard, G—CMC/TP24, 2100 Second St. S.W., Washington, D.C. 20593.

The request should reference the name of the document and the associated regulatory docket (CGD) number which can be found in this Agenda together with the listing of the document. Persons wishing to be placed on mailing lists for all notices and rules to be issued by the USCG or for notices and rules dealing with a particular area should indicate this clearly for proper handling.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for Notices and Advance Notices of Proposed Rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling 202-426-8058 or by writing to: Federal Aviation Administration, Office of Public Affairs. Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591.

Federal Highway Administration (FHWA)

The FHWA maintains a consumer mailing list for individuals and agencies wishing to routinely receive Federal-aid highway related rulemaking actions. Persons may selectively choose to receive rulemaking materials in a number of separately identified program categories from the Code of Federal Regulations, Title 23. Those wishing to take advantage of the FHWA consumer mailing list may obtain additional information by writing to: Consumer Affairs Representative, Office of Public Affairs, Room 4208, Federal Highway Administration, 400 7th Street, SW., Washington, D.C. 20590.

Persons who desire to obtain a copy of any regulatory document to be issued by the FHWA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person). Federal Highway Adminstration, 400 7th Street, SW., Washington, D.C. 20590.

Federal Railroad Administration (FRA)

Persons who desire to obtain a copy of any regulatory document to be issued by the FRA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person). Federal Railroad Administration, 400 7th Street, SW., Washington, D.C. 20590.

National Highway Traffic Safety Administration (NHTSA)

Persons who desire to obtain a copy of any other regulatory document to be issued by the NHTSA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person). National Highway Traffic Safety Administration, 400 7th Street, SW., Washington, D.C. 20590, (202) 426-0679.

Urban Mass Transportation Administration (UMTA)

Persons who desire to obtain a copy of any regulatory document to be issued by UMTA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person). Urban Mass Transit Administration, 400 7th Street, SW., Washington, D.C. 20590, (202) 426-1909.

Saint Lawrence Seaway Development Corporation (SLSDC)

Persons who desire to obtain a copy of any regulatory document to be issued by SLSDC that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the appropriate address specified below: For contact persons with (202), telephone area code: (name of contact person), Saint Lawrence Seaway Development Corporation, 800 Independence Avenue, SW., Washington, D.C. 20591. For contact persons with (315) telephone area code: (name of contact person), Saint Lawrence Seaway Development Corporation, P.O. Box 520, Massena, New York 13662.

Research and Special Programs Administration (RSPA)

Persons wishing to be placed on mailing lists for regulatory documents to be issued by RSPA should contact: Mrs. Sandra Cureton, Information Services Division, DMT-43, 400 7th Street, SW., Washington, D.C. 20590.

Office of the Secretary (OST)

Persons desiring to receive future copies of the Regulations Agenda should submit their request to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, D.C. 20590, (202) 426-4723.

Persons who have an interest in specific regulatory documents to be issued by the Office of the Secretary should forward requests for copies of those documents to the same address. These requests should fully identify the document desired.

Appendix B—General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

USCG—Bruce Novak, Marine Safety Council, USCG Headquarters Building, *Room 2418, 2100 Second Street, S.W., Washington, D.C. 20593.* Telephone: 202/426-1477.

FAA—Edward Faberman, Office of Chief Counsel, Regulation and Enforcement Division, 800 Independence Ave., S.W., Room 915G, Washington, D.C. 20591. Telephone: 202/426-3644.

FHWA—Thomas P. Holian, Office of the Chief Counsel, 400 7th Street, S.W., Room 4223, Washington, D.C. 20590. Telephone: 202/426-0761.

FRA—Mike Haley, Office of Chief Counsel, 400 7th Street, S.W., Room 8211, Washington, D.C. 20590. Telephone: 202/472-9042.

NHTSA—Roger Tilton, Office of Chief Counsel, 400 7th Street, S.W., Room 5219, Washington, D.C. 20590. Telephone: 202/426-9511.

UMTA—Doug Gold, Office of Chief Counsel, 400 7th Street, S.W., Room 9320, Washington, D.C. 20590. Telephone: 202/426-1906.

SLSDC—Bob Kraft, Office of Chief Counsel, 800 Independence Ave., S.W., Room 814, Washington, D.C. 20591. Telephone: 202/426-3574.

RSPA—Doug Crockett, Office of Chief Counsel, 400 7th Street, S.W., Room 8420, Washington, D.C. 20590. Telephone: 202/755-4972.

OST—Neil Eisner, Office of Regulation and Enforcement, 400 7th Street, S.W., Room 10421, Washington, D.C. 20590. Telephone: 202/426-4723.

Appendix C—Public Rulemaking Dockets

The following is a list of Rule Docket locations for the various operating

administrations where the public may review regulatory dockets and hand deliver comments on advance notices and notices of proposed rulemaking:

USCG—Marine Safety Council, 2100 2nd Street, S.W., Room 2418, Washington, D.C. 20593. Working Hours: 7:00–5:00 [Monday–Thursday].

FAA—Rules Docket, Office of Chief Counsel, Regulation and Enforcement Division, 800 Independence Ave., S.W., Room 915G, Washington, D.C. 20591. Working Hours: 8:30–5:00.

FHWA—Docket Room, 400 7th Street, S.W., Room 4205, (Federal Motor Carrier Safety Regulations in Room 3404) Washington, D.C. 20590. Working Hours: 7:45–4:15.

FRA—Docket Clerk, 400 7th Street, S.W., Room 8211, Washington, D.C. 20590. Working Hours: 8:30–5:00.

NHTSA—Docket Room, 400 7th Street, S.W., Room 5108, Washington, D.C. 20590. Working Hours: 7:45–4:15.

UMTA—Docket Clerk, 400 7th Street, S.W., Room 9320, Washington, D.C. 20590. Working Hours: 8:30–5:00.

SLSDC—800 Independence Ave., S.W., Room 814, Washington, D.C. 20591. Working Hours: 8:30–5:00.

RSPA—Docket Branch, 400 7th Street, S.W., Room 8426, Washington, D.C. 20590. Working Hours: 8:30–5:00.

OST—Docket Clerk, 400 7th Street, S.W., Room 10421, Washington, D.C. 20590. Working Hours: 9:00–5:30.

Appendix D

Innovative Regulatory Techniques

As explained in the preamble, the public's views are solicited with respect to the Department's regulatory programs where innovative regulatory techniques can be applied effectively to reduce the burden on regulated entities or to reduce governmental costs. The following are descriptions of particular techniques that have shown promise throughout the federal government.

Enhance Competition

An agency seeks to achieve a valid regulatory goal through generally increasing its sensitivity to market structure by for example, removing barriers to and constraints on competition.

Marketable Rights

In place of detailed government controls, an agency limits private-sector rights to engage in a specific activity or to use scarce resources, but allows private parties to exchange, trade, or sell these rights. The agency maintains overall control while letting the affected parties arrange the detailed allocation of rights in the free market.

Economic Incentives

An agency provides economic incentives that are supplements or alternatives to government standards and regulations by structuring fees or subsidies to encourage the private sector to achieve regulatory goals. Incentives replace rigidly enforced regulatory standards.

Performance Standards

An agency replaces design standards which specify strict means of compliance with more general standards based on overall performance levels. Firms or businesses are free to find the most efficient way of complying with the standards.

Information Disclosure

An agency requires that users or consumers be provided with information choices among competing goods and services and be free to choose on the basis of that information. The agency may provide information directly to the public (e.g., uniform tire quality grading standards).

Voluntary Standard Setting

An agency supplements or substitutes direct Federal regulation with voluntary standards developed and enforced by the regulated sectors.

Compliance Reform

An agency replaces or supplements government compliance monitoring and enforcement with other mechanisms, such as third-party monitoring, supervised self-certification, and economically-based penalties (e.g., third party inspection of emergency equipment aboard ships).

Tiering

An agency takes into account the size and nature of regulated organizations when it develops or revises its regulations (e.g., certain FAA, RSPA, and NHTSA exemptions).

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Reader Aids

Federal Register

Vol. 46, No. 63

Thursday, April 2, 1981

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419 523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Public Inspection Desk	633-6930
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282 523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

Privacy Act Compilation	523-3517
United States Government Manual	523-5230

SERVICES

Agency services	523-3408
Automation	523-3408
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Chicago, Ill.	312-663-0884
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Washington, D.C.	202-523-5022
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public briefings: "The Federal Register—What It Is and How To Use It"	523-5235
Public Inspection Desk	633-6930
Regulations Writing Seminar	523-5240
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5239

FEDERAL REGISTER PAGES AND DATES, APRIL

19813-19900.....1
19901-20134.....2

CFR PARTS AFFECTED DURING APRIL

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Executive Orders:
11888 (Amended by EO 12302).....19901
12302.....19901
Proclamations:
4611 (Revoked by Pub. L. 96-487).....19860
4612 (Revoked by Pub. L. 96-487).....19860
4613 (Revoked by Pub. L. 96-487).....19860
4614 (Revoked by Pub. L. 96-487).....19860
4615 (Revoked by Pub. L. 96-487).....19860
4616 (Revoked by Pub. L. 96-487).....19860
4617 (Revoked by Pub. L. 96-487).....19860
4618 (Revoked by Pub. L. 96-487).....19860
4619 (Revoked by Pub. L. 96-487).....19860
4620 (Revoked by Pub. L. 96-487).....19860
4621 (Revoked by Pub. L. 96-487).....19860
4622 (Revoked by Pub. L. 96-487).....19860
4623 (Revoked by Pub. L. 96-487).....19860
4624 (Revoked by Pub. L. 96-487).....19860
4625 (Revoked by Pub. L. 96-487).....19860
4626 (Revoked by Pub. L. 96-487).....19860
4627 (Revoked by Pub. L. 96-487).....19860
4707 (Amended by EO 12302).....19901
4768 (Amended by EO 12302).....19901

7 CFR

907.....19927
1065.....19813
Proposed Rules:
982.....19946
1068.....19946

9 CFR

94.....19817

10 CFR

Proposed Rules:
51.....19946

12 CFR

701.....19927
Proposed Rules:
Ch. II.....19824

13 CFR

Proposed Rules:
122.....19829

14 CFR

39.....19932
97.....19933
Proposed Rules:
Ch. I.....20036
71.....19947

16 CFR

13.....19817
1212.....20030
Proposed Rules:
1212.....20032

23 CFR

Proposed Rules:
Ch. I.....20036
Ch. II.....20036

26 CFR

150.....19935
Proposed Rules:
51.....19947

28 CFR

0.....19935
40.....19935

30 CFR

250.....19935

32 CFR

199.....19818

40 CFR

52.....19819, 19936
123.....19819
180.....19820
403.....19936
429.....19936
Proposed Rules:
52.....19829
62.....19835

41 CFR

Proposed Rules:
Ch. 12.....20036
Ch. 51.....19836

43 CFR

Public Land Orders:
5653 (Revoked by Pub. L. 96-487).....19860
5654 (Revoked by Pub. L. 96-487).....19860

5696 (Revoked by Pub. L. 96-487)..... 19860
5697 (Revoked by Pub. L. 96-487)..... 19860
5698 (Revoked by Pub. L. 96-487)..... 19860
5699 (Revoked by Pub. L. 96-487)..... 19860
5700 (Revoked by Pub. L. 96-487)..... 19860
5701 (Revoked by Pub. L. 96-487)..... 19860
5702 (Revoked by Pub. L. 96-487)..... 19860
5703 (Revoked by Pub. L. 96-487)..... 19860
5704 (Revoked by Pub. L. 96-487)..... 19860
5705 (Revoked by Pub. L. 96-487)..... 19860
5706 (Revoked by Pub. L. 96-487)..... 19860
5707 (Revoked by Pub. L. 96-487)..... 19860
5708 (Revoked by Pub. L. 96-487)..... 19860
5709 (Revoked by Pub. L. 96-487)..... 19860
5710 (Revoked by Pub. L. 96-487)..... 19860
5711 (Revoked by Pub. L. 96-487)..... 19860

45 CFR

1611..... 19936

46 CFR

Ch. I..... 20036
Ch. III..... 20036
530..... 19821

47 CFR

73..... 19937-19942

Proposed Rules:

25..... 19947

49 CFR

1033..... 19822, 19940

Proposed Rules:

Ch. I..... 20036
Ch. II..... 20036
Ch. III..... 20036
Ch. IV..... 20036
583..... 19947
1043..... 19948
1084..... 19948

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

Last Listing March 18, 1981; last cumulation listing for the 96th Congress (1980) January 7, 1981.

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-375-3030).

S. 509 / Pub. L. 97-6 To amend section 201 of the Agricultural Act of 1949, as amended, to delete the requirement that the support price of milk be adjusted semiannually. (Mar. 31, 1981; 95 Stat. 8) Price $1.

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.
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3. The important elements of typical Federal Register documents.
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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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