

Federal Register

Monday
April 13, 1981

Highlights

- 21591 Death of General Omar N. Bradley** Presidential proclamation
- 21593 African Refugee Relief Day** Presidential proclamation
- 21620 Transportation** DOT/FHWA solicits comments and suggestions from the public regarding a number of its existing program requirements. The selected programs for priority review are those which are considered to be costly and/or controversial.
- 21739 Hazardous Materials Transportation** DOT/RSPA solicits proposals for the establishment and operation of Regional Training Centers (RTC's). These RTC's will be set up to instruct personnel in the awareness of regulations and in emergency response.
- 21619 Radioactive Materials Safety** NRC has completed its reassessment of the transportation regulations concerning air transportation of radioactive materials, including packaging.
- 21628 Motor Vehicle** EPA describes the actions it intends to implement in an effort to reduce regulatory burden on the industry.

CONTINUED INSIDE



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

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers, free of postage, for \$75.00 per year, or \$45.00 for six months, payable in advance. The charge for individual copies is \$1.00 for each issue, or \$1.00 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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.

Highlights

- 21602 National Defense** GSA rules on the acquisition of strategic and critical materials for the national defense stockpile.
- 21700 Continental Shelf** Interior/GS announces the submission of a proposed development and production plan for oil and gas and sulphur operations.
- 21624 Alcohol and Alcoholic Beverages** Treasury/ATF request public comments on revised reporting requirements for Puerto Rican and Virgin Islands spirits bottled in the U.S.
- 21697 Labor-Management Cooperation Program** FMCS continues deferral of program guidelines.
- 21637 Copyright** Copyright Royalty Tribunal releases an order directing distribution of 1978 cable television royalty fees.
- 21617 Confidential Business Information** DOT/NHTSA defers the effective date of its new regulation on confidential business information.
- 21744 Sunshine Act Meetings**

Contents

Federal Register

Vol. 46, No. 70

Monday, April 13, 1981

- The President**
PROCLAMATIONS
21593 African Refugee Relief Day (Proc. 4833)
21591 Bradley, Gen. Omar N.; death (Proc. 4832)
Executive Agencies
- Agriculture Department**
See Commodity Credit Corporation; Forest Service.
- Alcohol, Tobacco and Firearms Bureau**
PROPOSED RULES
Alcohol; viticultural area designations:
21623 California
Alcoholic beverages:
21624 Distilled spirits plants; reporting taxes due to insular governments on Puerto Rican and Virgin Islands spirits bottled in United States
- Arts and Humanities, National Foundation**
NOTICES
Meetings:
21732 Humanities Panel
- Coast Guard**
PROPOSED RULES
Anchorage regulations:
21626 New York
NOTICES
Meetings:
21739 Boating Safety National Advisory Council
- Commerce Department**
See also International Trade Administration; National Oceanic and Atmospheric Administration.
NOTICES
Meetings:
21637 Standards Policy Interagency Committee
- Commodity Credit Corporation**
RULES
21595 Cooperative marketing associations; eligibility requirements for price support; correction
- Copyright Royalty Tribunal**
NOTICES
21637 Cable royalty fees, 1978; not subject to appeals; distribution determination
- Customs Service**
NOTICES
Tariff reclassification petitions:
21741 Footwear known as moon boots
- Energy Department**
See also Federal Energy Regulatory Commission; Hearings and Appeals Office, Energy Department.
NOTICES
Environmental statements; availability, etc.:
21692 Inactive uranium mill tailings pile; Salt Lake City, Utah; scoping meetings and inquiry
International atomic energy agreements; civil uses; subsequent arrangements:
21694 European Atomic Energy Community (2 documents)
21695 Sweden and European Atomic Energy Community
- Environmental Protection Agency**
RULES
Air quality implementation plans; approval and promulgation; various States, etc.:
21599 North Carolina
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
21600 Chlorthiophos
PROPOSED RULES
Air pollution control; new motor vehicles and engines:
21629 Carbon monoxide emission standards; lightduty vehicles, 1982 model year; application for waiver of effective date, etc.
21628 Motor vehicle industry, regulatory burden reduction
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
21631 Glyphosate
21632 Polyethylene glycol
Toxic substances:
21633 Good laboratory practice standards for physical, chemical, persistence, and ecological effects testing; correction
NOTICES
Air programs; fuel and fuel additives:
21695 Anafuel Unlimited; waiver application
- Federal Aviation Administration**
RULES
Airworthiness directives:
21595 Mitsubishi
21596 Pratt & Whitney; final rule and request for comments
21597 Robinson
- Federal Communications Commission**
PROPOSED RULES
Television stations; table of assignments:
21633 California; extension of time
NOTICES
21695 Rulemaking proceedings filed, granted, denied, etc.; petitions by various companies; extension of comment period
- Federal Emergency Management Agency**
RULES
Flood elevation determinations:
21605 Alabama et al.
NOTICES
Radiological emergency; State plans
21696 Ohio
21696 Michigan
- Federal Energy Regulatory Commission**
NOTICES
Hearings, etc.:
21658 Appomattox River Water Authority

- 21637 Arizona Public Service Co.
- 21661 Astrachan, Edward C.
- 21637 Atlantic City Electric Co. et al.
- 21637 Barber Heavy Oil Process, Inc.
- 21640 Brewer, George Fabian
- 21642 Central Power & Light Co.
- 21642 Cities Service Gas Co.
- 21661 Columbia Gas Transmission Corp.
- 21642- Consolidated Hydroelectric, Inc. (3 documents)
- 21644 Consumers Power Co.
- 21645 Dayton Power & Light Co. (2 documents)
- 21661 Detroit Edison Co.
- 21662 El Paso Electric Co. (2 documents)
- 21662- Enagenics (3 documents)
- 21664 Energenics Systems, Inc.
- 21665 Goodson, J. A.
- 21646 Great Lakes Gas Transmission Co.
- 21665 Kansas City Power & Light Co.
- 21647 Kansas Nebraska Natural Gas Co., Inc.
- 21665 Kansas Power & Light Co.
- 21666 Kentucky West Virginia Gas Co.
- 21647 Long Lake Energy Corp.
- 21648 Michigan Wisconsin Pipe Line Co.
- 21649 Mississippi Power Co.
- 21649, Mississippi River Transmission Corp. (2 documents)
- 21667 Montana-Dakota Utilities Co.
- 21649, Natural Gas Pipeline Co. of America (3 documents)
- 21650 North Charleroi, Pa., et al.
- 21651 North Kern Water Storage District
- 21652 Ohio Edison Co.
- 21652 Pennsylvania Electric Co. et al.
- 21638- Pennsylvania-New Jersey-Maryland Interconnection et al. (4 documents)
- 21653 Philadelphia Electric Co. (2 documents)
- 21654 Phillips Petroleum Co.
- 21667 Potomac Edison Co.
- 21669 South Fork Irrigation District
- 21654, Southern California Edison Co. (4 documents)
- 21670 Southern Natural Gas Co.
- 21655, Southwestern Electric Power Co. (2 documents)
- 21656 Summersville, W. Va.
- 21656 Swift River Co.
- 21657 Tennessee Gas Pipeline Co. et al.
- 21657 Transcontinental Gas Pipe Line Corp.
- 21670 Transok Pipe Line Co.
- 21657 Vermont Electric Power Co., Inc.
- 21658 Virginia Electric & Power Co.
- 21658 Western Gas Interstate Co.
- 21646 Wilcox, Gregory
- 21744 Meetings; Sunshine Act
- Natural gas companies:
- 21659 Certificates of public convenience and necessity; applications, abandonment of service and petitions to amend; ARCO Oil & Gas Co. Natural Gas Policy Act of 1978:
- 21671- Jurisdictional agency determinations (3 documents)
- 21683

Federal Highway Administration

PROPOSED RULES

- 21620 Existing program requirements; priority review

Federal Mediation and Conciliation Service
NOTICES

- 21697 Labor-management cooperation program; continued deferral of program guidelines

Federal Reserve System

NOTICES

Applications, etc.:

- 21698 Citizens Banking Corp.
- 21698 Fort Cobb Bancshares, Inc.
- 21698 Ohio Valley Bancorp
- Bank holding companies; proposed de novo nonbank activities:
- 21698 Citicorp et al.
- 21697 Morning Sun Bank Corp.

Federal Trade Commission

RULES

Prohibited trade practices:

- 21598 Standard Brands, Inc.
- 21599 Ted Bates & Co., Inc.

Forest Service

NOTICES

Environmental statements; availability, etc.:

- 21635 Cooperative Gypsy Moth Suppression projects (1981), Maine, R.I., N.Y., Pa., and N.J.

General Services Administration

RULES

Property management:

- 21602 National defense stockpile; strategic and critical materials acquisition

Geological Survey

NOTICES

Outer Continental Shelf; oil, gas, and sulphur operations; development and production plans:

- 21700 Marathon Oil Co.

Health and Human Services Department

See Public Health Service.

Hearings and Appeals Office, Energy Department

NOTICES

Applications for exception:

- 21691 Cases filed

Interior Department

See Geological Survey; Land Management Bureau.

International Trade Administration

NOTICES

Meetings:

- 21636 Computer Systems Technical Advisory Committee

Steel trigger price mechanism:

- 21636 Preclearance requests and second quarter 1981 price levels; correction

Interstate Commerce Commission

RULES

Accounts, uniform system:

- 21618 Motor carriers; elimination of class III accounting and reporting classification

- PROPOSED RULES**
 Motor carriers:
 21634 Household goods transportation; operational regulations; performance standards; extension of time

- NOTICES**
 Motor carriers:
 21718 Finance applications
 21724, 21725 Operating rights applications; republication (3 documents)
 21715-21723 Permanent authority applications (4 documents)
 21724 Permanent authority applications; correction
 21725 Permanent authority applications; restriction removals
 21701 Temporary authority applications
 21732 Temporary authority applications; correction

- Rail carriers:
 21732 Southern Pacific Transportation Co.; exemption for contract tariff
 Rerouting of traffic:
 21732 All railroads

Justice Department
 See Parole Commission.

Land Management Bureau

- NOTICES**
 Environmental statements; availability, etc.:
 21700 Southern Appalachian Coal Production Region, Ala.; correction

Management and Budget Office

- NOTICES**
 21737 Agency forms under review

National Highway Traffic Safety Administration
RULES

- Confidential business information:
 21617 Confidentiality determinations; fuel economy standards and reports and motor vehicle safety standards; deferral of effective date

PROPOSED RULES

- Motor vehicle safety standards:
 21634 Lamps, reflective devices, and associated equipment; single center, high-mounted stoplamp installation on passenger cars; extension of time

National Oceanic and Atmospheric Administration

NOTICES

- Meetings:
 21636 Mid-Atlantic Fishery Management Council

Nuclear Regulatory Commission

PROPOSED RULES

- Radioactive material packaging:
 21619 Air transportation and packaging; advance notice; withdrawn

NOTICES

- Applications, etc.:
 21733-21734 Duke Power Co. (3 documents)
 21736 Metropolitan Edison Co. et al.
 21734 Northeast Nuclear Energy Co. et al.
 21735 Northern States Power Co.
 21736 Pacific Gas & Electric Co.
 21735 Rochester Gas & Electric Corp.
 21735 Yankee Atomic Electric Co.

Meetings:

- 21733 Reactor Safeguards Advisory Committee
 21745 Meetings; Sunshine Act

Parole Commission

NOTICES

- 21745 Meetings; Sunshine Act

Public Health Service

NOTICES

- Organization, functions, and authority delegations:
 21699 Health Services Administration, Administrator, et al.; health research and teaching facilities and training of professional health personnel
 21700 Health Services Administration, Administrator, et al.; nurse training

Research and Special Programs Administration, Transportation Department

NOTICES

- Grants; availability, etc.:
 21739 Hazardous materials safety regulations and emergency response to hazardous materials transportation (vehicular and pipeline) accidents; inquiry
 Hazardous materials:
 21739, 21741 Applications; exemptions, renewals, etc. (2 documents)

Tennessee Valley Authority

NOTICES

- 21745 Meetings; Sunshine Act

Transportation Department

See Coast Guard; Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration; Research and Special Programs Administration, Transportation Department.

Treasury Department

See Alcohol, Tobacco and Firearms Bureau; Customs Service.

MEETINGS ANNOUNCED IN THIS ISSUE

- ARTS AND HUMANITIES, NATIONAL FOUNDATION**
 21732 Humanities Panel, Washington, D.C. (closed), 4-30-81

- COMMERCE DEPARTMENT**
 International Trade Administration—
 21636 Computer Systems Technical Advisory Committee, Washington, D.C. (closed), 4-28 and 4-29-81
 National Oceanic and Atmospheric Administration—
 21636 Mid-Atlantic Fishery Management Council, Scientific and Statistical Committee, Philadelphia, Pa. (open), 5-6-81
 Office of the Secretary—
 21637 Update on efforts to develop policies on product certification for use by Federal Government, Washington, D.C. (open), 4-30-81

ENERGY DEPARTMENT

- 21692 Preparation of an environmental impact statement on an inactive uranium mill tailings pile near Salt Lake City, Utah, Salt Lake City, Utah, 5-5-81 and Tooele, Utah (both open), 5-6-81

NUCLEAR REGULATORY COMMISSION

- 21733 Reactor Safeguards Advisory Committee, Fluid Dynamics Subcommittee, San Francisco, Calif. (open), 4-28 and 4-29-81

TRANSPORTATION DEPARTMENT

Coast Guard—

- 21739 National Boating Safety Advisory Council, Newport, R.I. (open), 5-19 and 5-20-81

HEARING**ENVIRONMENTAL PROTECTION AGENCY**

- 21629 Application for waiver of effective date of the 1982 model year carbon monoxide emission standard for light-duty motor vehicles, Washington, D.C., 4-27-81

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**Proclamations:**

4832.....21591
4833.....21593

7 CFR

1425.....21595

10 CFR**Proposed Rules:**

71.....21619
73.....21619

14 CFR

39 (3 documents).....21595-
21597

16 CFR

13 (2 documents).....21598,
21599

23 CFR

200.....21620
230.....21620
625.....21620
635.....21620
770.....21620
771.....21620
795.....21620

27 CFR**Proposed Rules:**

9.....21623
19.....21624

33 CFR**Proposed Rules:**

110.....21626

40 CFR

52.....21599
180.....21600

Proposed Rules:

50.....21628
51.....21628
60.....21628
85.....21628
86 (2 documents).....21628,
21629
180 (2 documents).....21631,
21632
772.....21633

41 CFR

101-14.....21602

44 CFR

67.....21605

47 CFR**Proposed Rules:**

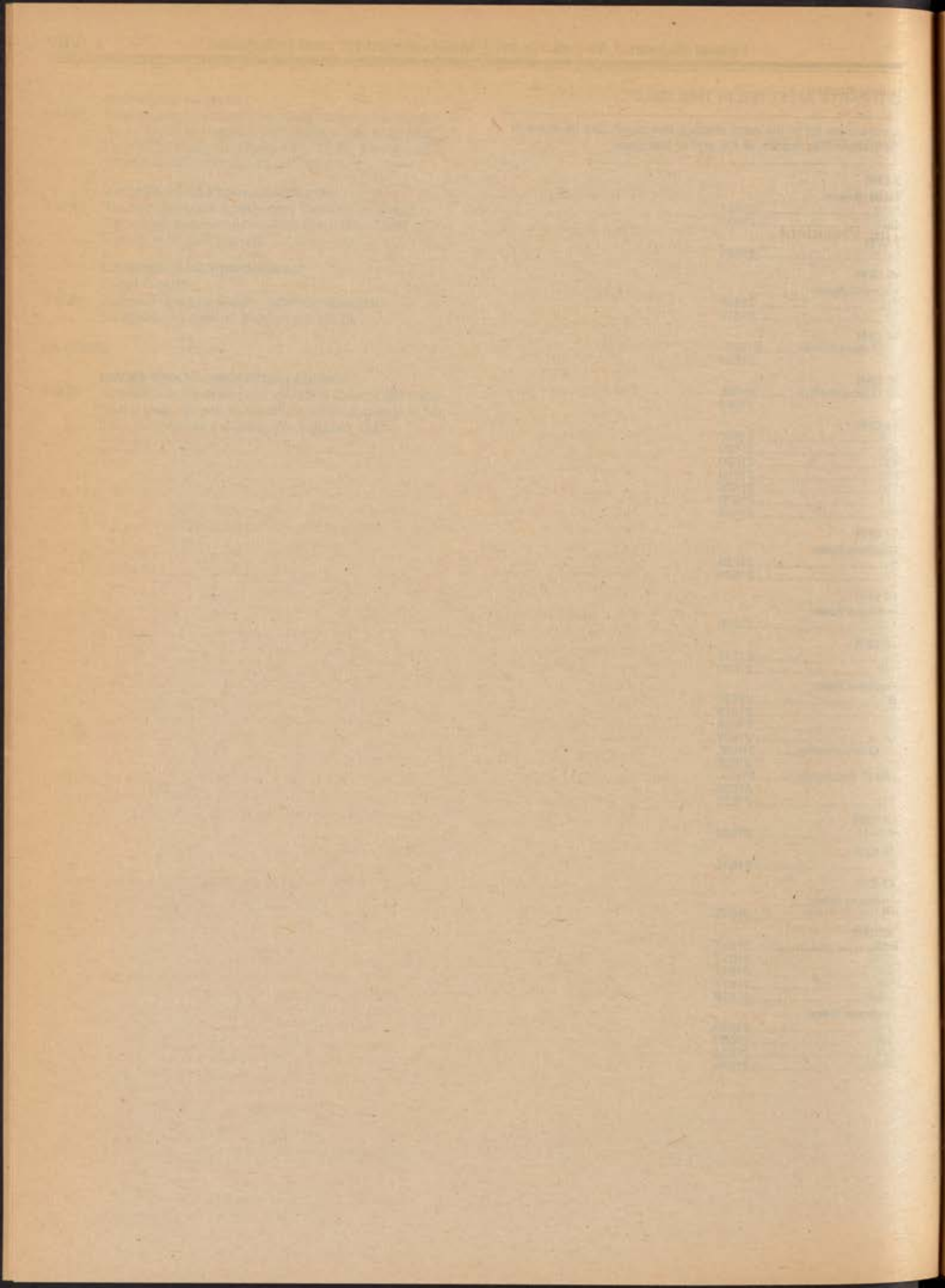
73.....21633

49 CFR

512.....21617
525.....21617
537.....21617
555.....21617
1206.....21618

Proposed Rules:

395.....21620
396.....21620
571.....21634
1056.....21634



Presidential Documents

Title 3—

Proclamation 4832 of April 9, 1981

The President

Death of General Bradley

By the President of the United States of America

A Proclamation

To the People of the United States:

With sadness, I announce the death of General of the Army Omar Nelson Bradley, who died yesterday in New York City.

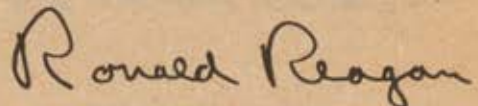
For sixty-nine years General Bradley wore the color of an American soldier—with courage, integrity, professionalism and, above all, honor. Even as he rose in rank, humility never left his side. He was the "G.I.'s General" because he was, always, a G.I.

In World War II his conspicuously brilliant leadership thrust him to the top of the U.S. military command. Whether at Normandy, North Africa, or Sicily, the Bradley command always meant good fortune for freedom's defenders.

General Bradley's memory will be revered by his countrymen. He left to us exemplary qualities that long will be the standard of every soldier who takes the solemn pledge to defend this Nation.

As a mark of respect for the memory of General Bradley, I hereby order that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until his interment. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

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



Private and Confidential

Reference to be made to the

Office of the Director

of the Department of the Interior

A copy of the

report of the

Commissioner of the General Land Office

dated at Washington, D. C., this 15th day of

February, 1900, is hereby referred to the

Department of the Interior for its consideration

and the Department of the Interior is requested to

report thereon to the Department of the Interior

at Washington, D. C., on or before the 15th day

of March, 1900.

Very truly yours,

Secretary of the Interior

Washington, D. C.

Approved: _____

Special Agent in Charge

Presidential Documents

Proclamation 4833 of April 9, 1981

African Refugee Relief Day

By the President of the United States of America

A Proclamation

The American people are blessed with freedom and material abundance, yet they are not deaf to the cries of agony from those who suffer deprivation. Today, cries for help are heard from Africa where more than 4 million of our fellow human beings have been displaced.

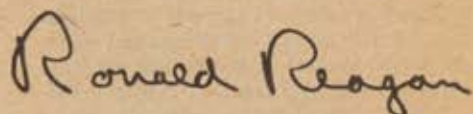
The United States applauds the humanitarian efforts of the nations which take in these refugees. Host nations are often themselves poor in resources and their willingness to accept refugees is exemplary of the best in the human spirit.

Americans are a compassionate people and will do their part, either through government or through voluntary contributions.

With this in mind, Congress has, by joint resolution, requested me to designate April 9, 1981, as African Refugee Relief Day and to call upon the people of the United States to observe that day by increasing their awareness of the plight of the African refugee. Further, I call on Americans of all faiths to involve themselves directly in this problem with their prayers and with contributions to recognized private voluntary agencies which provide care and relief to African refugees.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate April 9, 1981, as African Refugee Relief Day.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of April, in the year of our Lord nineteen hundred and eighty-one, and of the Independence of the United States of America the two hundred and fifth.



Resolutions of the Board

Resolved that the Board of Directors

do hereby certify that the following

is a true and correct copy of the

minutes of the meeting

held at the office of the Secretary on the 1st day of July 1900.

Witness my hand and the seal of the Corporation this 2nd day of July 1900.

Secretary

President

Treasurer

Director

Director

James B. [Signature]

Rules and Regulations

Federal Register

Vol. 46, No. 70

Monday, April 13, 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

Commodity Credit Corporation

7 CFR Part 1425

[Amendment 6]

Cooperative Marketing Association; Eligibility Requirements for Price Support

Correction

In FR Doc. 81-10151, published at page 20149, in the issue of Friday, April 3, 1981, make the following corrections to § 1425.13(f)(2):

1. On page 20151, second column, in the third line of the first paragraph designated (iii), the word "proposes" should read "proposed".

2. In that same column, in the first line of the second paragraph designated (ii) the dash between the words "maintaining" and "necessary" should be removed.

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81-CEF-1-AD; Amdt. 39-4086]

Airworthiness Directives; Mitsubishi Heavy Industries, Ltd.; Models MU-2B, MU-2B-10, MU-2B-15, MU-2B-20, MU-2B-25, and MU-2B-26 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment revises Airworthiness Directive (AD) 81-06-01, applicable to certain Mitsubishi Heavy

Industries, Ltd., MU-2B series airplanes by amending the applicability and effectivity statement to include additional airplane serial numbers. In addition, paragraph B) of this AD is revised to apply to specific serial number airplanes. This amendment is needed because some airplane serial numbers were inadvertently not included in AD 81-06-01.

FOR FURTHER INFORMATION CONTACT:

Gary K. Nakagawa, Chief, Engineering and Manufacturing District Office, APC-210, FAA, Pacific-Asia Region, P.O. Box 50109, Honolulu, Hawaii 96850; Telephone (808) 546-8650 or 546-8658, or Earsa L. Tankesley, Chief, Airworthiness Standards Program, ACE-215, 601 East 12th Street, Kansas City, Missouri 64106; Telephone (816) 374-6937.

SUPPLEMENTARY INFORMATION: AD 81-06-01, Amendment 39-4062 (46 FR 16886, 16887) applies to Mitsubishi Model MU-2B series airplanes, Serial Numbers 239 through 347, except Serial Numbers 313 and 321, airplanes certificated in all categories. The AD does not apply to MU-2B series airplanes having serial numbers with the suffix "SA."

Subsequent to issuance of AD 81-06-01 and, as a result of an operator's inquiry on airplane serial number effectivity, the FAA has determined the AD serial number effectivity is in error and needs to be revised to include additional serial numbers. In addition, paragraph B) of AD 81-06-01 needs to be amended to apply to only specific serial number airplanes. The FAA has verified that the airplane serial number effectivity stated in Mitsubishi MU-2 Service Bulletin No. 177B (SB No. 177B) dated September 11, 1980, is correct and this amendment revises the AD to be consistent with SB No. 177B.

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

Adoption of the Amendment

Accordingly and pursuant to the authority delegated to me by the Administrator § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended by further revising Airworthiness Directive 81-06-01

[Amendment 39-4062, 46 FR 16886, 16887] as follows:

(1) Revise the existing applicability statement's first sentence to read:

Applies to Models MU-2B, MU-2B-10, MU-2B-15, MU-2B-20, MU-2B-25, and MU-2B-26 (all serial numbers up through and including 347, except Serial Numbers 313 and 321) airplanes certificated in all categories.

(2) Revise paragraph (B) to read:

(B) Within the next 100 hours time-in-service after the effective date of this AD, on airplane serial numbers 005 through and including 204, modify the engine aft nacelle area and wing trailing edge in accordance with Modification II of Mitsubishi MU-2 Service Bulletin No. 177B dated September 11, 1980.

This amendment becomes effective on April 1, 1981.

(Secs. 313(a), 601 and 603 of the 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)); § 11.89 of the Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this document involves a regulation which is not significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. In addition, a copy of the regulatory evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the Office of the Regional Counsel, Room 1558, Federal Aviation Administration, Central Region, 601 East 12th Street, Kansas City, Missouri 64106; Telephone (816) 374-5446. It has been determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981. The FAA has also determined that this regulation is an emergency regulation and 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 insure safety.

Issued in Kansas City, Mo., on April 1, 1981.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 81-11001 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-NE-03; Amdt. 39-4083]

Airworthiness Directives; Pratt & Whitney Aircraft Models JT8D-1, -1A, -7, -7A, -7B, -9, -9A, -11, -15, -17, and -17R Turbofan Engines**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires inspection for tierod hole cracking of high pressure compressor disks, Stages 9 through 12, on Models JT8D-9, -9A, -11, -15, -17, and -17R engines and certain stage 10 disks on models JT8D-1, -1A, -1B, -7, -7A, and -7B engines. The AD is needed to detect cracks in disk tierod holes which may result in rupture of disks and engine failures. This amendment supersedes the amendment 39-3214 (AD 78-10-05), effective June 2, 1978.

DATES: Effective—April 13, 1981. Comments on the rule must be received on or before June 1, 1981. Compliance schedule/applicability dates—As prescribed in the text of the AD.

ADDRESS: All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to: Pratt & Whitney Aircraft, Commercial Products Division, 400 Main Street, East Hartford, Connecticut 06108.

Send comments on the rule to: Federal Aviation Administration, Office of the Regional Counsel, New England Region, Attention: Rules Docket No. —, 12 New England Executive Park, Burlington, Massachusetts 01803.

Comments may be examined in the Rules Docket weekdays, except Federal holidays, between 8:00 a.m. and 4:30 p.m.

Copies of the service bulletins are contained in the Rules Docket, Federal Aviation Administration, Office of the Regional Counsel, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT:

Chung C. Hsieh, Engine Projects Section, ANE-214E, Engineering and Manufacturing Branch, Flight Standards Division, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7347.

**SUPPLEMENTARY INFORMATION:
Prior Regulatory History**

The FAA has determined that cracks have occurred in the tierod holes in high pressure compressor disks, Stages 9 through 12, of JT8D engines which, in three instances on two model JT8D-17 engines and a model JT8D-9 engine, progressed and caused disk ruptures resulting in engine failures. Since this condition is likely to exist or develop on other engines of the same type design, an AD is being issued which requires inspection for tierod hole cracking of high pressure compressor disks, stages 9 through 12, on models JT8D-9, -9A, -11, -15, -17, and -17R engines and certain stage 10 disks on models JT8D-1, -1A, -1B, -7, -7A, and -7B engines. The new AD supersedes AD 78-10-05 which imposes inspection of high pressure compressor disk for tierod hole cracking of model JT8D-15, -17, and -17R turbofan engines only. This AD includes adjustment to the first inspection and reinspection interval limits of the JT8D-15, -17, and -17R engine models, expansion in applicability to include JT8D-9, -9A, and -11 engine models, and addition of certain stage 10 disks of the JT8D-1, -1A, -1B, -7, -7A, and -7B engine models. 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 in less than 30 days.

Request for Comments on the 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:

Pratt & Whitney Aircraft: Applies to Pratt & Whitney Aircraft Models JT8D-1, -1A, -1B, -7, -7A, -7B, -9, -9A, -11, -15, -17, and -17R turbofan engines.

Compliance required as indicated, unless already accomplished in accordance with Pratt & Whitney Aircraft Alert Service Bulletin Number 4723, Revision 7, dated February 16, 1981. Disks previously inspected according to prior revisions of the above Alert Service Bulletin are in compliance with the inspection requirement. Inspection methods and intervals, subsequent to the effective date of this AD, must be in accordance with Revision 7 of the above Alert Service Bulletin.

To prevent crack propagation and possible disk failure, inspect Stages 9 through 12 high pressure compressor disks at the tierod holes in accordance with Pratt & Whitney Aircraft Alert Service Bulletin Number 4723, Revision 7, dated February 16, 1981, or later revision or equivalent means approved by the Chief, Engineering and Manufacturing Branch, New England Region.

Accomplish first inspection prior to the first inspection limits, and reinspect disks at the intervals specified by stage and engine model in Tables II through V of the above Alert Service Bulletin. Disks inspected prior to the first inspection limit must be reinspected before reaching the specified reinspection interval or reaching the first inspection limit, whichever is later. Inspection limits shall be based upon the February 16, 1981, date as specified in Pratt & Whitney Aircraft Alert Service Bulletin Number 4723, Revision 7. In no case shall the established life limits of the disk be exceeded.

Remove cracked disks from service prior to further flight. They may be returned to service if repaired in accordance with Paragraph 6 of the above Alert Service Bulletin.

Upon request of the operator, an FAA airworthiness inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA, New England Region, may adjust the inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

The manufacturer's service bulletins, maintenance manuals, and overhaul manuals identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Pratt & Whitney Aircraft, Commercial Products Division, 400 Main Street, East Hartford, Connecticut 06108. These documents may also be examined at Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01802, and at FAA Headquarters, 800 Independence Avenue, S.W., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at

the New England Region. This amendment becomes effective April 13, 1981.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 8(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89)

This amendment supersedes the amendment 39-3214 (AD 78-10-05), effective June 2, 1978.

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not Major under Executive Order 12291 or significant under the DOT regulatory policies and procedures (44 FR 11034; February 26, 1979). A copy of the final regulatory evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT." It has been determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981 and Executive Order 12291.

Issued in Burlington, Mass., on April 1, 1981.

John B. Roach,

Acting Director, New England Region.

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

[FR Doc. 81-11083 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-WE-1-AD; Amdt. 39-4082]

Airworthiness Directives; Robinson Helicopter Model R-22

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the Federal Register and makes effective to all persons an amendment adopting a new airworthiness directive (AD) which was previously made effective on all Robinson Helicopter Model R-22. All known United States operators were notified by telegraphic AD No. T 81-05-52, dated March 4, 1981 which superseded telegraphic AD No. T 81-03-52, dated January 28, 1981. The AD requires an inspection for cracks prior to further flight, and a repetitive inspection at intervals not to exceed ten (10) hours additional time in service thereafter, for all main gearbox input flex coupling yokes P/N A 194, on the Robinson Helicopter Model R-22. The AD is prompted by reports of main gearbox input flex coupling cracks which could result in loss of power to the main rotor.

DATES: Effective April 13, 1981, and was effective upon receipt for recipients of telegraphic AD T 81-05-52, dated March 4, 1981.

Compliance schedule.—As prescribed in the body of the AD unless already accomplished.

ADDRESSES: The applicable service information may be obtained from: Robinson Helicopter Company, 24747 Crenshaw Boulevard, Torrance, California 90505.

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

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

FOR FURTHER INFORMATION CONTACT: Robert T. Razzeto, Executive Secretary, Airworthiness Directive Review Board, Federal Aviation Administration, Western Region, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009. Telephone: (213) 536-8351.

SUPPLEMENTARY INFORMATION: An Emergency AD was issued as telegraphic AD No. T 81-05-52, dated March 4, 1981, and made effective immediately upon receipt to all known United States operators of Robinson Model R-22 Helicopters. Emergency telegraphic AD T 81-05-52, dated March 4, 1981, superseded emergency telegraphic AD T 81-03-52, dated January 28, 1981, because initially, the failure of the coupling yoke was attributed to improper heat treatment (decarburization) of coupling yokes in production lot 15A. Subsequently, two additional coupling yokes from various production lots have cracked. The superseding action broadens the applicability to helicopters with coupling yokes from production lots 17 and below. Production lot 18 and subsequent are being manufactured with a heat treat process change, which is FAA approved. In addition, a new coupling of improved design (P/N A 908-1) has been developed and is an approved substitute part. This AD requires an inspection for cracks prior to further flight and a repetitive inspection at intervals not to exceed ten (10) hours additional time in service thereafter, of all main gearbox input flex coupling yokes Part No. P/N A 194, on the Robinson Helicopter Model R-22. This AD is prompted by reports of main gearbox input flex coupling cracks of fractures which could result in flex coupling failure.

Since this condition is likely to exist or develop on other helicopters of the same design, an airworthiness directive is being adopted which requires an inspection for cracks prior to further flight, and repetitive inspections of the main gearbox input flex couplings on the Robinson Model R-22 Helicopters.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed to make the AD effective immediately. These conditions still exist and the AD is hereby published in the Federal Register as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In accordance with Section 605 of the Regulatory Flexibility Act, 5 U.S.C. 605, it has been determined, and certification is hereby made, that the rule, as promulgated, does not have a significant impact on a substantial number of small entities. There are only 84 coupling yokes involved in this AD action. Replacement of the part with a like serviceable part from production lot 18 or subsequent or a new main gearbox input flex coupling yoke P/N A 908-1 is the terminating action for this AD.

Adoption of the Amendment

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

Robinson Helicopter: Applies to Model R-22 Helicopters, certified in all categories, Serial Numbers 0002 through 0036, 0038 through 0061, 0064 through 0089, 0093 and 0095.

Compliance required as indicated, unless already accomplished.

To prevent coupling failure which would result in the loss of power to the main rotor accomplish the following:

(a) Prior to further flight, after receipt of telegraphic AD T 81-05-52 or the effective date of this AD, whichever comes first, conduct an inspection of the main gearbox input flex coupling yoke P/N A 194 on all R-22 helicopters, Serial Nos: 0002 through 0036, 0038 through 0061, 0064 through 0089, 0093 and 0095, in accordance with Robinson Helicopter Company Service Bulletin SB-9, dated March 4, 1981, unless previously accomplished in accordance with Robinson Helicopter Company SB-6 dated January 26, 1981, within the previous ten (10) hours time in service.

(b) Replace defective main gearbox flex coupling yoke P/N A 194 with like serviceable couplings from any production lot 18 and subsequent or new inertia welded coupling P/N A 908-1. Replacement using

either of these couplings is terminating action for this AD.

(c) After the inspection in (a), at intervals not to exceed ten (10) hours additional time in service, inspect Robinson R-22 Model Helicopters Serial Nos. 0002 through 0036, 0038 through 0061, 0064 through 0089, 0093 and 0095 main gearbox input flex coupling yoke, P/N A 194, for cracks, in accordance with Robinson Helicopter Company Service Bulletin SB-9, dated March 4, 1981. Comply with (b) if cracks are found.

(d) Do not install a yoke, P/N A 194, from production lot prior to 18 as a replacement part or as original installation.

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

Alternative inspections, modifications or other actions which provide an equivalent level of safety may be used when approved by the Chief, Engineering and Manufacturing Branch, FAA Western Region.

The manufacturers' specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 553(a)(1). All persons affected by this directive, who have not already received these documents from the manufacturer, may obtain copies upon request to: Robinson Helicopter Company, 24747 Crenshaw Boulevard, Torrance, California 90505.

These documents may also be examined at: FAA Western Region Office, 15000 Aviation Boulevard, Hawthorne, California 90261, and at: FAA Headquarters, 800 Independence Avenue, S.W., Washington, D.C. 20591.

An historical file on this AD, which includes the incorporated material in full, is maintained by the FAA at its headquarters in Washington, D.C. and at FAA Western Region Office.

This amendment becomes effective April 13, 1981, to all persons except those to whom it was made immediately effective by telegraphic AD T 81-05-52, dated March 4, 1981.

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

Note.—The FAA has determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981, and an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in 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). This rule, as promulgated, does not effect a significant number of small entities, 5 U.S.C. 605. 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 Los Angeles, California on March 25, 1981.

John D. Mattson,
Director, FAA Western Region.

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

[FR Doc. 81-11082 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. C-3060]

Standard Brands, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a New York City manufacturer of various products, including "Fleischmann's Margarine" products, to cease referring to any test or survey when making representations regarding the performance, benefit, choice or superiority of a product, unless referenced test or survey has been scientifically designed, executed and analyzed; and provides substantiation for those claims. The firm is further barred from representing that survey respondents recommend or use a particular brand of product more often than a competitive brand, unless the company discloses the fact that an equal or greater percentage of such respondents have no brand preference. Additionally, the order requires the firm to maintain, for a period of three years, records substantiating advertising claims.

DATES: Complaint and order issued March 17, 1981.¹

¹ Copies of the Complaint and the Decision and Order filed with the original document.

FOR FURTHER INFORMATION CONTACT:

FTC/P, James H. Sneed, Washington, D.C. 20580 (202) 523-3727.

SUPPLEMENTARY INFORMATION: On Friday, January 9, 1981, there was published in the Federal Register, 46 FR 2355, a proposed consent agreement with analysis in the Matter of Standard Brands, Inc., a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Advertising Falsely or Misleadingly: § 13.20 Comparative data or merits, 13.20-20 Competitors' products; § 13.110 Endorsements, approval and testimonials; § 13.205 Scientific or other relevant facts; § 13.210 Scientific tests; § 13.255 Surveys; § 13.265 Tests and investigations. Subpart—Claiming or Using Endorsements or Testimonials Falsely or Misleadingly: § 13.330 Claiming or using endorsements or testimonials falsely or misleadingly, 13.330-33 Doctors and medical profession. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements, § 13.533-20 Disclosures, § 13.533-45 Maintain records. Subpart—Disseminating Advertisements, Etc.: § 13.1043 Disseminating advertisements, etc. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1575 Comparative data or merits; § 13.1665 Endorsements; § 13.1740 Scientific or other relevant facts; § 13.1757 Surveys; § 13.1762 Tests, purported. Subpart—Neglecting, Unfairly or Deceptively, To Make Material Disclosure: § 13.1863 Limitations of product; § 13.1895 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Carol M. Thomas,
Secretary.

[FR Doc. 81-10665 Filed 4-10-81; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Part 13

(Docket No. C-3059)

Ted Bates & Co., Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions**AGENCY:** Federal Trade Commission.**ACTION:** Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a New York City advertising agency to cease referring to any test or survey of "experts" or "consumers" when making representations regarding the performance, benefit, choice or superiority of a product, unless the referenced test or survey has been scientifically designed, executed and evaluated by experts; and provides substantiation for the representations. The firm is further barred from representing, by reference to a test or survey, that experts or consumers surveyed or tested recommended or used a particular brand of product, without disclosing that an equal or greater percentage of such respondents had not indicated any brand preferences. Additionally, the order requires the company to maintain, for a period of three years, records substantiating advertising claims.

DATES: Complaint and order issued March 17, 1981.¹

FOR FURTHER INFORMATION CONTACT: FTC/P, James H. Sneed, Washington, D.C. 20580. (202) 523-3727.

SUPPLEMENTARY INFORMATION: On Friday, January 9, 1981, there was published in the Federal Register, 46 FR 2355, a proposed consent agreement with analysis in the Matter of Ted Bates & Company, Inc., a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Advertising Falsely or Misleadingly:

§ 13.20 Comparative data or merits, 13.20-20 Competitors' products; § 13.110 Endorsements, approval and testimonials; § 13.205 Scientific or other relevant facts; § 13.210 Scientific tests; § 13.255 Surveys; § 13.265 Tests and investigations. Subpart—Claiming or Using Endorsement or Testimonials Falsely or Misleadingly; § 13.330 Claiming or using endorsements or testimonials falsely or misleadingly, 13.330-33 Doctors and medical profession. Subpart—Corrective Actions and/or Requirements; § 13.533 Corrective actions and/or requirements, 13.533-20 Disclosures, 13.533-45 Maintain records. Subpart—Disseminating Advertisements, Etc.; § 13.1043 Disseminating advertisements, etc. Subpart—Misrepresenting Oneself and Goods—Goods; § 13.1575 Comparative data or merits; § 13.1665 Endorsements; § 13.1740 Scientific or other relevant facts; § 13.1757 Surveys; § 13.1762 Tests, purported. Subpart—Neglecting, Unfairly or Deceptively, To Make Material Disclosure § 13.1863 Limitations of product; § 13.1895 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Carol M. Thomas,
Secretary.

[FR Doc. 81-10964 Filed 4-10-81; 8:45 am]

BILLING CODE 6750-01-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[A-4-FRL 1794-4]****North Carolina: Approval of Plan Revisions; Approval and Promulgation of Implementation Plans****AGENCY:** Environmental Protection Agency.**ACTION:** Final rule.

SUMMARY: EPA today announces its approval of the following revisions in the North Carolina air implementation plan: (1) revised ambient standard for ozone; (2) provision pursuant to § 126 (a) of the Clean Air Act for abatement of interstate pollution; (3) changes in regulation 2D.0501, Compliance with Emission Control Standards, and 2H.0603, Applications; (4) revision of the ozone alert level from 200 to 400 ug/m³ and deletion of references to coefficient of haze (COH); (5) addition of an ambient standard for lead; (6) incorporation of changes in EPA's New Source Performance Standards and National Emission Standards for

Hazardous Air Pollutants (40 CFR Parts 60 and 61); and (7) addition of provisions needed to fulfill the requirements of § 127(a) of the Clean Air Act concerning public participation. This action updates the North Carolina plan to meet several recent statutory and regulatory changes.

DATE: This action is effective May 13, 1981.

ADDRESSES: Copies of the materials submitted by the State may be examined during normal business hours at the following locations:

Public Information Reference Unit,
Environmental Protection Agency,
401 M Street S.W.,
Washington, D.C. 20400
Office of the Federal Register,
1100 L Street, N.W.,
Room 8401,
Washington, D.C. 20005

Air Programs Branch,
EPA Region IV,
345 Courtland Street, NE.,
Atlanta, Georgia 30365

Air Planning and Environmental
Standards Branch,

Division of Environmental Management,
North Carolina Department of Natural
Resources and Community
Development,

Archdale Building,
512 N. Salisbury Street,
Raleigh, North Carolina 27611

FOR FURTHER INFORMATION CONTACT:

Walter Bishop,
Air Programs Branch,
EPA Region IV,
345 Courtland Street,
Atlanta, Georgia 30365,
404/881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: To satisfy the requirements of Section 126(a) of the Clean Air Act, North Carolina has revised the intergovernmental cooperation section of its plan to provide that the State will give 60-day prior notice to adjoining states of new source construction likely to have a significant air quality impact there. The list of point sources in Appendix A of the plan has been amended by adding a list of existing sources which could have a significant impact on air quality in adjoining states. These changes were adopted by the Environmental Management Commission on May 10, 1979. On the same date, the Commission revised North Carolina's ambient ozone standard to make it consistent with the national standards for this pollutant which EPA promulgated on February 8, 1979. The Commission also changed the name of the plan to the North Carolina State Implementation Plan for Air Quality. These revisions were submitted for EPA's approval on June 15, 1979.

¹ Copies of the Complaint and the Decision and Order filed with the original document.

On April 10, 1980, the Commission adopted a number of further revisions in the North Carolina plan. These were submitted for EPA's approval on May 2, 1980. Some of these were adopted to correct deficiencies in the State's 1979 revisions for nonattainment areas and have been dealt with in other notices. The revisions being approved today are now described.

Regulation 2D.0501, Compliance with Emission Control Standards, has been revised several times since the original North Carolina plan was approved. However, EPA has never taken approval action on these changes, which were described in a notice of proposed rulemaking which appeared in the *Federal Register* of July 17, 1978 (43 FR 30580). The State has made further changes which make previous revisions approvable: the applicability of Federal test procedures has been made more specific; in addition, paragraph (f) of the regulation has been revised to provide a mechanism for imposing controls more stringent than those provided in the plan in cases where added controls are needed to meet ambient standards. This mechanism involves the addition of a paragraph (f) to regulation 2H.0603 providing that permits to impose such added controls must receive a public hearing in conformity with 40 CFR 51.4 and be added to the plan as an appendix. Such permits, and permits embodying alternative controls under regulation 2D.0905 of the regulations for the control of volatile organic compounds, will have to be submitted for EPA's approval following public hearing and formal adoption.

Regulation 2D.0302, Episode Criteria, has been revised by changing the term "oxidant(s)" to "ozone", by deleting all mention of coefficient of haze (COH), and by raising the alert level for ozone from 200 to 400 $\mu\text{g}/\text{m}^3$, one-hour average.

An ambient standard for lead, consistent with the Federal ambient standard, has been added to the plan.

Regulation 2D.0524, New Source Performance Standards, and 2D.0525, National Emission Standards for Hazardous Air Pollutants, are amended to incorporate by reference standards added to 40 CFR Parts 60 and 61 between April 6, 1976, and January 1, 1979. Regulation 2D.0603, dealing with monitoring requirements for sources covered by national standards, is revised to reflect monitoring requirements associated with the added standards. The State also requested a delegation of authority to administer the

added standards. This was granted on October 22, 1980, as noted in the *Federal Register* of December 30, 1980 (45 FR 85824).

In response to the requirements of Section 127(a) of the Clean Air Act, the State has added to the plan a section on public awareness. This section outlines the mechanisms which will be used to acquaint the general public with issues related to air quality, to keep the public up-to-date on violations of the ambient standards in the State, to provide for public involvement in decisions affecting air quality, and to provide for cooperation in the foregoing activities between the State and the local air pollution control agencies.

Approval of these revisions was proposed in the *Federal Register* of December 4, 1980 (45 FR 80313). No comments were received on the proposal. The Agency has determined that these revisions in the North Carolina plan satisfy or are consistent with the provisions of the Clean Air Act as amended in 1977. Accordingly, they are hereby approved. This action is effective May 13, 1981.

Under Section 307(b)(1) of the Clean Air Act, judicial review of these actions 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.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it merely ratifies State actions and imposes no new burden on sources.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291. Any comments from OMB to EPA and any response to those comments are available for public inspection at the EPA Region IV office (see address above).

Incorporation by reference of the State implementation plan for the State of North Carolina was approved by the Director of the *Federal Register* on July 1, 1980.

(Secs. 110, 126(a), Clean Air Act as amended in 1977 (42 U.S.C. 7410, 7426(a), 7427(a)))

Dated: April 7, 1981.

Walter C. Barber,
Acting Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart II—North Carolina

In § 52.1770, paragraph (a) is revised and paragraph (c) is amended by adding subparagraph (25), as follows:

§ 52.1770 Identification of plan.

(a) Title of plan: "The North Carolina State Implementation Plan for Air Quality."

* * * * *

(c) The plan revisions listed below were submitted on the dates specified.

* * * * *

(25) Miscellaneous revisions submitted on June 15, 1979 (provisions for interstate pollution abatement to satisfy § 126(a) of the Clean Air Act, and revised ambient standard for ozone), and on May 2, 1980 (revision of regulations 2D.0302, .0501, .0524, .0525, and .0603, addition of regulation 2H.0603(f), ambient standard for airborne lead, and provision for public participation to satisfy § 127(a) of the Clean Air Act), by the North Carolina Department of Natural Resources and Community Development.

[FR Doc. 81-11053 Filed 4-10-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 180

[PP 8E2131/R319; PH-FRL 1801-6]

Tolerances and Exemptions from Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Chlorthiophos

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for residues of the insecticide chlorthiophos in or on tomatoes at 0.5 part per million (ppm). This regulation was requested by EM Laboratories. This regulation will establish the maximum permissible level for residues of chlorthiophos in or on tomatoes.

EFFECTIVE DATE: Effective on April 13, 1981.

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

FOR FURTHER INFORMATION CONTACT: Jay S. Ellenberger, Product Manager (PM) 12, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 400, Cm#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-7024).

SUPPLEMENTARY INFORMATION: EPA issued a notice that was published in the Federal Register of March 16, 1981 (46 FR 16917) that EM Laboratories, Inc., 500 Executive Blvd., Elmsford, NY 10523, had submitted a pesticide petition (PP 8E2131) to the EPA. The petition proposed that the Administrator, propose a tolerance for the combined residues of the insecticide chlorthiophos, that is a mixture of 0-[2,5-dichloro-4-(methylthio)phenyl] O,O-diethylphosphorothioate; 0-[2,4-dichloro-5-(methylthio)phenyl] O,O-diethylphosphorothioate; and 0-[4,5-dichloro-2-(methylthio)phenyl] O,O-diethylphosphorothioate and its diethyl phosphorus ester moiety containing metabolites in or on tomatoes at 0.5 part per million.

No comments or request for referral to an advisory committee were received in response to this notice of proposed rulemaking.

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the tolerance included a 2-year rat feeding/ oncogenicity study and a mouse oncogenicity study which were negative at 6.4 and 50 ppm, both of which are the maximum tolerated doses, respectively; a 1-year dog feeding study with a no-observable-effect level (NOEL) of 8.0 ppm; a rabbit teratology study which was negative for teratogenic effects at up to 5.0 milligrams (mg)/kilogram (kg) of body weight (bw)/day and exhibited a NOEL of 1 mg/kg for fetotoxic effects; a delayed neurotoxicity study in rats which showed a negative potential; and a reproduction study which showed a NOEL of 2.0 ppm. Based on the 1-year dog feeding study with an 8.0 ppm NOEL for systemic effects and using a safety factor of 100, the acceptable daily intake (ADI) for humans is 0.002 mg/kg of bw/day. The theoretical maximal residue contribution (TMRC) in the human diet from the proposed use does not exceed the ADI.

Desirable data that are lacking from the petition are mutagenicity testing and toxicity of plant metabolites. The

mutagenicity and plant metabolite studies will be required for any future petitions and or registrations.

The metabolism of chlorthiophos is adequately understood and an adequate analytical method (gas chromatography with a phosphorus detector) is available for enforcement purposes. No actions are currently pending against registration of chlorthiophos nor are there any other relevant considerations involved in establishing the tolerance.

The pesticide is considered useful for the purpose for which the tolerance is sought, and it is concluded that the tolerance established by amending 40 CFR Part 180 will protect the public health. Therefore, the tolerance be established as set forth below.

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

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it will not have an annual effect on the economy of \$100 million or more; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions; and it will not have 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. In general, tolerance regulations have beneficial impacts on affected industries and the public.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection in the Document Control Office, EPA, Rm. 107, 401 M St., Washington, D.C. 20460.

For information on the Regulatory Flexibility Act, see the Appendix to this rule.

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

Dated: March 31, 1981.

Edwin L. Johnson,
Deputy Assistant Administrator for Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, Subpart C of 40 CFR Part 180 is amended by adding § 180.398 to read as follows:

§ 180.398 Chlorthiophos; tolerances for residues.

A tolerance is established for the combined residues of the insecticide chlorthiophos, that is a mixture of O-[2,5-dichloro-4-(methylthio)phenyl] O,O-diethylphosphorothioate; O-[2,4-dichloro-5-(methylthio)phenyl] O,O-diethylphosphorothioate; and O-[4,5-dichloro-2-(methylthio)phenyl] O,O-diethylphosphorothioate and its diethyl phosphorus ester moiety containing metabolites in or on the following raw agricultural commodity:

Commodity	Parts per million
Tomatoes	0.5

Certification Under Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (Pub. L. 96-543, 94 Stat. 1164, 5 U.S.C. §§ 601-612), all "notice-and-comment" rulemaking which is proposed after January 1, 1981, must be accompanied by a regulatory flexibility analysis, or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a significant economic impact on a substantial number of small entities.

Under secs. 408 and 409 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended (21 U.S.C. 346a, 348), the Agency is authorized to establish by regulation tolerance levels, exemptions from the requirements for a tolerance, or food additive levels, for pesticides whose use results in residues on food or feed. The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered for a particular use resulting in residues on food or feed. This generally has some beneficial economic impact on the producer, distributor, and professional applicator of the pesticide, as well as on the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to sell crops containing residues of that pesticide. Adverse impacts are usually non-existent or insignificant.

This regulation would establish a maximum permissible level for residues of the insecticide chlorthiophos in or on tomatoes at 0.5 part per million. Any costs resulting from this rule would almost

certainly be outweighed by the benefits to the registrants of being able to register this use.

Accordingly, I hereby certify that this regulation will not, if promulgated, have a significant economic impact on a substantial number of small entities. Therefore, this regulation does not require a regulatory flexibility analysis.

Dated: April 3, 1981.

Walter C. Barber, Jr.,
Acting Administrator.

[FR Doc. 81-11058 Filed 4-10-81; 8:45 am]

BILLING CODE 5560-32-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-14

[FPMR Amdt. C-6]

National Defense Stockpile; Acquisition of Strategic and Critical Materials for the National Defense Stockpile

AGENCY: General Services
Administration.

ACTION: Final rule.

SUMMARY: This regulation adds a new Subpart 101-14.3 to implement the acquisition policies for strategic and critical materials set forth in the Strategic and Critical Stock Piling Revision Act of 1979, Pub. L. 96-41, 50 U.S.C. 98-98h. The regulation also makes miscellaneous changes to the organization of Subchapter C and updates the names and addresses of agencies listed in the Part 101-14.

EFFECTIVE DATE: April 13, 1981.

FOR FURTHER INFORMATION CONTACT:
Mr. Roy Markon, Commissioner, Federal
Property Resources Service (703-557-
0503).

The caption of Part 101-14 is changed and the Part is revised to read as follows:

PART 101-14—NATIONAL DEFENSE STOCKPILE

Sec.

- 101-14.000 Scope of part.
- 101-14.001 Definitions.
- 101-14.001-1 Acquisition.
- 101-14.001-2 Agency.
- 101-14.001-3 Barter.
- 101-14.001-4 Direct Government use.
- 101-14.001-5 Excess to agency needs.
- 101-14.001-6 Excess to stockpile requirements.
- 101-14.001-7 Exchange.
- 101-14.001-8 Holding agency.
- 101-14.001-9 Indirect Government use.
- 101-14.001-10 National Defense Stockpile.
- 101-14.001-11 Purchase.
- 101-14.001-12 Rotation.
- 101-14.001-13 Strategic and critical materials.

Subpart 101-14.1—Transfer of Strategic and Critical Materials Excess to Agency Needs to the National Defense Stockpile Sec.

- 101-14.100 Scope of subpart.
- 101-14.101 Purpose and authority.
- 101-14.102 [Reserved]
- 101-14.103 Reports of excess to GSA.
- 101-14.103-1 General requirements of reporting.
- 101-14.103-2 Less than minimum specified quantities.
- 101-14.103-3 Contractor inventory.
- 101-14.103-4 Industrial needs.
- 101-14.104 Transfers to the stockpile.
- 101-14.104-1 General.
- 101-14.104-2 Unsuitable items.
- 101-14.104-3 Withdrawals.
- 101-14.104-4 Reimbursements.
- 101-14.105 Materials not transferred to the National Defense Stockpile.
- 101-14.106 List of strategic and critical materials to be reported to GSA.

Subpart 101-14.2—Transfer of Strategic and Critical Materials Excess to Stockpile Requirements for Government Use

- 101-14.200 Scope of subpart.
- 101-14.201 Purpose and authority.
- 101-14.202 [Reserved]
- 101-14.203 Materials available.
- 101-14.204 Reimbursement.
- 101-14.205 Requests for transfers.

Subpart 101-14.3—Acquisition of Strategic and Critical Materials for the National Defense Stockpile

- 101-14.300 Scope of subpart.
 - 101-14.301 Purpose and authority.
 - 101-14.302 Competitive procedures.
 - 101-14.303 Disruption of markets.
 - 101-14.304 Length of contracts.
 - 101-14.305 Acquisition of strategic and critical materials by purchase.
 - 101-14.306 Acquisition of strategic and critical materials by exchange.
 - 101-14.307 Acquisition of strategic and critical materials by barter.
 - 101-14.308 Acquisition of strategic and critical materials for rotation purposes.
- Authority: Sec. 4, 93 Stat. 320, 50 U.S.C. 98c; Sec. 6, 93 Stat. 321, 50 U.S.C. 98e; Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); Sec. 704, 64 Stat. 816, as amended 50 U.S.C. App. 2154; E.O. 10480, August 18, 1953, 18 FR 4939, as amended; E.O. 12155, September 10, 1979, 44 FR 53071; DMO 11, April 17, 1973, 38 FR 9507.

§101-14.000 Scope of part.

This part deals with strategic and critical and other raw and basic materials required for the National Defense Stockpile, and materials which are excess to the requirements for the National Defense Stockpile.

§101-14.001 Definitions.

As used in this part, terms shall have the meanings described in this section.

§101-14.001-1 Acquisition.

"Acquisition" means the process of obtaining strategic and critical materials

for the National Defense Stockpile by purchase, exchange, or barter.

§ 101-14.001-2 Agency.

"Agency" means any agency of the United States, including any executive department or independent establishment in the executive branch of the Government and any wholly owned Government corporation.

§ 101-14.001-3 Barter.

"Barter" means the acquisition of materials for the National Defense Stockpile by trading Government-owned property for strategic and critical materials.

§ 101-14.001-4 Direct Government use.

"Direct Government use" means use in a Government-owned and Government-operated facility and use in a Government-owned facility which is operated by a contractor for the Government.

§ 101-14.001-5 Excess to agency needs.

"Excess to agency needs" means strategic and critical materials which are (a) under the control of an agency and (b) not required for its needs and discharge of its responsibilities, as determined by the head of the agency.

§ 101-14.001-6 Excess to stockpile requirements.

"Excess to stockpile requirements" means strategic and critical materials (a) which are in excess of stockpile needs and (b) the disposition of which is authorized by law.

§ 101-14.001-7 Exchange.

"Exchange" means the acquisition of strategic and critical materials for the National Defense Stockpile by using as payment stockpile materials, the disposition of which is authorized by law.

§ 101-14.001-8 Holding agency.

"Holding agency" means any agency having the control of strategic and critical materials.

§ 101-14.001-9 Indirect Government use.

"Indirect Government use" means use by prime contractors and all tiers of subcontractors in the production of items being procured by the Government.

§ 101-14.001-10 National Defense Stockpile.

"National Defense Stockpile" means the materials listed in section 4 of the Strategic and Critical Materials Stock Piling Act, as amended (50 U.S.C. 98c).

§ 101-14.001-11 Purchase.

"Purchase" means the acquisition of strategic and critical materials for the National Defense Stockpile through payments of funds available for that purpose.

§ 101-14.001-12 Rotation.

"Rotation" means the process of replacing materials in the National Defense Stockpile with an equivalent quantity of substantially the same materials to prevent deterioration.

§ 101-14.001-13 Strategic and critical materials.

"Strategic and critical materials" means materials which the National Security Council (NSC) determines (a) would be needed to supply the military, industrial, and essential civilian needs of the United States during a national emergency, and (b) are not found or produced in the United States in sufficient quantities to meet these needs.

Subpart 101-14.1—Transfer of Strategic and Critical Materials Excess to Agency Needs to the National Defense Stockpile**§ 101-14.100 Scope of subpart.**

This subpart deals with the transfer of strategic and critical materials excess to agency needs, to the National Defense Stockpile.

§ 101-14.101 Purpose and authority.

This subpart sets forth the policy and procedures for transferring to the National Defense Stockpile strategic and critical materials excess to the needs of the holding agency, under section 3h of Defense Mobilization Order 11 (32A CFR Part 111). GSA reviews agencies' excess holdings of these materials as a potential source to satisfy unfulfilled National Defense Stockpile goals.

§ 101-14.102 [Reserved]**§ 101-14.103 Reports of excess to GSA.****§ 101-14.103-1 General requirements of reporting.**

Except as hereinafter provided, strategic and critical materials listed in the GSA bulletin entitled "Excess Strategic and Critical Materials required for the National Defense Stockpile" (see § 101-14.106) shall be reported, when determined to be excess by the holding agency, to the General Services Administration (DM), Washington, DC 20406. (Interagency report control number 0120-GSA-AR has been assigned to this report.) GSA will determine whether the materials shall be transferred to the National Defense Stockpile.

(a) Upon determination that these materials are excess, the holding agency shall report the location, quantity, and description of the materials by letter to GSA. The letter shall contain sufficient details to indicate the nature of each strategic and critical material, including chemical or other composition, specification, size, and other pertinent data. When available, complete purchase specifications or material content analyses shall also be included.

(b) GSA will review the information provided by the holding agency. When it is determined that the materials conform or appear to conform to stockpile requirements and are needed to satisfy unfulfilled stockpile goals, GSA will furnish the holding agency with instructions for transferring the materials to an appropriate stockpile site or, if necessary, for submitting additional information for further review. (See § 101-14.105 for reported materials not accepted for transfer to the National Defense Stockpile.)

§ 101-14.103-2 Less than minimum specified quantities.

Each holding agency having strategic and critical materials excess to its needs at any one location in lots of less than the minimum quantities specified in the GSA bulletin entitled "Excess Strategic and Critical Materials required for the National Defense Stockpile" (see § 101-14.106) shall retain these materials until the specified minimum is accumulated. After accumulation of the minimum, the holding agency shall report the materials to GSA as required in § 101-14.103-1. If the holding agency determines that there is no reasonable prospect of accumulating the minimum quantity within 12 months after the material is determined to be excess, the material shall not be reported as prescribed in § 101-14.103, but shall be handled as excess in accordance with the applicable provisions of Part 101-43.

§ 101-14.103-3 Contractor inventory.

The requirements of this Subpart 101-14.1 shall not be applicable to strategic and critical materials which are contractor inventory if the holding agency has not taken possession of the inventory.

§ 101-14.103-4 Industrial needs.

The requirements of this Subpart 101-14.1 shall not be applicable to strategic and critical materials which are necessary to make up any deficiency of the supply of these materials for the current needs of industry as determined by the Secretary of Commerce.

§ 101-14.104 Transfers to the stockpile.**§ 101-14.104-1 General.**

Strategic and critical materials reported under this Subpart 101-14.1 shall be transferred to the National Defense Stockpile following notification by GSA to the holding agency that these materials are acceptable and needed for the stockpile.

§ 101-14.104-2 Unsuitable items.

If excess strategic and critical materials reported under this Subpart 101-14.1 are unsuitable for stockpiling or cannot economically be converted to meet stockpile specifications, GSA will so advise the holding agency, and these materials shall not thereafter be subject to this Subpart 101-14.1.

§ 101-14.104-3 Withdrawals.

Subject to the prior approval of GSA, holding agencies may withdraw materials reported under this Subpart 101-14.1, provided that these materials have not been already transferred to the National Defense Stockpile.

§ 101-14.104-4 Reimbursements.

Unless the holding agency elects to bear these expenses, all expenses of preparation for shipment, all shipping and conversion expenses, and all expenses after the date of shipment (including transportation, maintenance, and storage), which are incident to the transfer of strategic materials to the National Defense Stockpile, under this subpart may be paid from funds appropriated under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98). Otherwise, transfers of strategic and critical materials excess to agency needs to the National Defense Stockpile shall be made without reimbursement or transfer of funds.

§ 101-14.105 Materials not transferred to the National Defense Stockpile.

Excess strategic and critical materials in the following categories shall be handled in accordance with the applicable provisions of Part 101-43:

(a) Materials which were reported under this Subpart 101-14.1 but were not accepted for transfer to the National Defense Stockpile. (See also § 101-43.311-1 for required annotation of documents.)

(b) Materials which are not required to be reported under this Subpart 101-14.1.

§ 101-14.106 List of strategic and critical materials to be reported to GSA.

The Commissioner, Federal Property Resources Service, will periodically issue to Federal agencies a revised GSA

bulletin entitled "Excess strategic and critical materials required for the National Defense Stockpile," which lists the materials and the quantities to be reported under the provisions of this Subpart 101-14.1. Additional copies of the bulletin may be obtained upon written request to the General Services Administration (DM), Washington, DC 20406.

Subpart 101-14.2—Transfer of Strategic and Critical Materials Excess to Stockpile Requirements for Government Use

§ 101-14.200 Scope of subpart.

This subpart concerns the transfer of strategic and critical materials excess to stockpile requirements for direct and indirect Government use.

§ 101-14.201 Purpose and authority.

This subpart sets forth the policy and procedures for transferring strategic and critical materials excess to stockpile requirements to agencies for direct or indirect use. As prescribed in section 30 of Defense Mobilization Order 11 (32A CFR Part 111), agencies which directly or indirectly use strategic and critical materials shall obtain their requirements for these materials from inventories of materials excess to stockpile requirements when feasible.

§ 101-14.202 [Reserved]

§ 101-14.203 Materials available.

(a) The Commissioner, Federal Property Resources Services, will periodically issue to Federal agencies a GSA bulletin entitled "Transfer of excess strategic and critical materials from GSA inventories," which lists excess materials available for transfer to agencies under the provisions of this Subpart 101-14.2. The bulletin will be revised as materials excess to stockpile requirements become available or as available supplies of such materials become exhausted. Additional copies of the bulletin may be obtained upon written request to the General Services Administration (DM), Washington, DC 20406.

(b) All of the materials will be available at storage depots in the continental United States.

(c) GSA reserves the right to fix the minimum quantity that may be released on a single order.

§ 101-14.204 Reimbursement.

Reimbursement to the General Services Administration for the materials transferred pursuant to this Subpart 101-14.2 will be at the price established by GSA. Consideration will

be given to quantity, quality, and other relevant factors.

§ 101-14.205 Requests for transfers.

Federal agencies shall review the GSA bulletin entitled "Transfer of excess strategic and critical materials from GSA inventories" (see § 101-14.203(a)) and promptly inform GSA of their requirements for any of the materials listed therein. Requests for information concerning transfer of any strategic and critical materials excess to stockpile requirements from GSA inventories should be directed to the General Services Administration (DS), Washington, DC 20406.

Subpart 101-14.3—Acquisition of Strategic and Critical Materials for the National Defense Stockpile

§ 101-14.300 Scope of subpart.

This subpart deals with the acquisition of strategic and critical materials for the National Defense Stockpile.

§ 101-14.301 Purpose and authority.

This subpart sets forth policy and procedures for the acquisition of strategic and critical materials for the National Defense Stockpile, in accordance with section 6 of the Strategic and Critical Materials Stock Piling Act, as amended (50 U.S.C. 98e).

§ 101-14.302 Competitive procedures.

(a) Competitive procedures shall be used to the greatest extent feasible in the acquisition of strategic and critical materials. For the purpose of this subpart, competitive procedures means the solicitation of bids or offers from two or more potential suppliers of strategic and critical materials.

(b) Whenever the Commissioner, Federal Property Resources Service, determines that competitive procedures are not feasible in an acquisition, the Commissioner must notify the Committees on Armed Service of the Senate and House of Representatives in writing of the proposed acquisition at least 30 days before any obligation of the United States is incurred regarding this acquisition. The Commissioner will include in this notification the reason that competitive procedures are not feasible.

§ 101-14.303 Disruption of markets.

Efforts shall be made in the acquisition of strategic and critical materials to avoid undue disruption of the usual markets of producers, processors, and consumers of such materials and to protect the United States against avoidable loss.

§ 101-14.304 Length of contracts.

Contracts entered into under this Subpart 101-14.3 shall not be for a period of more than 2 years. However, contracts for a period of more than 2 years may be entered into, if determined to be in the best interests of the Government and approved by the Commissioner, Federal Property Resources Service (D).

§ 101-14.305 Acquisition of strategic and critical materials by purchase.

GSA will contract for the purchase of strategic and critical materials. The purchase of these materials shall be in accordance with established Federal procurement practices as set forth in the Federal Procurement Regulations (41 CFR Chapter 1) and the General Services Administration Procurement Regulations (41 CFR Chapters 5 and 5A). Deviations from the Federal Procurement Regulations or General Services Administration Procurement Regulations shall be in accordance with 41 CFR § 1-1.009 and § 5A-1.109. However, any deviation to those regulations which modifies or eliminates competitive procedures must be approved as specified in § 101-14.302(b).

§ 101-14.306 Acquisition of strategic and critical materials by exchange.

(a) GSA may transfer at fair market value the materials listed in paragraph (b) of this section as payment for expenses for acquisition of strategic and critical materials. Expenses which may be paid for by exchange include transportation and other incidental expenses.

(b) The following materials may be exchanged under this section: (1) Subject to the notification requirements of paragraph (c) of this section, materials which are (i) excess to stockpile requirements; and (ii) may cause a loss if left to deteriorate; and (2) materials in the stockpile the disposal of which is specifically authorized by law.

(c) Materials listed in paragraph (b)(1) of this section may be used for acquisitions of strategic and critical materials by exchange only if the Committees on the Armed Services of the Senate and House of Representatives are notified in writing of the proposed disposal at least 30 days before any obligation by the United States is incurred in connection with this disposal.

§ 101-14.307 Acquisition of strategic and critical materials by barter.

(a) Federal agencies are encouraged to use barter in the acquisition of strategic and critical materials when the acquisition is authorized by law (see

paragraph (b) of this section), is practical, and is in the best interests of the United States.

(b) The Strategic and Critical Materials Stock Piling Act does not specifically authorize acquisition by barter. To barter for strategic and critical materials, an agency must have specific authority to enter into barter agreements or arrangements. For example, section 204(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 485(f)), authorizes executive agencies entitled to receive cash under any contract covering the lease, sale, or other disposition of surplus property to accept instead of cash strategic and critical materials at the prevailing market price when the payments are due.

§ 101-14.308 Acquisition of strategic and critical materials for rotation purposes.

GSA may provide for the rotation of any material in the stockpile when necessary to prevent deterioration of the material by replacing it with an equivalent quantity of substantially the same material. Materials may be acquired for rotation purposes by purchase (see § 101-14.305), exchange (see § 101-14.306), or barter (see § 101-14.307).

Dated: March 6, 1981.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 81-10685 Filed 4-10-81; 8:45 am]

BILLING CODE 6820-96-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

National Flood Insurance Program; Final Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the nation.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required either to adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations for the community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program (202) 755-5585, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the final determination of flood elevation for each community listed.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 67). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 44 CFR Part 60.

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

Final Base (10-Year) Flood Elevations

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)		
Alabama	City of Auburn, Lee County (FEMA-5966)	Sougahatchee Creek	Just upstream of Branch 1 of Sougahatchee Creek	*574		
		Branch 1 of Sougahatchee Creek	Just downstream of earthen dam	*582		
		Branch 2 of Sougahatchee Creek	Approximately 1,400 feet upstream of Highway 147	*607		
		Parkerson Mill Creek	Just upstream of Route 267	*578		
			Just downstream of Samford Drive	*606		
		Town Creek	Just upstream of Chewacla State Park Road	*488		
			Just upstream of Interstate 65	*567		
			Just downstream of Wrights Mill Road	*591		
			Just downstream of Moore's Mill Road	*613		
		Moore's Mill	Just upstream of Oglefree Road	*503		
			Just downstream of Winway Drive	*537		
		Maps available for inspection at City Hall, 171 North Ross Street, Auburn, Alabama 36830.				
		Alabama	Unincorporated Areas of Lee County (FEMA-5966)	Sougahatchee Creek	Just downstream of North Donahue Drive	*580
					Just upstream of North College Street	*588
	Just downstream of Southern Railway			*627		
Branch 2 of Sougahatchee Creek	Just downstream of the upstream corporate limits			*610		
Pepperell Creek	Just upstream of Highway 280 Alternate			*647		
Rocky Creek	Just upstream of confluence of Pepperell Creek			*625		
Parkerson Mill Creek	Just upstream of County Road 26			*398		
	Just downstream of U.S. Highway 29			*470		
Branch of Parkerson Mill Creek	Just downstream of Highway 29			*430		
Mill Creek	Just downstream of County Road 12			*335		
	Just downstream of County Road			*378		
Holland Creek	Just downstream of Pierce Road			*389		
	Just downstream of U.S. Highway 290			*413		
Chattahoochee River	Just downstream of Oliver Dam			*289		
	Just downstream of Goat Rock Dam	*348				
	Just downstream of Bartlett's Ferry Dam	*416				
Maps available for inspection at Lee County Engineering Office, Lee County Courthouse, Opelika, Alabama 36801.						
Alabama	City of Opelika, Lee County (FEMA-5966)	Sougahatchee Creek	Just downstream of Sougahatchee Lake Dam	*646		
		Pepperell Creek	Just upstream of Highway 290	*670		
			Just downstream of Cunningham Drive	*698		
		Rocky Creek	Just downstream of Southern Railway	*643		
			Just downstream of White Road	*649		
	Just upstream of India Road	*705				
Maps available for inspection at City Hall, 204 South 7th Street, Opelika, Alabama 36801.						

Final Base (10-Year) Flood Elevations—Continued

State	City/Town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)			
Alabama	City or Phenix City, Russell County (FEMA-5966)	Mill Creek	Approximately 250 feet upstream of U.S. Highway 80 Just upstream of 25th Street	*239			
			Just upstream of Lakewood Drive Just downstream of U.S. Highway 200	*265 *303			
		Holland Creek	Approximately 200 feet upstream of Lakewood Drive Just upstream of Phenix City Dam	*311 *365			
			Cochgalechee Creek	Approximately 150 feet downstream of Seale Road Just downstream of Knowles Road	*256 *249		
		Chattahoochee River	Just downstream of U.S. Highway 280 Just upstream of City Mills Dam	*230 *248			
			Maps available for inspection at City Hall, 111 Broad Street, Phenix City, Alabama 36867.				
		Alabama	Unincorporated Areas of Russell County (FEMA-5966)	Uchee Creek	Just downstream of Highway 165 Just downstream of Southern Railway Just upstream of County Road 39 Just downstream of U.S. Highway 431	*228 *243 *245 *257	
					Little Uchee Creek	Just downstream of State Highway 169 Just downstream of U.S. Highway 431 Just downstream of Sandfort Road	*292 *262 *277
						Chattahoochee River	Just downstream of U.S. Highway 80 Just upstream of Dale Road Just downstream of U.S. Highway 280
					Mill Creek		Approximately 160 feet downstream of Pointon Road
Holland Creek	Just upstream of the Phenix City corporate limits			*382			
Hurtsboro Creek	Approximately 2400 feet downstream of County Road 49 (Southern Hurtsboro corporate limits)			*326			
Cochgalechee Creek	Just downstream of Brickyard Road			*233			
Maps available for inspection at Russell County Courthouse, Corner of 14th Street, Phenix City, Alabama 36867.							
Arizona	Cottonwood (Town), Yavapai County (FEMA-5966)			Verde River	Intersection of Dead Horse crossing and center of Verde River	*3,297	
					Intersection of East Pima Street and center of Del Monte Wash	*3,324	
				Del Monte Wash	60 feet upstream from center of U.S. Highway 89 alternate State Highway 279	*3,464	
					Silver Spring Gulch	Intersection of East Pima Street and North First Street 50 feet upstream from center of South Main Street 100 feet north of intersection of South Third Street and Date Street	#2 *3,340 *3,500
		Oak Wash	Intersection of State Highway 279 and center of Oak Wash	*3,315			
Maps available for inspection at Town Hall, 827 N. Main, Cottonwood, Arizona.							
Arizona	Winslow (City), Navajo County (FEMA-5966)	Little Colorado River	At intersection of Maple Street and Bales Avenue Intersection of Little Colorado River and U.S. Highway 66	*4,848 *4,857			
			Maps available for inspection at City Hall, 21 Williamson Street, Clarkdale, Arizona.				
California	Burlingame (City), San Mateo County (FEMA-5955)	Shallow Flooding	Intersection of Grove Avenue and California Drive Intersection of Sanchez Avenue and California Drive	*11 *13			
			Maps available for inspection at City Hall, 501 Primrose Road, Burlingame, California.				
California	El Paso de Robles (City), San Luis Obispo County (FEMA-5966)	Mountain Springs Creek	100 feet upstream from center of Vine Street Intersection of 22nd and Oak Streets Intersection of 21st and Pine Streets Intersection of Gregory and San Luis Avenue	*763 #1 #1 *697			
			Peachy Canyon Creek	500 feet east of the intersection of 20th Street and Riverside Avenue Intersection of 24th Street and U.S. Highway 101 100 feet upstream from center of Vine Street 300 feet east of the intersection of Park and 2nd Streets	*698 #3 *780 *707		
				Salinas River	600 feet east of the intersection of Park and 3rd Streets 200 feet upstream from center of 13th Street 100 feet upstream from confluence with Unnamed Creek No. 1	*705 *692 *770	
			Unnamed Creek No. 1		100 feet upstream from center of Creston Road At intersection of U.S. Highway 101 and 13th Street	*798 *690	
		Maps available for inspection at City Hall, 1030 Spring Street, El Paso de Robles, California.					
		Colorado	Gypsum (Town), Eagle County (FEMA-5966)	Gypsum Creek	At confluence with Eagle River Cooley Mesa Road over the channel	*274 *6,369	
					Eagle River	Westernmost corporate limits where stream leaves the community 100 feet downstream (west) of U.S. Highways 6 and 24 over the channel	*6,239 *6,274
		Maps available for inspection at Town Hall, 280-Five, Gypsum, Colorado					
		Delaware	Camden, Town, Kent County (Docket No. FEMA-5966)	Isaac Branch	Downstream Corporate Limits Upstream Corporate Limits	*15 *21	
					Maps available for inspection at the Town Hall, Camden, Delaware.		

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Delaware	Frankford, Town, Sussex County (Docket No. FEMA-5955)	Vines Creek	Downstream Corporate Limits	*23
			Roxana Road (Upstream side)	*25
			Main Street (Downstream side)	*26
			Main Street (Upstream side)	*32
			Upstream Corporate Limits	*32
Maps available for inspection at the Town Hall, Frankford, Delaware.				
Florida	City of Haines City, Polk County (FEMA-5966)	Engineers Lake	Entire Shoreline	*127
		Lake Alice	Entire Shoreline	*130
		Lake Boomerang	Entire Shoreline	*123
		Lake Brown	Entire Shoreline	*129
		Lake Butler	Entire Shoreline	*124
		Lake Elsie	Entire Shoreline	*129
		Lake Eys	Entire Shoreline	*125
		Lake Hammock	Entire Shoreline	*134
		Lake Hester	Entire Shoreline	*134
		Lake Joe	Entire Shoreline	*126
		Lake Tracy	Entire Shoreline	*126
		Little Lake Hamilton	Entire Shoreline	*123
		Haines City Drainage Canal	At Lindwall Avenue extended (by the west of Peninsula Drive).	*124
			Just upstream of U.S. Highways 92 and 27	*124
			Just upstream of Commerce Avenue	*126
	Lake Brown Outlet Ditch	Just downstream of Kentucky Street	*129	
Maps available for inspection at City Hall, 600 East Hanson Avenue, Haines City, Florida 33844.				
Florida	City of Lakeland, Polk County (FEMA-5966)	Lake Bonnet Drain	Just upstream of Chestnut Road (Bridge)	*140
		Lake Hunter Drain	Just downstream of Ariana Street	*160
		Southwest Ditch Tributary	Just downstream from the confluence with Southwest Ditch.	*160
		Southwest Ditch	Just downstream of Harden Boulevard	*156
		Lake Parker Tributary	Just downstream of State Road 33	*137
			Just downstream of U.S. Highway 98	*137
		Lake Hollingsworth Drain	Just downstream of New Jersey Road	*124
		Lake Bentley Drain	Just downstream of Atlanta Avenue	*115
			Just downstream of Venice Way	*116
		Lake John Drain	Just downstream of State Road 37B	*109
		Lake Bonnet	Entire Shoreline	*147
		Lake Hunter	Entire Shoreline	*163
		Lake Parker Tributary Swamp	Entire Shoreline	*140
		Lake Bonny	Entire Shoreline	*132
		Lake Parker	Entire Shoreline	*132
		Lake Hollingsworth	Entire Shoreline	*135
		Lake Bentley	Entire Shoreline	*120
		Lake John	Entire Shoreline	*113
		Lake Canyon	Entire Shoreline	*113
		Southeast Lakes	Entire Shoreline	*113
Maps available for inspection at City Hall, Building Inspection Department, 226 Massachusetts Avenue, Lakeland, Florida 33802.				
Florida	Putnam County (Unincorporated Areas) (FEMA-5966)	St. Johns River	At center of U.S. Highway 17 crossing of St. Johns River.	*6
		Dunns Creek	100 feet upstream from center of U.S. Highway 17 crossing.	*7
		Acosta Creek	100 feet downstream from center of State Highway 309 crossing.	*8
		Crescent Lake	250 feet northeast from the intersection of U.S. Highway 17 and Union Avenue.	*7
		Lake Stella	At shoreline in the vicinity of the City of Crescent City	*41
		Lake Broward	At shoreline in the vicinity of the Town of Pomona Park.	*42
Maps available for inspection at Putnam County Courthouse, St. Johns Avenue and Reid Street, Palatka, Florida.				
Idaho	Blaine County (Unincorporated Areas) (FEMA-5955)	Cory Creek	At confluence with Democrat Gulch	*5,393
		Deer Creek	225 feet downstream from center of dam	*5,616
		East Fork Big Wood River	100 feet upstream from confluence with Big Wood River.	*5,545
		Trail Creek	125 feet upstream from center of Union Pacific Railroad Bridge.	*5,753
		Warm Springs Creek	125 feet upstream from center of Bridge Number 19 (Sandy Lane).	*6,157
		Eagle Creek	100 feet upstream from center of Eagle Creek Road	*6,241
		Big Wood River	100 feet upstream from center of Idaho State Highway 68.	*4,836
			100 feet upstream from center of Poverty Flat Road	*5,070
			150 feet upstream from most downstream crossing of U.S. Highway 93.	*5,534
			100 feet upstream from center of Hulen Meadows Road.	*5,934
			150 feet upstream from center of 3rd crossing of U.S. Highway 93.	*6,154
			30 feet east of Union Pacific Railroad, 0.9 mile northwest from its intersection with Spruce Street (within the City of Bellevue).	#2

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Seamans Creek	150 feet upstream from dam which is approximately 500 feet south of Seamans Creek Road, approximately 3.4 miles west along Seamans Creek Road from U.S. Highway 83.	*5,495
		Guigley Creek	At confluence with Deadman Gulch	#2
Maps available for inspection at Blaine County Courthouse, Hailey, Idaho.				
Idaho	Downey (City), Bannock County (FEMA-5955)	Downey Drainageway—Shallow Flooding Areas	Intersection of 1st Street West and 4th Street North Area southwest of the intersection of 1st Street West and 3rd Street North Intersection of 2d Street East and 4th Street South	#1 #3 *4,853
Maps available for inspection at City Hall, 7 South Main, Downey, Idaho.				
Illinois	(V), Hillview, Greene County (Docket No. FEMA-5955)	Illinois River Hurricane Creek	Flooding affecting northwest corporate limits About 500 feet upstream of Main Street About 170 feet downstream of private road At upstream corporate limits	*445 *445 *450 *455
Maps available for inspection at the Office of the Clerk, Village Hall, Hillview, Illinois.				
Illinois	(V), Pearl, Pike County (Docket No. FEMA-5955)	Illinois River Hardy Creek	About 0.4 mile downstream of Illinois Central Gulf Railroad About 0.6 mile upstream of Illinois Central Gulf Railroad About 0.1 mile upstream of East Street About 0.7 mile upstream of East Street	*445 *445 *445 *452
Maps available for inspection at Holloway's Red and White Grocery Store, Pearl, Illinois.				
Indiana	(T), Edinburg, Johnson and Bartholomew Counties (Docket No. FEMA-5947)	Driftwood River Sugar Creek Big Blue River East Side Swale	About 2.75 miles downstream Hendricks Ford Road About 0.2 mile upstream Hendricks Ford Road At confluence of Big Blue River and Sugar Creek About 0.92 mile downstream State Route 79 About 0.3 mile upstream State Route 79 About 1.57 miles upstream State Route 79 About 0.1 mile upstream State Route 79 About 2.1 miles upstream State Route 79 About 800 feet downstream County Line Road Just downstream State Route 252	*651 *656 *660 *661 *668 *670 *665 *670 *668 *674
Maps available for inspection at the Administrator's Office, Town Hall, 107 South Holland, Edinburg, Indiana.				
Indiana	(T), Prince's Lake, Johnson County (Docket No. FEMA-5966)	East Lake North Lake White Lake Hants Lake	Shoreline Shoreline Shoreline Shoreline	*777 *810 *866 *783
Maps available for inspection at the Town Hall, Lake View Drive, Prince's Lakes, Indiana.				
Indiana	(T), Whiteland, Johnson County (Docket No. FEMA-5966)	Brewer Ditch East Grassy Creek	Downstream corporate limit Just downstream of Conrail Just upstream of Conrail Upstream corporate limit About 730 feet downstream of northbound lane of U.S. Route 31 About 1,000 feet downstream of Conrail Just upstream of Conrail Upstream corporate limit	*780 *797 *800 *800 *795 *800 *807 *807
Maps available for inspection at the Town Hall, 60 North Railroad Street, Whiteland, Indiana. Send comments to Honorable Hershell Sandlin, President of the Town Board, Town of Whiteland, Town Hall, 60 North Railroad Street, Whiteland, Indiana 46184.				
Maryland	Bel Air, Town, Harford County (Docket No. FEMA-5966)	Plumtree Run Fernandis Branch Bynum Run	Confluence of Tributary 1 Downstream Corporate Limits Upstream side of Atwood Road Downstream of the Baltimore Pike Culvert Upstream of the Baltimore Pike Culvert Downstream of the West George Street/Thomas Street Culvert Upstream of the West George Street/Thomas Street Culvert Downstream Corporate Limits Approximately 1,000' upstream of the downstream Corporate Limits Approximately 2,000' upstream of the downstream Corporate Limits Approximately 2,900' upstream of the downstream Corporate Limits Approximately 13,600' downstream of Conowingo Road Bridge Approximately 11,600' downstream of Conowingo Road Bridge At the most downstream Corporate Limits Upstream Conowingo Road (U.S. Business Route 1) Approximately 1,500' upstream of Conowingo Road	*306 *318 *323 *331 *342 *347 *353 *229 *238 *251 *260 *257 *263 *324 *333 *338
Maps available for inspection at the Public Works Building, 705 Churchville Road, Bel Air, Maryland.				
Massachusetts	Hardwick, Town, Worcester County (Docket No. FEMA-5966)	Ware River	Downstream Corporate Limits Approximately 2,825 feet upstream of Corporate Limits	*465 *495

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Approximately 2,220 feet downstream of Bridge Street	*505
			Approximately 530 feet downstream of Bridge Street	*515
			Approximately 320 feet upstream of Bridge Street	*525
			950 feet upstream of Gilbertville Road	*535
			Downstream of Conrail Bridge	*545
			Goddard Road	*555
			Downstream of New Silver Bridge (Melius Road)	*565
			Downstream of Wheelerwright Dam	*572
			Upstream Corporate Limits	*579
Maps available for inspection at the Board of Selectman's Office, Town Hall, Hardwick, Massachusetts.				
Massachusetts	Middleborough, Town, Plymouth County (Docket No. FEMA-5966)	Nemasket River	Confluence with Taunton River	*25
			Upstream State Route 44	*31
			1,320 feet downstream Wareham Street	*41
			Downstream First Dam downstream Wareham Street	*49
			Upstream Wareham Street	*56
			400 feet Downstream Assawompset Pond Dam	*62
		Taunton River	Downstream Corporate Limits	*19
			Upstream Corporate Limits	*27
Maps available for inspection at the Office of the Town Manager and Building Inspector, Town Hall, Nickerson Avenue, Middleborough, Massachusetts.				
Massachusetts	Sheffield, Town, Berkshire County (Docket No. FEMA-5966)	Housatonic River	Downstream Corporate Limits	*654
			Upstream of Rannapo Road	*655
			Upstream of Conrail and State Route 7A	*658
			Upstream of State Route 7	*659
			Confluence of Ironwork Brook	*660
			Upstream of Covered Bridge Lane	*663
			Upstream of Kellogg Road	*666
			Upstream Corporate Limits	*668
		Hubbard Brook	Upstream of North Main Street	*663
			Approximately 185 feet upstream of Cook Road	*664
		Schenob Brook	Upstream of Bow Wow Road	*663
			Upstream of Berkshire School Road	*665
			Barnum Street (Extended)	*667
			Downstream Salisbury Road	*672
Maps available for inspection at the Office of Planning Board, Town Hall, RFD 3, Sheffield, Massachusetts.				
Michigan	(Twp.), Avon, Oakland County (Docket No. FEMA-5955)	Sargent Creek	At downstream corporate limits	*775
			Just upstream of Livernois Road	*805
			Just upstream private dam	*823
			Just upstream Tienken Road	*870
			Just downstream Newkent Drive	*933
			About 2,800 feet upstream Newkent Drive	*942
		Clinton River	About 0.2 mile downstream Avon Road	*676
			Just downstream Conrail (second crossing)	*699
			Just upstream Conrail (second crossing)	*703
			Just downstream Grand Trunk Western Railroad	*743
			About 1.1 miles upstream of Livernois Road	*759
			Just upstream of Crooks Road	*779
			Just downstream Adams Road	*802
			Just upstream Adams Road	*807
			About 2.0 miles upstream Adams Road	*832
		Galloway Creek	About 1,000 feet downstream Butler Road	*815
			About 2,000 feet upstream Butler Road	*823
			At upstream corporate limits	*835
		Stony Creek	About 600 feet downstream Grand Trunk Western Railroad	*694
			About 500 feet upstream Tienken Road	*730
			Just downstream Winkler Mill Road	*766
			About 460 feet upstream Winkler Mill Road	*770
		Paint Creek	About 1,550 feet downstream Tienken Road	*770
			Just upstream Kings Cove Road	*776
			Above 1,400 feet upstream Kings Cove Road	*779
			Just downstream Dulton Road	*795
Maps available for inspection at the Department of Planning and Zoning, Avon Township Hall, 407 Pine Street, P.O. Box 250, Rochester, Michigan.				
Michigan	(V), Lake Orion, Oakland County (Docket No. FEMA-5966)	Lake Orion	Shoreline	*968
		Paint Creek	Southern corporate limits	*968
			Just upstream Atwater Street	*973
			Just downstream Broadway	*875
			Just downstream Conrail	*977
			Just upstream Conrail	*968
Maps available for inspection at the Department of Planning and Zoning, Village Hall, 21 East Church Street, Lake Orion, Michigan.				
Michigan	(C), Northville, Wayne and Oakland Counties (Docket No. FEMA-5966)	Middle River Rouge	About 750 feet downstream of Seven Mile Road	*768
			Just downstream of Mill Pond Dam	*798
			Just upstream of Mill Pond Dam	*806
			Just downstream of Old Novi Road	*822
		Randolph Drain	Mouth at Middle River Rouge	*797
			Just upstream of High River	*835
			Just upstream of Lexington Street	*888
			About 100 feet upstream of the divergence of the Randolph Drain Diversion	*922
		Randolph Drain Diversion	Confluence with Randolph Drain	*904
			Just upstream of Summerside Lane	*914
			Divergence from Randolph Drain	*921

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Thornton Creek Overflow	Confluence with Middle River Rouge About 245 feet upstream of confluence with Middle River Rouge.	*621 *622
Maps available for inspection at the Clerk's Office, City Hall, 215 West Main Street, Northville, Michigan.				
Michigan	(Twp.), Northville, Wayne County (Docket No. FEMA-5966)	Middle River Rouge	Downstream corporate limits Just upstream of Chessie System (near intersection of Northville Road and Edward Hines Parkway) Just upstream of Six Mile Road Just downstream of Waterford Dam Just upstream of Waterford Dam Just upstream of Chessie System (near intersection of Northville Road and Jamestown Circle) Upstream corporate limits (at Wayne County-Oakland County boundary)	*730 *734 *746 *750 *759 *766 *811
Maps available for inspection at the Northville Township Hall, 16300 Sheldon Road, Northville, Michigan.				
Michigan	(C), Riverview, Wayne County (Docket No. FEMA-5966)	Detroit River (Trenton Channel) Huntington Creek Jefferson Avenue Diversion	Shoreline Mouth at Detroit River (Trenton Channel) About 200 feet downstream of Electric Avenue Just upstream of Electric Avenue Mouth at Detroit River (Trenton Channel) Just downstream of West Jefferson Avenue	*578 *578 *580 *584 *578 *579
Maps available for inspection at the Clerk's Office, City Hall, 17700 Fort Street, Riverview, Michigan.				
Minnesota	(C), Bloomington, Hennepin County (Docket No. FEMA-5954)	Nine Mile Creek Minnesota River Bush Lake	About 80 feet upstream of Old Shakopee Road Just upstream of the Minneapolis, Northfield and Southern Railway. About 280 feet upstream of West 102nd Street About 120 feet downstream of West 98th Street Just upstream of Marsh Lake Weir At northeastern corporate limits About 1.8 miles upstream of Cedar Avenue About 0.9 mile upstream of confluence of Nine Mile Creek. About 1,200 feet upstream of Minneapolis, Northfield and Southern Railway. At the Southwestern corporate limits Entire shoreline	*790 *792 *795 *797 *801 *715 *716 *719 *720 *721 *836
Maps available for inspection at the City Hall, 2215 West Old Shakopee Road, Bloomington, Minnesota.				
Mississippi	Town of Vaiden, Carroll County (FI-2934)	Stream 1 Stream 2	Upstream of Front Street Bermuda Street (extended) 100 feet downstream of Bermuda Street	*316 *307 *306
Maps available for inspection at Mayor's office, City Hall, 201 Mulberry St., Vaiden, Mississippi 39176.				
Missouri	(C), Fisk, Butler County (Docket No. FEMA-5966)	Ditch No. 17	At southern corporate limits At northern corporate limits	*330 *330
Maps available for inspection at the City Hall, Fisk, Missouri.				
Montana	Golden Valley County (Unincorporated Areas) (FEMA-5955)	Musselshell River	500 feet upstream of the intersection of State Highway 3 (County Route 53) and Musselshell River.	*3,431
Maps available for inspection at Golden Valley Courthouse, Ryegate, Montana.				
Montana	Harlowton (City), Wheatland County (FEMA-5955)	Harlowton Overflow Channel	Intersection of SE Logan Street and E Avenue SE 50 feet downstream of intersection of B Avenue NW and Harlowton Overflow Channel.	*4,161 *4,168
Maps available for inspection at City Hall, 22 S. Central, Harlowton, Montana.				
Montana	Lavina (Town), Golden Valley County (FEMA-5955)	Musselshell River	100 feet downstream of the intersection of State Highway 3 (County Route 53) and Musselshell River.	*3,429
Maps available for inspection at Town Hall, Lavina, Montana.				
Montana	Wheatland County (Unincorporated Areas) (FEMA-5955)	Musselshell River Antelope Creek Jawbone Creek Harlowton Overflow Channel	120 feet upstream of the intersection of U.S. Highway 191 and Musselshell River Intersection of the Chicago, Milwaukee, St. Paul and Pacific Railroad and Musselshell River 40 feet downstream of the intersection of East Logan Street and Antelope Creek. 50 feet upstream of the intersection of the Lewistown Branch of the Chicago, Milwaukee, St. Paul and Pacific Railroad and Jawbone Creek. 120 feet upstream of the intersection of U.S. Highway 191 and Harlowton Overflow Channel.	*4,173 *4,210 *4,165 *4,161 *4,177
Maps available for inspection at Wheatland County Courthouse, Harlowton, Montana.				
Nebraska	(C), Dakota City, Dakota County (Docket No. FEMA-5955)	Missouri River	At downstream extraterritorial limit At upstream extraterritorial limit	*1,081 *1,084
Maps available for inspection at the City Hall, P.O. Box 482, Dakota City, Nebraska.				
Nevada	Boulder City (City), Clark County (FEMA-5966)	Heronway Wash Wash B	120 feet upstream from center of Pacifica Way 100 feet upstream from center of Ville Avenue 100 feet upstream from center of Joshua Street	*2,020 *2,168 *2,211

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Wash C	1,400 feet east of the intersection of Corral Road and San Felipe Drive.	*2,376
		Wash D	50 feet upstream from center of U.S. Highway 93 westbound.	*2,427
		Georgia Avenue Wash	100 feet upstream from center of Buchanan Boulevard.	*2,129
			100 feet upstream from center of Highland Drive.	*2,367
Maps available for inspection at City Hall, 900 Arizona Street, Boulder City, Nevada.				
New Jersey	Allentown, Borough, Monmouth County (Docket No. FEMA-5947).	Doctors Creek	Downstream Corporate Limits	*61
			Downstream of Main Street	*64
			Approximately 2,000' upstream of Main Street	*73
		Indian Run	Downstream Corporate Limits	*68
			Downstream of Church Street (Route 526)	*71
			Approximately 2,800' upstream of Church Street (Upstream Corporate Limits)	*84
Maps available for inspection at the office of the Borough Clerk, 8 North Main Street, Allentown, New Jersey.				
New Jersey	Eatontown, Borough, Monmouth County (Docket No. FEMA-5947).	Whale Pond Brook	Upstream side of Whale Pond Road	*36
			600' downstream of State Route 35	*39
			Upstream side of State Route 35	*49
			3,200' downstream of Hope Road	*62
			Downstream side of Hope Road	*74
		Parkers Creek	Upstream side of State Route 35	*12
			Conrail Crossing	*16
		Wampum Brook	Western Boundary of Fort Monmouth	*14
			Upstream side of Main Street	*15
			Upstream side of Dam	*18
			Upstream side of Conrail (the downstream crossing)	*20
			Lewis Street	*26
			Upstream boundary of Camp Charleswood	*26
Maps available for inspection at office of the Borough Administration, Municipal Building, 42 Broad Street, Eatontown, New Jersey.				
New York	Lyndonville, Village, Orleans County (Docket No. FEMA-5947).	Johnson Creek	Downstream Corporate Limits	*315
			Upstream State Route 63	*320
			Upstream Corporate Limits	*324
Maps available for inspection at the Lyndonville Village hall, 2 South Main Street, Lyndonville, New York.				
New York	Waterloo, Town, Seneca County (Docket No. FEMA-5978).	Seneca River	Upstream of the Corporate Limits	*448
			Downstream of Broadway Heights extended to Seneca River	*449
			Upstream Conrail crossing	*449
Maps available for inspection at the Town Offices, 68 Virginia Street, 218 Genessee Street, Waterloo, New York.				
Pennsylvania	Bradford, City, McKean County (Docket No. FEMA-5966)	West Branch Tunungwant Creek	Confluence with Tunungwant Creek	*1,435
			Kennedy Street (Upstream side)	*1,439
			Barbour Street (Downstream side)	*1,446
			Corporate Limits	*1,452
			Approximately 3,200' upstream of Corporate Limit	*1,468
		East Branch Tunungwant Creek	Confluence with Tunungwant Creek	*1,435
			Elm Street (Upstream side)	*1,442
			Corporate Limits	*1,449
		Main Stem Tunungwant Creek	Corporate Limits	*1,421
			Confluence with Kendall Creek	*1,426
			Chessie System (Upstream side)	*1,432
			Confluence with East and West Branch Tunungwant Creek	*1,435
		Kendall Creek	Confluence with Tunungwant Creek	*1,426
			East Main Street (Downstream side)	*1,429
			Corporate Limit	*1,441
Maps available for inspection at the Public Works Department, City Hall, 24 Kennedy Street, Bradford, Pennsylvania.				
Pennsylvania	Bradford, Township, McKean County (Docket No. FEMA-5955).	East Branch Tunungwant Creek	Corporate Limits	*1,449
			Approximately 600' downstream of confluence of Rutherford Run	*1,456
			Approximately 3,200' downstream of Minard Run Road	*1,474
			Confluence of Sheppard Run	*1,468
			Approximately 2,100' upstream of East Warren Road	*1,500
			Approximately 1,600' upstream of Brownstown Road	*1,527
		West Branch Tunungwant Creek	Corporate Limits	*1,448
			Approximately 2,400' downstream of Dorothy Lane	*1,459
			Confluence of Manila Brook	*1,480
			Upstream of Clarks Lane	*1,486
			Approximately 1,400' upstream of Clarks Lane	*1,498
			Confluence of Niles Hollow	*1,508
			Approximately 4,700' upstream of Clark Lane	*1,518
			Approximately 3,000' downstream of confluence with Langmade Brook	*1,526
			Approximately 1,000' downstream of confluence with Langmade Brook	*1,537
			Crocker House Lane	*1,548
Maps available for inspection at the Bradford Township Building				
Pennsylvania	Brownville, Borough, Fayette County (Docket No. FEMA-5966).	Monongahela River	Downstream Corporate Limits	*771
			Bridge Street	*771
			Upstream Corporate Limits	*772

Final Base (10-Year) Flood Elevations—Continued

State	City/town/country	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Dunlap Creek	Confluence with Monongahela River	*771
			Upstream Corporate Limits	*771
Maps available for inspection at the Municipal Building, Brownsville, Pennsylvania.				
Pennsylvania	Clarksville, Borough, Greene County (Docket No. FEMA-5955)	Tennile Creek	Downstream Corporate Limits	*782
			Upstream Corporate Limits	*786
		South Fork Tennile Creek	Downstream Corporate Limits	*782
			Approximately 200 feet downstream of Monongahela Railroad bridge.	*785
			Upstream Corporate Limits	*789
Maps available for inspection at the Borough Building, Clarksville, Pennsylvania.				
Pennsylvania	Freedom, Township Blair County (Docket No. FEMA-5955)	Frankstown Branch Juniata River	Downstream Corporate Limits	*999
			Upstream Conrail	*1,005
			Downstream State Route 164	*1,015
			Approximately 2,400 feet upstream of State Route 164	*1,025
			Approximately 2,350 feet downstream of Township Route 363.	*1,036
			Upstream Township Route 363	*1,047
			Upstream Corporate Limits	*1,053
		Halter Creek	Downstream Corporate Limits	*1,010
			Upstream Conrail	*1,019
			Upstream Corporate Limits	*1,030
			Approximately 150 feet upstream of Upstream Corporate Limits.	*1,034
Maps available for inspection at the Freedom Township Building.				
Pennsylvania	Hopewell, Township, York County (Docket No. FEMA-5955)	Deer Creek	Downstream of Five Forks Road bridge	*727
			Upstream side of Five Forks Road bridge	*731
			Approximately 1,440 feet upstream of Five Forks Road bridge.	*740
			Upstream side of first Private Drive bridge.	*744
			Approximately 370 feet downstream of Stewartstown Railroad.	*754
			Upstream of Second Private Drive bridge	*762
			Upstream side of Third Private Drive bridge	*771
			Upstream of State Route 851 bridge	*777
			Upstream side of Saddler Church Road bridge	*780
			Approximately 1,250 feet upstream of Saddler Church Road.	*790
			Approximately 340 feet downstream of fourth Private Drive.	*800
			Upstream side of fourth Private Drive bridge	*806
			Approximately 250 feet downstream of Wolfe Road	*816
			Upstream side of Wolfe Road bridge	*823
			Approximately 900 feet upstream of Wolfe Road	*829
		Ebaughs Creek	Approximately 1,570 feet downstream of Stewartstown Road.	*670
			Approximately 440 feet downstream of Stewartstown Road.	*680
			Upstream side of Stewartstown Road bridge	*686
			Approximately 1,000 feet upstream of Stewartstown Road.	*696
			Upstream side of T-429 bridge	*700
			Approximately 850 feet upstream side of T-429	*710
			Approximately 220 feet downstream of Valley Road	*720
			Upstream side of Valley Road bridge	*723
			Approximately 870 feet upstream of Valley Road	*733
			Approximately 80 feet downstream of Stewartstown Railroad.	*739
			Approximately 80 feet upstream of State Route 851	*748
		Tributary 1	Confluence with Ebaughs Creek	*747
			Upstream side of State Route 851 bridge	*748
			Approximately 780 feet upstream of State Route 851	*758
			Approximately 440 feet downstream of Shaw Road (downstream crossing).	*768
			Upstream side of Shaw Road bridge (downstream crossing).	*777
			Approximately 300 feet downstream of Shaw Road (upstream crossing).	*787
			Upstream of Shaw Road bridge (upstream crossing)	*794
			Approximately 640 feet upstream of Shaw Road (upstream crossing).	*803
Maps available for inspection at the Hopewell Township Building.				
Pennsylvania	Jefferson, Township, Greene County (Docket No. FEMA-5955)	Monongahela River	Downstream Corporate Limits	*780
			Upstream Corporate Limits	*781
		Tennile Creek	Confluence with Monongahela River	*780
			Pittsburgh Gas Road	*780
			Confluence of South Fork Tennile Creek	*781
		South Fork Tennile Creek	Confluence with Tennile Creek	*781
			Upstream of Center Street	*787
			Approximately 2,650 feet upstream of Center Street	*793
			Upstream of Bridge Street	*801
			Approximately 1,000 feet upstream of Bridge Street	*806
		Muddy Creek	Downstream Corporate Limits	*1,005
			Downstream of Township Route 634	*1,009

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Approximately 5,000 feet upstream of Township Route 634.	*1,019
			Upstream of Legislative Route 30102.	*1,029
			Upstream of Private Lane	*1,041
			Approximately 100 feet downstream of Haines Hollow Road.	*1,050
Maps available for inspection at the Jefferson Township Building.				
Pennsylvania	Juniata, Township, Blair County (Docket No. FEMA-5966)	Blair Gap Run	Approximately 290' downstream of Downstream Corporate Limits.	*1,137
			Downstream Corporate Limits	*1,139
			Upstream side of Private Road approximately 3,600' downstream of Legislative Route 07043.	*1,157
			Approximately 2,100' downstream of Legislative Route 07043.	*1,177
			Approximately 855' downstream of Legislative Route 07043.	*1,197
			Upstream Legislative Route 07043.	*1,215
			Upstream side of Private Road approximately 1,235' upstream of Legislative Route 07043.	*1,235
			Upstream of Private Road approximately 1,735' upstream of Legislative Route 07043.	*1,247
			Downstream of Private Road approximately 2,595' upstream of Legislative Route 07043.	*1,261
			Approximately 4,395' upstream of Legislative Route 07043.	*1,290
			Approximately 5,355' upstream of Legislative Route 07043.	*1,310
			Approximately 6,205' upstream of Legislative Route 07043.	*1,330
			Approximately 7,135' upstream of Legislative Route 07043.	*1,350
			Approximately 8,125' upstream of Legislative Route 07043.	*1,369
		Poplar Run	Downstream Corporate Limits	*1,235
			Approximately 920' upstream of Downstream Corporate Limits.	*1,254
			Upstream of Private Drive approximately 2,520' downstream of Route 382 extended.	*1,300
			Upstream of Private Road approximately 1,400' downstream of Route 382 extended.	*1,327
			Confluence of Tributary to Poplar Run	*1,356
			Upstream of Private Drive approximately 1,600' upstream of Route 382 extended.	*1,399
			Upstream of Private Drive approximately 2,365' downstream of downstream crossing of Legislative Route 07035.	*1,423
			Approximately 1,230' downstream of downstream crossing of Legislative Route 07035.	*1,455
			Upstream of downstream crossing of Legislative Route 07035.	*1,497
			Approximately 920' downstream of upstream crossing of Legislative Route 07035.	*1,536
			Approximately 120' upstream of upstream crossing of Legislative Route 07035.	*1,575
			Approximately 1,615' upstream of upstream crossing of Legislative Route 07035.	*1,633
			Approximately 2,605' upstream of upstream crossing of Legislative Route 07035.	*1,681
Maps are available for inspection by appointment with the Juniata Township Secretary, Mr. Ronald Neff, at (814) 695-5335.				
Pennsylvania	Marcus Hook, Borough, Delaware County (Docket No. FEMA-5955)	Marcus Hook Creek	Confluence with Delaware River	*10
			Upstream of U. S. Route 13	*11
			Approximately 900 feet upstream of U. S. Route 13	*13
			Upstream Corporate Limits	*15
Maps available for inspection at the Municipal Building, Tenth and Green Streets, Marcus Hook, Pennsylvania.				
Pennsylvania	Meshoppen, Borough, Wyoming County (Docket No. FI-5356)	Susquehanna River	Downstream Corporate Limits	*639
			Upstream Corporate Limits	*641
		Meshoppen Creek	Confluence with the Susquehanna River	*641
			Confluence of Tributary approximately 1,220 feet downstream of Corporate Limits.	*657
			Upstream Corporate Limits	*662
		Little Meshoppen Creek	Confluence with Meshoppen Creek	*641
			Upstream crossing of Mowry Street (Upstream side)	*648
			Private Road (Downstream side)	*663
			Upstream Corporate Limits	*691
Maps available for inspection at the Meshoppen Borough Offices, Washington Street, Meshoppen Pennsylvania.				
Pennsylvania	Mount Joy, Township, Lancaster County (Docket No. FEMA-5955)	Conewago Creek East	Upstream State Route 230	*385
			Upstream Mill Road	*395
			State Route 283	*417
		Tributary to Donegal Creek	Upstream Old Harrisburg Pike	*367
			State Route 230	*373
			Upstream Farm Lane Bridge	*385

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Private Road (approximately 1,900 feet upstream from Farm Lane Bridge)	*388
			Private Road (approximately 3,900 feet upstream from Farm Lane Bridge)	*387
			Private Road (approximately 5,000 feet upstream from Farm Lane Bridge)	*406
			Upstream Schwanger Road	*415
			Upstream Clover Leaf Road, approximately 180 feet	*430
		Conoy Creek	Downstream Corporate Limits	*448
			Approximately 600 feet downstream State Route 283	*451
Maps available for inspection at the Mount Joy Township Building, Mount Joy, Pennsylvania.				
Pennsylvania	New Hanover, Township, Montgomery County (Docket No. FEMA-5955)	Swamp Creek	Downstream Corporate Limits (Approximately 3,500 feet downstream Evans Road)	*222
			Evans Road	*228
			Corporate Limits approximately 1,600 feet upstream Evans Road	*231
			Big Road	*253
			Ludwick Road (upstream)	*258
			Middle Creek Road (upstream)	*268
			Approximately 1,650 feet upstream of Middle Creek Road	*272
		West Branch Swamp Creek	Confluence with Swamp Creek	*228
			Approximately 2,000 feet downstream Sanatoga Road	*235
			Private Road approximately 1,000 feet downstream Sanatoga Road (downstream)	*245
			Approximately 500 feet downstream Sanatoga Road	*253
			Sanatoga Road (upstream)	*262
			Private Road approximately 950 feet upstream Sanatoga Road (upstream)	*268
			Swamp Pike (downstream)	*275
			New Hanover Square Road (upstream)	*280
			Rosenberry Road (downstream)	*289
			Romig Road (upstream)	*294
			Approximately 1,500 feet downstream of Rhoades-Yerkes Road	*297
			Approximately 50 feet upstream of Rhoades-Yerkes Road	*306
		Minister Creek	Reiffnyder Road	*245
			Swamp Pike (downstream)	*252
			Layfield Road (upstream)	*259
			Confluence of Tributary to Minister Creek	*262
			Upstream corporate limits	*272
		Tributary to Minister Creek	Confluence with Minister Creek	*262
			Klemen Road (upstream)	*268
			Approximately 1,380 feet upstream Klemen Road	*277
			Approximately 2,580 feet upstream Klemen Road	*283
		Middle Creek	Confluence with Swamp Creek	*260
			Upstream Corporate Limits	*266
		Schlegel Run	Confluence with Swamp Creek	*258
			Ludwick Road (upstream)	*262
			Approximately 2,560 feet upstream Ludwick Road	*269
			Upstream Corporate Limits	*276
			Approximately 340 feet upstream of upstream Corporate Limits	*278
		Deep Creek	Downstream corporate limits	*243
			Henning Road	*249
			Eichel Road (downstream)	*256
			Hildebrand Road (downstream)	*265
			Approximately 1,300 feet downstream Kulp Road	*275
			Approximately 450 feet downstream Kulp Road	*280
			Kulp Road (upstream)	*289
			Approximately 550 feet upstream Kulp Road	*292
Maps available for inspection at the New Hanover Township Building, R.D. 1, Gilbertsville, Pennsylvania.				
Pennsylvania	North Woodbury, Township, Blair County (Docket No. FEMA-5955)	Clover Creek	Approximately 1,700 feet downstream of First Private Road	*1,336
			Downstream of Third Private Road	*1,372
			Upstream of Abandoned Road	*1,376
			Upstream of Fourth Private Road	*1,390
			Upstream of Fifth Private Road	*1,397
			Upstream of Sixth Private Road	*1,406
			Upstream of Seventh Private Road	*1,411
			Downstream of County Boundary	*1,421
		Tributary to Clover Creek	Upstream Township Route 341	*1,266
			Upstream Township Route 553	*1,268
			Upstream Intersection Legislative Route 07051 and State Route 164	*1,298
			Upstream Private Road	*1,314
			Approximately 1,095 feet upstream of Private Road	*1,335
		Plum Creek	Downstream Corporate Limits	*1,331
			Upstream Township Route 339	*1,338
			Upstream Township Route 338	*1,340
			At second Conrail	*1,342
			Upstream Legislative Route 07050	*1,346
		Cone Creek	Upstream Township Route 338 (First crossing)	*1,340
			Upstream Township Route 338 (Second crossing)	*1,347
Maps available for inspection at the North Woodbury Township Building, Martinsburg, Pennsylvania.				

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)		
Pennsylvania	Plum, Borough, Allegheny County (Docket No. FEMA-5966).	Abers Creek	Old Frankstown Road	*936		
			Approximately 950 feet upstream of Old Frankstown Road	*939		
			Upstream of New Texas Road	*946		
			Upstream of State Route 286	*953		
			Confluence of Humms Run	*957		
			Approximately 1,660 feet upstream of State Route 286	*964		
			Approximately 670 feet downstream of Malabar Drive	*970		
			Upstream of Malabar Drive	*979		
			Tahoe Drive (Extended)	*983		
			Approximately 340 feet upstream of Tahoe Drive (Extended)	*987		
			Allegheny River	Downstream Corporate Limits	*744	
				Approximately 5,600 feet upstream of Lock and Dam No. 3	*748	
				Upstream Corporate Limits	*752	
					*957	
				Humms Run	Upstream of Pine Valley Drive	*962
					Approximately 900 feet upstream of Pine Valley Drive	*966
				Little Plum Creek	Approximately 370 feet downstream of State Route 286	*974
					Approximately 80 feet upstream of State Route 286 (Downstream crossing)	*981
					Approximately 800 feet upstream of State Route 286	*984
					Cape Cod Drive	*993
			Sandune Drive		*1,001	
			Downstream of North Duane Drive		*1,011	
			Approximately 950 feet upstream of North Duane Drive		*1,022	
			Upstream of State Route 286 (Upstream crossing)		*1,030	
			Confluence with tributary 1 to Humms Run		*1,036	
			Approximately 50 feet downstream of Holiday Park Drive		*1,047	
			Plum Creek	Holiday Park Drive Culvert (Downstream side)	*1,058	
				Holiday Park Drive Culvert (Upstream side)	*1,060	
				Confluence with Plum Creek	*906	
				Approximately 3,000 feet upstream of Pennsylvania Turnpike	*911	
				Approximately 1,300 feet downstream of Unity Railways Company	*920	
				Approximately 70 feet downstream of Unity Railways Company	*929	
				Approximately 100 feet upstream of Unity Railways Company	*938	
				Approximately 360 feet downstream of New Texas Road	*939	
				New Texas Road	*942	
				Downstream Corporate Limits	*773	
			Pucketa Creek	Approximately 1,300 feet upstream of Corporate Limits	*780	
				Approximately 6,750 feet downstream of Hulton Road	*790	
				Approximately 5,030 feet downstream of Hulton Road	*800	
				Approximately 2,870 feet downstream of Hulton Road	*810	
				Approximately 1,280 feet downstream of Hulton Road	*820	
				Upstream of Hulton Road	*831	
				Approximately 1,250 feet upstream of Hulton Road	*840	
				Approximately 300 feet downstream of Conrail	*850	
				Steurnagle Lane	*861	
				Approximately 1,600 feet upstream of Milltown Road	*870	
			Pucketa Creek	Approximately 3,300 feet upstream of Milltown Road	*880	
				Downstream of Conrail	*890	
				Mary Street	*896	
				Bessemer and Lake Erie Railroad Culvert (Downstream side)	*899	
				Bessemer and Lake Erie Railroad Culvert (Upstream side)	*906	
				Approximately 240 feet upstream of Leechburg Road	*910	
				Upstream of Universal Road	*918	
				Approximately 500 feet upstream of Universal Road	*925	
				Upstream of Pennsylvania Turnpike	*931	
				Approximately 75 feet downstream of Millers Lane	*943	
			Pucketa Creek	Approximately 825 feet downstream of Anderson Lane	*950	
				Anderson Lane	*958	
				Approximately 1,850 feet upstream of Anderson Lane	*970	
				Approximately 1,675 feet downstream of State Route 380 (Downstream crossing)	*980	
				Approximately 875 feet downstream of State Route 380 (Downstream crossing)	*990	
				State Route 380 (Downstream crossing)	*1,003	
				State Route 380 (Upstream crossing)	*1,015	
				Confluence with Allegheny River	*752	
				Approximately 1,470 feet downstream of Crystal Drive	*760	
				Upstream of Crystal Drive	*767	
			Pucketa Creek	Approximately 750 feet upstream of Crystal Drive	*770	
				State Road 366	*783	

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)		
Pennsylvania	Portland, Borough, Northampton County (Docket No. FEMA-5955).	Delaware River	Corporate Limits Downstream	*299		
			Toll Bridge (upstream side)	*294		
			Portland-Columbia Footbridge (downstream)	*298		
			Corporate Limits (upstream)	*298		
			Conrail	*295		
		Jacoby Creek	State Street (downstream)	*331		
			Dam approximately 100 feet upstream State Street (upstream)	*345		
			Corporate Limits (upstream)	*348		
			Maps available for inspection at the Municipal Building, Portland, Pennsylvania.			
			Pennsylvania	Shrewsbury, Township, York County (Docket No. FEMA-5978).	South Branch Codorus Creek	Downstream Corporate Limits
State Route 616 approximately 1,050 feet upstream of Corporate Limits (upstream)	*539					
Corporate Limits approximately 2,600 feet upstream of the confluence of Faust Creek	*546					
Corporate Limits approximately 6,600 feet upstream of the confluence with Faust Creek	*567					
T.R. 431 approximately 200 feet downstream of Trout Run (downstream)	*575					
T.R. 431 approximately 1,400 feet upstream of Trout Run (upstream)	*578					
State Route 616 approximately 2,500 feet upstream of Trout Run (downstream)	*594					
Commonwealth of Pennsylvania Railroad approximately 2,700 feet upstream of Trout Run (upstream)	*602					
Private Drive approximately 4,300 feet upstream of Trout Run (upstream)	*612					
Approximately 2,700 feet downstream of T.R. 420	*622					
Approximately 2,200 feet downstream of T.R. 420	*632					
Approximately 1,600 feet downstream of T.R. 420	*642					
Approximately 900 feet downstream of T.R. 420	*652					
T.R. 420 (upstream)	*670					
State Route 616 approximately 2,050 feet upstream of T.R. 420 (downstream)	*683					
State Route 616 approximately 2,050 feet upstream of T.R. 420 (upstream)	*688					
Commonwealth of Pennsylvania Railroad approximately 2,900 feet upstream of T.R. 420 (upstream)	*701					
Deer Creek	Five Forks Road (downstream)	*729				
	Five Forks Road (upstream)	*731				
	Private Drive approximately 2,300 feet upstream of Five Forks Road (upstream)	*744				
	Stewartstown Railroad (downstream)	*757				
	Private Drive approximately 400 feet upstream of Stewartstown Railroad (upstream)	*763				
	Confluence of Tributary 1	*771				
	Saddler Church Road (upstream)	*781				
	Approximately 1,250 feet upstream of Saddler Church Road	*790				
	Private Drive approximately 2,950 feet upstream of Saddler Church Road (downstream)	*802				
	Private Drive approximately 2,950 feet upstream of Saddler Church Road (upstream)	*806				
Tributary 1	Wolfe Road (downstream)	*819				
	Wolfe Road (upstream)	*823				
	Approximately 900 feet upstream of Wolfe Road	*829				
	Confluence with Deer Creek	*771				
	Private Drive approximately 900 feet upstream of the confluence with Deer Creek (upstream)	*779				
	Private Drive approximately 1,600 feet upstream of the confluence with Deer Creek (upstream)	*788				
	T.R. 441 approximately 2,140 feet upstream of the confluence with Deer Creek (upstream)	*787				
	Stewartstown Railroad approximately 3,300 feet upstream of the confluence with Deer Creek (upstream)	*808				
	Approximately 4,240 feet upstream of the confluence with Deer Creek	*818				
	Maps available for inspection at the Shrewsbury Township Building.					
Pennsylvania	Summit, Township, Erie County (Docket No. FEMA-5966)	Walnut Creek			Approximately 0.11 mile downstream of downstream crossing of Interstate 90	*1,068
					Upstream Interstate 90	*1,070
					Upstream Holiday Inn Exit	*1,079
					Upstream of upstream crossing of Interstate 90	*1,082
Maps available for inspection at the Summit Township Building, Erie, Pennsylvania.						
Pennsylvania	Union, Township, Erie County (Docket No. FEMA-5966)	South Branch French Creek			Upstream of Corporate Limits (and Union-LeBeouf Road)	*1,215
					Approximately 0.575 miles upstream of Corporate Limits	*1,225
					Upstream of first downstream Conrail crossing	*1,234
			Approximately 1 mile upstream of downstream Conrail crossing	*1,243		

Final Base (10-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Approximately 0.3 mile downstream of second downstream Conrail crossing.	*1,279
			Approximately 1.3 miles downstream of second downstream Conrail crossing.	*1,295
			Downstream of upstream Conrail crossing	*1,304
Maps available for inspection at the residence of Mr. Merle Sexton, Secretary of Union Township, R.D. 1, Union City, Pennsylvania.				
Texas	City of Alamo Heights, Bexar County (FI-3306)	Broadway ¹	Grove Place	*707
		Austin Highway ¹	Rouff Street	*730
		New Braunfels Ave. ¹	Cloverleaf Ave.	*754
			East Elm View Place	*774
Maps available for inspection at City Hall, 6116 Broadway, Alamo Heights, Texas 78209.				
Texas	City of Danbury, Brazoria County (FEMA-5947)	Flores Bayou	Intersection of Avenue K and Ninth Street	*22
			Intersection of Avenue J and Eleven Street	*22
		Austin Bayou	County Road 602 (extended)	*19
			Fourth Street (extended)	*20
Maps available for inspection at City Hall, 6102 Fifth Street, Danbury, Texas 77534.				
Texas	Marshall (City), Harrison County (FEMA-5955)	Parker Creek	Intersection of East Houston Street and Maulding Street	*330
		Happy Hollow Creek	Intersection of James Street and Higgins Street	*331
		Turtle Creek	Intersection of Circle Drive and South Garrett Street (approximately 100 feet south from Turtle Creek, along South Garrett Street)	*338
Maps available for inspection at City Hall, East Houston Street, Marshall, Texas.				
Vermont	Georgia, Town, Franklin County (Docket No. FEMA-5966)	Lake Champlain	Entire shoreline within Corporate Limits	*102
		Lamoille River	Arrowhead Mountain Lake at downstream County Boundary.	*291
			Upstream of Central Vermont Railroad	*293
			100' upstream of U.S. gaging station No. 04292500	*303
			Approximately 550' downstream of confluence with Beaver Meadow Brook.	*313
			Upstream Corporate Limits	*322
Maps available for inspection at the Town Clerk's Office, Georgia Town Office Building, Georgia, Vermont.				
Washington	Lower Elwha Indian Reservation, Clallam County (FEMA-5966)	Elwha River	100 feet due south of intersection of main street through Reservation and dirt road heading toward the beach.	*13
		Elwha River Overflow	75 feet south along Stratton Road from its intersection with main street through Reservation.	*12
		Strait of Juan de Fuca	Intersection of main street through Reservation and dirt road heading toward the beach.	*12
Maps available for inspection at Tribal Community Offices, Lower Elwha Road, Port Angeles, Washington.				
Wisconsin	(C), Onalaska, La Crosse County (Docket No. FEMA-5966)	Green Coulee	About 0.54 mile downstream Main Street	*710
			Just upstream Main Street	*715
		Black River	At downstream corporate limits	*647
			At upstream corporate limits	*648
Maps available for inspection at the Office of the City Clerk, City Hall, 415 Main Street, Onalaska, Wisconsin.				

¹ These are street names, streets are utilized for drainage during storms.

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

Issued: April 1, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-11032 Filed 4-10-81; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION National Highway Traffic Safety Administration

49 CFR Parts 512, 525, 537, and 555
(Dockets Nos. 78-10, Notice 5; FE 76-04,
Notice 6; FE 77-03, Notice 5; 80-21, Notice
2)

Confidential Business Information; Deferral of Effective Date

AGENCY: National Highway Traffic
Safety Administration, DOT.

ACTION: Final rules; deferral of effective date.

SUMMARY: By this notice, the agency defers the effective date of its new regulation, Part 512, *Confidential Business Information*, and conforming amendments made to Parts 525, 537 and 555. The agency published Part 512 on January 8, 1981 (46 FR 2049). Conforming amendments were made to other agency regulations simultaneously (46 FR 2063). Subsequently, the agency extended the

time for filing petitions for reconsideration of the regulation (46 FR 10969). On March 9, 1981, the agency received a petition for reconsideration from the Motor Vehicle Manufacturers Association. To allow the agency sufficient time to review and consider that petition, the agency has decided to defer the effective date for the regulation and the conforming amendments for 120 days. Given the desirability of responding to the petition before the regulation becomes effective

and the imminence of the effective date, the agency for good cause finds that notice and opportunity for comment on this deferral are impracticable and contrary to the public interest and therefore not required.

EFFECTIVE DATE: The new effective date for Part 512 and for the amendments to Parts 525, 537 and 555 is August 7, 1981.

FOR FURTHER INFORMATION CONTACT: Roger Tilton, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. (202-426-9511).

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50)

Issued: April 7, 1981.

Diane Steed,

Acting Administrator.

[FR Doc. 81-11092 Filed 4-8-81; 4:13 pm]

BILLING CODE 4910-59-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1206

[No. 37605]

Revision to Classification of Carriers of the Uniform System of Accounts for Motor Carriers of Passengers

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: Pursuant to the Commission's Policy Statement on Financial and Statistical Reporting, the Commission is revising instruction 2-1 (a) and (b)(1) in the Uniform System of Accounts for Part 1206, Common and Contract Motor Carriers of Passengers, to eliminate the Class III classification. The revision of instructions 2-1 (a) and (b)(1) is necessary to conform those classifications to the new classifications found in § 1240.2(a). Section 1240.2(a) groups motor carriers of passengers by two accounting and reporting classifications rather than three in the USOA. The Class III classification was eliminated because the information reported by the carriers was neither used nor needed by the Commission. The USOA definition of carrier will now agree with the two-class groupings of

Class I carriers and Other than Class I carriers.

DATES: Effective for the accounting and reporting year beginning January 1, 1980. Comments are requested by May 28, 1981.

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

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

SUPPLEMENTARY INFORMATION: By Final Rule served under Docket No. 37523 on December 15, 1980, the Commission revised the accounting and reporting classification for motor carriers of passengers (Section 1240.2 of 49 CFR Part 1240). This Final Rule was published in the *Federal Register* on January 28, 1981 (46 FR 9114).

The Commission changed the three-class designation of motor carriers of passengers to two classes: "Class I" carriers and "Other Than Class I" carriers. This eliminated the reports filed by Class II carriers which were no longer used by the Commission on a regular and frequent basis.

Instruction 2-1 of the Uniform System of Accounts for Motor Carriers of Passengers shall now agree with the two-class designation.

We find that a rulemaking proceeding is not necessary to adopt this revision since it involves incorporating the revised accounting and reporting structure decided in Docket No. 37523. However, in keeping with our belief that any rule can benefit from public scrutiny, we are requesting that the public study the rule and report, within 45 days, any suggested changes.

If the Commission concludes after reviewing the comments, that it is necessary to reconsider this rule, a further notice will be published in the *Federal Register*. Otherwise, the provisions of this Final Rule are in effect.

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

Accordingly, we adopt the changes to Title 49 of the Code of Federal Regulations set forth in Appendix A.

This rule is issued under the authority of 49 U.S.C. 11145 and 5 U.S.C. 553.

Decided: March 30, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Tranum, and Gilliam. Commissioner Gresham concurred.

Agatha L. Mergenovich,

Secretary.

Appendix A

Part 1206, Common and Contract Motor Carriers of Passengers, Chapter X, Title 49 of the Code of Federal Regulations, is amended by revising as follows:

1. Revise Instruction 2-1(a) and 2-1(b)(1) to read:

2-1 Classification of carriers.

(a) For the purpose of accounting and reporting regulations, common and contract carriers of passengers subject to the Interstate Commerce Act are grouped into the following two classes:

Class I—Carriers having average annual gross operating revenues (including interstate and intrastate) of \$3 million or more from passenger motor carrier operations.

Other Than Class I—Carriers having average annual gross operating revenues (including interstate and intrastate) of less than \$3 million from passenger motor carrier operations.

(b)(1) The class to which any carrier belongs shall be determined by annual carrier operating revenue. If at the end of any calendar year or of thirteen 4-week periods, such annual carrier operating revenue is greater than the maximum for Other Than Class I carriers, the carrier shall adopt the accounting and reporting requirements of Class I carriers. The adoption of Class I shall be effective as of January 1 of the second succeeding year after the carrier meets the minimum revenue limit for Class I.

2. Revise Instruction 2-1(c) to read:

(c) Only Class I carriers shall keep all the accounts prescribed in this part, where applicable. Other Than Class I carriers are not required to keep the accounts prescribed in this part.

(49 U.S.C. 11145 and 5 U.S.C. 553)

[FR Doc. 81-11027 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register

Vol. 46, No. 70

Monday, April 13, 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.

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 71 and 73

Radioactive Material; Packaging and Transportation by Air

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Withdrawal of Advance Notice of Rulemaking.

SUMMARY: The Nuclear Regulatory Commission has reevaluated its transportation regulations concerning the air transportation of radioactive materials, including packaging. The intention to reevaluate these regulations was announced on June 2, 1975 (40 FR 23768). Public comments were requested for early consideration in the proceeding. Public comments were also solicited when a draft environmental statement was issued in 1976, and again when the final environmental statement was issued in 1977. The environmental statement included an examination of the transportation of radioactive material by all modes of transport. Considering the information developed and received and the safety record associated with the transportation of radioactive material, the NRC has determined that the present regulations provide a reasonable degree of safety and that no immediate changes in the regulations are needed to improve safety. However, several follow-on studies will be undertaken by the Commission to determine whether regulatory revisions would be cost-effective in reducing transportation impacts. Having made the determination that no immediate changes to its regulations are needed to improve safety, the NRC is closing the rulemaking proceeding and focusing its efforts on the follow-on studies.

FOR FURTHER INFORMATION CONTACT: Mr. Steven Bernstein, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone: (301) 443-5946.

SUPPLEMENTARY INFORMATION: The Nuclear Regulatory Commission (NRC) announced on June 2, 1975 that it was reevaluating its then existing transportation regulations, originally issued by the Atomic Energy Commission, concerning the air transportation of radioactive materials, including packaging, with a view to the possible amendment of its regulations in 10 CFR Part 71, "Packaging of Radioactive Material for Transport and Transportation of Radioactive Material Under Certain Conditions," and Part 73, "Physical Protection of Plants and Materials." The NRC invited public comments on specific issues related to that reevaluation, established an interim position that air transportation of special nuclear material could continue during the rulemaking proceeding, and noted that the NRC staff would prepare a generic environmental impact statement (EIS) on the subject. The public comments submitted in response to the June 1975 notice were useful in providing an indication of public concerns which needed to be addressed in developing the EIS. The EIS also included consideration of other transport modes because of the requirement to consider alternatives contained in the National Environmental Policy Act of 1969. A total of 69 letters of comment were received in response to the announcement, 26 of them dealing with the interim position taken on air transportation of special nuclear material. These comments and the NRC staff's analysis of them are available in the NRC Public Document Room at 1717 H Street NW., Washington, D.C.

In a *Federal Register* notice published February 9, 1976 (41 FR 5027), the NRC affirmed its interim position that special nuclear material could continue to be shipped by air, but recognized that air shipment of plutonium had been foreclosed by Public Law 94-79. This law prohibited the NRC from licensing any plutonium air shipments (except certain medical devices) until "a safe container has been developed and tested which will not rupture under crash and blast-testing equivalent to the crash and explosion of a high-flying aircraft." In August 1978, NRC certified to Congress that such a package had been developed and tested. By NRC order dated September 1, 1978, plutonium air shipments in that package were authorized.

The NRC issued a Draft Environmental Statement, "Transportation of Radioactive Material by Air and Other Modes" (NUREG-0034), in March 1978. After consideration of the 28 letters of comment received from the public and from Federal, State and local agencies, a final statement on that subject was prepared. That final statement contained the 28 public comments on the draft statement and the NRC staff's analysis of them. Before issuance, the final statement was extensively reviewed within the NRC, and was reviewed twice in public meetings (February 1977 in Atlanta, GA; November 1977 in Chicago, IL) by the NRC's Advisory Committee on Reactor Safeguards.

The Final Environmental Statement (FES), "Transportation of Radioactive Material By Air and Other Modes" (NUREG-0170), was issued in December 1977. It included a cover sheet requesting comments from persons with views on the content or conclusions of the final environmental statement which might be helpful to the NRC in considering the disposition of the rulemaking proceeding announced on June 2, 1975. NUREG-0170 analyzes the impacts of the normal transportation of radioactive material, the impacts of transportation accidents, and deliberate misuse of radioactive material in transportation. These analyses are based on the numbers and characteristics of real shipments as identified in a 1975 survey of shippers, the results of which were detailed in "Survey of Radioactive Material Shipments in the United States," BNWL-1972, dated April 1976. NUREG-0170 shows that the environmental impact from normal transportation of radioactive material is small, adding about one latent cancer fatality per year to the existing total of approximately 300,000. The impact from transportation accidents is shown to be only a small fraction of the normal impact, and the risk from deliberate misuse is qualitatively shown to be "sufficiently small to constitute no major adverse impact on the environment."

Of the eleven letters offering post-issuance comments, five supported NUREG-0170 as an adequate representation of transportation impacts. Three of the letters criticized the scope of the report (two, too limited;

one, too broad), and three said that consideration of alternatives was inadequate. One commenter noted that the report purports to be neither an EIS for NRC licensing actions nor an EIS for actions of DOE, DOT, FAA or the State Department with respect to transport of radioactive material. Finally, three commenters were critical of specific portions of the impact analysis in NUREG-0170.

With respect to the NRC's action on the rulemaking proceeding, two commenters suggested that we implement the concept of "as low as reasonably achievable" in transportation, and two suggested that we have a strong enforcement program to assure adequate implementation of the transportation requirements. Four commenters suggested closing the proceeding, and one suggested that the NRC consider the urban environment, carrier aspects of transportation, and military shipments in deciding on any follow-on action. Single suggestions were received to educate transport workers, require consignees to identify themselves, to eliminate any exposures to the general public above background, to prohibit high-level waste shipments by air, and to improve the safeguards physical protection requirements.

The public comments submitted in response to the June 1975 notice were useful in expressing public attitudes which needed to be addressed in the environmental statement. The public comments after issuance of the FES did not claim, except in two cases, any large deficiencies in either the FES or in the current transportation requirements. In no case did the latter public comments present convincing or supporting evidence of any significant deficiency in transportation requirements.

Closure of this transportation rulemaking proceeding had been scheduled for 1978, but was held in abeyance pending the completion of considerations related to the Department of Transportation's (DOT) rulemaking proceeding on the highway routing of radioactive material. In November 1980, the NRC provided comments to DOT in response to publication, in January 1980, of DOT's proposed rule on this subject (45 FR 7140). The NRC advice was to require routing of shipments so as to minimize total annual health impacts, including nonradiological impacts. Now that these routing considerations are complete, closure of the transportation proceeding can be accomplished.

Based on the analysis developed in the rulemaking proceeding, on the public comments received, on the safety record, and on other information, the

NRC has concluded that present regulations are adequate to protect the public against unreasonable risk from the transport of radioactive materials. However, prudence dictates that regulatory policy concerning transportation of radioactive materials be subject to close and continuing review. In its continuing review, the NRC distinguishes between safety matters and safeguards matters. Safety deals with protection against adverse consequences from accidents or natural causes while safeguards deals with protection against deliberate, malevolent acts by man. Concerning safety regulation, several studies are in progress or contemplated. The object of the studies is to find cost-effective measures to further reduce public dose. The study subjects include environmental effects of transportation in urban areas, transport worker doses, physical and chemical forms of materials being shipped, and package test standards for extreme accidents in each transport mode. A draft technical assessment of the environmental effects of transporting radioactive material through an urban area has been issued by Sandia National Laboratories under contract to the NRC. Its availability to the public was announced in the *Federal Register* on September 17, 1980 (45 FR 61838). This assessment will form the basis of the NRC's Environmental Impact Statement on this subject that is scheduled to be issued in 1981. Additionally, a proposed rule change, announced on August 17, 1979 (44 FR 48234), would improve compatibility of the transportation regulations with those of the International Atomic Energy Agency. In connection with safeguards regulation, follow-on studies on sabotage of spent fuel shipments and transportation of high level waste are in progress or contemplated. As the regulatory process proceeds, these studies and proposed rules may result in the issuance of new regulations.

In a separate regulatory action, the NRC issued on December 9, 1980 (45 FR 81058), a proposed regulation as a first step in carrying out the Congressional mandate in Public Law 96-295 to notify the governor of a state concerning shipments of radioactive waste within or through the state. In another separate action, the NRC, in cooperation with the Federal Emergency Management Agency and other federal agencies, is currently developing guidance material to be used by state agencies in developing emergency response plans for transportation accidents involving radioactive material.

Since the purpose of the rulemaking proceeding announced on June 2, 1975 has been completed, i.e., present transportation regulations have been adequately reassessed, that rulemaking proceeding is now closed.

Persons who wish to view the public comments received under the rulemaking proceeding or the staff's analyses of these comments at the NRC Public Document Room at 1717 H Street NW., Washington, D.C., should refer to Docket Number PR 71, 73 (40 FR 23768).

(Secs. 53, 161 b and i; Pub. L. 83-703, as amended; 68 Stat. 930, 948 (42 U.S.C. 2073, 2201 (b) and (i)); Sec. 201; Pub. L. 93-438, as amended; 88 Stat. 1242, as amended (42 U.S.C. 5841))

Dated at Washington, D.C., this 6th day of April, 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-11056 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Parts 200, 230, 625, 635, 770, 771, and 795

49 CFR Parts 395 and 396

[FHWA Docket No. 81-4]

Priority Review of Selected Existing Program Requirements

AGENCY: Federal Highway Administration, DOT.

ACTION: Review of regulations and request for public comments.

SUMMARY: The Federal Highway Administration (FHWA) is reviewing a number of its existing program requirements which are considered to be costly and/or controversial. This notice is being issued to advise the public of this review and to invite comments and suggestions from interested persons.

DATE: Comments must be received on or before May 15, 1981.

ADDRESS: Comments and suggestions should be sent, preferably in triplicate, to FHWA Docket No. 81-4, Federal Highway Administration, Room 4205, HCC-10, 400 Seventh Street, SW., Washington, D.C. 20590. All comments and suggestions received will be available for examination at the above address between 7:45 a.m. and 4:15 p.m. ET, Monday through Friday. Those desiring notification of receipt of

comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Dennis Judycki, Office of Highway Planning (HHP-20), Room 3301, 202-426-0166, or Mr. Stanley Abramson, Office of the Chief Counsel (HCC-10), Room 4223, 202-426-0761, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The Department of Transportation (DOT) has established a list of those existing DOT regulations that, because of their associated costs and/or controversy, are prime candidates for priority review and possible revision or rescission. The items to be reviewed by the FHWA include regulations and related requirements in the following program areas: Civil Rights, Design Standards for Highways, Buy America, Air Quality, Environmental Impact Procedures, Environmental Action Plans, Hours of Service of Commercial Vehicle Drivers, and Commercial Vehicle Inspection, Repair and Maintenance.

The priority review will include: evaluation of the cost and/or controversy and the benefits associated with the existing requirements; identification of less costly alternatives to the existing requirements, including regulatory alternatives and alternatives requiring action by other Federal agencies or the Congress; evaluation of the costs and benefits of each alternative; and development of recommendations. Final review reports are to be submitted to the Office of the Secretary of Transportation by July 16, 1981.

The purpose of this notice is to advise the public of the priority review effort and to invite interested persons and organizations to submit comments and suggestions to the public docket. The FHWA is particularly interested in receiving information on the costs and benefits of its existing program requirements and suggestions for less costly alternatives. Comments on more than one review area can be combined into a single submission to the docket, but the comments for each review area should be clearly identified.

This is not an advance notice of proposed rulemaking. Based upon the results of this review a number of nonregulatory alternatives may be pursued, including legislative action.

The FHWA is currently engaged in rulemaking on the following regulations that are also the subject of priority review: Design Standards for Highways, 23 CFR Part 625 (FHWA Docket Nos. 80-

2 and 80-3); Buy America Requirements, 23 CFR 635.410 (FHWA Docket No. 80-1); Air Quality Conformity and Priority Procedures, 23 CFR Part 770 (FHWA Docket No. 80-18); Hours of Service of Drivers, 49 CFR Part 395 (Docket No. MC-70), Inspection, Repair and Maintenance, 49 CFR 396 (Docket No. MC-48-1). In addition, DOT is conducting rulemaking with respect to Minority Business Enterprise, 49 CFR Part 23, and Nondiscrimination in Federally Assisted Programs (Title VI), 49 CFR Part 21. Comments submitted to the public dockets on the above rulemaking actions will be evaluated as part of the priority review effort. However, it should be noted that the scope of the priority review is considerably broader than the specific documents previously issued for comment. Those who have submitted, or will be submitting, comments to the foregoing rulemaking dockets may want to submit additional comments to the FHWA's priority review docket in light of its broader scope.

A discussion of the FHWA program requirements that are under review follows. Where appropriate, questions and items of information that are of particular significance to the review are indicated.

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, 23 U.S.C. 140 and 324, Executive Order 11246, and other authorities. These regulations have requirements that may exceed statutory authority and overlap or duplicate other civil rights rules, and also contain a number of recordkeeping and reporting requirements that bear scrutiny.

The FHWA is particularly interested in receiving comments on the following with respect to existing civil rights requirements in title 23 of the Code of Federal Regulations:

1. Have existing requirements been a help or a hindrance, and to what extent, in ensuring protection of civil rights?
2. Are existing requirements too restrictive? If yes, in what ways?
3. Have existing requirements caused a reduction in the amount or rate of discriminatory practices in Federal-aid programs?
4. Have review and reporting requirements resulted in the identification and/or reduction of discriminatory practices?
5. Can existing manpower and organizations be expected to operate effectively without the detailed instructions currently provided?

6. What are the positive and negative aspects of standardized reporting requirements?

7. Are current FHWA requirements repetitive of those issued by the Department of Labor or other Federal agencies?

8. To what degree are unintended impacts (adverse or beneficial) apparent?

Design Standards for Highways (23 CFR Part 625)

This rule, by incorporating by reference a number of other FHWA regulations and industry consensus standards, prescribes technical requirements for federally funded highway construction. Some States might prefer the option of setting their own design standards. The FHWA has proposed to take an approach of this kind for standards for the rehabilitation, restoration and resurfacing of highways other than freeways. This review is needed to determine whether a more flexible approach of this kind is appropriate for new construction as well.

The existing rule references several types of material. The references were developed by different groups (e.g., American Association of State Highway and Transportation Officials, American Welding Society, and FHWA) and encompass several functional areas. Some references provide only program guidance, and Federal approval of project deviations is not required. Other references are, in comparison, very prescriptive and require formal exceptions by FHWA to the specified standard.

The FHWA is reviewing its role in establishing such standards, inquiring whether some other approach should be employed which would better accommodate practical transportation needs. At this time, FHWA is interested only in evaluating possible alternative approaches to this issue. Whether particular standards or portions of standards are too rigid, unclear or unnecessary is not within the scope of the present inquiry. Comments would be most useful if directed to the following specific questions: Are the existing requirements too rigid? Are there other approaches that would be more flexible or more cost-effective? Would an alternative that provides each State the option of individually developing and proposing standards for FHWA endorsement better serve the public interest?

Buy America (23 CFR 635.410)

This regulation implements the requirement 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 decision to limit the application of the preference to steel, the extent to which the domestic steel industry requires the protection afforded it under the statute, whether sufficient domestic supplies exist, the impact on domestic firms that deal in imported steel, foreign trade implications, and the increased costs resulting from using more expensive domestic products. Both legislative and regulatory options will be considered.

Air Quality Guidelines/Environmental Impact Procedures (23 CFR Parts 770, 771)

These rules set forth procedures that implement, respectively, various DOT-EPA interagency agreements pursuant to the Clean Air Act amendments of 1977 and the 1978 Council on Environmental Quality (CEQ) regulations issued under the National Environmental Policy Act of 1969 (NEPA). In each case, DOT had little discretion to move beyond the agreements 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 these areas is costly. A DOT review of the rules is needed to determine if unnecessary burdens are being imposed and if changes to the DOT-EPA agreements, the Clean Air Act amendments, or CEQ regulations are warranted.

The FHWA is particularly interested in receiving comments on the following:

1. Should FHWA seek to eliminate all mandatory environmental requirements which give special protection to specific resources in favor of a more comprehensive balancing of relevant factors, including environmental, social, and economic costs and benefits?

2. If FHWA is to continue to provide special protection for certain kinds of areas, such as parks, wildlife refuges, historic sites, wetlands and other areas, how should these protections be built into the FHWA decisionmaking process?

3. Should FHWA assign all environmental decisionmaking to the States? This would require a change in many environmental laws which are now complied with in the course of the NEPA process.

4. Should FHWA seek to utilize the NEPA process to make it the sole vehicle for environmental decisionmaking? What changes should be made in existing procedures to accomplish this change?

5. What costs and time delays are added to a project as a result of NEPA and other environmental requirements affecting the decisionmaking process?

6. What benefits accrue to the public and how is the project design improved as a result of NEPA and other environmental requirements?

7. What environmental requirements, other than NEPA, add the greatest burden to the project development process? Why and how is the burden manifested? What benefits, in terms of project modifications, are realized as a result of these requirements?

Guidelines for the Development of Environmental Action Plans (23 CFR Part 795)

The Process Guidelines were initially issued in September 1972 under the provisions of Section 136(b) of the Federal-aid Highway Act of 1970 (23 U.S.C. 109(h)), to assure full consideration of social, economic, and environmental effects in the development of Federal-aid highway projects. The guidelines require State highway agencies to develop Action Plans which describe the agencies' organizational arrangements, assignments of responsibility, and project development procedures. All State highway agencies have been operating under Action Plans for more than 5 years. 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.

This review of the process will assist in determining whether the Action Plan requirements should be eliminated or revised. During this review, the Action Plan program costs, benefits, and issues will be evaluated, as well as the need to adapt the program to the 1980's. While there is interest in comments on all aspects of the program, the FHWA is particularly interested in receiving comments on the following:

1. Are Action Plans serving the States properly in carrying out the intent of 23 U.S.C. 109(h)? If not, are there changes that should be made to the Action Plan program to fulfill this intent while also assisting the States as efficiently as possible?

2. What are the major costs associated with the Process Guidelines/

Action Plan program? It would be helpful if the costs were broken down into (1) annual operating costs, (2) revision costs (i.e., per revision) and (3) other costs (please specify) both with and without an Action Plan. This information is particularly needed from State highway agencies.

3. Given a choice, which legislative/regulatory approach would you consider preferable for the Federal-aid highway environmental program:

a. NEPA (i.e., project review approach)

b. Title 23, Section 109(h) (i.e., process review approach)

c. Both or a combination of the above

d. Environmental certification similar to Certification Acceptance (this may require legislative changes)

e. Other

If (c) or (e) above is selected, please explain. (Explanation of other selections is optional.)

4. Do you consider the Process Guidelines/Action Plan requirements to be costly and/or controversial? If so, explain.

Hours of Service (49 CFR Part 395)

This regulation, little changed from its original version published 40 years ago by the Interstate Commerce Commission, limits the number of hours interstate truck and bus drivers can drive and be on duty. 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," on which drivers record their activities. The driver's log is one of the biggest paperwork requirements that the Department imposes. The FHWA has been gathering data on the relationship between driver fatigue and accidents, and on the economic impact of changing the rule, because it is suspected that driver fatigue is a contributor to many accidents. Litigation and a rulemaking petition involving this regulation are also pending. A review is needed to focus on the safety justification for the present limitation, effects of relaxing present requirements, and, most importantly, finding a less burdensome, more cost-effective enforcement mechanism than the driver's log.

Commercial Vehicle Inspection, Repair and Maintenance (49 CFR Part 396)

This regulation requires systematic inspection, repair and maintenance of commercial vehicles for mechanical and other defects and calls for the preparation of various driver defect reports and the retention of certain

maintenance records. The rule's rationale is to require motor carriers to give sufficient attention to the proper maintenance of their vehicles, since poorly maintained vehicles can cause accidents. The rule was controversial when it was revised in 1979 because of the need for carrier certification and the "on-board" requirement for the driver's vehicle inspection report. One focus of a reivev would be on ways of reducing recordkeeping and reporting requirements.

(Catalog of Federal Domestic Assistance Program Numbers 20.205, Highway Research, Planning, and Construction, and 20.217, Motor Carrier Safety. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to Program Number 20.205)

Issued on: April 8, 1981.

R. A. Barnhart,

Federal Highway Administrator.

[FR Doc. 81-11070 Filed 4-10-81; 9:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 371]

Shenandoah Valley Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in Amador County, California, to be known as "Shenandoah Valley." This proposal is the result of a petition submitted by members of the grape-growing industry. ATF feels that the establishment of viticultural areas and the subsequent use of viticultural area names as appellations of origin in wine labeling and advertising will help consumers identify the wines they may purchase.

DATES: Written comments must be received by June 12, 1981.

ADDRESSES: Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044, [Notice No. 371].

Copies of the petition, the proposed regulations, the appropriate maps, and the written comments will be available for public inspection during normal business hours at: ATF Reading Room, Room 4407, Federal Building, 12th and

Pennsylvania Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: E. J. Ference, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226 (202-566-7626).

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 Fr 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. The regulations also allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements.

On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features.

Section 4.25a(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include—

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and

(e) A copy of the appropriate U.S.G.S. map with the boundaries prominently marked.

Petition

ATF has received a petition proposing an area in Amador County, California, as a viticultural area to be known as "Shenandoah Valley." The area consists of approximately 10,000 acres. Shenandoah Valley is situated to the

north and west of Fiddletown, California, and to the north and east of Plymouth, California, in Amador County, California.

The petitioner claims that the proposed viticultural area is distinguished from the surrounding areas geographically. The petitioner bases this claim on the following:

(a) The principal grape-producing soil in the Shenandoah Valley is the Sierra Series. This series consists of well-drained deep and moderately deep soils formed in material from granitic rock. These soils are gently sloping to very steep.

(b) The surface soil primarily consists of various loams, particularly coarse sandy loam. The subsoil primarily consists of heavy loam or clay loam. The depth to weathered bedrock ranges from 20 inches to more than 60 inches.

(c) A few vineyards in the Shenandoah Valley have been established on Ahwahnee Series and also Shenandoah Series soils.

(d) Based on the University of California at Davis heat summation scale, the Shenandoah Valley was categorized as a Region III or as a Region IV for the years 1962 through 1966.

Historical and current usage of the name "Shenandoah Valley" is supported by the following:

(a) In 1881, J. D. Mason, in his "History of Amador County", mentions choice grapes being grown in the Shenandoah Valley.

(b) A 1927 book "Amador County History" refers to this area as Shenandoah Valley;

(c) Soil survey maps of Amador County, California, prepared by the U.S. Department of Agriculture Soil Conservation Service and dated Series 1961, identify the areas as the Shenandoah Valley;

(d) U.S.G.S. 7.5 minute quadrangle map, (topographic) titled Fiddletown Quadrangle California and dated 1949, identifies the area as the Shenandoah Valley; and

(e) An area school has included "Shenandoah" in its name.

The boundaries of the proposed Shenandoah Valley viticultural area may be found on two U.S.G.S. 7.5 minute quadrangle maps (Fiddletown Quadrangle California and Amador City Quadrangle California-Amador Co.).

The boundaries, as proposed by the petitioner, are described in proposed § 9.37.

Viticultural Area Name

The Bureau is very concerned about the likelihood of consumer confusion

concerning grape origin if the name "Shenandoah Valley" is used to identify this viticultural area.

Public Participation—Written Comments

ATF requests comments concerning this proposed viticultural area from all interested persons. This document proposes possible boundaries for the Shenandoah Valley viticultural area. However, comments concerning other possible boundaries for this viticultural area will be considered.

The Shenandoah Valley of Virginia, for which this area of California was named, is well known. Comments concerning these two geographically designated names are particularly requested.

Comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future ATF action.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which a commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure.

Any interested person who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his or her request, in writing, to the Director within the 60-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

Drafting Information

The principal author of this document is E. J. Ference, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the Bureau and of the Treasury Department have participated in the preparation of this document, both in matters of substance and style.

Authority

Accordingly, under the authority in 27 U.S.C. 205, the Director proposes the amendment of 27 CFR Part 9 as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.37 to read as follows:

Subpart C—Approved American Viticultural Areas

Sec.

9.37 Shenandoah Valley.

Par. 2. Subpart C is amended by adding § 9.37 to read as follows:

Subpart C—Approved American Viticultural Areas

§ 9.37 Shenandoah Valley.

(a) *Name.* The name of the viticultural area described in this section is "Shenandoah Valley."

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Shenandoah Valley viticultural area are two U.S.G.S. maps. The maps are titled: "Fiddletown Quadrangle California" 7.5 minute series and "Amador City Quadrangle California-Amador Co." 7.5 minute series.

(c) *Boundaries.* The Shenandoah Valley viticultural area is located in Amador County, California. The boundaries are as follows:

The line starts at the point where the boundary of Amador County and El Dorado County meets Big Indian Creek. The line then proceeds south, following Big Indian Creek, until Big Indian Creek meets the boundary between Sections 1 and 2 of Township 7 North Range 10 East. The line then follows this boundary south until it meets the Oleta (Fiddletown) Road. The line then follows the Oleta Road east until it meets the boundary between Sections 6 and 5 of Township 7 North Range 11 East. The line follows that boundary north into Township 8 North Range 11 East, and continues north on the boundary between Sections 31 and 32 until this boundary meets Big Indian Creek. The line then follows Big Indian Creek in a northeasterly direction until Big Indian Creek meets the boundary between Sections 28 and 27 of Township 8 North Range 11 East. The line then follows this boundary north until it reaches the southeast corner of Section 21 of Township 8 North Range 11 East. The line then proceeds east, then north, then west along the boundary of the western half of Section 22 of Township 8 North Range 11 East to the intersection of Sections 16, 15, 21, and 22. The line then proceeds north along the boundary between Sections 16 and 15 of Township 8 North Range 11 East and continues north along the boundary of Sections 9 and 10 of Township 8 North Range 11 East until the line meets the boundary between Amador County and El Dorado County. The line then continues west following the Amador/El Dorado County Line to the starting point.

Signed: March 18, 1981.

Stephen E. Higgins,
Deputy Director.

Approved: April 6, 1981.

John P. Simpson,
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-11151 Filed 4-10-81; 8:45 am]

BILLING CODE 4810-31-M

27 CFR Part 19

[Notice No. 370]

Reporting Taxes Due to the Insular Governments on Puerto Rican and Virgin Islands Spirits Bottled in the United States

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is issuing this notice of proposed rulemaking to obtain comment from the public on revising the reporting requirements for Puerto Rican and Virgin Islands spirits bottled by domestic distilled spirits plant proprietors. This reporting requirement forms the basis for remittance or settlement of tax accounts between the United States and the treasuries of Puerto Rico and the Virgin Islands.

DATE: Comments must be received on or before June 15, 1981.

ADDRESS: Send comments to Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044, Notice No. 370.

FOR FURTHER INFORMATION CONTACT: E. J. Ference or Edward J. Sheehan, Research and Regulations Branch, 202-566-7626.

SUPPLEMENTARY INFORMATION: This notice revises the reporting requirement for proprietors of domestic distilled spirits plants bottling Puerto Rican and Virgin Islands spirits. Following is a discussion of previous, existing, and proposed requirements, and of the reasons for this proposed change.

Previous Regulations

Prior to the implementation of the Distilled Spirits Tax Revision Act of 1979 on January 1, 1980, Puerto Rican and Virgin Islands spirits to be bottled in domestic distilled spirits plants were tax determined in bulk and reported on ATF Form 179, Withdrawal of Spirits Tax Determined, prior to processing and bottling (i.e., upon removal from bonded

premises). ATF regional offices compiled summary reports based on copies of ATF Form 179 submitted by distilled spirits plant proprietors. The total taxes determined less adjustments (i.e., operational losses, destructions, redistillation, etc.) formed the basis for remittance of taxes from the United States to the treasuries of Puerto Rico and the Virgin Islands.

Existing Regulations

With the passage of the Distilled Spirits Tax Revision Act of 1979 and temporary regulations issued in T.D. ATF-62 (44 FR 71613), the previous regulations in 27 CFR Part 201 were revised and recodified as 27 CFR Part 19.

Under existing law and regulations, all distilled spirits production, warehousing, and processing, (including bottling) operations are conducted prior to tax payment or tax determination on the bonded premises of a distilled spirits plant.

Operationally, the point of tax determination and reporting of Puerto Rican and Virgin Islands spirits under the previous regulations occurred before processing (including bottling) of the spirits. Temporary regulations to implement the Distilled Spirits Tax Revision Act of 1979 also made the reporting point prior to processing and bottling. This provided a smooth transition to the all-in-bond distilled spirits plant system. Under 27 CFR 19.377, proprietors maintain a separate accounting in proof gallons of Puerto Rican or Virgin Islands spirits received into the processing account for nonindustrial use. This accounting shows spirits received from the storage account of the same or another plant or from Customs custody. Each month proprietors determine the percentage of overall monthly processing gains or losses of nonindustrial spirits. The proof gallons of Puerto Rican or Virgin Islands spirits received in processing during any month are adjusted by the percentage of overall gains or losses for that month. Proprietors file monthly reports on ATF Form 5110.28, Monthly Report of Processing (Bottling) Operations, showing separately the adjusted proof gallons of Puerto Rican rum, other Puerto Rican spirits, and Virgin Islands spirits received in processing. The monthly reports are sent to ATF regional offices. ATF personnel at the regional level compile summary reports based on copies of ATF Form 5110.28 received. The total taxes attributable to such spirits forms the basis for remittance of taxes from the United States to the treasuries of Puerto Rico and the Virgin Islands.

Proposed Regulations

Proposed § 19.377 separates the Puerto Rican rum, other Puerto Rican spirits and Virgin Islands spirits into two distinct accounting categories each. The first accounting category contains those spirits mixed in processing with any other alcoholic ingredient (i.e. Puerto Rican rum mixed with: other Puerto Rican spirits; Virgin Islands spirits; other spirits; wine; alcoholic flavoring material; or any other alcoholic ingredient). The second accounting category contains those spirits *not* mixed in processing with any other alcoholic ingredient.

Under the first accounting category, proprietors shall record the quantity of bottled or packaged Puerto Rican rum, other Puerto Rican spirits, or Virgin Islands spirits *mixed with any other alcoholic ingredient upon completion of such bottling or packaging* (including the filling of bulk conveyances or transfer by pipeline). All Puerto Rican and Virgin Islands spirits so recorded must be reported on ATF Form 5110.28 for the month in which the bottling or packaging occurs.

Under the second accounting category, proprietors shall record the quantity of Puerto Rican rum, other Puerto Rican spirits, or Virgin Islands spirits *not mixed with any other alcoholic ingredient when such spirits are removed from bond on tax payment or tax determination*. All Puerto Rican and Virgin Islands spirits so recorded must be reported on ATF Form 5110.28 for the month in which removal from bond occurs.

ATF personnel at the regional level compile summary reports based on copies of ATF Form 5110.28 received. The summary report compilation forms the basis for remittance of taxes from the United States to the treasuries of Puerto Rico and the Virgin Islands. The information to be reported on Form 5110.28 will be expanded to include adjustments affecting tax remittance to the insular governments. Some of the additional report line items are expected to be returns to bond, destruction or loss of bottled "mixed" product, and exportation.

Reasons for the Proposed Change

The system provided under the existing regulations, while simple, is potentially imprecise. Adjustments for processing losses computed on the basis of all products are used to reduce the quantities of Puerto Rican and Virgin Islands spirits reported in an effort to approximate actual tax determinations. Depending on the product mix and other conditions at a particular plant, actual

losses in processing or Puerto Rican or Virgin Islands spirits could be more or less than the overall loss adjustment now required. Proposed § 19.377 will base the reporting on the quantities of those spirits bottled or packaged or removed (depending on the accounting category of the product), thereby ensuring that losses are accurately attributed.

The instructions on the ATF Form 5110.28 require an adjustment for destructions. However, there is currently no provision for proprietors to adjust for exportations and other non-taxable dispositions. This requirement will be added when ATF Form 5110.28 is revised to implement proposed § 19.377.

Moreover, even if all conceivable adjustments were made (thereby further complicating the reporting system), timing differences between the receipts of Puerto Rican and Virgin Islands spirits in the processing account and the actual collection of taxes by the U.S. Treasury could be significant. Arguably, such timing differences existed even under previous regulations due to operation of the deferred tax payment system. However, under that system, deferral was limited to a maximum of six months from the time tax was determined on Form 179. Under existing regulations, spirits may be entered in the processing account on receipt, with no limit on the time allowed for completion of processing and the determination and payment of taxes. Proposed § 19.377 requires reporting of "unmixed" spirits on removal from bond. That change will substantially reduce the quantity of spirits and therefore the revenue involved in this payment/collection timing delay.

Accordingly, ATF is proposing to revise the system for reporting taxes determined on Puerto Rican and Virgin Islands spirits bottled domestically.

Transition

The method of transition to the proposed accounting system for Puerto Rican and Virgin Islands spirits is a vital issue. Possible problems attendant to transition include inventories, special accountings, and the potential for disruption of the routine revenue transfer to the insular governments. ATF is very concerned with developing an accurate, efficient, and cost-minimized method of transition to the proposed accounting system for Puerto Rican and Virgin Islands spirits. For this reason, transitional methods have not yet been developed. Comments received from all interested parties will be considered in the development of the transitional

method. The transitional method will be promulgated in an ATF Procedure.

Impact on Other Governmental Entities

The insular governments and other agencies of the U.S. Government have an interest in the reporting process for Puerto Rican and Virgin Islands spirits bottled in the United States.

The insular governments are the beneficiaries of transfers of tax revenues. The Puerto Rican government received \$104,035,809.00 from this source for the period July 1, 1978, to June 30, 1979. That was 6.5 percent of their total government budget for that period. The Virgin Islands government received \$26,247,257.64 for the same period. That payment was 16.4 percent of their total government budget for that period. The treasuries of Puerto Rico and the Virgin Islands thus have an interest in knowing that the payments received accurately reflect quantities of Puerto Rican and Virgin Islands spirits bottled in the United States and withdrawn taxpaid. While proprietors of distilled spirits plants have most of the responsibility under the all-in-bond system for the accumulation, summarization and reporting of the data on which payments to the insular governments are based, ATF personnel will verify the figures during inspections and audits of distilled spirits plants. Refining the system as proposed will provide even greater assurance to the insular governments that the proper revenues are transferred to their accounts.

Various Federal agencies have interests which may be affected by this proposed action. The Internal Revenue Service is involved with effecting the actual revenue transfers based on the data collected by ATF. The Department of the Interior also has insular affairs responsibilities.

ATF will work closely with the insular governments and concerned Federal agencies in developing final regulations and transitional procedures on this subject.

ATF invites these governments and agencies to comment on the proposed rule. Particularly requested are comments concerning: (1) Strengths and weaknesses of the proposed system; (2) Alternative systems; and (3) How to best effect transition to the new system if the proposed regulations are adopted.

Public Participation

Interested persons may participate in the rulemaking process by submitting written data, views, or objections regarding this proposal. ATF particularly invites data, cost estimates, and comments concerning: (1) Strengths and weaknesses of the proposed system;

(2) Alternative systems; and (3) How to best effect transition to the new system if the proposed regulations are adopted. Written communications should be identified by the notice number (Notice No. 370) and be submitted to the Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044. All written communications received on or before June 15, 1981 will be considered before action is taken on the final regulations.

Written communications will be available for public inspection at the ATF Reading Room, Room 4407, 12th and Pennsylvania Avenue, NW., Washington, DC, from 8:30 a.m. to 5:00 p.m.

Any interested person who desires an opportunity to comment orally at a public hearing on this proposed regulation should submit his or her request in writing to the Director within the comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing should be held.

Drafting Information

The principal author of this document is E. J. Ference of the Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the Bureau and of the Treasury Department have participated in the preparation of this document, both in matters of substance and style.

Authority and Issuance

Accordingly, the Director is issuing this proposed regulation under the authority contained in 26 U.S.C. 7805 (68A Stat. 917), as follows:

PART 19—DISTILLED SPIRITS PLANTS

1. Subpart L of the table of sections, is amended by revising the heading of § 19.377 to read as follows:

Subpart L—Processing Operations Other Than Denaturation and Manufacture of Articles

19.377 Report of Puerto Rican rum, other Puerto Rican spirits, and Virgin Islands spirits.

2. Section 19.377, as revised, reads as follows:

§ 19.377 Report of Puerto Rican rum, other Puerto Rican spirits, and Virgin Islands spirits.

Proprietors shall clearly identify Puerto Rican rum, other Puerto Rican spirits, and Virgin Islands spirits in the records required by Subpart W of this

part. Proprietors shall use those records to compile the data required to be reported on ATF Form 5110.28. Such spirits must be reported in accordance with the instructions on the form and as follows:

(a) The quantity of Puerto Rican rum, other Puerto Rican spirits, or Virgin Islands spirits mixed in processing with any other alcoholic ingredient must be reported on ATF Form 5110.28 on completion of bottling or packaging (including filling of bulk conveyances or transfer by pipeline); and

(b) Puerto Rican rum, other Puerto Rican spirits, or Virgin Islands spirits not mixed in processing with any other alcoholic ingredient must be reported on ATF Form 5110.28 on removal of the product from bond on tax payment or tax determination.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1394, as amended (26 U.S.C. 5555); Sec. 807, Pub. L. 96-39, 93 Stat. 284 (26 U.S.C. 5207); Act of August 16, 1954, Pub. L. 591, 68A Stat. 907, as amended (26 U.S.C. 7652))

Signed: December 23, 1980.

G. R. Dickerson,
Director.

Approved: April 6, 1981.

John P. Simpson,
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-11129 Filed 4-10-81; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD3-80-5A]

Special Anchorage Area, Manhasset Bay, New York

AGENCY: Coast Guard, DOT.

ACTION: Notice of Proposed Rulemaking

SUMMARY: At the request of the Manhasset Isle Civic Association, Inc., Manhasset Isle, Port Washington, New York, the Coast Guard is proposing to expand the special anchorage described in 33 CFR 110.60(h) in Manhasset Bay at Manorhaven, New York. This expansion of the special anchorage is needed to accommodate vessels now anchoring for extended periods of time within the area to be added. The proposal would enhance navigational safety by alerting, through depiction on appropriate nautical charts, transiting vessels that unlighted vessels or vessels not sounding fog signals may be present in the anchorage.

DATES: Comments must be received on or before May 28, 1981.

ADDRESS: Comments should be mailed to Commander(mps), Third Coast Guard District, Governors Island, New York, NY 10004. The comments and other materials referenced in this notice will be available for inspection or copying at the Marine Safety Division, Port Safety Branch, Room 106, Building 108, Governors Island, New York, NY 10004. Normal office hours are between 8 a.m. and 4:30 p.m. Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander Michael S. Macie, Project Officer, Port Safety Branch, Third Coast Guard District, Room 106, Building 108, Governors Island, New York, NY 10004 (Tel: 212-668-7179).

SUPPLEMENTARY INFORMATION:

Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this notice (CGD3-80-5A) and the specific section of the proposal to which their comments apply, and give the reasons for each comment. Receipt of comments will be acknowledged if a stamped, self-addressed envelope or postcard is enclosed.

The proposed rule may be changed in light of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid in the rulemaking process.

Drafting information: The principal persons involved in drafting this notice are Lieutenant Commander Michael S. Macie, Project Officer, Port Safety Branch, Third Coast Guard District and Lieutenant Robert Bruce, Project Attorney, Legal Division, Third Coast Guard District.

Discussion of the proposed regulation:

The special anchorage which is proposed to be expanded is described in 33 CFR 110.60(h) and lies in Manhasset Bay to the east and south of Tom Point, Manorhaven, New York. The proposed addition lies immediately adjacent to the western shore of Tom Point. Manhasset Bay is on the northwestern shore of Long Island. It has a heavy

concentration of recreational boating activity and the specifically proposed area is now being used as a small boat anchorage. The proposal would increase the size of the existing special anchorage by about one-third.

As provided by Articles 11 and 15 of the Inland Rules of the Road (33 U.S.C. 180 and 191), this proposed rule would allow anchoring of vessels of not more than 65 feet in length without displaying anchor lights. Moreover, barges, canal boats, scows and other nondescript craft may display only one anchor light where two would otherwise be required. Also, the vessels described above need not sound fog signals. Depiction of the proposed special anchorage expansion on appropriate nautical charts will enhance navigational safety by alerting vessels to the presence of vessels anchored without lights or fog signals. This proposed special anchorage expansion would also complement another special anchorage to the west which is described in 33 CFR 110.60(g). The proposal will not impede local or through vessel traffic, nor will it conflict with the Seaplane Restricted Area to the west which is described in 33 CFR 162.15. The Manhasset Isle Civic Association currently directs its own members, predominantly local residents and many of whom are adjacent to the proposed area, in the use of the area as an anchorage.

An environmental review of the proposal has been performed by the Third Coast Guard District Planning Staff who determined that the proposed action will have no significant impact. Preparation of an environmental assessment was not required since the action was found to be categorically excluded in accordance with Section 2.B.3.g. of COMDTINST M16475.1A.

This proposed regulation is considered to be nonsignificant in accordance with guidelines set out in the "Policies and Procedures for Simplification, Analysis and Review of Regulations" (DOT Order 2100.5 of 22 May 1980). An economic evaluation of the proposal has not been conducted since its impact is expected to be minimal. The expansion of such a special anchorage is not a matter on which there is substantial public interest or controversy, nor does it involve impacts on competition, business, State or local government, or the regulations of other programs and agencies.

Moreover, this proposal is not a major rule as defined by Executive Order 12291 of February 17, 1981. This proposal, once enacted, will not affect

the economy to any measurable degree, result in any increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions, or result in any 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.

Likewise, it is hereby certified that this proposal will not, if promulgated, have any economic impact on a substantial number of small entities, as described in the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 601, et seq.). This certification is made in accordance with section 605 of Title 5 of the United States Code.

The sole effects of this proposal, as described above, are: enabling users of the special anchorage to anchor without using lights or the sounding of fog signals, depiction of the special anchorage on appropriate nautical charts, and the subsequent provision of an added margin of safety for the area.

Proposed Regulation: In consideration of the foregoing, the Coast Guard proposes to amend Part 110 of Title 33, Code of Federal Regulations, by revising § 110.60(h) to read as follows:

§ 110.60 Port of New York and vicinity.

(h) *Manhasset Bay east area at Manorhaven.* That portion of Long Island Sound Anchorage No. 4 (described in § 110.155) bounded as follows: Beginning at the shoreline at 40°50'18" N, 73°42'51" W; thence 180° to 40°50'05" N, 73°42'51" W; thence 132° to 40°49'58" N, 73°42'41" W; thence 234° to 40°49'48.5" N, 73°42'58" W; thence 090° to 40°49'48.5" N, 73°42'22.5" W; thence 020° to 40°50'01.5" N, 73°42'16" W; thence due north to the point of land at Manorhaven northeasterly of Tom Point; thence southwesterly along the shore to and around Tom Point and north northwesterly along the shore to the point of beginning.

(33 U.S.C. 180; 49 U.S.C. 1655(g)(1)(B); 49 CFR 1.46(c)(2); 33 CFR 105-1(g))

Dated: March 20, 1981.

R. I. Price,

Vice Admiral, Coast Guard, Commander, Third Coast Guard District.

[FR Doc. 81-11148 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-14-M

**ENVIRONMENTAL PROTECTION
AGENCY**
40 CFR Parts 50, 51, 60, 85 and 86
(AMS-FRL 1803-5)
**National Primary and Secondary
Ambient Air Quality Standards**
**Requirements for Preparation,
Adoption, and Submittal of
Implementation Plans**
**Standards of Performance for New
Stationary Sources**
**Control of Air Pollution from Motor
Vehicles and Motor Vehicle Engines**
**Control of Air Pollution From New
Motor Vehicles and New Motor Vehicle
Engines: Certification and Test
Procedures**
AGENCY: Environmental Protection
Agency.

ACTION: Notice of intent.

SUMMARY: This notice describes a number of actions the Environmental Protection Agency intends to implement in an effort to reduce the regulatory burden on the motor vehicle industry.

FOR FURTHER INFORMATION CONTACT:

Gregory J. Dana, Mobile Source Air Pollution, Control (ANR-455), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, Telephone: (202) 755-0596.

SUPPLEMENTARY INFORMATION: In light of the serious financial problems facing the motor vehicle industry, the Environmental Protection Agency (EPA) has reviewed its regulations to identify administrative changes which could reduce the regulatory burden on the industry without significantly affecting air quality. The purpose of this notice is to describe the immediate and long-term actions EPA intends to take to reduce regulatory pressures on the industry.

Rulemaking or other administrative proceedings will be necessary to implement many of these actions. Where rulemaking and other actions are necessary, EPA intends to initiate them by the dates specified for items described below.

EPA estimates that these actions will result in savings to the motor vehicle industry of \$817 million and a consumer cost savings of \$4.3 billion over the next five years.

Following are descriptions of the actions EPA intends to take:

1. *Revise the statutory HC and CO standards for heavy-duty trucks to a level that would not require catalysts.*

EPA intends to revise the 1984 model-year hydrocarbon and carbon monoxide

standards for heavy-duty trucks to a level that would not require the manufacturers to use catalysts on their gasoline-powered heavy trucks.

EPA will publish a notice of proposed rulemaking on this action by September 1981.

2. *Relax the 10 percent Acceptable Quality Level to 40 percent for assembly-line testing of light and heavy trucks.*

Exhaust emission regulations for light and heavy trucks, respectively, specify that light trucks and heavy-duty engines must not exceed a failure rate of 10 percent during assembly-line testing. 45 FR 63734 (September 25, 1980); 45 FR 4136 (January 21, 1980). This was a new requirement for heavy-duty engines and a change from the 40 percent AQL for light trucks. Automobiles are required to meet only a 40 percent AQL. EPA intends to revise its rules for both light and heavy trucks to require a 40 percent AQL, making the allowed failure rate consistent with that for automobiles.

EPA will propose these amendments by September 1981.

3. *Delay assembly-line testing for heavy-duty engines.*

EPA intends to delay for two years all assembly line testing (called selective enforcement audits) of 1984 and later model year heavy-duty engines for exhaust emissions. This will allow the manufacturers additional time to phase in the new transient test equipment required by the 1984 heavy-duty engine regulations.

EPA will propose this delay in the notice of proposed rulemaking for revision of the HC and CO standards for heavy-duty engines, to be published by September 1981.

4. *Relax the statutory NOx emission limits for heavy-duty engines.*

Section 202(a) of the Clean Air Act requires a 75 percent reduction in heavy-duty NOx emissions from 1969 levels emitted from gasoline engines; however, this requirement is subject to revision by the Administrator after determining the maximum degree of emission reduction that can reasonably be expected to be available for production.

Studies indicate that there are major technological problems for diesel-powered heavy-duty engines in meeting the statutory NOx limit. EPA intends to propose a NOx standard for all heavy-duty vehicles that represents the level that can be achieved by diesel engines. This standard would apply for three years.

The Agency will publish a notice this month announcing that the public hearing on this matter will be delayed at the request of the industry. Because of the industry-requested delay, EPA will

not propose the heavy-duty NOx emission standard until May 1982.

5. *Institute NOx emission averaging for light and heavy trucks.*

EPA will propose to adopt an emission averaging scheme for manufacturers to meet the NOx emission reduction requirement for light-duty trucks and heavy-duty engines. Averaging should provide manufacturers with additional flexibility without significantly increasing total emissions.

The Agency has published an advance notice of proposed rulemaking for NOx averaging, 45 FR 79382 (November 28, 1980), and intends to propose an averaging scheme by May 1982, concurrent with the proposed NOx standard for heavy-duty engines.

6. *Institute emission averaging for diesel particulate emissions.*

EPA will propose alternative diesel particulate averaging schemes to replace the individual-vehicle standards currently in place for 1985. Averaging should allow manufacturers to employ the most cost-effective control technology strategies for their diesel models, while assuring that total particulate levels will not significantly increase beyond those allowable under the current regulations.

EPA intends to propose alternative averaging schemes by September 1981.

7. *Eliminate the 1984 high-altitude requirement.*

The Clean Air Act currently requires that 1984 model-year cars meet applicable emission standards at all altitudes. Section 202(f) of the Clean Air Act. EPA will request that Congress eliminate this requirement. This change will be included as part of the Administration's coordinated effort on revisions to the Clean Air Act.

8. *Adopt a self-certification program for vehicles to be sold at high altitude.*

Under existing regulations, vehicles to be sold at designated high-altitude areas must undergo prescribed high-altitude certification testing. 45 FR 66984 (October 8, 1980). EPA intends to substitute a program under which manufacturers self-certify that their vehicles will meet applicable standards. As an alternative to certification EPA will increase its emphasis on monitoring in-use vehicles at high altitudes to verify compliance with standards.

EPA will promulgate regulations accomplishing these changes by April 15, 1981, effective for model year 1982.

9. *Forgo assembly-line testing at high altitudes.*

Assembly-line testing for compliance with high-altitude emission standards currently requires testing under high-

altitude conditions. 45 FR 66984 (October 8, 1980). Accordingly, to perform selective enforcement audit tests, manufacturers would be required either to construct test facilities in high-altitude areas or to contract with high-altitude commercial test facilities with limited capacity. EPA has decided not to direct manufacturers to perform assembly-line testing for high-altitude standards. Manufacturers will thus be able to avoid the costs associated with such tests, including the costs of shipping vehicles to high-altitude test facilities.

EPA will announce this action on April 6.

10. *Initiate consolidated NOx waiver proceedings for light-duty diesel-powered vehicles.*

EPA will initiate consolidated proceedings to waive the statutory NOx standard from 1.0 to 1.5 gpm (to the maximum extent permitted by law) for all diesel-powered light-duty vehicles through the 1984 model year. This will provide manufacturers of vehicles qualifying for waivers additional flexibility to meet particulate standards, because more stringent NOx control often increases particulate levels.

A notice has been sent to the **Federal Register** for publication¹ announcing the date by which applications must be submitted for consideration in the consolidated proceedings and the date of the hearing on the applications.

11. *Initiate consolidated CO waiver proceedings for light-duty vehicles.*

EPA will initiate consolidated proceedings to waive the statutory CO standard from 3.4 to 7.0 gpm (to the maximum extent permitted by law) for classes of 1982 model-year light-duty vehicles not previously produced to meet the 3.4 gpm standard.

A notice has been sent to the **Federal Register** for publication² announcing the date by which applications must be submitted for consideration in the consolidated proceedings and the date of the hearing on the applications.

12. *Adopt equivalent non-methane hydrocarbon standards as an option for all vehicles.*

Current emission standards for hydrocarbons limit total hydrocarbon emissions including methane, a non-reactive hydrocarbon. Methane does not react with other pollutants to form smog. State-of-the-art measurement technology permits separate measurement of the non-methane component of hydrocarbon emissions. EPA intends to develop non-methane hydrocarbon standards

equivalent to current total hydrocarbon standards as an option for all vehicles.

EPA will propose a rule establishing equivalent non-methane hydrocarbon standards by November 1, 1981.

13. *Do not require use of onboard technology for the control of hydrocarbon emissions resulting from the fueling of motor vehicles.*

EPA is charged with determining the feasibility and desirability of requiring motor vehicles to be equipped to control hydrocarbon emissions during motor vehicle fueling. Section 202(a)(6) of the Clean Air Act. EPA has decided not to require motor vehicles to be equipped with this technology.

The Agency's findings will be published in the **Federal Register** in June 1981.

14. *Further streamline the motor vehicle certification program.*

EPA will make changes in the administrative process by which motor vehicles and motor vehicle engines are certified for compliance with applicable exhaust emission standards. 40 CFR Part 86, Subpart A. This effort will focus on reducing paperwork and increasing industry flexibility, but will include steps to assure that in-use compliance will not suffer.

EPA will promulgate regulations effecting these changes in the certification program by October 1, 1981, effective for the 1983 model year.

15. *Relax test vehicle exemption requirements.*

Manufacturers desiring to operate uncertified prototype vehicles under *bona fide* test programs must first receive temporary exemptions from certification requirements. 40 CFR Part 85. EPA intends to review and revise existing exemption requirements to reduce administrative burdens presently associated with this program.

The Agency will propose amendments to the applicable regulations by May 30, 1981.

16. *Reduce the annual number of assembly line test orders.*

EPA will reduce the number of selective enforcement audit (i.e., assembly line) test orders to the maximum degree consistent with maintaining approximately the current level of compliance. EPA has already implemented a schedule reducing the number of test orders by 22 percent for model year 1981, and 25 percent for model year 1982, assuming no significant increase in industry noncompliance with exhaust emission standards.

17. *Explore deferring standards for paint shops.*

EPA will discuss with the states changes in their State Implementation Plans (SIPs) which, subject to their

willingness to submit revisions of plans, would have the effect of not requiring electrostatic deposition of undercoat in the next two years. Additionally, SIP requirements in those states which now require electrostatic high transfer efficiency in topcoat application would be deferred until 1984.

EPA is also reviewing the recently-promulgated³ new source performance standard (NSPS) for auto body painting to consider the effects of increased use of clear coat.

EPA will discuss changes in SIPs with the states by May 1981, with timing of subsequent changes dependent on the states. EPA plans to complete its review of the NSPS for auto body painting by July 1981.

18. *Provide sufficient leadtime for compliance with emission regulations.*

EPA will assure, in future rulemakings, that there is sufficient leadtime for compliance with automobile emission regulations, as measured from the date of promulgation of regulations.

Dated: April 6, 1981.

Walter C. Barber, Jr.,
Acting Administrator.

[FR Doc. 81-11062 Filed 4-10-81; 8:45 am]

BILLING CODE 6560-26-M

40 CFR Part 86

[EN-FRL 1796-6]

Application for Waiver of Effective Date of the 1982 Model Year Carbon Monoxide Emission Standard for Light-Duty Motor Vehicles—Request for Public Comments and Opportunity for Hearing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Request for public comments and notice of opportunity for a hearing.

SUMMARY: This notice requests public comment and provides interested parties with an opportunity to request a hearing to consider an application that General Motors Corporation (GM) submitted to EPA on March 16, 1981. The application is for a waiver of the 1982 model year carbon monoxide (CO) exhaust emission standard for its 2.5 liter (L) throttle body fuel injected (TBFI) engine family. Based on information currently before me, and assuming the public comments and testimony, if any, do not persuade me to the contrary, I am inclined to grant a waiver for this engine family because it appears to qualify

¹ See rule published on December 24, 1980 at 45 FR 85410.

¹ Published April 7, 1981 at 46 FR 20705.

² Published April 7, 1981 at 46 FR 20703.

according to the same rationale under which EPA has granted waivers to other engine families.

DATES: Interested parties may submit a request for a public hearing by April 21, 1981. If EPA receives such a request, the Agency will hold a hearing on April 27, 1981, beginning at 9:00 a.m. If no request is received by April 21, 1981, EPA will publish a *Federal Register* notice cancelling the hearing. In any event, interested parties may also submit written comments to the public docket on this waiver request until May 4, 1981, to ensure consideration of those comments in my evaluation of this waiver application.

ADDRESSES: Requests for a hearing or comments should be sent to the Director, Manufacturers Operations Division, U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. Information submitted by GM, as well as any requests and comments received from interested parties, will be available for public inspection and copying in EPA Public Docket EN-81-6, located in EPA's Central Docket Section (A-130), Gallery I, 401 M Street SW., Washington, D.C. 20460. If EPA conducts a hearing it will be held at the EPA Conference Room 3906, Waterside Mall, 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Michael Chernenkoff, Attorney/Advisor, Manufacturers Operations Division (EN-340), 401 M St. SW., Washington, D.C. 20460, (202) 472-9421.

SUPPLEMENTARY INFORMATION: Section 202(b)(5) of the Clean Air Act, as amended (Act), 42 U.S.C. 7521(b), authorizes EPA to waive application of the 1981 and 1982 model year statutory CO emission standard applicable to light-duty motor vehicles and engines upon the request of a manufacturer for a specific vehicle model if the Administrator makes certain findings specified under section 202(b)(5)(C) of the Act.

On March 9, 1981, GM submitted a letter to EPA announcing its intention to submit an application by March 16, 1981, for a waiver of the 1982 model year statutory CO standard for its 2.5L TBFI engine family. The GM application which followed the letter asserted that this engine family qualified for a waiver under the same rationale used to grant waivers to other similar fuel-efficient engine families in EPA's eleventh and twelfth CO waiver decisions.¹ After my initial review of GM's submission it

appears that GM's 2.5L TBFI engine family will likely qualify for a waiver under that rationale.

GM states that without a waiver, it would be required, in order for this engine family to meet the statutory CO standard, to equip its 2.5L TBFI engine family with a Computer Command Control (CCC) system that includes closed-loop fuel injection control, a dual-bed monolithic catalytic converter, and a pulse air system. With a waiver, however, GM asserts that it could instead install a single bed (three-way) pelleted converter system, without the need for the pulse air system.

GM asserts that consumers would realize a first cost reduction of about \$35 per car, corresponding to a total first cost reduction to consumers of about \$33 million, if it received a waiver and did not have to employ the more costly dual bed catalyst and pulse air system. GM also states that without a waiver it could not take advantage of the opportunity for improved fuel economy and driveability that it contends is provided by a CO waiver. GM believes that these impacts would be very significant to the competitive position of the engine family in question. The 2.5L TBFI engine is planned to be used in a substantial number of front-wheel drive passenger cars as part of GM's marketing strategy to compete with the foreign cars which have traditionally dominated the high fuel-economy market. GM anticipates that its 2.5L engine will achieve composite fuel-economy values in the range of 25 to 31 miles per gallon (mpg), which exceeds the 1982 Corporate Average Fuel Economy (CAFE) standard of 24 mpg.

The serious financial difficulties that certain automobile manufacturers, GM included, are currently facing are well known. GM asserts that, in light of the current market situation, it needs the flexibility which a waiver could provide to improve the competitiveness of the 2.5L engine family, and thereby improve its financial position.

The concerns which GM has identified in its application are comparable to those which the Court in *International Harvester v. Ruckelshaus*, 478 F.2d 615 (D.C. Cir. 1973), indicated EPA should take into account in weighing the risks of erroneously denying a waiver request. At a time when the automobile industry is finding significant problems in many areas, the public interest to be served by granting a waiver must be carefully balanced against the environmental benefits which a denial in this instance would likely achieve. EPA relied upon concerns of these types in its Eleventh and Twelfth CO waiver decisions. In

those decisions, EPA granted waivers, in part, because it recognized the significance of the current economic circumstances and the flexibility which a waiver could provide to manufacturers experiencing economic difficulties to improve the fuel economy, driveability and cost of the fuel-efficient engine families which had never been marketed subject to the statutory CO standard.

At this point in the proceeding, it appears that GM's 2.5L TBFI engine family fits under the same rationale that EPA employed to grant waivers in the eleventh and twelfth waiver decisions. A thorough analysis of GM's application and any public comments and testimony must still be undertaken. However, based on my initial review of the information presently before me, I am inclined to grant a waiver for this engine family on the rationale described above.

I am now requesting public comments and providing an opportunity for a public hearing. If a hearing is requested by April 21, 1981, EPA will hold the hearing on April 27, 1981. If no request is received by April 21, 1981, EPA will publish a *Federal Register* notice cancelling the hearing. The procedures under which the hearing would be held are the same as those EPA has employed for previous CO hearings (see 45 FR 45956 (July 8, 1980)).

Whether or not EPA holds a hearing the record will remain open until May 4, 1981, for the submission of written information for consideration by the Administrator in formulating this waiver decision. If EPA does hold the hearing, the agency will make a verbatim record of the proceeding. Interested persons may obtain a copy of the transcript at their own expense by so arranging with the reporter during the hearing. The Administrator will base determinations with regard to GM's waiver request on the record of the public hearing, if any, and on any other relevant written submissions submitted to, or otherwise included in, the record. This information will be available for public inspection at the EPA Central Docket Section in docket number EN-81-6. Interested parties may obtain copies of documents in the public docket as provided in 40 CFR Part 2.

Under Executive Order 12291, EPA must judge whether an action is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This action is not Major because it only announces the Agency's inclination regarding a waiver request for one model produced by one manufacturer, and requests comments and provides an opportunity for a hearing on that waiver request. This action does not grant or

¹ 46 FR 1591 (January 6, 1981), and 46 FR 15689 and 15768 (March 9, 1981). Hereinafter these decisions will be referred to as the "Eleventh decision" and the "Twelfth decision"; respectively.

deny the request. Moreover, if EPA does eventually grant the request it is not likely to result in:

- (1) An annual effect on the economy of \$100 million or more;
- (2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- (3) 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.

The applicant, GM, indicated that if EPA granted the waiver, consumers would realize a first cost reduction of about \$35 per vehicle, corresponding to a total first cost reduction to consumers of about \$33 million. GM also stated that a waiver grant would enable this model to improve its competitiveness with foreign vehicles that have traditionally dominated the high-fuel economy market, the market in which this model is intended to compete.

This action was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at Public Docket EN-81-6 located in EPA's Central Docket Section (A-130), 401 M Street, S.W., Washington, D.C. 20460.

Dated: April 7, 1981.

Walter C. Barber, Jr.,
Acting Administrator.

[FR Doc. 81-11057 Filed 4-10-81; 8:45 am]

BILLING CODE 6560-33-M

40 CFR Part 180

[PH-FRL 1801-5; PP OE2421/P179]

Glyphosate; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for the herbicide glyphosate. This proposal was submitted by the Interregional Research Project No. 4 (IR-4). This amendment will establish a maximum permissible level for residues of glyphosate on cranberries at 0.2 part per million (ppm).

DATE: Written comments must be received on or before April 23, 1981.

ADDRESS: Written comments to: Clinton Fletcher, Registration Division (TS-767C), Emergency Response Section,

Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Clinton Fletcher (703-557-7123).

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition number OE2421 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Massachusetts, New Jersey, Washington, and Wisconsin.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for residues of the herbicide glyphosate [N-(phosphonomethyl)glycine] and its metabolite aminomethylphosphonic acid in or on the raw agricultural commodity cranberries at 0.2 ppm.

The data submitted in the petition and all other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance included a rabbit acute oral toxicity study with a lethal dose (LD₅₀) of 3.8 grams (g)/kilogram (kg) of body weight (bw), a 90-day rat feeding study with a no-observable-effect level (NOEL) of 2,000 ppm, a 90-day dog feeding study with a NOEL of 2,000 ppm, two rabbit teratology studies with a NOEL of 30 milligrams (mg)/kg of bw/day, a 2-year dog feeding study with a NOEL of 300 ppm, a three-generation rat reproduction study with a NOEL of 100 ppm, an 18-month mouse feeding study with no carcinogenic potential at 300 ppm (highest level fed), a 2-year rat feeding study with a NOEL of 100 ppm (5 mg/kg/day), hen neurotoxicity study (negative at 7.5 g/kg of bw), a mouse dominant lethal study (negative at 10 mg/kg of bw), a host-mediated mutagenicity test (negative), and Ames test (negative), and a Rec-assay mutagenicity test (negative).

Additional toxicological studies include a rat teratology study negative at 3,500 mg/kg/day with a fetotoxic NOEL of 1,000 mg/kg/day; a third rabbit teratology study negative for teratogenicity at 350 mg/kg/day with a fetotoxic NOEL of 175 mg/kg/day; and a mouse dominant lethal study negative at 2,000 mg/kg. Two oncogenicity studies are currently lacking.

The acceptable daily intake (ADI), based on the 2-year rat feeding study (NOEL of 5 mg/kg/day) and using a 100-fold safety factor, is calculated to be 0.05 mg/kg/day. The maximum permitted intake (MPI) for a 60 kg

human is calculated to be 3 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances and tolerances under review is calculated to be 0.5714 mg/day for a 1.5 kg daily diet. The current action will utilize an insignificant part of the ADI. Published tolerances and those under review utilize any of the ADI. Published tolerances and those under review utilize 19.05 percent of the ADI. The TMRC for the current action is calculated to be 0.00009 mg/day/1.5 kg diet.

The metabolism of glyphosate is adequately understood and an adequate analytical method (gas chromatography) is available for enforcement purposes. There are presently no actions pending against the continued registration of this chemical. While the oncogenic potential of glyphosate is not fully elucidated, the chronic rat and mouse feeding studies provide assurance that glyphosate has a relatively low oncogenic potential. A further assurance of low risk with glyphosate is that, on a theoretical basis, the theoretical maximum exposure via the diet is about one-fifth of the ADI.

Based on the above information considered by the agency, the tolerance established by amending 40 CFR Part 180 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the *Federal Register* that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. As provided for in the Administrative Procedure Act [5 U.S.C. 553(d)(3)], the comment period time is shortened to less than 30 days because of the necessity to expeditiously provide a means for control of annual and perennial weeds infesting cranberry bogs. Comments must bear a notation indicating both the subject and the petition and document control number, "[PP OE2421/P179]". All written comments filed in response to this petition will be available for public inspection in the office of Clinton Fletcher from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding legal holidays.

Under Executive Order 12291, EPA must judge whether a regulation is

"Major" and therefore subject to the requirements of a Regulatory Impact Analysis. This regulation is not major because it will not have an annual effect on the economy of \$100 million or more; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions; and it will not have 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. In general, tolerance regulations have beneficial impacts on affected industries and the public.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection in the Document Control Office, EPA, Rm. 107, 401 M St., Washington, D.C. 20460.

For information on the Regulatory Flexibility Act requirements, see the Appendix to this rule.

(Sec. 408(e), 68 Stat. 514 [21 U.S.C. 348(a)(e)])

Dated: March 27, 1981.

Douglas D. Camp,

Director, Registration Division, Office of Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, it is proposed that Subpart C of 40 CFR Part 180 be amended by alphabetically inserting "cranberries" in the table under § 180.364(a) to read as follows:

§ 180.364 Glyphosate; tolerance for residues.

(a) * * *

Commodity	Part per million
Cranberries	0.2

Certification Under Regulatory Flexibility Act:

Pursuant to the Regulatory Flexibility Act (Pub. L. 96-543, 94 Stat. 1164, 5 U.S.C. §§ 601-612), all "notice-and-comment" rulemaking which is proposed after January 1, 1981, must be accompanied by a regulatory flexibility analysis, or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a significant economic impact on a substantial number of small entities.

Under Sec. 408 and 409 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended (21 U.S.C. §§ 346a, 348), the Agency is authorized to establish by regulation tolerance levels, exemptions from the requirements for a tolerance, or food additive levels, for pesticide whose use results in residues on food or feed. The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered for a particular use resulting in residues on food or feed. This generally has some beneficial economic impact on the producer, distributor, and professional applicator of the pesticide, as well as on the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to sell crops containing residues of that pesticide. Adverse impacts are usually non-existent or insignificant.

This regulation would establish a maximum permissible level for residues of the herbicide glyphosate in or on cranberries at 0.2 part per million. Any costs resulting from this rule would almost certainly be outweighed by the benefits to the registrants of being able to register this additional use.

Accordingly, I hereby certify that this proposed regulation would not, if promulgated, have a significant economic impact on a substantial number of small entities. Therefore, this regulation does not require a regulatory flexibility analysis.

Dated: April 3, 1981.

Walter C. Barber, Jr.,
Acting Administrator.

[FR Doc. 81-11059 Filed 4-10-81; 8:45 am]

BILLING CODE 6560-32-M

40 CFR Part 180

[OPP-300042; PH-FRL 1801-4]

Polyethylene Glycol; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: This amendment proposes that the exempt inert ingredient polyethylene glycol (mean molecular weight 200 to 9,500) which now appears in 40 CFR 180.1001(d) be revised (broadened) to change the permissible mean molecular weight from the 200-9,500 range to the 194-9,500 range. This amendment was requested by American Cyanamid Co.

DATE: Written comments must be received on or before May 13, 1981.

ADDRESS: Written comments to: John A. Shaughnessy, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: John A. Shaughnessy (703-557-7110).

SUPPLEMENTARY INFORMATION: At the request of American Cyanamid Co.,

Agricultural Research Div., Box 400, Princeton, NJ 08540, the Administrator is proposing to amend 40 CFR 180.1001(d) by broadening the permissible mean molecular weight of polyethylene glycol. The presently acceptable mean molecular weight is 200 to 9,500. This would be broadened to cover the range from 194 to 9,500.

Inert ingredients are all ingredients which are not active ingredients as defined in 40 CFR 162.3(c), and include, but are not limited to, the following types of ingredients (except when they have pesticidal efficacy of their own): solvents such as water; baits such as sugar, starches, and meat scraps; dust carriers such as talc and clay; fillers; wetting and spreading agents; propellants in aerosol dispensers; and emulsifiers. The term inert is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

Preambles to proposed rulemaking documents of this nature include the common or chemical name of the substance under consideration, the name and address of the firm making the request for the exemption, and toxicological and other scientific bases used in arriving at a conclusion of safety in support of the exemption.

Name of inert ingredient	Name and address of requestor	Basis for approval
Polyethylene glycol (mean molecular weight 194 to 9,500).	American Cyanamid Co., Agricultural Research Div., Box 400, Princeton, NJ.	This minor change is considered to be toxicologically insignificant.

Based on the above information, the chemistry of this substance, and review of its use, it has been found that, when used in accordance with good agricultural practice, this ingredient is useful and does not pose a hazard to the environment. It is concluded, therefore, that the proposed amendment to 40 CFR 180.1001 will protect the public health, and it is proposed that the regulation be established as set forth below.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act, which contain polyethylene glycol (mean molecular weight 194 to 9,500) may request, by May 13, 1981, that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. The comments

must bear notation indicating both the subject and the petition and the document control number, "OPP-300042." All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the Process Coordination Branch (TS-767C), Rm. 514D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 from 8:00 a.m. to 4:00 p.m. Monday through Friday, except legal holidays.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it will not have an annual effect on the economy of \$100 million or more; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions; and it will not have 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. In general, tolerance regulations have beneficial impacts on affected industries and the public.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection in the Document Control Office, EPA, Rm. 107, 401 M St., Washington, D.C. 20460.

For information on the Regulatory Flexibility Act, see the Appendix to this proposed regulation.

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

Dated: January 30, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, it is proposed that Subpart D of 40 CFR Part 180 be amended by revising the entry "polyethylene glycol (mean molecular weight 200 to 9,500)" under § 180.1001 paragraph (d) to read as follows:

§ 180.1001 Exemption from the requirement of a tolerance.

(d) * * *

Inert ingredients	Limits	Uses
Polyethylene glycol (mean molecular weight 194 to 9,500).		Solvent, deactivator.

Appendix to [OPP-300042] Polyethylene Glycol Proposed Exemption From Tolerance Certification Under Regulatory Flexibility Act:

Pursuant to the Regulatory Flexibility Act (Pub. L. 96-543, 94 Stat. 1164, 5 U.S.C. §§ 601-612), all "notice-and-comment" rulemaking which is proposed after January 1, 1981, must be accompanied by a regulatory flexibility analysis, or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a significant economic impact on a substantial number of small entities.

Under Secs. 408 and 409 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended (21 U.S.C. §§ 346a, 348), the Agency is authorized to establish by regulation tolerance levels, exemptions from the requirements for a tolerance, or food additive levels, for pesticides whose use results in residues on food and feed. The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered for a particular use resulting in residues on food or feed. This generally has some beneficial economic impact on the producer, distributor, and professional applicator of the pesticide, as well as on the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to sell crops containing residues of that pesticide. Adverse impacts are usually non-existent or insignificant.

This regulation would broaden the mean molecular weight of polyethylene glycol that is presently exempt from the requirement of a tolerance. The present regulation requires a mean molecular weight of 200-9500; the proposed rule allows a mean molecular weight of 194-9500. Any costs resulting from this rule would almost certainly be outweighed by the benefits to the registrants of being able to register this additional use.

Accordingly, I hereby certify that this proposed regulation would not, if promulgated, have a significant economic impact on a substantial number of small entities. Therefore, this regulation does not require a regulatory flexibility analysis.

Dated: April 3, 1981.

Walter C. Barber, Jr.,
Acting Administrator.

[FR Doc. 81-11000 Filed 4-10-81; 8:45 am]

BILLING CODE 6560-32-M

40 CFR Part 772

[OPTS-46004A; TSH FRL 1594-4]

Physical, Chemical, Persistence, and Ecological Effects Testing; Proposed Good Laboratory Practice Standards Correction

In FR Doc. 80-36046, published in the Federal Register on Friday, November 21, 1980, at page 77353, and corrected in the Federal Register of April 3, 1981, on page 20236, the Agency docket number, in the correction, should read as set forth above.

In the second paragraph of the correction the page reference reading "77361" should read "77360".

BILLING CODE 1505-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 80-157; RM-3363]

TV Broadcast Station in Santa Barbara, California; Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; Extension of reply comment period.

SUMMARY: Action taken herein further extends the time for filing reply comments in the proceeding involving the proposed assignment of an educational television channel to Santa Barbara, California, and the removal of a reservation on an existing channel at Santa Barbara. KCPB, Inc. requests the additional time to prepare and submit a response to the comments submitted by McGraw-Hill Broadcasting Company.

DATE: Reply comments must be filed on or before May 6, 1981.

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

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

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.606(b), table of assignments, television broadcast stations, (Santa Barbara, California), BC Docket No. 80-157; RM-3363 (45 FR 28770).

Order Extending Time for Filing Reply Comments

Adopted: April 3, 1981.

Released: April 6, 1981.

By the Chief, Policy and Rules Division:

1. On April 11, 1980, the Commission adopted a *Notice of Proposed Rule Making* proposing the assignment of television Channel *10 to Santa Barbara, California, and removal of the reservation of existing Channel *32 at Santa Barbara (45 Fed. Reg. 55244, published August 19, 1980). The present reply deadline is April 6, 1981.

2. On March 30, 1981, counsel for KCPB, Inc. (petitioner) submitted a request to extend the deadline for filing reply comments to and including May 6, 1981. Counsel states that the additional time is needed to analyze the comments submitted by McGraw-Hill Broadcasting Co., and prepare a response. According to counsel, the Commission has already expressed its intent to await the results of a pending study on signal propagation characteristics for the purpose of establishing that a different standard than the mileage separations should be used in considering the assignment of Channel *10 to Santa Barbara, before rendering a decision in this proceeding. Counsel states that McGraw-Hill has consented to the extension.

3. We believe that the public interest would be served by granting the requested extension so that KCPB, Inc. may file any information that may be helpful to the Commission in resolving this proceeding.

4. Accordingly, IT IS ORDERED, that the date for filing reply comments in BC Docket No. 80-157 (RM-3363) IS EXTENDED to and including May 6, 1981.

5. This action is taken pursuant to Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-11137 Filed 4-10-81; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 81-02; Notice 2]

Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Proposed rule; extension of comment period.

SUMMARY: This notice extends until June 10, 1981, the period for public comment on the National Highway Traffic Safety Administration's notice of proposed rulemaking for installation of a single center, high-mounted stoplamp on passenger cars, in addition to the stoplamps presently required. The extension is intended to permit commenters to prepare fully-considered and thorough comments regarding this proposal while responding to other rulemaking actions by this agency.

DATE: New comment closing date: June 10, 1981.

ADDRESS: Comments should refer to the docket number and notice number and be submitted to: Docket Section, Room 5109, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590 (Docket hours are 8:00 a.m. to 4:00 p.m.).

FOR FURTHER INFORMATION CONTACT: Marx Elliott, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, Department of Transportation, Washington, D.C. 20590 (202-426-1714).

SUPPLEMENTARY INFORMATION: A notice of proposed amendment to 49 CFR 571.108, Federal Motor Vehicle Safety Standard No. 108 (Lamps, Reflective Devices, and Associated Equipment), was published on January 8, 1981 (46 FR 2132) with a closing date for comments of April 10, 1981. The subject matter of the proposal is requiring a supplemental high-mounted stoplamp on passenger cars. General Motors has petitioned the agency to extend the closing date for comments because many of the same personnel preparing the comments for this rulemaking have also been involved in preparing comments and petitions concerning other NHTSA rulemaking actions. GM stated also that it requires additional time to prepare comments on its own "innovative approaches."

NHTSA is granting this petition. GM has shown good cause for an extension of the comment period. Further, it is in the public interest to obtain fully-considered and thorough comments on the proposal.

(Secs. 103, 119, Pub. L. 89-563; 80 Stat. 718 (15 U.S.C. 1392, 1407; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on April 6, 1981.

Michael M. Finkelstein,
Associate Administrator for Rulemaking.

[FR Doc. 81-11071 Filed 4-8-81; 3:53 pm]

BILLING CODE 4910-59-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1056

[Ex Parte No. MC-19 (Sub No. 36A)]

Practices of Motor Common Carriers of Household Goods (Performance Standards)

AGENCY: Interstate Commerce Commission.

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

SUMMARY: The Commission intends to establish appropriate performance standards with regard to certain of the new operational regulations applicable to motor common carriers of household goods in 49 CFR Part 1056 and other regulatory provisions, in conformity with the Household Goods Transportation Act of 1980.

Public notice of this proceeding was served March 11, 1981 (46 FR 16225, 3-11-81). In that notice, it was provided that comments by interested persons were scheduled as due 30 days from the date of publication in the *Federal Register*. Under the terms of the notice as published comments will be due on or before April 10, 1981.

The American Movers Conference and the National Furniture Warehousemen's Association, Inc., have requested a 60-day extension of time for filing comments. Allied Van Lines, Inc., requests a 90-day extension. The requests are denied; however, the time for filing of comments will be extended for 20 days.

DATES: Comments in this proceeding are due on or before April 30, 1981.

ADDRESS: An original and 15 copies, if possible, of comments should be sent to: Ex Parte No. MC-19 (Sub No. 36A), Room 7205, Office of Consumer Protection, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Richard S. Lewis, (202) 275-7811; W. F. Sibbald, Jr., (202) 275-7148.

It is ordered: The requests for an extension of time for the filing of comments are denied. A 20-day extension is granted. The deadline for submitting written comments in this proceeding is extended to April 30, 1981.

Decided: April 7, 1981

By the Commission, Robert C. Gresham,
Acting Chairman

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11128 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

Notices

Federal Register

Vol. 46, No. 70

Monday, April 13, 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

Northeastern Area State and Private Forestry; Cooperative Gypsy Moth Suppression Projects—1981; Finding of No Significant Impact

An Environmental Assessment (EA) documents the site-specific environmental analysis conducted by the USDA Forest Service and State agencies requesting Federal assistance for 1981 gypsy moth suppression projects. The EA discusses the purpose and need for action in 1981, treatment areas, insecticides, application methods, public involvement and notification procedures, monitoring and associated environmental impacts. Alternatives for cooperative gypsy moth suppression projects were previously discussed in the Final Programmatic Environmental Impact Statement (FPEIS) for Cooperative Gypsy Moth Suppression and Regulatory Program Activities (USDA FS-FPEIS 81-01) issued February 27, 1981. The alternative selected by the USDA Forest Service in the FPEIS was to provide financial and technical assistance to support an integrated pest management approach to suppress gypsy moth populations in the Northeastern United States. The selected alternative guides USDA Forest Service consideration of requests for financial assistance on an annual basis.

In accordance with the selected alternative, the States of Maine, Rhode Island, New York, Pennsylvania and New Jersey have requested Federal financial and technical assistance in 1981 to meet objectives of reducing gypsy moth larval populations causing nuisance, tree defoliation and mortality. The EA addresses the following State proposed cooperative gypsy moth suppression actions: The Maine Department of Conservation has requested aerial application of carbaryl

on 1000 acres and *Bacillus thuringiensis* on 4500 acres of forested high-use recreational and residential areas and high-value forests in the counties of Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Oxford, Sayadahoc, and York. Selected areas may be treated using ground equipment.

The Rhode Island Department of Environmental Management requested aerial application of carbaryl on 35,000 acres of sparsely populated forested acres, forested residential communities, and recreational areas including State public campgrounds and picnic areas in the counties of Bristol, Kent and Providence.

The New York Department of Environmental Conservation has requested aerial application of *Bacillus thuringiensis* on 10,850 acres, carbaryl on 32,500 acres, trichlorfon on 94,530, and acephate on 21,000 acres of forested recreational areas, forested communities, and high-value forests. Acephate may be applied using ground equipment.

In New Jersey, the Department of Agriculture requested aerial application of carbaryl on 52,220 acres, and *Bacillus thuringiensis* on 13,880 acres of high-value and high-use forested land in the counties of Atlantic, Bergen, Burlington, Cape May, Cumberland, Essex, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union, and Warren. In addition, the Department of Environmental Protection requested aerial application of carbaryl on 13,800 acres of high-use and high-value State land in the counties of Monmouth, Sussex, Warren, Cape May, Middlesex, Passaic, Burlington, Bergen, Somerset, Morris and Hunterdon.

The Pennsylvania Department of Environmental Resources requested aerial application of trichlorfon on 185,000 acres of high-use, high-value forested areas in the counties of Huntingdon, Mifflin, Juniata, Perry, Cumberland, York, Dauphin, Lancaster, Clearfield, Clinton, Centre, Blair, Chester, Delaware, Montgomery, Bucks, Northampton, Schuylkill, Columbia, Luzerne, Carbon, Monroe, Pike, Lackawanna, and Wayne. Selected areas will be treated with *Bacillus thuringiensis*.

Based on the analysis described in the EA, it has been determined that this is not a major Federal action significantly

affecting the quality of the human environment, therefore, I have decided that an environmental impact statement is not needed for the 1981 projects. The decision reached is that Federal financial and technical support will be provided for cooperative gypsy moth suppression projects as proposed by cooperating State agencies and discussed in the EA. This decision was made considering the following factors: (a) All chemical and biological insecticides are approved by EPA; (b) applications of chemical and biological insecticides will comply with applicable EPA labels and State and Federal law, and (c) public involvement, public notification, treatment area selection, insecticide selection, performance standards, and monitoring procedures that are used in cooperative gypsy moth suppression projects will minimize the potential for adverse environmental effects.

Copies of the EA are available for public review at the following offices:

Maine Department of Conservation,
Bureau of Forestry, State Office
Building, Augusta, ME 04333

Rhode Island Department of
Environmental Management, Division
of Agriculture, 83 Park Street,
Providence, RI 02903

New York Department of Environmental
Conservation, Bureau of Forest
Management, 50 Wolf Road, Albany,
NY 12233

New Jersey Department of Agriculture,
Division of Plant Industry, Health and
Agriculture Building, John Fitch Plaza,
Trenton, NJ 08625

New Jersey Department of
Environmental Resource, Bureau of
Forestry, 34 Airport Drive,
Middletown, PA 17057

USDA Forest Service, Northeastern
Area, State and Private Forestry, 370
Reed Road, Broomall, PA 19008

USDA Forest Service, Northeastern
Area, State and Private Forestry,
Federal Building, Portsmouth, NH
03803

USDA Forest Service, Northeastern
Area, State and Private Forestry, 180
Canfield Street, Morgantown, WV
26505

This decision is not subject to administrative review pursuant to 36 CFR 211.19. Implementation of the selected alternative by the USDA Forest

Service will take place no sooner than 30 days from the date of this decision.

Dated: April 8, 1981.

Allen J. Schacht,

Area Director, Northeastern Area, State and Private Forestry, 370 Reed Road, Broomall, PA 19008.

[FR Doc. 81-10969 Filed 4-10-81; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

International Trade Administration

Computer Systems Technical Advisory Committee; Closed Meeting

AGENCY: International Trade Administration, Commerce.

SUMMARY: The Computer Systems Technical Advisory Committee was initially established on January 3, 1973, and rechartered on August 29, 1980 in accordance with the Export Administration Act of 1979 and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration with respect to questions involving (A) technical specifications and policy issues relating to those specifications which are of concern to the Department, (B) worldwide availability of products and systems, including quantity and quality, and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to computer systems or technology, and (D) exports of the aforementioned commodities subject to unilateral and multilateral controls which the United States establishes or in which it participates including proposed revisions of any such controls.

TIME AND PLACE: April 28, 1981, at 9:30 a.m. The meeting will take place at the Main Commerce Building, Room B841, 14th Street and Constitution Ave., NW., Washington, D.C. The meeting will conclude on April 29, in Room 3708, Main Commerce Building.

The Committee will meet only in Executive Session to discuss matters properly classified under Executive Order 12065, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 16, 1980, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended by section 5(c) of the Government In The Sunshine Act, Pub. L. 94-409, that

the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1) and are properly classified under Executive Order 12065.

A copy of the Notice of Determination to close meetings or portions thereof is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 5317, U.S. Department of Commerce, Telephone: 202-377-4217.

FOR FURTHER INFORMATION CONTACT:

Mrs. Margaret A. Cornejo, Office of the Director of Licensing, Office of Export Administration, Room 1609, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: 202-377-2583.

Dated: April 7, 1981.

Saul Padwo,

Director of Licensing, Office of Export Administration.

[FR Doc. 81-11037 Filed 4-10-81; 8:45 am]

BILLING CODE 3510-25-M

Imported Steel Mill Products Trigger Price Mechanism (TPM); Corrections in Previous TPM Notices and Publications

AGENCY: U.S. Department of Commerce, International Trade Administration.

ACTION: Corrections in the Second Quarter, 1981 TPM Price Manual and an addition to the list of companies requesting preclearance.

SUMMARY: In monitoring basic steel mill products under the TPM program, the Department publishes a quarterly price manual as well as Federal Register notices. This notice is to correct several errors in the Second Quarter, 1981 Price Manual and an omission in the Federal Register notice of April 7, 1981 (46 FR 20716) on Preclearances.

FOR FURTHER INFORMATION CONTACT:

Stanley P. Gustafson, Import Administration, U.S. Department of Commerce, Room 2004, Washington, D.C. 20230, (202) 377-4491.

SUPPLEMENTARY INFORMATION: On February 26, 1981 (46 FR 14282) the Department of Commerce announced the Second Quarter, 1981 Trigger Prices. These prices were then incorporated in a Price Manual available to the public through the Publications Sale Branch, Room 1617, U.S. Department of Commerce, Washington, D.C. 20230 for \$10.00. The following corrections apply to that manual:

Page number	Extra	Incor- rect amount	Correct amount
25-6	D-A607 G50	\$34	\$38
25-6	D-A607 G55	38	56
26-5	Theoretical Min. Weight	18	19
27-3	Theoretical Min. Weight	15	16
27-7	Theoretical Min. Weight	24	25

23-7 Extras marked types K or A, should read types J, K or A. the pickled and oiled extras on both plate and sheet products (pages 5-9 and 25-11 respectively) are corrected as follows: the two extras based on the thickness of the product are replaced with a single extra of \$19 per metric ton that will be applied to all pickled and oiled sheet and plate products regardless of thickness. This change is based on a review of the industry standards for this extra and is effective immediately. No grace period is required as this represents a net reduction in the trigger price.

In the "Announcement of additional preclearance requests and the results of the Department's reviews of certain earlier preclearance requests" published in the Federal Register on April 7, 1981 (46 FR 20716), the following addition is to be made to Table 1. Preclearance Requests.

Company	Product
Issin Steel Co., Ltd., Korea	Welded pipe and tubing

Dated: April 8, 1981.

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 81-11130 Filed 4-10-81; 8:45 am]

BILLING CODE 7020-02-M

National Oceanic and Atmospheric Administration

Mid-Atlantic Fishery Management Council's Scientific and Statistical Committee; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Mid-Atlantic Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Public Law 94-265), has established a Scientific and Statistical Committee which will meet to discuss the Squid, Mackerel, and Butterfish Fishery Management Plans, as well as discuss other fishery matters.

DATES: The meeting, which is open to the public, will convene on Wednesday, May 6, 1981, at approximately 10 a.m.,

and will adjourn at approximately 3:30 p.m.

ADDRESS: The meeting will take place at the Best Western Airport Motel, Philadelphia International Airport, Route 291, Philadelphia, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: Mid-Atlantic Fishery Management Council, North and New Streets, Room 2115, Federal Building, Dover, Delaware 19901, Telephone: (302) 674-2331.

Dated: April 8, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-11127 Filed 4-10-81; 8:45 am]

BILLING CODE 3510-22-M

Office of the Secretary

Update on Efforts To Develop Policies on Products Certification for Use by Federal Government; Open Meeting

In the fall of 1979, representatives of the Department of Housing and Urban Development requested the Interagency Committee on Standards Policy (ICSP) to consider the development of a policy to guide Federal agencies in the use of product certification systems. The ICSP agreed unanimously to take appropriate action and subsequently created a Product Certification Policy Subcommittee (PCPS) to study the matter.

In January 1980, the chairman of the ICSP held an informal meeting with private sector experts on certification to which were invited representatives of several interested Federal agencies for the purpose of soliciting guidance as to the need and the modus operandi for developing a Federal government policy for the use of product certification systems and techniques. Subsequent to that meeting, the American National Standards Institute (ANSI) volunteered to assist in the work being done on this matter by the ICSP, and formed an Ad Hoc Task Group of certification experts to explore the matter further.

An ICSP questionnaire was used to identify the product certification systems being employed by some of the Federal agencies. A contractor was hired by the Department of Commerce to study the Characteristics of existing certification systems employed by Federal agencies in order to categorize such characteristics and to identify factors which might be included in Federal guidelines.

No conclusions have been reached in the PCPS or in the private sector ad hoc group as to whether there should or should not be a uniform Federal policy or set of guidelines to guide Federal

agencies in the use of their own certification programs, or the use of third party certification programs or self-certification procedures operating in the private sector. No conclusions have been reached relative to the nature of specific guidelines or policies which might be developed.

The Department believes that there may be additional experiences in the private sector which might have a bearing on these deliberations. There may also be experiences in other countries which would be relevant. Information on such experiences may also be helpful to U.S. implementation of the International Standards Agreement. Accordingly, the purpose of this Open Meeting is to consider the pros and cons of a Federal product certification policy or guidelines for use by Federal agencies, to summarize the status of deliberations to date, and to receive additional views on the subject from other interested persons.

The meeting will be chaired by Dr. Howard I. Forman, Deputy Assistant Secretary for Product Standards Policy, who is the chairman of the ICSP. Mr. Leslie Breden, Department of Housing and Urban Development and chairman of the PCPS will summarize the activities of that subcommittee. Mr. G. R. Munger, President of Air Conditioning and Refrigeration Institute, will summarize the activities of the ANSI ad hoc group. Mr. Harvey Schock will summarize the content of his report, "Product Certification in the Federal Government", which was completed under contract to the Department.

The Department has also arranged for a presentation of some of the foreign certification procedures. Mr. Jack Leeming will describe the certification program of the Canadian Standards Association (CSA), with particular emphasis on how that system interacts with government needs for product certification. Mr. Leeming is responsible for operating CSA's certification system and is the head of the Canadian delegation to the International Standards Organization (ISO) committee on certification—CERTICO. Mr. Howard Kontjes of Underwriters Laboratories (UL) will describe certification systems in Europe and Asia with particular attention to the interaction between the government and the private sector in these countries. Mr. Kontjes has had a long time involvement in UL overseas activities and has participated in discussions on reciprocal test arrangements with several certification bodies in other countries.

Other persons wishing to make a formal presentation or statement during this meeting should advise Dr. Forman

in writing, or by telephone (202 377-3221) prior to April 23, 1981. Written papers are encouraged. Such presentations, statements, or papers should relate directly to the central theme of the meeting—whether there is a need for, and if so, possible contents of, a policy or guidelines for Federal Government use of product certification systems. One such paper entitled "The Current Program of the National Institute of Building Sciences (NIBS) on the Certification of Building Products and Technology", by Dr. Robert J. Brungraber, chairman of the NIBS project committee and professor of civil engineering at Bucknell University has already been suggested.

It is recognized that persons attending the meeting may wish to comment on any matter discussed at the meeting. Accordingly, the Department welcomes any formal follow-up statements or papers which such interested persons would like to submit. These statements or papers should be directed to the Office of Product Standards Policy, Department of Commerce, Washington, D.C. 20230.

The meeting will be held on Thursday, April 30, 1981 in Room 6802 at the Department of Commerce beginning at 9:00 a.m., and will conclude at 4:00 p.m. or sooner, depending on the number of speakers and extent of discussion. Entrance to the Department is on 14th Street between Constitution Avenue and E Street. You are invited to notify Mr. John Locke, 202/377-2054 of your intention to attend. Those who do so will have seats reserved for them. All others will be provided seats on a first-come, first-served basis within the limits of available space.

Dated: April 8, 1981.

Robert B. Ellert,

Acting Assistant Secretary for Productivity Technology and Innovation.

[FR Doc. 81-10989 Filed 4-10-81; 8:45 am]

BILLING CODE 3510-17-M

COPYRIGHT ROYALTY TRIBUNAL

[CRT Docket No. 79-1]

Order Directing Distribution of 1978 Cable Royalty Fees, not Subject to Appeal

On September 23, 1980 the Tribunal published its final decision distributing 1978 cable television royalty fees (45 FR 63026). Subsequently several parties to the proceeding filed appeals to the decision: National Association of Broadcasters, National Public Radio, Major League Baseball and other sports

claimants, Canadian Broadcasting Corporation, and American Society of Composers, Authors and Publishers. On October 29, 1980 in response to a motion filed by the National Association of Broadcasters, the Tribunal published an order providing for no distribution of 1978 cable royalties pending the outcome of these appeals (45 FR 71641). On November 25, 1980, following oral argument, the Tribunal rescinded its October 29, 1980 order (45 FR 79867). On February 23, 1981 the Tribunal directed 1978 cable royalty claimants to submit proposals for the scope and terms of a final order providing for partial distribution of the 1978 cable royalties (46 FR 13544).

The Tribunal has determined that no matter what the outcome of the appeals concerning the 1978 final cable royalty distribution, no party will be awarded less than 50% of the amount the Tribunal originally allocated in its final decision. Under none of the allocations submitted to the Tribunal during the proceedings, nor under any of the theories presented in support of these allocations could any party receive less than 50%. The Tribunal has therefore determined that 50% of the 1978 cable royalty fund is not subject to dispute under current appeals.

Section 809 of the Copyright Act provides for the distribution of royalty fees that are not subject to an appeal, and where royalties would not be affected by an appeal under any circumstances, the Tribunal considers that it has the responsibility under Section 809 to distribute them. In the Tribunal's view, the purpose of Section 809 is to protect the rights of all parties—on the one hand, to provide the parties with their distributive shares as quickly as possible, and, on the other, to assure that sufficient amounts are available to cover the possibility of successful appeals—not to favor one set of claimants at the expense of other sets of claimants. It is no less unreasonable for the Tribunal to retain funds unnecessarily than it is for the Tribunal to distribute funds unwisely.

The Tribunal orders that 50% of the amounts allocated in the CRT's order of September 23, 1980 be distributed to the parties effective April 16, 1981.

The distribution, not subject to appeal, to be allowed at this time are:

	Percent
Motion Picture Association of America, Christian Broadcasting Network, and other program syndicators	37.50
Joint Sports Claimants and NCAA	6.00
Public Broadcasting Service (for all purposes)	2.62
Music Performing Rights Societies	2.25
U.S. and Canadian Television Broadcasters	1.63
Total	50.00

Among the music performing rights societies the distribution of 2.25% to be distributed in the following manner:

	Percent
ASCAP	54
BMI	43
SESAC	3

This provides the most equitable distribution of the music share with respect to the royalty fees not subject to appeal.

Note.—Commissioners James, Coulter and Garcia concurred in the above Order. Commissioners Brennan and Burg have written minority views.

Clarence L. James, Jr.,
Chairman, Copyright Royalty Tribunal.
April 8, 1981.

Minority Views of Commissioners Brennan and Burg

Subsequent to the filing of multiple appeals of the Tribunal's final determination concerning the distribution of the 1978 cable fees, the Tribunal on October 29, 1981 applied the final sentence of 17 USC 809 to the specific situation of the 1978 distribution proceeding and concluded that "all royalty fees for 1978 secondary transmissions by cable systems are the subject of an appeal, and that no distribution shall be made by the Tribunal pending the final determination of pending appeals" (45 FR 71641).

Over our dissent, the Tribunal rescinded its original order and is now directing a partial distribution of cable royalties. Events subsequent to the October 29 order only serve to confirm the correctness of the Tribunal's original order.

We now have the benefit of the briefs filed in the consolidated cases before the United States Court of Appeals for the District of Columbia Circuit. The appeals present fundamental legal questions encompassing the entire royalty distribution scheme which make it impossible to determine mathematically that a specific portion of the royalties are not subject to an appeal and thus available for immediate distribution.

The issues to be reviewed by the court are not frivolous, nor are the appellants a handful of disgruntled claimants. The appellants represent well over two-thirds of the claimants. Appellant National Association of Broadcasters is seeking a *de novo* distribution proceeding, and among other relief "the opportunity to present evidence consistent with the distribution criteria selected below by the Tribunal in the event that the Court finds them to be appropriate." Appellant Joint Sports seeks to set aside our final determination as it applies to the distribution of 87 percent of the royalty fees.

This is the first cable distribution proceeding. The issues on appeal are many and wide-ranging. No court has ever considered the specific cable issues or the application of certain general principles of law to the cable distribution functions of the Tribunal. It is therefore quite appropriate in the particular situation of the 1978 distribution proceeding that no fees be

distributed until the judicial review process has been concluded. Meanwhile, as provided by the Congress, the fees have been invested in interest-bearing securities.

17 USC 809 bars the Tribunal from distribution of any royalty fees subject to an appeal. A substantial majority of the claimants seek to set aside the entire proceeding. In the particular situation of the 1978 distribution proceeding, we have concluded that all royalty fees are subject to an appeal.

If the court were to grant the relief sought by the broadcaster claimants to set aside our determination and to remand with instructions to conduct a new proceeding, what would be the status of the royalty fund? The distribution ordered by the Tribunal would be void. We would be required to conduct a new proceeding for the distribution of the entire fund—yet 50% of the fund will have been distributed. If our determination is set aside, it would be necessary to seek the immediate return of the funds since only the Treasury, as the agent of the Tribunal, would enjoy legal possession. Despite the arguments of the majority, claimants could not retain the funds in the expectation that they would ultimately be awarded the fees.

We do not find it necessary to join the majority in speculations as to what positions may be asserted by claimants and the Tribunal in the event of a remand. As the majority has difficulty in adhering to any position on distribution from one month to the next, we have little basis for confidence in such assessments of future Tribunal determinations. We note that at a public meeting of the Tribunal on November 25, 1980, the Tribunal rejected a motion to "distribute 50 percent of the funds now available from the 1978 distribution according to the same ratio as the original distribution" by a vote of 2 (Commissioners Coulter, Garcia) to 3 (Commissioners Brennan, Burg and James).

We desire the earliest possible distribution of all the royalty fees. But for the above reasons, and also to reflect our disapproval of the erratic course of Tribunal action on this issue, we have found it necessary to vote against the adoption of this order.

[FR Doc. 81-11131 Filed 4-10-81; 8:45 am]
BILLING CODE 1410-06-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER81-382-000]

APS-PJM Interconnection Agreement; Filing

April 7, 1981.

In the matter of West Penn Power Company, the Potomac Edison Company, Monongahela Power Company, (above referred to collectively as the APS group), Public Service Electric and Gas Company, Philadelphia Electric Company,

Pennsylvania Power & Light Company, Baltimore Gas & Electric Company, Jersey Central Power & Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Potomac Electric Power Company, Atlantic Power & Light Company, Delmarva Power & Light Company, (above referred to collectively as the PJM group).

The filing company submits the following:

Take notice that on March 31, 1981 the Office of the Pennsylvania-New Jersey-Maryland Interconnection filed on behalf of the above listed utilities a Supplemental Agreement dated March 26, 1981, modifying the Interconnection Agreement between the APS Group and the PJM Group dated April 26, 1965. The Supplemental Agreement adds Atlantic City Electric Company and Delmarva Power & Light Company as signatories to the Agreement, makes minor changes to update references to certain Schedules, and makes provision for interest penalties on past-due amounts.

No new facilities will be installed nor will existing facilities be modified in connection with the Supplemental Agreement. The filing party has requested a waiver of any otherwise applicable Rules and Regulations not already complied with and has requested an effective date of June 1, 1981.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's Rules of Practice and procedure. All such petitions or protests should be filed on or before April 29, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10980 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-369-000]

Arizona Public Service Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Arizona Public Service Company (APS) tendered for filing Service Schedule O dated August 8, 1980 to the Power Coordination Agreement between Salt River Project Agricultural Improvement and Power District (SRP) and APS for the purpose of providing System Status Logic equipment at APS' Cholla generating Station and Switchyard.

APS requests waiver of the Commission's Regulations to permit an effective date of January 1, 1980, the date the System Status Logic equipment was put into service.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-11017 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-374-000]

Atlantic City Electric Co. and Jersey Central Power & Light Co.; Filing

April 6, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, the GPU Service Corporation tendered for filing, on behalf of the above listed utilities, proposed Interconnection Agreements, dated March 1, 1978 and January 7, 1981.

The GPU Corporation further states that the Agreements cover the construction, operation and maintenance of a 230 to a 69 kV stepdown substation and 69 kV interconnection between the two systems in the vicinity of the Jersey Central Oyster Creek 230 kV Substation.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of

Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-11000 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. SA81-23-000]

Barber Heavy Oil Process, Inc.; Application for Adjustment

Issued: April 7, 1981.

On March 29, 1981, Barber Heavy Oil Process, Inc. (Barber) filed with the Federal Energy Regulatory Commission (Commission) an application for an adjustment pursuant to section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C 3301-3432 (Supp. II 1978). Barber seeks relief from the Commission's incremental pricing regulations as they apply to certain gas used as boiler fuel at its Kern River Heavy Oil Process Project. The Commission will treat Barber's application as a petition for an exemptive order under section 206(d) of the NGPA and § 282.206(b) of the Commission's regulations, 18 CFR 282.206(b).

Barber states that its innovative use of injected steam to recover California heavy crude oil has qualified as a tertiary recovery project under the Department of Energy's Tertiary Incentive Program, 10 CFR 212.78(a)(2) (1980). The Incentive Program permits Barber to recover a fixed amount of \$1.348 million for natural gas used as boiler fuel to generate steam for its project. Barber states that the imposition of a incremental pricing surcharges on the gas it purchases for this use will reduce by more than 10 percent the amount of gas for which Barber can recoup costs under the Incentive Program. Barber therefore claims that an exemption from incremental pricing is necessary to alleviate financial special hardship. In addition, Barber argues that because its use of boiler fuel increases energy production and is supported and encouraged by a Federal incentive program, the application of incremental pricing surcharges presents a conflict on

national energy policies and therefore constitutes an inequity.

The procedures applicable to the conduct of this § 282.206(b) proceeding are found in § 1.41 of the Commission's Rules of Practice and Procedure (44 FR 18961, March 30, 1979).

Any person desiring to participate in this proceeding shall file a petition to intervene in accordance with the provisions of § 1.41(e). All petitions to intervene must be filed on or before April 28, 1981.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10990 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-95-M

[Docket No. ID-1818]

George Fabian Brewer; Order Denying Application To Hold Interlocking Directorates

Issued: April 6, 1981.

On October 3, 1977, George Fabian Brewer filed an application pursuant to section 305(b) of the Federal Power Act requesting authorization to hold the positions of director of St. Joseph Light and Power Company (SJLP) and partner of William Blair and Company (WB). SJLP is an investor-owned public utility incorporated and primarily engaged in business in the State of Missouri. WB is an investment banking firm organized under the partnership laws of Illinois, and licensed as a broker/dealer of securities.¹ Mr. Brewer became a partner of WB on January 1, 1956, and was elected to the board of directors of SJLP in May of 1966.

Mr. Brewer's application indicates that WB participated in marketing securities of SJLP on two occasions while Mr. Brewer held positions in both companies. In 1967, WB participated in marketing a \$75,000 portion of a \$6,500,000 SJLP first mortgage bond issue,² and in 1972, WB acted as underwriter with respect to 4,000 shares of SJLP common stock, and took down

¹ WB is licensed as a broker/dealer of securities in Illinois, California, Colorado, Connecticut, Indiana, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, Ohio, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin.

² In a letter dated February 5, 1981, Mr. Brewer stated that WB's participation in the 1967 transaction did not constitute underwriting, but was rather a "selling group take-down." Mr. Brewer defines a selling group take-down as "an accommodation agreement which permits a qualified broker/dealer to apply to the managing underwriter for an allotment from selling group to fill a public order which could not be filled in the open market place until such syndicate has been terminated and the specific securities become available in the secondary market at some undetermined future date and price."

an additional 2,300 shares in the selling group. Mr. Brewer has reported that as a partner of WB, his share of the net profit from the 1967 transaction was \$4.89, and his share of the net profit from the 1972 transaction was \$52.17. WB has not since acted as an underwriter for any other SJLP stock offerings. Mr. Brewer personally owns 300 shares of SJLP common stock as a result of purchases made in 1966 and 1972; he has never sold any shares of SJLP stock.

From May of 1966 to October of 1977, Mr. Brewer held interlocking positions in SJLP and WB without seeking or obtaining Commission authorization. In his application, Mr. Brewer states that his failure to file was in reliance on the advice of SJLP local counsel, who were of the opinion that SJLP was not subject to the jurisdiction of the Commission.³ However, in Docket No. E-8633, orders issued on August 8, 1955, and September 22, 1955, involving a capital stock acquisition by SJLP, the Commission found that SJLP was a jurisdictional public utility. On April 15, 1970, and on April 1, 1976, the Commission's Office of Chief Accountant notified SJLP that it intended to conduct an examination of SJLP's books and records. In its letters of response dated April 24, 1970, and April 7, 1976, SJLP maintained that it was not a jurisdictional entity, and therefore was not required to submit to a Commission audit. Again, on September 29, 1976, in Docket No. E-9568, the Commission found that SJLP was subject to the jurisdiction of the Commission and ordered SJLP to cooperate in an audit. Following a Commission audit of SJLP, Mr. Brewer filed the present application.

Notice of Mr. Brewer's application was published on December 13, 1977, with protests or petitions to intervene due on or before January 3, 1978. On July 31, 1980, SJLP filed a petition for late intervention in support of Mr. Brewer's application. In a letter to the Commission filed on November 17, 1980, SJLP emphasized the importance of Mr. Brewer's services to the company, and reiterated its support of his application.

³ Nothing in this order should be construed as condoning or approving Mr. Brewer's failure to file for Commission authorization during the period May, 1966 to October, 1977, in reliance on the opinion of SJLP counsel that SJLP was non-jurisdictional. On the contrary, section 305(b) places the obligation to file on Mr. Brewer, and he was not entitled to rely on the position adopted by SJLP regarding the Commission's jurisdiction. In light of his uncertainty as to SJLP's jurisdictional status, it would have been proper for Mr. Brewer to seek a declaratory order of the Commission stating that it was not necessary for him to obtain Commission approval, or, in the alternative, an order authorizing the interlock pursuant to section 305(b).

Discussion

With respect to SJLP's petition to intervene, SJLP submits that the disposition of the present application will have a substantial impact on the company, and that its interests will not be adequately represented by any other party to the proceeding. While SJLP's petition to intervene was filed late, granting the petition will not cause any delay or prejudice the rights of any other party. In light of these considerations, the Commission finds that participation by SJLP in this proceeding is in the public interest, and that good cause exists to grant its petition. Accordingly, the Commission will permit SJLP to intervene in this proceeding.

Pursuant to section 305(b) of the Federal Power Act, it is unlawful, absent Commission authorization, for any person to hold the position of officer or director of a public utility, while holding the position of officer or director of a firm authorized to participate in the marketing of securities of a public utility.⁴ A proposed interlock may escape the section's prohibition only "upon due showing in form and manner prescribed by the Commission, that neither public nor private interests will be adversely affected thereby."⁵ To satisfy the statutory exception, the burden rests on the applicant⁶ to demonstrate a "clear overriding benefit" resulting from the requested interlock.⁷

In past orders we have recognized that in enacting section 305(b), Congress established a "very stringent standard,"⁸ which reflects its concern for potential as well as actual abuse that may result from interlocking directorates.⁹ In particular, the section's prohibition of interlocks involving public utilities and securities firms is very broad and restrictive,¹⁰ in such cases

⁴ The Commission's regulations deem the position of a partner to be within the purview of section 305(b) of the Federal Power Act. See 18 C.F.R. § 45.2(a).

⁵ Federal Power Act 305(b), 16 U.S.C. 825(d)(j)(b).

⁶ See *Edwin I. Hatch*, Docket No. ID-1424.

⁷ Opinion No. 87 (November 6, 1979); *Willis C. Fitkin*, *William C. MacInnes*, Docket Nos. ID-1709 and ID-1710 (June 25, 1979); *John Edward Aldred, et al.*, Docket Nos. ID-178 *et al.*, 2 FPC 247 (September 27, 1940).

⁸ See *Edwin I. Hatch, supra*, at 7; *Charles T. Fisher, III, Richard C. Gerstenberg*, Docket Nos. ID-1758, ID-1859, at 5 (June 25, 1979).

⁹ *Edwin I. Hatch, supra*, at 7.

¹⁰ See *Charles T. Fisher, III*, Docket No. ID-1758, at 4 (October 25, 1979); *Edwin I. Hatch, supra*, at 7; *Lelan F. Sillin, Jr.*, Docket No. ID-1473, 33 FPC 1008 at 1007 (May 13, 1965).

¹¹ The section's prohibition of interlocks involving public utilities and securities firms extends to entities authorized to underwrite or participate in the marketing of securities of any public utility. In contrast the prohibition of interlocks with electrical

Continued

authorization of interlocks has been rare.¹¹

Notwithstanding, the Commission is cognizant of the fact that circumstances may be presented in which it will serve the public interest to allow an individual to hold otherwise prohibited positions. It is the Commission's policy to examine applications on a case by case basis to determine whether they meet the applicable standards.

Reviewing Mr. Brewer's application we find that SJLP is a particularly small public utility, which has found it necessary to draw the great majority of its directors from outside of the company. Mr. Brewer possesses considerable skill and experience in the field of finance and investment, and serves on the finance committee of SJLP and attends meetings of the board of directors. In its petition to intervene and letter to the Commission, SJLP emphasized the importance of Mr. Brewer's financial counseling to the company and the difficulty it would encounter in attempting to replace him. Further, it does not appear that SJLP and WB are part of any related corporate or financial network, or have any direct or indirect relationship or intermingled interests. It appears from these facts that SJLP receives considerable benefit from the services of Mr. Brewer, and that the specific circumstances of this case do not present many of the evils which are typically associated with proscribed interlocks.

However, in weighing the dangers to public and private interests, the Commission cannot ignore Mr. Brewer's past violations of section 305 of the Federal Power Act.¹² Mr. Brewer is not unacquainted with a regulatory environment, and should have been well aware of both his obligation to file for Commission authorization prior to holding prohibited interlocking positions and his duty to prevent any personal

profit from the sale of SJLP securities.¹³

From our review of the evidence, including Mr. Brewer's past violations of the Federal Power Act, the Commission finds that Mr. Brewer has failed to demonstrate a clear overriding benefit, so that neither public nor private interests will be adversely affected by the requested interlock. Accordingly we will deny Mr. Brewer's application to hold interlocking directorates. In reaching this decision the Commission does not face, and therefore offers no opinion on, the question of how the Commission would have treated Mr. Brewer's application had he filed for authorization prior to assuming the prescribed interlocking positions.

The Commission orders:

(A) The application of George Fabian Brewer to hold interlocking positions pursuant to section 305(b) of the Federal Power Act is hereby denied.

(B) Mr. Brewer is hereby directed to remove himself from his position as a director of SJLP or as partner of WB within seventy-five days from the effective date of a final order in this proceeding, and is further directed, unless otherwise authorized by this Commission, to refrain henceforth from maintaining any interlocking position, direct or indirect, between these companies.

(C) SJLP's petition to intervene is hereby granted subject to the rules and regulations of the Commission; *Provided however*, that participation by the intervenor shall be limited to matters set forth in the petition to intervene; and *Provided, further*, that the admission of the intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders by the Commission entered in this proceeding.

(D) The Secretary shall promptly publish this order in the **Federal Register**.

By the Commission, Acting Chairman Sheldon, dissenting, filed a separate statement appended hereto.

Kenneth F. Plumb,

Secretary.

Sheldon, Acting Chairman, *dissenting*: My colleagues continue to buttress interlocking directorate opinions with an alleged statutory standard which requires an applicant to demonstrate that his holding of an interlocking directorship will result in a "clear overriding benefit." As I stated in my *dissent of Edwin I Hatch*, Docket No. ID-1424, Opinion No. 67-A (issued May 7, 1980):

The majority's opinion has created retroactively a new statutory standard for Section 305(b) [of the Federal Power Act].

¹³ See Federal Power Act 305(a), (b), 16 U.S.C. 825d (a), (b).

Nowhere in the previous history of the Commission has there been a case in which it was decided that Section 305(b) required a "clear, overriding benefit" standard.

I cannot adopt the majority position which redrafts retroactively the statutory standard of Section 305(b).

Georgiana H. Sheldon,

Acting Chairman

[FR Doc. 81-10981 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-385-000]

CEI-PJM Group Interconnection Agreement; Filing

April 6, 1981.

In the matter of The Cleveland Electric Illuminating Company (Referred to as CEI), Public Service Electric and Gas Company, Philadelphia Electric Company, Pennsylvania Power & Light Company, Baltimore Gas and Electric Company, Jersey Central Power & Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Potomac Electric Power Company, Atlantic City Electric Company, Delmarva Power & Light Company (Above Referred to collectively as the PJM Group).

The filing Company submits the following:

Take notice that on March 31, 1981, the Office of the Pennsylvania-New Jersey-Maryland Interconnection filed on behalf of the above listed utilities a Supplemental Agreement dated March 26, 1981, modifying the Interconnection Agreement between CEI and the PJM Group dated September 30, 1965. The Supplemental Agreement adds Atlantic City Electric Company and Delmarva Power & Light Company as signatories to the Agreement, makes minor changes to update references to certain Schedules, and makes provision for interest penalties on past-due amounts.

No new facilities will be installed nor will existing facilities be modified in connection with the Supplemental Agreement. The filing party has requested a waiver of any otherwise applicable Rules and Regulations not already complied with and has requested an effective date June 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the

equipment suppliers applies only to suppliers of the particular public utility involved interlock.

¹¹ But see *Mortimer N. Buckner*, Docket No. ID-284, reported in *John Edward Aldred, et al., supra*, at 262-64; *David S. Soliday*, Docket No. ID-911, 2 FPC 743 (May 21, 1940); *Arleen W. Hughes*, Docket No. ID-1174 (December 15, 1952).

¹² While the Commission does not condone or approve of Mr. Brewer's past violations of section 305 of the Federal Power Act, we have elected not to take further action regarding Mr. Brewer's conduct, such as through enforcement proceedings. The decision is based primarily on the *de minimis* nature of Mr. Brewer's direct gain involving SJLP securities as a result of his relationship with WB. Under the circumstances, we believe that denial of Mr. Brewer's application, as ordered *infra*, constitutes an adequate remedy to prevent future detriment to the public interest.

Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-11001 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-387-000]

Central Power and Light Co.; Filing

April 6, 1981.

The filing Company submits the following:

Take notice that Central Power and Light Company ("Company"), on March 31, 1981, tendered for filing proposed FERC Electric Tariff, Original Volume No. 1 (Revised), Rate Schedule No. 63A providing electric service to non-generating wholesale customers, and Supplement No. 5 to Rate Schedule No. 62 providing electric service to generating wholesale customers. The proposed tariff would increase revenues from jurisdictional sales and service by \$8,994,624 (inclusive of CWIP) and \$3,645,035 (exclusive of CWIP), based upon the twelve (12) month period ending December 31, 1981.

The Company estimates its rate of return on its jurisdictional rate base, for sales for resale for the calendar year ending December 31, 1980, to be 5.33 percent. The Company further states that such return is substantially below its weighted cost of capital, imbedded cost of debt and preferred stock, and therefore will not attract the capital for planned construction and expansion programs. The proposed rates are based upon a 12.15 percent overall rate of return. Copies of the filing have been served on the Company's jurisdictional customers and upon the Public Utility Commission of the State of Texas. The proposed effective date of the tariff is March 31, 1981.

Any person desiring to be heard or to protest the application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rule of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to

the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-11002 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. TA81-2-43-000]

Cities Service Gas Co.; Proposed Changes in FERC Gas Tariff

April 6, 1981.

Take notice that Cities Service Gas Company (Cities Service) on March 23, 1981, tendered for filing Tenth Revised Sheet No. 6 and Third Revised Sheet Nos. 6A and 6B to its FERC Gas Tariff, Original Volume No. 1. Cities Service states that pursuant to the Purchased Gas Adjustment in Article 21 and the Incremental Pricing Provisions in Article 24 of its FERC Gas Tariff, it proposes to increase its rates effective April 23, 1981, to reflect:

(1) an increase in the Cumulative Rate Adjustment due to increases in Cities Service's natural gas supplier rates;

(2) a decreased Surcharge Adjustment to amortize the reduced Deferred Purchased Gas Cost Account balance;

(3) a negative Advance Payment Rate Adjustment; and

(4) a negative Transportation and Gathering Costs and Revenue Rate Adjustment.

Cities Service states that copies of its filing were served on all jurisdictional customers, interested state commissions and all parties to the proceedings in Docket No. RP79-76.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 or 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-11003 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4080-000]

Consolidated Hydroelectric, Inc.; Application for Preliminary Permit

April 7, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on January 29, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4080 to be known as Fall River at Feather Falls Project located on the Fall River in Butte County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Terence L. O'Rourke, 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 three-foot high natural rock and concrete diversion dam; (2) a 1,580-foot long diversion conduit or channel; (3) a 30-inch diameter, 700-foot long steel penstock; (4) a powerhouse containing one generating unit rated at 4,780 kW; and (5) a 3.5 mile long, 12.5-kV transmission line connecting the powerhouse to an existing Pacific Gas and Electric transmission line. The Applicant estimates that the average annual energy output would be 12.5 million kWh.

Purpose of Project—The energy output of 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 studies and surveys, do preliminary designs, consult with agencies, prepare a feasibility report, conduct environmental studies, and prepare a FERC license application. No new roads would be required to conduct the studies. The estimated cost of the work to be performed under the preliminary permit is \$80,000 to \$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 12, 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 11, 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 12, 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. 4080. 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. 81-10972 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4076-000]

Consolidated Hydroelectric, Inc.;
Application for Preliminary Permit

April 7, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on January 29, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4076 to be known as the Butter and Indian Valley Creek Project located on Butter Creek and Indian Valley 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: 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) two natural rock and concrete diversion structures;
- (2) two diversion conduits or channels, totaling 3,900 feet in length;
- (3) a 900 foot-long, 36-inch diameter steel penstock;
- (4) a powerhouse containing one generating unit rated at 2,150 kW; and
- (5) a 12.5 kV transmission line.

The Applicant estimates that the average annual energy output would be 9.4 million kWh.

Purpose of Project—The energy output from the project will be sold to 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, environmental, economic, 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 \$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 12, 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 11, 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 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 12, 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. 4076. 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. 81-10973 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4189-000]

**Consolidated Hydroelectric, Inc.;
Application for Preliminary Permit**

April 7, 1981.

Take notice that Consolidated Hydroelectric Inc. (Applicant) filed on February 12, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4189 to be known as Clear Creek Power Project located on Clear Creek in Shasta County, California. The Application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: 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 3-foot high natural rock and concrete diversion dam; (2) a 14,000-foot long diversion conduit or channel; (3) a penstock approximately 1,040 feet long and 36 inches in diameter; (4) a powerhouse containing one generating unit rated at 3,800 kW., and (5) a 12.5 kV transmission line.

The Applicant estimates that the average annual energy output would be 11.2 million kWh.

Purpose of Project—The energy output of the project will be sold to the Pacific Gas and Electric Company and/or other utilities.

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 studies and surveys, do preliminary design, consult with agencies, prepare a feasibility report, conduct environmental studies, conduct negotiations with PG&E and/or others for the sale of power generated from this project, and prepare an FERC license application. No new roads would be required to conduct the studies. The estimated cost of the work to be performed under the preliminary permit would be \$80,000 to \$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 a 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 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 12, 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 11, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protest. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be filed on or before June 12, 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. 4189. 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 208RB, 825 North Capitol Street NE, 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. 81-10974 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-364-000]

Consumers Power Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that Consumers Power Company (Consumers Power) on March 27, 1981, tendered for filing the Campbell 3 Unit No. 3 Transmission Ownership and Operating Agreement (Agreement) between Consumers Power, Northern Michigan Electric Cooperative, Inc. (Northern) and Wolverine Electric Cooperative, Inc. (Wolverine) dated as of August 15, 1980.

Consumers Power states that the Agreement contains a utilization adjustment in §§ 6.4 and 6.5 which is subject to filing requirements as a rate scheduled under 18 CFR 35.12. Under this provision, a yearly utilization adjustment could be owed by Northern or Wolverine to Consumers Power depending upon, among other things, the extent of their utilization of the Bulk Transmission during the prior year. The amount of the utilization adjustment, if any, will be calculated by use of formulas set forth in §§ 6.4 and 6.5 of the Agreement.

Consumers Power states that copies of the filing were served on Northern, Wolverine, and the Michigan Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protest should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and are available for public inspection

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11018 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-381-000]

Dayton Power and Light Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that on March 31, 1981, The Dayton Power and Light Company (DP&L) tendered for filing proposed changes in the rates included in Service Schedule A—Firm Power Service to Piqua, including changes to the Fuel Adjustment Clause, to DP&L's Rate Schedule FERC No. 34 for service to the City of Piqua, Ohio under an Interconnection Agreement dated as of May 10, 1972. The proposed changes would increase revenues from service under Schedule A by approximately \$335,165. The Dayton Power and Light Company proposes that the rates and charges revised by the filing become effective May 30, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10991 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-380-000]

Dayton Power and Light Co.; Filing

April 6, 1981.

The filing Company submits the following:

Take notice that on March 31, 1981, The Dayton Power and Light Company (DP&L) tendered for filing proposed changes in the Demand Charge Rates, when DP&L is the supplying party, included in Schedule B—Short Term Power to DP&L's Rate Schedule FERC No. 34 for service to the City of Piqua,

Ohio under an Interconnection Agreement dated as of May 10, 1972. The Dayton Power and Light Company proposes that the rates and charges revised by the filing become effective May 30, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11004 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 3955-000]

Energenics Systems, Inc.; Application for Preliminary Permit

April 7, 1981.

Take notice that ENERGENICS SYSTEMS, INC. (Applicant) filed on January 12, 1981 an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3955 to be known as Allegheny L/D No. 5 Hydro Project located on the Allegheny River in Armstrong County, Pennsylvania. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, ENERGENICS SYSTEMS, INC. 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers' Allegheny Lock and Dam No. 5 and would consist of: (1) New penstocks near the left dam abutment; (2) a new powerhouse containing generating units having a total rated capacity of 7,600 kW; (3) a tailrace; (4) a new transmission line approximately two miles long; and (5) appurtenant facilities. The applicant

estimates that the average annual energy output would be 52,200,000 kWh.

Purpose of Project—Project energy would be sold to the West Penn Power Company. Other alternative markets, such as nearby public institutions or industrial users, will be investigated.

Proposed Scope and Cost of Studies Under permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending on the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be \$50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Noah Corporation's Application for Project No. 3494 filed on September 23, 1980, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for

protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be received on or before May 7, 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. 3955. 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. 81-10975 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-51-000]

Great Lakes Gas Transmission Co.; Proposed Changes in FERC Gas Tariff Under Purchased Gas Adjustment Clause Provisions

April 7, 1981.

Take notice that Great Lakes Gas Transmission Company (Great Lakes), on March 31, 1981, tendered for filing Thirty-Ninth Revised Sheet No. 57, to its FERC Gas Tariff First Revised Volume No. 1, proposed to be effective May 1, 1981.

Great Lakes states that the revised tariff sheet reflects a purchased gas cost surcharge resulting from maintaining an unrecovered purchased gas cost account for the period commencing September 1, 1980 and ending February 28, 1981 as well as an adjustment for changes in the compressor fuel cost from that reflected in the base tariff rates. The compressor

fuel adjustment is required in accordance with Article III of the Stipulation and Agreement in Docket No. RP79-10 which was approved by the Commission on March 31, 1980.

Great Lakes further states that copies of this filing have been served upon its customers and the Public Service Commission of Minnesota, Wisconsin and Michigan.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, and 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11019 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 3880-000]

Gregory Wilcox; Application for Preliminary Permit

April 7, 1981.

Take notice that Gregory Wilcox (Applicant) filed on December 12, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3880 to be known as the Caballo Project located on the Rio Grande near the town of Caballo in Sierra County, New Mexico. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Gregory Wilcox; Attorney-at-Law; 506 15th Street, 6th Floor; Oakland, California 94612. 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 Caballo Dam and Reservoir and would consist of: (1) a new steel liner attached to the existing outlet works; (2) a new bifurcation and gate control house; (3) a

new 50-foot long penstock; leading to (4) a new powerhouse, with an installed generating capacity of 2,000 kW; (5) a new tailrace; (6) new switchyard equipment and transmission lines; and (7) other appurtenant facilities.

The Applicant estimates that the average annual energy output would be 12,300,000 kWh.

Purpose of Project—Project energy would be sold to local public utilities.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of two years during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of studies under the permit would be \$50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to that of Sequoia Energy Corporation Project No. 3663 filed on November 4, 1980, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the

requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before May 7, 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. 3880. 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. 81-10976 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RP76-90]

Kansas Nebraska Natural Gas Co., Inc.; Settlement Conference

April 7, 1981.

A settlement conference was convened in the vicinity of Denver, Colorado for the purpose of attempting to arrive at a settlement of all of the outstanding issues in the above-styled proceeding on March 9, 1981. This conference terminated on March 10, 1981, after considerable discussion by the parties of the provisions reflected in the curtailment plan that was tendered for consideration by Kansas Nebraska Natural Gas Company, Inc. (Kansas Nebraska). It was agreed upon at that

time that Kansas Nebraska would circulate a draft curtailment plan incorporating certain modifications suggested at the conference for purposes of comment and that the settlement conference would reconvene on April 27 and 28, 1981, at Washington, D.C.

A settlement conference will therefore be convened at the Offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 commencing on April 27, 1981, at 9:30 a.m. for the purpose of attempting to settle all of the outstanding issues in the above-styled proceeding. All interested parties are invited to attend this conference.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10992 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4244-000]

Long Lake Energy Corp.; Application for Preliminary Permit

April 7, 1981.

Take notice that the Long Lake Energy Corporation (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. 4244 to be known as Champlain Canal Lock No. 5/Hudson River Project located on the Hudson River in Washington and Saratoga Counties, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should directed to: Mr. Donald E. Hamer; Long Lake Energy Corporation; 330 Madison Avenue, 7th Floor; New York, New York 10017. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing Lock 5 dam, a 12-foot high masonry structure 700 feet long; (2) the existing Lock 5 reservoir, having a storage capacity of 790 acre-feet at a normal pool elevation of 102.5 feet (U.S.G.S. datum); (3) new headgates; (4) an existing power canal; leading to (5) the existing "South Mill" powerhouse owned by the Hudson Pulp and Paper Corporation, which will be redeveloped to have an installed generating capacity of 7,600 kW; (6) and existing tailrace; (7) a new intake structure adjacent to the eastern abutment of Lock 5; (8) a new open flume; leading to; (9) a new powerhouse having an installed

generating capacity of 10,000 kW; (10) existing switchyard equipment and transmission lines; and (12) appurtenant works. The Lock 5 is owned by the New York State Department of Transportation. The Applicant estimates that the combined average annual energy output of the power generating facilities would be 113,000,000 kWh.

Purpose of Project—Project energy would be sold to the Niagara Mohawk Power Corporation.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential.

Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of the studies under the permit would be \$165,000.

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 Thomas Plant Project No. 3892 filed on December 22, 1980, under 18 CFR (1980). Anyone desiring to file a competing application must submit to the Commission, on or before June 12, 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 11,

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 12, 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. 4244. 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 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. 81-10977 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA81-2-48-000]

Michigan Wisconsin Pipe Line Co.; Proposed Changes in FERC Gas Tariff

April 7, 1981.

Take notice that on March 31, 1981, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) tendered for filing Eleventh Revised Sheet No. 7 and Fourth Revised Sheet No. 7a to its FERC Gas Tariff, Original Volume No. 1 and proposed an effective date of May 1, 1981.

Michigan Wisconsin states that this filing reflects increases in its one-part rates and the commodity component of its two-part rate of approximately 25¢ per dekatherm (dth) and an increase in the demand component of its two-part rate of \$.030 per dth. These increases are the result of: (1) rate increases by pipeline suppliers, principally due to the increased Canadian border price effective April 1, 1981; (2) the effect of independent producer price increases authorized under the NGPA; (3) the replacement of older sources of supply with new more expensive sources; (4) an increase in the surcharge adjustment of 2.82¢ per dth; and (5) an increase in the LFUT adjustment of .10¢ per dth.

Michigan Wisconsin further states that it requests a waiver of the requirements of Part 154 of the Commission's Regulations under the Natural Gas Act to the extent that such a waiver may be necessary to permit this filing of Eleventh Revised Sheet No. 7 and Fourth Revised Sheet No. 7a to be made and to become effective May 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary,

[FR Doc. 81-10982 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-379-000]

Mississippi Power Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that Mississippi Power Company on March 31, 1981, tendered for filing a revision of the rates included in its FERC Electric Tariff, Original Volume Number 1. The revised rates would increase revenues from jurisdictional sales by \$7,050,785 based on the 12-month period ending November 19, 1981. The charge per delivery point has been reduced, the KW and KWH charges increased.

The Company estimates the rate of return on its properties devoted to serving the cooperative Electric Power Associations to be 6.20% from revenues which it would receive under the existing rates during the 12-month period ending November 19, 1981. The Company states that such return would be increased to 11.24% with the increased revenue under the tendered rates.

Posting of the filing has been accomplished with the public utility's jurisdictional customers and Mississippi Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10993 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-25-000 (PGA 81-1)]

Mississippi River Transmission Corp.; Tariff Sheet Filing

April 7, 1981.

Take notice that on March 27, 1981, Mississippi River Transmission Corporation ("Mississippi") tendered for filing Sixth Revised Sheet No. 27H and Seventh Revised Sheet No. 27I to its

FERC Gas Tariff, First Revised Volume No. 1, to become effective on April 1, 1981.

Mississippi states that such revised sheets modify its present purchased gas adjustment (PGA) clause to provide for the use of actual rather than estimated deferred purchased gas cost account balances in determining the semi-annual surcharge to clear Account 191. Mississippi further states that such change is being made to comply with a condition contained in the Commission's order of February 27, 1981 accepting Mississippi's most recent PGA filing.

Mississippi believes no waivers of the Commission's Rules and Regulations are required in order to permit its filing to become effective as proposed. However, Mississippi requests waivers be granted if in the Commission's view any such waivers are required.

Mississippi states that copies of its filing has been served on all jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10983 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-49-000 (PGA 81-2A)]

Montana-Dakota Utilities Co.; Purchased Gas Cost Adjustment Filing

April 7, 1981.

Montana-Dakota Utilities Co. ("MDU"), on March 31, 1981, submitted for filing as part of its FERC Gas Tariff the following tariff sheets:

Original Volume No. 4
Seventeenth Revised Sheet No. 3A
First Revised Volume No. 2
Tenth Revised Sheet No. 10

These tariff sheets supersede the March 27, 1981 filing in Docket Nos. CP80-571 and CP80-572 of Sixteenth

Revised Sheet No. 3A (in Original Volume No. 4) and Tenth Revised Sheet No. 10 (in First Revised Volume No. 2).

MDU states that this tariff filing is being made pursuant to its Purchased Gas Cost Adjustment of 12.037 cents per Mcf applicable to rate schedules G-1 PR-1, I-1 and X-1, a proposed change in the Gas Cost Adjustment of 17.695 cents per Mcf applicable to rate schedule X-4 and a negative Surcharge Adjustment of 18.588 cents per Mcf applicable to Rate Schedules G-1, PR-1, and I-1. The proposed changes are supported by exhibits attached to the filing.

MDU states that it has reflected in the filing amounts refunded under Docket No. RP74-97 (PGA78-1) as a special surcharge effective through October 31, 1981.

The proposed effective date of MDU's PGA filing is May 1, 1981.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene. Copies of the filing are on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10984 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RP81-49-000]

Natural Gas Pipeline Company of America; Proposed Changes in FERC Gas Tariff

April 7, 1981.

Take notice that on March 31, 1981, Natural Gas Pipeline Company of America (Natural) tendered for filing proposed changes in its FERC Gas Tariff, Third revised Volume No. 1 and Second revised Volume No. 2 to become effective May 1, 1981.

The proposed rates will result in increased jurisdictional revenues of approximately \$109.1 million compared to the rates presently effective subject to refund in Docket No. RP80-107. \$58.9 million of the proposed rates reflects

increases in cost of service and \$50.2 million thereof relates to decreased sales levels of 114 Bcf.

Natural states that the principal reasons for the proposed rate change are: (1) substantial investments in facilities; (2) a proposed change in overall rate of return to 11.7% which would permit an increase in the rate of return on common equity to 15%; (3) a significant increase in the outstanding balance of payments for undelivered gas; (4) an increase in gas stored underground; and (5) a proposed decrease in the jurisdictional sales level to 892 Bcf. Natural has also included tariff revisions necessary to incorporate a net transportation cost adjustment, a payments for undelivered gas cost adjustment, and has revised its existing interest requirement on amounts due from customers.

The filed rates in Natural's filing reflect a cost classification and rate design methodology predicated upon a modified fixed-variable assignment of costs. Under Natural's proposed rate design methodology, costs were first classified as fixed or variable based upon their behavioral patterns. For rate design purposes, Natural then assigned to the commodity component of the applicable rates all costs classified as variable, together with one hundred percent of the requested return on common equity and associated income taxes. Natural states that this rate design methodology more closely follows the actual incurrence of costs while at the same time places Natural at risk on loss of its common equity return should actual sales levels fall below design levels.

In addition, Natural has provided alternate tariff sheets that may be substituted for the filed tariff sheets in the event the suspension order would otherwise "place Natural on notice that it may be subject to undercollections if after hearing and decision we (the Commission) find its rate design improper." Such alternate tariff sheets provide rates that would assure Natural of sufficient commodity revenues to match a *United* method of rate design. Natural has filed in conjunction with such rate design tariff sheets to provide for an Annual Commodity Minimum Bill for certain DMQ-1 customers.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C., 20426, in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests must be filed on or before April 22, 1981.

Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10985 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RP80-11-004]

Natural Gas Pipeline Company of America; Filing of Report of Refund

April 7, 1981.

Take Notice that Natural Gas Pipeline Company of America (Natural), filed on March 24, 1981, its verified report on the disposition of supplier refunds.

Natural states that this report for the three months ended February 28, 1981 is being filed under the provisions of Subsection 29.5 of the General Terms and Conditions of its FERC Gas Tariff, Third Revised Volume No. 1.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10995 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RP81-46-000]

Natural Gas Pipeline Company of America; Notice of Proposed Changes in FERC Gas Tariff

April 7, 1981.

Take notice that on March 31, 1981, Natural Gas Pipeline Company of America (Natural) tendered for filing proposed changes in its FERC Gas Tariff, Second Revised Volume No. 2 to become effective May 1, 1981. Natural

states the proposed changes will make effective:

Fourth Revised Sheet No. 78

First Revised Sheet No. 79

These sheets incorporate a revision to Article VI of Rate Schedule X-14, a transportation service dated November 1, 1966 under which Natural hauls gas for the account of Northern Illinois Gas Company, Northern Indiana Public Service Company, and The Peoples Gas Light and Coke Company.

The purpose of the revision to Article VI is to eliminate the cumbersome billing procedures that are required in conformance with the presently effective Article VI provision by substituting a procedure that can be easily and efficiently administered by all parties to the agreement.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests must be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-10994 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4033-000]

Borough of North Charleroi, Pennsylvania and Pennsylvania Renewable Resources, Inc., Application for Preliminary Permit

April 7, 1981.

Take notice that the Borough of North Charleroi, Pennsylvania and Pennsylvania Renewable Resources, Inc. (Applicant) filed on January 21, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4033 to be known as the Monongahela Lock and Dam #4 Project located on the Monongahela River in Washington County, Pennsylvania. The application is on file with the Commission and is available for public inspection. Correspondence

with the Applicant should be directed to: Mr. Jeffrey M. Kossak, Pennsylvania Renewable Resources, Inc., 14 Wall Street, Suite 1900, New York, New York 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 U.S. Army Corps of Engineers' Monongahela Lock and Dam #4 and would consist of: (1) a new penstock; (2) a new powerhouse containing generating unit(s) having a total rated capacity of 10 MW; (3) a short transmission line; and (4) appurtenant facilities. The Applicant estimates that the average annual energy output would be 50 GWh.

Purpose of Project—Project energy would be utilized by the Borough of North Charleroi, Pennsylvania or sold to the Duquesne Power and Light Company, Monongahela Power Company or General Public Utilities Service Corporation.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be \$125,000.

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 Atlantic Power Development's Monongahela Lock and Dam #4, Project No. 3522 filed on October 2, 1980 under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before March 19, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than May 18, 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 May 7, 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. 4033. 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. 81-10971 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-95-M

[Project No. 4112-000]

North Kern Water Storage District; Application for Preliminary Permit

April 7, 1981.

Take notice that North Kern Water Storage District (Applicant) filed on February 4, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4112 to be known as Junction Project located on North Fork Kern River in Tulare County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: C. H. Williams, Engineer-Manager, North Kern Water Storage District, 1415 18th Street, Room 705, Bakersfield California 93302. 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 300-foot high concrete gravity dam; (2) a 650-acre reservoir with a capacity of 60,000 acre-feet; (3) a 68,000-foot long and 10-foot diameter power tunnel; (4) a surge shaft; (5) two 64-inch diameter penstocks; (6) a powerhouse containing two generating units, each rated at 25 MW; and (7) a 12-mile long transmission line.

The Applicant estimates that the average annual energy output would be 251 million kWh.

Purpose of Project—The energy generated by the project would be sold to the Southern California Edison Company or 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 and geotechnical studies, perform preliminary designs, consult with agencies, conduct environmental studies, make an economic and feasibility analysis, and prepare an

FERC license application. Field studies for the new dam include topographic mapping, surficial investigations, and geological mapping. 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 \$200,000.

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 22, 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 21, 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, protests, or petition to intervene must be received on or before May 22, 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. 4112. 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. 81-10978 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-347-000]

Ohio Edison Co.; Filing

April 6, 1981.

The filing Company submits the following:

Take notice that Ohio Edison Company, (Ohio Edison) on March 16, 1981, tendered for filing First Revised Pages 4 and 5 of its Partial Requirements Contract contained in its FERC Electric Tariff Original Volume No. 1.

The change proposed is a revision of the minimum requirements provision of the contract. The municipal wholesale customers who will become partial requirements customers of Ohio Edison on April 1, 1981 support the revision. Ohio Edison states that there would be no revenue effect as a result of the contract revision. No rate is proposed to be changed as a result of this filing.

Copies of the filing were served upon the Public Utilities Commission of Ohio and Municipal Wholesale Customers of Ohio Edison.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestant parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11005 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-373-000]

Pennsylvania Electric Co., et al.; Filing

April 6, 1981.

In the matter of Pennsylvania Electric Company, Metropolitan Edison Company, and Jersey Central Power & Light Company.

The filing Company submits the following:

Take notice that on March 30, 1981, the GPU Service Corporation tendered for filing, on behalf of the above listed utilities, Proposed Revision 7 of Schedule 4.01 to the existing Agreement among them, dated July 21, 1969.

The GPU Service Corporation states that Schedule 4.01 defines the installed capacity obligations within GPU and sets forth the weekly rate per kilowatt on which payments shall be based for deficiency of capacity among the GPU System Companies.

The GPU Service Corporation further states that revision to this Schedule is proposed to conform with changes, submitted to the FERC, in the Pennsylvania-New Jersey-Maryland Interconnection Agreement to which the GPU System Companies are signatories.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests

should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11006 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-348-000]

Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement; Filing

April 7, 1981.

In the matter of Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement, Public Service Electric and Gas Company, Philadelphia Electric Company, Pennsylvania Power & Light Company, Baltimore Gas and Electric Company, Jersey Central Power & Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, and Potomac Electric Power Company.

The filing Company submits the following:

Take notice that on March 20, 1981, the Office of the Pennsylvania-New Jersey-Maryland Interconnection filed on behalf of the above listed utilities revised Schedules to the Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement dated September 28, 1956, as heretofore amended and supplemented.

The revised Schedules modify accounting for operating capacity. Instead of accounting separately for operating capacity transactions during peak periods of a few hours' duration, such accounting will be done hourly with all operating costs and values entered in the energy account.

No new facilities will be installed nor will existing facilities be modified in connection with the Schedules. The filing party has requested a waiver of any otherwise applicable Rules and Regulations not already complied with in order to permit these changes to become effective March 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and

1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11020 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-386-000]

Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement; Filing

April 6, 1981.

In the matter of Public Service Electric and Gas Company, Philadelphia Electric Company, Pennsylvania Power & Light Company, Baltimore Gas and Electric Company, Jersey Central Power & Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Potomac Electric Power Company, Atlantic City Electric Company, and Delmarva Power & Light Company.

The filing Company submits the following:

Take notice that on March 31, 1981, the Office of the Pennsylvania-New Jersey-Maryland Interconnection filed on behalf of the above listed utilities a Supplemental Agreement dated March 26, 1981, Revised Schedules 4.01 and 9.01, and new Schedule 9.02 to the original Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement as heretofore amended and supplemented.

The primary purpose of the Supplemental Agreement is to add Atlantic City Electric Company and Delmarva Power & Light Company as signatories and parties to the PJM Agreement. Also included are membership requirements (previously not defined), provisions for interest payments on past-due amounts, provision for certain decisions to be made without unanimous consent by all parties, and a rate to be used for capacity deficiency transactions under the PJM Agreement for the twelve-month Planning period beginning June 1, 1981.

The PJM parties state that no new facilities will be installed nor will existing facilities be modified in connection with these changes. It is

requested that these changes become effective on June 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11007 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-377-000]

Philadelphia Electric Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Philadelphia Electric Company (PE) with the concurrence of Atlantic City Electric Company (AE) tendered for filing pursuant to Section 205 of the Federal Power Act and Part 35 of the regulations issued there under, a Facilities Agreement between PE and AE, dated March 28, 1981.

The Facilities Agreement, to become effective June 1, 1981, replaces the PE-AE Interconnection Agreement dated November 17, 1967, as supplemented, which will be terminated on May 31, 1981. The parties to the Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement and AE have filed a supplement to that agreement which adds AE as a signatory and party to the PJM Agreement as of June 1, 1981. Therefore, many of the provisions of the existing PE-AE Interconnection Agreement will no longer be necessary. The new PE-AE Facilities Agreement will provide for continuation of existing provisions not covered by the PJM Agreement.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and

1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10996 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-376-000]

Philadelphia Electric Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Philadelphia Electric Company (PE) with the concurrence of Delmarva Power & Light Company (DPL) tendered for filing pursuant to Section 205 of the Federal Power Act and Part 35 of the regulations issued thereunder, a Facilities Agreement between PE and DPL, dated March 26, 1981.

The Facilities Agreement, to become effective June 1, 1981, replaces the PE-DPL Interconnection Agreement dated November 29, 1967, as supplemented, which will be terminated on May 31, 1981. The parties to the Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement and DPL have filed a supplement to that agreement which adds DPL as a signatory and party to the PJM Agreement as of June 1, 1981. Therefore, many of the provisions of the existing PE-DPL Interconnection Agreement will no longer be necessary. The new PE-DPL Facilities Agreement will provide for continuation of existing provisions not covered by the PJM Agreement.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11021 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ST80-64-001]

Phillips Petroleum Co.; Application

April 7, 1981.

Take notice that on March 20, 1981, Phillips Petroleum Company (Phillips), Bartlesville, Oklahoma, 74004, filed in Docket No. ST80-64-001 an amendment to an application filed initially on December 4, 1979, pursuant to § 284.126 of the Commission's Regulations under the Natural Gas Policy Act of 1978. The initial application of December 4, 1979, pertains to the transportation of natural gas by Phillips on behalf of United Gas Pipe Line Company via Phillips' Chicksaw gas pipeline located in Mobile County, Alabama, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The amendment of March 20, 1981, concerns the rates to be charged for this transportation service.

The initial application had contained a proposed rate of 15.0 cents per MMBtu for all gas transported on United's behalf. This rate was based on a Phillips-United agreement which reflected the charge previously approved by the Alabama Public Service Commission for a similar transportation service performed by Phillips through the Chicksaw pipeline. FERC Staff requested additional information reflecting Phillips' actual costs and revenues associated with the Chicksaw pipeline for 1978 and 1979 and cost estimates for 1980. Subsequent discussions between Staff and Phillips during which an agreement was reached that Phillips would reduce its proposed transportation charge from 15.0 cents to 12.5 cents per MMBtu to be effective on the date of initial deliveries under the Phillips-United agreement dated October 9, 1979.

Upon Commission acceptance of the 12.5 cents per MMBtu settlement rate, Phillips has agreed to promptly refunded to United any amounts collected in excess of 12.5 cents per MMBtu with interest charges determined in accordance with § 154.102(d)(2).

Any person desiring to be heard or to make any protest with reference to said application should on or before April 21, 1981, file with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, a petition to intervene or a protest

in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10996 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-370-000]

Southern California Edison Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Southern California Edison Company (Edison) tendered for filing a change of rates for interruptible transmission service as embodied in Edison's agreements with the City of Anaheim (FERC No. 83), the City of Riverside (FERC No. 84), the City of Pasadena (FERC No. 88), and the City of Glendale (FERC No. 97).

Copies of this filing were served upon the Public Utilities Commission of the State of California, the City of Anaheim, the City of Riverside, the City of Pasadena and the City of Glendale.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11022 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-372-000]**Southern California Edison Co.; Filing**

April 6, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Southern California Edison Company (Edison) tendered for filing a change of rates for interruptible transmission service as embodied in Edison's agreements with the City of Riverside (FERC No. 98), and the City of Anaheim (FERC No. 99).

Copies of this filing were served upon the Public Utilities Commission of the State of California, the City of Anaheim and the City of Riverside.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11006 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-371-000]**Southern California Edison Co.; Filing**

April 6, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Southern California Edison Company (Edison) tendered for filing a change of monthly carrying charges under the provisions of the Power Sales Agreement among Edison, Arizona Public Service Company, Nevada Power Company, Tucson Gas and Electric Company and Arizona Power Pooling Association, Inc., as embodied in Rate Schedule FERC No. 92.

Copies of this filing were served upon the other interested parties and the Public Utilities Commission of the State of California.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal

Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11009 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket Nos. RP80-102-004, RP78-36-010]
Southern Natural Gas Co.; Proposed Changes in FERC Gas Tariff

April 7, 1981.

Take notice that Southern Natural Gas Company (Southern) on March 31, 1981 tendered for filing Forty-Sixth Revised Sheet No. 4A to its FERC Gas Tariff, Sixth Revised Volume No. 1 to become effective May 1, 1981. Southern states that the revised sheet is being submitted to comply with the Federal Energy Regulatory Commission's (Commission) Opinion No. 83 issued March 27, 1980, in Docket No. RP78-36. The rate filing does not make any change in Southern's total cost of service as previously submitted in Docket No. RP80-102. Rather, the filing commences the third and final step of the phase-out of the mileage based rate zones on Southern's system as provided for in Opinion No. 83.

The rates shown on Forty-Sixth Revised Sheet No. 4A will result in a net annual decrease in jurisdictional revenues of approximately \$1,438,000 from the rates currently in effect in Docket No. RP80-102.

Copies of the filing are being served upon the Company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the

Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10987 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-378-000]**Southwestern Electric Power Co.; Filing**

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Southwestern Electric Power Company (SWEPCO) tendered for filing a letter agreement between SWEPCO and Public Service Company of Oklahoma (PSO) dated November 17, 1980, and amendment dated February 24, 1981, which provides for PSO to offer to sell and SWEPCO to purchase capacity without reserves from a specific generating unit of PSO according to the following schedule:

Period	Unit	Rated capacity (megawatts)	Amount of sale (megawatts)	Unit cost dollars per Kilowatt
6-1-81 to 5-31-82	North-eastern #4.	450	100	390.20
6-1-82 to 5-31-83	North-eastern #4.	450	100	390.20
6-1-83 to 5-31-84	North-eastern #4.	450	100	390.20

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10907 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-373-000]

**Southwestern Electric Power Co.;
Filing**

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Southwestern Electric Power Company (SWEPCO) tendered for filing a letter agreement between SWEPCO and Public Service Company of Oklahoma (PSO) dated October 25, 1978, with amendment dated February 24, 1981, which provides for PSO to offer to sell and SWEPCO to purchase capacity without reserves from specific generating units of PSO according to the following schedules:

Period	Unit	Rated capacity (megawatts)	Megawatts offered	Unit cost (dollar per kilowatt)
6-1-81 to 5-31-82	Northeastern #3	450	60	390.20
6-1-82 to 5-31-83	Northeastern #3	450	100	390.20
6-1-83 to 5-31-84	Northeastern #3	450	45	390.20

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11023 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4337-000]

Swift River Co.; Application for Preliminary Permit

April 7, 1981.

Take notice that Swift River Company (Applicant) filed on March 12, 1981, an application for preliminary permit pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r) for proposed Project No. 4337 to be known as Hoague-Sprague Project located on the Contoocook River in West Hopkinton, Merrimack County, New Hampshire. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Peter B. Clark, Swift River Company, Inc., 148 State Street, Boston, Massachusetts 02109. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing 14-foot high, 300-foot long rock-filled timber crib dam; (2) the existing forebay located below the U.S. Army Corps of Engineers Hopkinton flood control dam; (3) the existing canal inlet structures; (4) an existing 400-foot long, 10-foot deep, earth lined canal; (5) two existing 200-foot long, 7-foot diameter, wood-stave penstocks; (6) an existing turbine-generator with a rated capacity of 400 kW located in the existing factory building; (7) an existing 300-foot long, 15-foot wide tailrace channel; and (8) appurtenant facilities. Applicant would study the possibility of rehabilitating the existing equipment and adding an additional turbine-generator with a rated capacity of 1,250 kW.

The Applicant estimates that the average annual energy output would be 7,000,000 kWh.

Purpose of Project—Energy produced at the project would be sold to Public Service Company of New Hampshire.

Proposed Scope and Cost of Studies under Permit—The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be \$42,000.

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 12, 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 11, 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 12, 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. 4337. 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. 81-10079 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RP80-97, et al.]

**Tennessee Gas Pipeline Co., et al.;
Informal Settlement Conference**

April 6, 1981.

In the matter of Tennessee Gas Pipeline Company, Docket No. RP80-97; Michigan Wisconsin Pipe Line Company, Docket No. RP80-100; Southern Natural Gas Company, Docket No. RP80-102; Natural Gas Pipe Line Company of America, Docket No. RP80-107; Transcontinental Gas Pipe Line Corporation, Docket No. RP80-117; United Gas Pipe Line Company, Docket No. RP80-121; Trunkline Gas Company, Docket No. RP80-106; Columbia Gulf Transmission Company, Docket No. RP80-145; Columbia Gas Transmission Corporation, Docket No. RP80-146; Sea Robin Pipeline Company, Docket No. RP80-55 and RP80-118; Florida Gas Transmission Company, Docket No. RP81-7; High Island Offshore System, Docket No. RP81-18; and U-T Offshore System, Docket No. RP81-20.

Take notice that on April 15, 1981, at 10:00 a.m. and if necessary on April 16, 1981, at 10:00 a.m., there will be an informal conference of all interested persons for the purposes of discussing settlement of issues pertaining to the

allocation of transmission costs between the transportation of natural gas and liquids and liquefiable hydrocarbons. Such issues appear to arise in the above-captioned dockets, which while not consolidated, will be the subject of joint discussions as a matter of convenience and to assure consistency in the resolution of these issues to the extent possible.

The meeting place for this conference will be at the offices of the Federal Energy Regulatory Commission, Hearing Room A, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Customers, those retaining an interest in the subject liquids and liquefiable hydrocarbons and other interested persons will be permitted to attend this conference, but if such persons have not previously been permitted to intervene in any of the above-captioned dockets by order of the Commission or of a Presiding Administrative Law Judge attendance will not be deemed to authorize intervention as a party in any of these proceedings nor will attendance by a person granted intervention in one or more of the above-captioned proceedings be deemed to authorize intervention in any other docket.

All parties will be expected to come fully prepared to discuss the merits of the issues arising in those proceedings in which they have a pertinent and cognizable interest and to make commitments with respect to such issues and to any offer of settlement or stipulations discussed at the conference.

In the event that unanticipated inquiries about this conference arise, parties may contact Lawrence Acker or Norma Rosner at (202) 357-8565.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10990 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-1-29-003]

**Transcontinental Gas Pipe Line Corp.;
Revised Tariff Filing**

April 7, 1981.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing Substitute Twentieth Revised Sheet No. 12 and Substitute Twentieth Revised Sheet No. 15 to Second Revised Volume No. 1 of Transco's FERC Gas Tariff. These tariff sheets reflect a net decrease of 2.6¢ per dekatherm (dt) in the commodity or delivery charge of Transco's CD, G, OG, E, PS, S-2 and ACQ rate schedules.

Transco states that this rate reduction has been made pursuant to Ordering Paragraph (E) of the Commission's

"Order Accepting for Filing, Subject to Conditions and Suspending Proposed Tariff Sheets, and Establishing Procedures" issued February 28, 1981 in Docket No. TA81-1-29-002 (PGA81-1 et al.), in which Transco was ordered to file on or before 30 days after issuance of such order revised tariff sheets to become effective March 1, 1981 reflecting removal of \$10.7 million in unpaid accruals from Account No. 191. Transco further states that pursuant to said Ordering Paragraph (E), the tariff sheets submitted reflect the removal from Transco's rates of the actual unpaid accruals involved, which amounted to \$11,199,242. The elimination of such unpaid accruals will reduce Transco's Deferred Adjustment by 2.6¢ per dt, leaving a total Deferred Adjustment of 34.5¢ per dt now proposed to be effective March 1, 1981.

The Company states that copies of the filing are being mailed to each of its purchasers, and to interested State Commissions and parties.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before Apr. 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10088 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-367-000]

**Vermont Electric Power Company,
Inc.; Filing**

April 7, 1981.

The filing Company submits the following:

Take notice that on March 30, 1981, Vermont Electric Power Company, Inc. (VELCO) tendered for filing a Rate Schedule containing an Amendment between VELCO and the Public Service Board, as agent for the State of Vermont, dated September 24, 1980.

VELCO states that the service to be rendered under this Rate Schedule consists of the transmission of 52,000

kilowatts of Hydro-Quebec power purchased by the State of Vermont from Hydro-Quebec, effective October 1, 1980, at an estimated monthly rate of \$61,800.00.

Charges for this power will be at VELCO's costs. Therefore, there will be no change in the overall rate of return of VELCO.

Copies of the filing were served upon the Vermont Public Service Department.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection. All petitions or protests should be filed on or before April 22, 1981.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11025 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER 81-388-000]

Virginia Electric and Power Co.; Filing

April 7, 1981.

The filing Company submits the following:

Take notice that Virginia Electric and Power Company (Veeco) on March 31, 1981 tendered for filing proposed changes in its electric resale rate schedules presently on file with the Commission which are applicable to Rural Electric Cooperatives and Wholesale Municipalities. Based on the test period 12 months ending December 31, 1981 conditions, Veeco estimates that the proposed changes in resale base rates will increase annual revenues from Cooperative Customers by \$28.1 million, or 21.5 percent, and from Municipal Customers by \$13.1 million, or 17.1 percent.

Veeco states that the increase in wholesale rates is needed to compensate the Company for the increased costs of doing business and to achieve a reasonable overall rate of return of 11.01 percent.

Copies of the proposed rates were served upon all of Veeco's jurisdictional

Wholesale Customers, the Virginia State Corporation Commission and the North Carolina Utilities Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 325 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 20, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-10999 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA81-2-52-001 (PGA81-2)]

Western Gas Interstate Co.; Proposed PGA Rate Adjustment

April 7, 1981.

Take notice that on March 31, 1981, Western Gas Interstate Company ("Western") filed herein Seventeenth Revised Sheet No. 3A and Second Revised Sheet No. 3B to its FERC Gas Tariff, Original Volume No. 1. Said tariff sheets are proposed to become effective on May 1, 1981.

Western states the proposed increase in rates reflected on Seventeenth Revised Sheet No. 3A is being filed in accordance with its Tariff's PGA clause which permits the recovery of increases in the cost of gas and of unrecovered purchased gas cost. Western further states the proposed Purchase Gas Cost Adjustment for the Northern Division is <6.63> cents per Mcf; for the Western Division it is 96.22 cents per Mcf; and for the Southern Division it is 26.76 cents per Mcf. The proposed surcharge adjustment is 9.66 cents per Mcf for the Northern Division; 37.94 cents per Mcf for the Western Division and 0.03 cents per Mcf for the Southern Division. The surcharge adjustments will only be effective over the six-month period May 1, 1981 through October 31, 1981.

Western also states that Second Revised Sheet No. 3B reflects the Projected Incremental Pricing Surcharge Adjustment for the period May 1, 1981

through October, 1981 as required by § 282.602(a)(ii) of the CFR.

Western states that copies of this filing were served upon Western's transmission system customers and the interested state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C., 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11026 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4179-000]

Appomattox River Water Authority; Application for Preliminary Permit

April 8, 1981.

Take notice that Appomattox River Water Authority 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. 4179 to be known as Brasfield Dam located on Appomattox River in Chesterfield County, Virginia. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Richard D. Hartman, General Manager, Appomattox River Water Authority, 21300 Chesden Road, Petersburg, Va. 23803. 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 dam having a height of 55 feet and a length of 1,250 feet; (2) an existing 3,060-acre reservoir with a storage capacity of approximately 12 billion gallons; (3) a proposed powerhouse with an estimated

installed generating capacity of 6,000 kW; (4) proposed transmission lines, and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 21,000,000 kWh.

Purpose of Project—Energy produced at the proposed project would be used by the Appomattox River Water Authority and/or Virginia Electric and Power Company for the Petersburg and lower Chesterfield County service area.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested 36 months to conduct a study to determine the feasibility of modifying the existing dam for hydroelectric power generation, study the structural stability of the dam, investigate costs and sources of funds and revenues, and assess the environmental impact of the project. The Applicant has committed approximately \$8,000 to this study.

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 Brasfield Development Ltd. Project No. 3612 filed on October 27, 1980. Anyone desiring to file a competing application must submit to the Commission, on or before April 3, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 2, 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 May 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. 4179. 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. 81-11093 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. C178-224-002, et al.]

Arco Oil and Gas Co., Division of Atlantic Richfield Co., et al.; Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates.¹

April 7, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 16, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or

to be represented at the hearing.

Kenneth F. Plumb,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price Per 1,000 ft. ³	Pressure base
C173-673-000 C, Mar. 12, 1981	ARCO Oil and Gas Company, Division of Atlantic Richfield Company, P.O. Box 2819, Dallas, Texas 75221.	El Paso Natural Gas Company, Lea County, New Mexico.	(¹)	14.65
C178-224-002 C, Mar. 27, 1981	Exxon Corporation, P.O. Box 2180, Houston, Texas 77001	Natural Gas Pipeline Company of America, West Cameron Block 630 Field, Offshore Louisiana.	(¹)	15.025

¹ Applicant is filing under Gas Purchase Contract dated December 27, 1979.

² Applicant agrees to accept a permanent Certificate of Public Convenience and Necessity covering the subject sale conditioned in accordance with the Natural Gas Policy Act of 1978 and the Commission's regulations under said Act.

Filing Code: A—Initial Service, B—Abandonment, C—Amendment to add acreage, D—Amendment to delete acreage, E—Total Succession, F—Partial Succession

[FR Doc. 81-11094 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3493]

**City of Summersville, West Virginia;
Renote of Application for Preliminary Permit**

April 8, 1981.

Take notice that the City of Summersville, West Virginia¹ (Applicant) filed on September 22, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3493 to be known as the Summersville Project located on the Gauley River in Nicholas County, West Virginia. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: James B. Price, Ph.D., President, Noah Corp., P.O. Drawer 640, Aiken, South Carolina 29801. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers Summersville Dam and would consist of: (1) penstocks which would utilize the existing outlet works in the right abutment of the dam, or a completely new intake structure; (2) a powerhouse containing generating units having a rated capacity between 125,000 kW and 165 kW, depending on studies; (3) a tailrace; (4) a new transmission line and switchyard; and (5) appurtenant facilities. Applicant estimates the annual generation would average between 285,000,000 kWh and 392,000,000 kWh.

Purpose of Project—Project energy would be utilized for municipal power

¹ Originally filed as Noah Corporation and the City of Summersville, West Virginia, and changed to single Municipal Applicant per request, on file, received December 16, 1980.

needs and would also be sold to public and private utilities.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic and recreational aspects of the project. Depending on the outcome of the studies, Applicant will prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be \$150,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for 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 January 19, 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 March 20, 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 May 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. 3493. 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, Divisions 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. 81-11095 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA81-2-21-000]

**Columbia Gas Transmission Corp.;
Proposed Changes in FERC Gas Tariff**

April 7, 1981.

Take notice that Columbia Gas Transmission Corporation (Columbia) on March 31, 1981, tendered for filing Fourth Revised Sheet No. 16B to its FERC Gas Tariff, Original Volume No. 1, with a proposed effective date of May 1, 1981.

Columbia states that the foregoing tariff sheet is being filed pursuant to Section 11 of Columbia's CSS Rate Schedule. Said Section 11 provides that Columbia shall adjust the CSS rates to dispose of or recoup the outstanding balance in Columbia's Unrecovered Cost Adjustment Account as of March 31, 1981. In this regard, Columbia will dispose of said balance through the use of a negative surcharge to the CSS rates over the period May 1, 1981 through March 31, 1982, at which time the entire balance in the Unrecovered Cost Adjustment Account shall be eliminated.

Columbia also states that the March 31, 1981 outstanding balance in its Unrecovered Cost Adjustment Account which was utilized in calculating the CSS rate adjustment is based upon estimated revenues applicable to the month of March 1981 and estimated expenses applicable to the months of February and March, 1981. Columbia states that when actual March 31, 1981 balance becomes available, the instant rate adjustment will be modified, if necessary, in a subsequent tariff revision.

Copies of the filing were served upon Columbia's jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition

to intervene or protest with the Federal Energy Regulatory Commission, 825 N. Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11096 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ES81-37-000]

Detroit Edison Co.; Application

April 8, 1981.

Take notice that on April 1, 1981, The Detroit Edison Company (Applicant), a corporation organized under the laws of the states of Michigan and New York, with principal business offices in Detroit, Michigan, filed an application, pursuant to Section 204 of the Federal Power Act, seeking authorization to incur from time to time, on or before December 31, 1982, in aggregate principal amount not to exceed \$100 million at any one time outstanding, short-term obligations of a duration not to exceed one year.

The proceeds of the obligations to be incurred will be used to temporarily finance a portion of Applicant's cost incurred, or to be incurred, directly or indirectly, in connection with Applicant's construction of its Enrico Fermi Unit No. 2 in anticipation of future permanent funding obligations of the two rural electric cooperative co-owners of such facility with respect to their respective ownership shares.

Any person desiring to be heard or to make any protest with reference to said application, should on or before May 1, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11095 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4107-000]

**Mr. Edward C. Astrachan; Application
for Preliminary Permit**

April 8, 1981.

Take notice that Mr. Edward C. Astrachan (Applicant) filed on February 3, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4107 to be known as the Wildcat Brook Water Power Project located on the Wildcat Brook in Carroll County, New Hampshire. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Edward C. Astrachan; Route 18; Intervale, New Hampshire 03845. 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 3-foot high diversion dam; (2) an existing 2-foot diameter intake structure leading to; (3) an existing 1035-foot long penstock; (4) an existing powerhouse, with a new turbine and generator, having an installed generating capacity of 400 kW; (5) an existing tailrace; (6) a new 2400 kV transmission line, 800 feet long; and (7) appurtenant works. All existing structures are located on the Wentworth Hall property. The Applicant estimates that the average annual energy output would be 500,000 kWh.

Purpose of Project—Project energy would be sold to the New Hampshire Cooperative Electric Corporation.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the technical, economic, environmental, historic, and recreational aspects of the proposed project, and would consult with Federal, State, and local agencies. Depending upon the outcome of the studies Applicant would prepare an application for FERC license. Applicant estimates the cost of the studies under the permit would be \$41,800.

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 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 August 14, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c)(1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d)(1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be filed on or before June 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 preliminary permit for Project No. 4107. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NW., Washington, D.C. 20426. An additional copy must be sent to Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208RB, 825 North Capitol Street, NE, Washington, D.C. 20326. A copy of any notice of intent, competing application, application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11097 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ES81-36-000]

El Paso Electric Co.; Application

April 8, 1981.

Take notice that on March 31, 1981, El Paso Electric Company (Applicant) filed a request with the Commission, pursuant to Section 204 of the Federal Power Act, requesting authority to negotiate for the placement of up to 200,000 shares of Preferred Stock. The Applicant is a Texas corporation, with its principal office at El Paso, Texas and is engaged in the electric utility business in Texas and New Mexico.

The net proceeds from the sale of the Preferred Stock will be used to finance Applicant's construction program and repay short-term debt.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11086 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ES81-35-000]

El Paso Electric Co.; Application

April 8, 1981.

Take notice that on March 31, 1981, El Paso Electric Company (Applicant) filed a request with the Commission, pursuant to Section 204 of the Federal Power Act, requesting authority to negotiate for the placement of up to 4,000,000 shares of Common Stock, no par value. The Applicant is a Texas corporation, with its principal office at El Paso, Texas and is engaged in the electric utility business in Texas and New Mexico.

The net proceeds from the sale of the Common Stock will be used to finance Applicant's construction program and repay short-term debt.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 1981, file with the Federal Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11087 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4278-000]

Enagenics; Application for Preliminary Permit

April 8, 1981.

Take notice that Enagenics (Applicant) filed on March 2, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4278 to be known as Kentucky River Lock and Dam No. 3 located at a U.S. Army Corps of Engineers' navigational facility of the Kentucky River in Henry County, Kentucky. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Enagenics, 1727 Q. Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that persons wishes to file.

Project Description—The proposed project would utilize a U.S. Army Corps

of Engineers' navigational facility. Project No. 4278 would consist of: (1) a proposed power house with an estimated installed capacity of 10.5 MW; (2) a proposed 1 mile transmission line to be interconnected with a 138 kV transmission line owned by Kentucky Utility Company; and (3) appurtenant facilities. The proposed project is located on Federal lands. The Applicant estimates that the average annual energy output would be 38,800,000 kWh.

Purpose of Project—The Applicant proposes to sell the generated output of energy to the Kentucky Utility Company. The Applicant also proposes to investigate other appropriate alternatives, such as the possible sale of energy to a nearby public institution or industrial users.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be \$50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and 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—This application was filed as a competing application to Dam Three Development Ltd. Project No. 3674 filed on November 5, 1980. Anyone desiring to file a

competing application must submit to the Commission, on or before May 11, 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 10, 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 May 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. 4278. 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 Dec. 81-11098 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4168-000]

Enagenics; Application for Preliminary Permit

April 8, 1981.

Take notice that Enagenics (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. 4168 to be known as Milner Gooding Canal Project located on the U.S. Water and Power Resources Service's Milner Gooding Canal in Lincoln County, Idaho. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Enagenics, 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would be located on the existing U.S. Water and Power Resources Service's Milner Gooding Canal (station 2322+08) and would consist of: (1) an intake structure; (2) a penstock; (3) a powerhouse to operate under a head of 50 feet and to contain a Kaplan-type, turbine-generating unit with a rated capacity of 3.8 MW; (4) a tailrace channel; and (5) approximately 3 miles of 220-kV transmission line to connect to an existing Idaho Power Company transmission line. The Applicant estimates that the average annual energy output would be 14.4 million kWh.

Purpose of Project—Applicant proposes to sell the project energy to the Idaho Power Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks a preliminary permit for a period of 36 months during which it would conduct environmental, engineering, and economical studies to determine the feasibility of constructing and operating the proposed project. Applicant estimates that the cost of the feasibility studies would be about \$35,000.

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 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 August 14, 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 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 preliminary permit for Project No. 4168. 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. 81-11099 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3967-000]

Enagenics; Application for Preliminary Permit

April 8, 1981.

Take notice that ENAGENICS (Applicant) filed on January 12, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3967 to be known as the Joes Valley Dam Project located on Seely Creek in Emery County, Utah. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, ENAGENICS, 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Water and Power Resources Service's Joes Valley Dam and would consist of: (1) a new powerhouse containing generating unit(s) having a total rated

capacity of 3.7 MW; and (2) appurtenant facilities. The Applicant estimates that the average annual energy output would be 5.2 GWh.

Purpose of Project—Project energy would be sold to the Utah Power and Light Company or to nearby public institutions or industrial users.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be \$35,000.

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 Continental Hydro Corporation's Project No. 3824 on December 4, 1980, under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before April 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 12, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) or (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, protests, or petition to intervene must be received on or before May 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 APPLICATIONS", "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. 3967. 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. 81-11008 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. G-10334]

J. A. Goodson, Trustee (Formerly Claude M. Langton, Trustee); Change in Name

April 8, 1981.

Take notice that on July 8, 1976, J. A. Goodson, Trustee, of 2500 First National Bank Building, Dallas, Texas 75202, filed a notice of change in name. On and after October 1, 1972, all contracts, agreements, operations, and business transactions carried on and conducted by Claude M. Langton, Trustee, are now and shall be carried on and conducted by J. A. Goodson, Trustee. J. A. Goodson, Trustee, seeks to amend certain certificates and rate schedule currently held by Claude M. Langton, Trustee.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should before April 17, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice, that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity.

Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11008 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ES80-80-001]

Kansas City Power & Light Co.; Supplemental Application

April 8, 1981.

Take notice that on March 26, 1981, Kansas City Power & Light Company (Applicant) filed an amendment to its application seeking supplemental authority, pursuant to Section 204 of the Federal Power Act, to increase the amount of authorized short-term notes from \$150,000,000 to \$200,000,000 with no change in the issuance or maturity dates.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 27, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11009 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-559]

Kansas Power & Light Co.; Order Granting Motion To Collect Proposed Interim Settlement Rates

Issued: April 8, 1981.

On March 23, 1981, Kansas Power and Light Company (KPL) filed a motion requesting interim authorization to collect proposed settlement rates in lieu of its originally filed rates.¹ KPL requests that it be allowed to collect the settlement rates from February 27, 1981, when the filed rates became effective, until the Commission takes final action on the proposed settlement.

On July 29, 1980, KPL submitted proposed rates for seventeen wholesale cooperative customers and forty-one wholesale municipal customers. By order issued September 25, 1980, the Commission accepted the proposed rates for filing and suspended the rates

¹ See Attachment A for rate schedule designations.

for five months to become effective, subject to refund, on February 27, 1981, except as to the Cities of Seneca and Waterville.² Subsequent to the issuance of the Commission's order, KPL and its municipal customers negotiated a settlement which led to the filing of KPL's present motion.

Discussion

The settlement rates agreed upon by KPL and its municipal customers are lower than the filed rates, and according to KPL, the settlement rates will reduce the amount of the increase in rates to the municipal customers to \$817,422. KPL states that it desires to collect the settlement rates on an interim basis in order to give its customers the benefit of the lower rates immediately, while reducing its potential refund liability. Further, KPL acknowledges that if the Commission should ultimately reject the settlement, KPL will be permitted to collect the higher filed rates prospectively only.

Upon review, the Commission finds that good cause exists to grant KPL's motion to collect the proposed settlement rates in lieu of its filed rates. Accordingly, the Commission will permit KPL to collect the settlement rates from its municipal customers, subject to refund, from February 27, 1981, until the Commission takes final action on the proposed settlement. However, this order shall not prejudice the Commission's subsequent determination on the merits of the proposed settlement. If the Commission should disapprove the proposed settlement KPL may collect its originally filed rates prospectively only, and subject to refund, from the date of the final Commission order making that disposition.

The Commission Orders:

(A) Pursuant to § 35.1(e) of the Commission's regulations, KPL may collect the proposed settlement rates from its municipal customers, subject to refund, in lieu of the rates originally filed in this proceeding, from February 27, 1981, until the Commission takes final action on the settlement.

(B) If the Commission disapproves the proposed settlement agreement, KPL may collect the filed rates prospectively only, and subject to refund, from the date of a final Commission order rejecting the settlement until the determination of just and reasonable rates in this proceeding.

²With regard to the Cities of Seneca and Waterville, the Commission ordered that the proposed rates would become effective, if at all, only prospectively upon final approval of the rates in this proceeding, or upon termination of their presently effective contracts.

(C) The Secretary shall promptly publish this order in the **Federal Register**.

By the Commission.

Keneth F. Plumb,
Secretary.

Attachment A—Kansas Power and Light Company

Docket No. ER80-559

Rate Schedule Designations, Interim Settlement Rates

Filed: 3-23-81

Effective: 2-27-81, subject to refund

Designation, Other Party and Description

1. Supplement No. 7 to R.S. FERC No. 129 (Supersedes Supp. No. 6), City of Scranton; WSM-81 Revised
2. Supplement No. 8 to R.S. FERC No. 147 (Supersedes Supp. No. 7), City of Wathena; WSM-81 Revised
3. Supplement No. 8 to R.S. FERC No. 165 (Supersedes Supp. No. 7), City of Goff; WSM-81 Revised
4. Supplement No. 8 to R.S. FERC No. 166 (Supersedes Supp. No. 7), City of Netawaka; WSM-81 Revised
5. Supplement No. 8 to R.S. FERC No. 167 (Supersedes Supp. No. 7), City of Muscotah; WSM-81 Revised
6. Supplement No. 8 to R.S. FERC No. 171 (Supersedes Supp. No. 7), City of Severance; WSM-81 Revised
7. Supplement No. 8 to R.S. FERC No. 172 (Supersedes Supp. No. 7), City of Altamont; WSM-81 Revised
8. Supplement No. 8 to R.S. FERC No. 173 (Supersedes Supp. No. 7), City of Marion; WSM-81 Revised
9. Supplement No. 8 to R.S. FERC No. 174 (Supersedes Supp. No. 7), City of Oswego; WSM-81 Revised
10. Supplement No. 7 to R.S. FERC No. 175 (Supersedes Supp. No. 6), City of Enterprise; WSM-81 Revised
11. Supplement No. 7 to R.S. FERC No. 176 (Supersedes Supp. No. 6), City of Chapman; WSM-81 Revised
12. Supplement No. 6 to R.S. FERC No. 177 (Supersedes Supp. No. 5), City of Herington; WSM-81 Revised
13. Supplement No. 8 to R.S. FERC No. 178 (Supersedes Supp. No. 7), City of Eudora; WSM-81 Revised
14. Supplement No. 7 to R.S. FERC No. 179 (Supersedes Supp. No. 6), City of DeSoto; WSM-81 Revised
15. Supplement No. 7 to R.S. FERC No. 180 (Supersedes Supp. No. 6), City of Axtell; WSM-81 Revised
16. Supplement No. 7 to R.S. FERC No. 181 (Supersedes Supp. No. 6), City of Robinson; WSM-81 Revised
17. Supplement No. 8 to R.S. FERC No. 182 (Supersedes Supp. No. 7), City of Horton; WTU-81 Revised
18. Supplement No. 8 to R.S. FERC No. 183 (Supersedes Supp. No. 7), City of Clay Center; WTU-81 Revised
19. Supplement No. 9 to R.S. FERC No. 184 (Supersedes Supp. No. 8), City of Wamego; WTU-81 Revised

20. Supplement No. 9 to R.S. FERC No. 185 (Supersedes Supp. No. 8), City of Sabetha; WTU-81 Revised
21. Supplement No. 9 to R.S. FERC No. 186 (Supersedes Supp. No. 8), City of Minneapolis; WTU-81 Revised
22. Supplement No. 8 to R.S. FERC No. 187 (Supersedes Supp. No. 7), City of Sterling; WTU-81 Revised
23. Supplement No. 7 to R.S. FERC No. 188 (Supersedes Supp. No. 6), City of Hillsboro; WSM-81 Revised
24. Supplement No. 9 to R.S. FERC No. 189 (Supersedes Supp. No. 8), City of Holton; WTU-81 Revised
25. Supplement No. 6 to R.S. FERC No. 190 (Supersedes Supp. No. 5), City of Reserve; WSM-81 Revised
26. Supplement No. 8 to R.S. FERC No. 191 (Supersedes Supp. No. 7), City of Larned; WTU-81 Revised
27. Supplement No. 8 to R.S. FERC No. 192 (Supersedes Supp. No. 7), City of Ellenwood; WTU-81 Revised
28. Supplement No. 8 to R.S. FERC No. 193 (Supersedes Supp. No. 7), City of Stafford; WTU-81 Revised
29. Supplement No. 8 to R.S. FERC No. 194 (Supersedes Supp. No. 7), City of Osage City; WTU-81 Revised
30. Supplement No. 7 to R.S. FERC No. 195 (Supersedes Supp. No. 6), City of St. Marys; WSM-81 Revised
31. Supplement No. 6 to R.S. FERC No. 196 (Supersedes Supp. No. 5), City of Vermillion; WSM-81 Revised
32. Supplement No. 6 to R.S. FERC No. 197 (Supersedes Supp. No. 5), City of Alma; WSM-81 Revised
33. Supplement No. 6 to R.S. FERC No. 198 (Supersedes Supp. No. 5), City of Centralia; WSM-81 Revised
34. Supplement No. 7 to R.S. FERC No. 199 (Supersedes Supp. No. 6), City of Lindsborg; WTU-81 Revised
35. Supplement No. 6 to R.S. FERC No. 200 (Supersedes Supp. No. 5), City of Elwood; WSM-81 Revised
36. Supplement No. 6 to R.S. FERC No. 201 (Supersedes Supp. No. 6), City of Troy; WSM-81 Revised
37. Supplement No. 7 to R.S. FERC No. 202 (Supersedes Supp. No. 6), City of St. Johns; WTU-81 Revised
38. Supplement No. 3 to R.S. FERC No. 203 (Supersedes Supp. No. 2), City of Toronto; WSM-81 Revised
39. Supplement No. 3 to R.S. FERC No. 204 (Supersedes Supp. No. 2), City of Morrill; WSM-81 Revised

[FR Doc. 81-11101 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. TA81-2-46-000 & RP80-7]

Kentucky West Virginia Gas Co.; Proposed Change in Rates

April 7, 1981.

Take notice that Kentucky West Virginia Gas Company (Kentucky West) on March 31, 1981, tendered for filing with the Commission its Twenty-Second Revised Sheet No. 27 and Third Revised

Sheet No. 27A to its FERC Gas Tariff, First Revised Volume No. 1, to become effective May 1, 1981.

Kentucky West states that the change in rates results from the application of the Purchase Gas Cost Adjustment provision in Section 18, General Terms and Conditions of FERC Gas Tariff, First Revised Volume No. 1, approved by the Commission in Docket No. RP76-93 and is in accordance with its Stipulation and Agreement in settlement of all issues in the rate proceeding in Docket No. RP80-7.

Kentucky West state that a copy of its filing has been served upon its purchasers and interested state commissions and upon each party on the service list of Docket No. RP80-7.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11102 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RP81-48-000]

Mississippi River Transmission Corp.; Proposed Changes in Rates and Charges

April 7, 1981.

Take notice that on March 31, 1981 Mississippi River Transmission Corporation ("Mississippi") tendered for filing proposed changes in its FERC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2, to become effective May 1, 1981 as follows:

First Revised Volume No. 1

Seventy-eighth Revised Sheet No. 3A
Fifteenth Revised Sheet No. 5
Seventh Revised Sheet No. 27B
Sixth Revised Sheet No. 27J

Original Volume No. 2

Second Revised Sheet No. 86
First Revised Sheet No. 145
First Revised Sheet No. 178

The proposed changes are based on cost of service for twelve-month period ending December 31, 1980, as adjusted for known and measurable changes to September 30, 1981, and would increase annual jurisdictional sales and transportation revenues by \$25.9 million.

Mississippi states that the cost of service reflects increases in all levels of cost, except gas costs which are reflected in the cost of service on the basis of Mississippi's purchased gas cost contained in its PGA filing effective March 1, 1981.

Copies of the filing have been served upon Mississippi's jurisdictional customers, and the State Commissions of Arkansas, Illinois and Missouri.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11103 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-141-000]

Potomac Edison Co.; Order Accepting for Filing and Suspending Revised Rates, Denying Waiver of Notice, Granting Intervention, Granting Summary Disposition in Part, and Establishing Procedures

Issued: April 8, 1981.

On February 11, 1981,¹ Potomac Edison Company completed its filing of a proposed increase in rates for firm power service to six nonaffiliated² and two affiliated³ wholesale customers.⁴

¹ Potomac Edison originally tendered the proposed rate increase on November 24, 1980, but the filing was declared deficient by letter dated January 14, 1981.

² Town of Front Royal, Virginia, Cities of Hagerstown, Thurmont and Williamsport, Maryland, BARC Electric Cooperative, and Shenandoah Valley Electric Cooperative.

³ Monongahela Power Company and West Penn Power Company.

⁴ See Attachment A for rate schedule designations.

increased revenues of approximately \$5,471,060 (37.7%) for the twelve month test period ending December 31, 1981. Potomac Edison has requested an effective date of February 1, 1981, for the revised rates.

Notice of the filing was issued on December 3, 1980, with responses due on or before December 22, 1980. On December 22, 1980, the West Virginia Public Service Commission filed a notice of intervention which did not raise any substantive issues with respect to Potomac Edison's submittal.

On December 22, 1980, the Town of Front Royal, Virginia, and Old Dominion Electric Cooperative (Virginia Customers) filed a protest, petition to intervene, and motion to reject. The Virginia Customers request that the Commission reject Potomac Edison's filing, asserting that the company failed to comply with the Commission's filing requirements (18 CFR 35.13, as amended by Order No. 91, issued June 27, 1980). In the alternative, the Virginia Customers request summary disposition of certain issues⁵ and a five month suspension of the revised rates.⁶ Additionally, the Virginia Customers allege that the rate increase would result in a price squeeze.

Also on December 22, 1980, the Cities of Hagerstown, Thurmont and Williamsport, Maryland (Maryland Customers) filed a petition to intervene, protest, motion to reject, and alternative request for a five-month suspension. In support of their motion to reject the filing or to suspend for the maximum period, the Maryland Customers contend that certain cost of service items are unsupported and excessive⁷ and that the company failed to comply with the Commission's filing requirements.⁸ In addition, the Maryland Customers allege that the revised rates

⁵ The Virginia Customers challenge Potomac Edison's use of certain revenue "adjustment factors" and its failure to synchronize Period II interest deductions with its projected capital structure.

⁶ The Virginia Customers allege the following improper cost of service procedures and allocations: (1) overstated load growth for wholesale customers during Period II; (2) use of excessive loss factors associated with power deliveries to wholesale customers; (3) use of a 45-day cash working capital allowance; (4) separation of transmission and subtransmission functions rather than treating them on a consolidated basis for cost allocation purposes; (5) failure to amortize excess deferred tax accruals on an accelerated basis; and (6) improper allocation of deferred federal income taxes.

⁷ These objections are based on the company's use of a 45-day cash working capital allowance and its estimated cost of capital, particularly, the inclusion in capital structure of its investment in a subsidiary company.

⁸ The Maryland Customers allege that Potomac Edison failed to sufficiently explain the depreciation estimation techniques employed or to substantiate the depreciation rates derived therefrom.

would result in a substantial price squeeze.

On January 19, 1981, Potomac Edison filed a response in opposition to the Virginia Customers' motion to reject the filing.

Discussion

The Commission finds that participation in this proceeding by each of the petitioners is in the public interest. Accordingly, we shall grant the petitions to intervene. The timely notice of intervention filed by the West Virginia Commission is sufficient to initiate its participation as an intervenor.

Potomac Edison's Statement BI relating to fuel cost adjustment factors indicates that the costs of limestone and calcilox⁹ are included in the fuel adjustment computations. The inclusion of limestone and calcilox expenses in the fuel adjustment computations is in violation of § 35.14 of the Commission's regulations and recovery of these costs through the fuel clause represents an unauthorized and improper application of the fuel adjustment formula. Therefore, consistent with recent Commission orders in *Electric Cooperatives of Kansas*, Docket No. EL81-2-000, issued February 26, 1981, and *Central Telephone & Utilities Corporation*, Docket No. ER81-199-000, issued February 27, 1981, Potomac Edison will be ordered to exclude these costs from all future fuel adjustment calculations and to refund all revenues collected as a result of the inclusion of limestone and calcilox expenses in wholesale fuel adjustment charges.

The "adjustment factor" of approximately 4% challenged by the intervenors represents an unsupported manipulation of Potomac Edison's Period II cost of service by which unit charges are designed with reference to a differential between budgeted and computed revenues that would be collected during the test period under the present rates. Whatever the rationale may be for the company's unorthodox development of unit charges bases on an analysis of present rates, the result is that the "adjustment factor" produces rates and associated revenues some 640,000 higher than could be justified by Potomac Edison's own cost of service analysis.¹⁰ Even assuming the

service for purposes of analysis, the proposed rates are unsupportable. Therefore, the use of the "adjustment factor" will be summarily rejected and Potomac Edison will be required to file revised rates reflecting its claimed cost of service of \$19,332,547.

As completed on February 11, 1981, and as modified by summary disposition, Edison's submittal is in substantial compliance with the Commission's filing requirements. Therefore, the motions to reject will be denied.¹¹ The remaining issues raised by the intervenors may be addressed at the evidentiary hearing ordered below.

Our analysis indicates that the proposed rates have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, we shall accept the rates for filing and suspend them as directed below.

In a number of suspension orders,¹² we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results. Such circumstances have not been presented here. Moreover, we find that good cause does not exist to waive the notice requirements. We shall therefore accept Potomac Edison's rates for filing, as modified by this order, and suspend them for five months from 60 days after filing, to become effective thereafter on September 13, 1981, subject to refund.

In accordance with the Commission's policy established in *Arkansas Power and Light Company*, Docket No. ER79-339, order issued August 6, 1979, we shall phase the price squeeze issue raised by the intervenors. As we have noted in previous orders, this procedure will allow a decision first to be reached on the cost of service, capitalization,

and rate of return issues. If, in the view of the intervenors or staff, a price squeeze persists, a second phase of the proceeding may follow.

The Commission orders: (A) The motions to reject are hereby denied, and the Virginia Customers' motions for summary disposition are denied except as noted below.

(B) Waiver of the notice requirements is hereby denied and Potomac Edison's revised rates are hereby accepted for filing, as modified by this order, and suspended for five months, to become effective September 13, 1981, subject to refund.

(C) Potomac Edison's inclusion of limestone and calcilox expenses in the computation of fuel adjustment charges is summarily rejected. Potomac Edison is directed to exclude limestone and calcilox expenses from its fuel adjustment clause computations and is ordered to refund within thirty (30) days of the issuance of this order all revenue which has been collected as a result of including such expenses in wholesale fuel adjustment charges.

(D) Potomac Edison's "adjustment factor" is summarily rejected and Potomac Edison is hereby directed to file within thirty (30) days of the date of the order revised rates reflecting its claimed wholesale revenue requirement of \$19,332,547.

(E) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act [18 CFR, Chapter I (1980)], a public hearing shall be held concerning the justness and reasonableness of the rates filed by Potomac Edison in this docket.

(F) The Virginia Customers and the Maryland Customers are hereby permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission; *Provided, however*, that participation by such intervenors shall be limited to the matters set forth in their petitions to intervene; and *Provided, further*, that the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders of the Commission entered in this proceeding.

(G) The Commission staff shall serve top sheets in this proceeding on or before April 13, 1981.

(H) A presiding administrative law judge, to be designated by the Chief

⁹ Calcilox, like limestone, is a chemical used in the anti-pollution (scrubbing) process associated with coal-fired generating units.

¹⁰ The company's cost of service (Statement BK) states a wholesale revenue requirement of \$19,332,547. However, application of the proposed demand and energy rates to the test period billing determinants would yield total revenues of \$19,972,514.

¹¹ See *Municipal Light Boards of Reading and Wakefield, Massachusetts v. FPC*, 450 F.2d 1341 (D.C. Cir. 1971).

¹² E.g., *Boston Edison Company*, Docket No. ER80-508 (August 29, 1980) (five month suspension); *Alabama Power Company*, Docket Nos. ER80-506, et al. (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Company*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days of the service of top sheets in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The designated law judge is authorized to establish procedural dates and to rule on all motions (except motions to consolidate or sever and motions to dismiss), as provided for in the Commission's Rules of Practice and Procedure.

(I) The Commission hereby orders initiation of price squeeze procedures and further orders that this proceeding be phased so that the price squeeze procedures begin after issuance of a Commission opinion establishing the rate which, but for consideration of price squeeze, would be just and reasonable. The price squeeze portion of this case shall be governed by the procedures set forth in § 2.17 of the Commission's regulations as they may be modified prior to the initiation of the price squeeze phase of this proceeding.

(J) The Secretary shall promptly publish this order in the **Federal Register**.

By the Commission.

Kenneth F. Plumb,
Secretary.

Attachment A—The Potomac Edison Company

Docket No. ER81-141-000, Rate Schedule Designations

Designation and Description

- (1) Second Revised Sheet No. 9 under FERC Electric Tariff Second Revised Volume No. II (Supersedes First Revised Sheet No. 9), Schedule WS-DV
- (2) Second Revised Sheet No. 12 under FERC Electric Tariff Second Revised Volume No. II (Supersedes First Revised Sheet No. 12), Schedule WS-LV
- (3) Second Revised Volume No. II under FERC Electric Tariff Second Revised Volume No. II (Supersedes First Revised Sheet No. 15), Schedule WS-HV

[FR Doc. 81-11104 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4059-000]

**South Fork Irrigation District;
Application for Preliminary Permit**

April 8, 1981.

Take notice that South Fork Irrigation District (Applicant) filed on January 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. 4059 to be known as West Valley Project located on West Valley Creek and South Fork of the Pit

River in Modoc County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Ken McGarva, President, South Fork Irrigation District, P.O. Box 93, Likely, California 96116; and Frank R. Pulice, Vice President, Murphy, Pulice, Associates, Inc., 710 B Sansome Street, San Francisco, California 94111. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing 65-foot high earthfilled West Valley Dam, impounding a 1,100-acre reservoir with a storage capacity of 22,000 acre-feet; (2) a 3,400-foot long penstock; and (3) a powerhouse containing one generating unit rated at 1,400 kW. An alternative location for the proposed powerhouse would require an 8,000-foot long penstock and would contain a generating unit rated at 1,800 kW.

The Applicant also proposes another facility to be located at the terminus of the canal feeding the West Valley Reservoir, and would consist of: (1) a 2,500-foot long penstock; and (2) a powerhouse containing one generating unit rated at 600 kW. The Applicant estimates that the average annual energy output would be 8.8 million kWh.

Purpose of Project—The energy generated by the project would be sold to either the Surprise Valley Electrification Corporation or the Pacific Power and Light Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, economic, and feasibility studies, and prepare an FERC license application. The cost of the work to be performed under the preliminary permit is estimated to be \$26,000.

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 26, 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 27, 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 May 26, 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. 4059. 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. 81-11106 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-177-000]

Southern California Edison Co.; Order Denying Rehearing

Issued: April 8, 1981.

On March 13, 1981, Southern California Edison Company (Edison) filed a petition for rehearing of the Commission's February 13, 1981, order accepting and suspending a two-step rate increase.

First, Edison challenges the Commission's five-month suspension of its filed rates on the basis, *inter alia*, of the financial health of the electric utility industry. As we have stated in the past, we have already taken financial indicators into account in preliminarily determining whether the filed rates appear to be unjust and unreasonable. The Commission has determined that, in the absence of a clear emergency, it will not further amend the suspension period on this ground.¹ Edison has made no showing of a clear financial emergency.

Likewise, although the Commission commends Edison's reported efforts to avoid a price squeeze by the timing of its filing, we do not believe that is a ground for altering a suspension period based on a preliminary determination that the increased rates may be unjust

and unreasonable.²

Upon consideration of the arguments raised by Edison in its petition for rehearing, we find none warrant change of our prior determination regarding the length of the suspension period.

Edison also seeks rehearing of our summary rejection of its attrition allowance on the basis that such an allowance escalates 1981 test year costs to purported 1982 levels without a timely filing of cost support as required by 35.13 of the Commission's regulations. Edison contends that it has been denied due process by our failure to set this question for hearing.

We disagree. It is clear that where the Commission has established statutory standards through the rulemaking process, as in the case of filing requirements, it may bar at the outset those applications which do not meet its standards or provide reasons why in the public interest the rule should be waived. *Federal Power Commission v. Texaco*, 377 U.S. 33 at 39, (1964). To the degree that Edison's rehearing petition could be construed as a request for a waiver, we do not believe that Edison's reliance on the fact that the California Commission will not permit annual filings is a valid reason for waiving this Commission's regulations requiring timely cost support for increased rates.

The Commission Orders:

(A) Edison's petition for rehearing is hereby denied.

(B) The Secretary shall promptly publish this order in the *Federal Register*.

By the Commission.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11106 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ST81-201-000]

Transok Pipe Line Co.; Application for Approval of Rates

April 8, 1981.

Take notice that on March 20, 1981,

¹Edison appears to argue that the Commission must show that its filed rate increase is unjust and unreasonable prior to suspending it. Clearly, such a final determination would be premature at this preliminary stage of the proceeding.

Transok Pipe Line Company (Applicant), P.O. Box 3008, Tulsa, Oklahoma 74101, filed in Docket No. ST81-201-000 an application pursuant to Section 311(a) of the Natural Gas Policy Act of 1978 and § 284.123(b) of the Regulations thereunder for approval of rates for the transportation of natural gas for Southern Natural Gas Company (Southern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a contract dated March 9, 1981, Applicant proposes to transport up to 8 billion Btu equivalent of natural gas per day on behalf of Southern for a period of two years from the date of initial deliveries. Applicant states it would take delivery of the gas near the wellhead and would redeliver such gas at a mutually agreeable point on Applicant's system in Grady County, Oklahoma, at or near the outlet of the Mobil Oil Corporation Chitwood Plant. It is explained that the redelivery volume would be reduced by 2.0 percent for company use and fuel.

Applicant would charge Southern a transportation rate of 23.2 cents per million Btu.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11091 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Volume 399]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

April 8, 1981.

GC NO	OFF	AT	SEC	WELL NAME	FIELD NAME	PRCU	PURCHASER
NORTH DAKOTA GEOLOGICAL SURVEY							
-AMOCO PRODUCTION CO							
8121975	335			RECEIVED: 03/18/81 JA: MD			
8121986	335			STEVENS FEDERAL A NO 1-17	SIG STICK		233.0 WESTERN GAS PROCCSSO
8121981	337			THOMPSON UNIT A NO 1	WHITE TAIL CREEK		0.0 MONTANA-DAKOTA UTILI
-BELCO PETROLEUM CORPORATION							
8121977	323			RECEIVED: 03/18/81 JA: MD	CHERRY CREEK		249.0 MONTANA-DAKOTA UTILI
-MONTANA-DAKOTA UTILITIES CO							
8121978	334			SHEEP CREEK BN 8-23	FLAT TOP BUTTE		0.0 KOCH OIL CO
				RECEIVED: 03/18/81 JA: MD	CEDAR CREEK - EAGLE		14.0 MONTANA-DAKOTA UTILI
				MDU 469 STATE			
OKLAHOMA CORPORATION COMMISSION							
-MAX PETROLEUM CORPORATION							
8122026	07817			RECEIVED: 03/18/81 JA: OK	WEBS-PUTNAM		548.0 MICHIGAN-WISCONSIN
-AN-SON CORPORATION							
8122019	07889			HICKMAN 2-24	LAVERNE		1.0 NORTHERN NATURAL GAS
8122020	07877			RECEIVED: 03/18/81 JA: OK	WATONGA		1.1 MUSTANG FUEL CORP
8122021	07876			BENJAMIN MINE #1	SCONER TREND		1.2 TRANSOK PIPE LINE CO
8122018	07881			INGRAM #1	DRUMMOND		1.2 UNION TEXAS PETROLEU
-ANDOVER OIL COMPANY							
8122014	07866			RECEIVED: 03/18/81 JA: OK			185.0 DELHI GAS PIPELINE C
8122035	07885			ATKINSON #11-3			185.0 DELHI GAS PIPELINE C
8122038	07168			ATKINSON #11-3			185.0 DELHI GAS PIPELINE C
8122038	07168			LOTTIE JONES #33-4			185.0 DELHI GAS PIPELINE C
8121983	07875			LOTTIE JONES #33-4			185.0 DELHI GAS PIPELINE C
8121983	07875			MILLER #30-2			185.0 DELHI GAS PIPELINE C
-APACHE CORPORATION							
8121982	10631			RECEIVED: 03/16/81 JA: OK			547.5 MICHIGAN WISCONSIN P
-APOLLO PRODUCTION LTD							
8121988	07815			REA #1-15	NE OKARCHE		43.2 PHILLIPS PETROLEUM C
-ARCO OIL AND GAS COMPANY							
8121959	06728			RECEIVED: 03/18/81 JA: OK	SOONER TREND		110.0 PANHANDLE EASTERN PI
-ASTRO ENERGY CORP							
8121953	07816			SCHRODER NO 19-14			23.4 EASON OIL
-B R POLK INC							
8121955	07783			DICK TOEGTMAN #4			12.0 EASON OIL CO
8121957	07776			RECEIVED: 03/16/81 JA: OK			12.0 EASON OIL CO
-BENTLEY & LAING							
8121921	07705			RECEIVED: 03/16/81 JA: OK			182.5 ARKANSAS-LOUISIANA G
-BERRY OPERATING CO							
8121926	07347			ROY NO 1	S MARSHALL		18.0 COLORADO GAS COMPRES
8121926	07347			RECEIVED: 03/16/81 JA: OK	S MARSHALL		18.0 COLORADO GAS COMPRES
8121926	07347			SCHIEFELBUSCH #3			
8121926	07347			SCHIEFELBUSCH #3			
8121926	07347			RECEIVED: 03/16/81 JA: OK	MISNER-HUMTON		
8121926	07347			SCHIEFELBUSCH #3	INGALLS		
8121926	07347			SCHIEFELBUSCH #3	INGALLS		

COMPANY	ADDRESS	PHONE	DATE	STATUS	REMARKS
-SERR PETROLEUM CORP	3704722165 103	3704722165 103	03/16/81	JA: OK	SCOMER TREND
8121927 07752	STATE #15-2A	150.0 GRACE PETROLEUM CORP			
8121925 07422	RECEIVED: 03/18/81	150.0 EXXON COMPANY USA			
-BOBERT OIL CO	5708321786 103	5708321786 103	03/18/81	JA: OK	SCOMER TREND
-CANADIAN EXPLORATION CORP	2201721554 103	2201721554 103	03/18/81	JA: OK	SCOMER TREND
8122000 07633	RECEIVED: 03/16/81	40.0 EASON OIL CO			
-CHAMPLIN PETROLEUM COMPANY	2400231765 103	2400231765 103	03/18/81	JA: OK	240.0 MOBIL OIL CORP
8121938 07811	RECEIVED: 03/16/81	71.0 CHAMPLIN PETROLEUM C			
-CHASE EXPLORATION CORP	7206021974 103	7206021974 103	03/18/81	JA: OK	72.6 ARKANSAS-LOUISIANA G
8122012 07567	RECEIVED: 03/18/81	2.5 CITIES SERVICE GAS C			
-CITIES SERVICE COMPANY	5380020369 103	5380020369 103	03/18/81	JA: OK	538.0 COLORADO INTERSTATE
8121995 07820	RECEIVED: 03/16/81	91.0 NORTHERN NATURAL GAS			
8121997 07828	SHOENER TREND	60.0 CITIES SERVICE GAS C			
8121998 07820	SOONER TREND	83.6 PANHANDLE EASTERN PI			
-CLARK RESOURCES INC	1090020000 103	1090020000 103	03/18/81	JA: OK	109.0 PHILLIPS PETROLEUM C
8121975 07851	RECEIVED: 03/16/81	0.0 NORTHERN NATURAL GAS			
8121963 07612	RECEIVED: 03/18/81	0.0 NORTHERN NATURAL GAS			
-CLARK RESOURCES INC	1200020000 103	1200020000 103	03/18/81	JA: OK	12.0 EXXON OIL CO
8121962 07612	RECEIVED: 03/18/81	500.0 WESTERN FARMERS ELEC			
-CORSA OIL AND GAS CORPORATION	1830020000 103	1830020000 103	03/16/81	JA: OK	183.0 WARREN PETROLEUM CO
8122023 07862	RECEIVED: 03/16/81	129.0 PANHANDLE EASTERN PI			
8121934 05714	RECEIVED: 03/16/81	202.0			
8121936 06732	RECEIVED: 03/18/81	109.5 EASON OIL CO			
-CRAWLEY PETROLEUM CORPORATION	3509321825 103	3509321825 103	03/18/81	JA: OK	36.5 PIONEER GAS PRODUCTS
8122027 07210	RECEIVED: 03/16/81	11.0 PHILLIPS PETROLEUM			
-DAVIS OIL COMPANY	1700020000 103	1700020000 103	03/18/81	JA: OK	17.0 PANHANDLE EASTERN PI
8122315 07686	RECEIVED: 03/18/81	300.0 OKLAHOMA NATURAL GAS			
-DEMINEK US OIL CO	0002000000 103	0002000000 103	03/16/81	JA: OK	0.0 MICHIGAN WISCONSIN P
8122008 06700	RECEIVED: 03/16/81	8.9 AMINOIL USA INC			
-EXXON CORPORATION	1400020000 103	1400020000 103	03/18/81	JA: OK	14.5 AMINOIL USA INC
8121972 07465	RECEIVED: 03/16/81	12.6 AMINOIL USA INC			
-EXXON CORPORATION	7060020000 103	7060020000 103	03/18/81	JA: OK	7.6 CIMARRON TRANSMISSIO
8121984 16585	RECEIVED: 03/18/81	13.4 AMINOIL USA INC			
-F C O OIL CORP	1850020000 103	1850020000 103	03/18/81	JA: OK	185.0 PIONEER GAS PRODUCTS
6121992 07635	RECEIVED: 03/18/81				
8121996 07638	RECEIVED: 03/18/81				
8121991 07640	RECEIVED: 03/18/81				
-FALCON PETROLEUM COMPANY	3515921061 103	3515921061 103	03/16/81	JA: OK	351.5921061 103
8121960 07592	RECEIVED: 03/16/81				
-GETTY OIL COMPANY	317722225 103	317722225 103	03/16/81	JA: OK	317.72225 103
8121953 07457	RECEIVED: 03/16/81				
-HELMERICH & PAYNE INC	3514520000 103	3514520000 103	03/16/81	JA: OK	351.4520000 103
8121958 10598	RECEIVED: 03/16/81				
-HOLDEN ENERGY CORP	3511921001 103	3511921001 103	03/16/81	JA: OK	351.1921001 103
8121970 07720	RECEIVED: 03/16/81				
8121958 07723	RECEIVED: 03/16/81				
8121971 07725	RECEIVED: 03/16/81				
8121928 07727	RECEIVED: 03/16/81				
8121972 07726	RECEIVED: 03/16/81				
-J L THOMAS ENGINEERING INC	1850020000 103	1850020000 103	03/18/81	JA: OK	185.0 PIONEER GAS PRODUCTS
8122030 07775	RECEIVED: 03/18/81				

VOLUME 394 PAGE 602

OFFICE	DATE	AMOUNT	SELLER	BUYER	RECEIVED	DATE	STATUS	FIELD NAME	PRICE	PURCHASER
-JOHN C OXLEY	8121556	10431	3505120637	107	RECEIVED: 03/16/81	03/16/81	JA: OK	CHITWOOD	182.0	MOBIL OIL CORP
-JOSEPH I ONEILL JR	8121964	07795	3513900000	108	RECEIVED: 03/16/81	03/16/81	JA: OK	KEYS	10.8	PANHANDLE EASTERN PI
-KANSAS-NEDRASKA NATURAL GAS CO INC	8122037	07327	3513900000	108	RECEIVED: 03/18/81	03/18/81	JA: OK	CARRICK	19.0	
-KENNEDY & MITCHELL INC	8122013	07053	3505900000	103	RECEIVED: 03/18/81	03/18/81	JA: OK	S W BUFFALO (C SW 10-27N	275.0	NORTHERN NATURAL GAS
-KOTAL OIL PRODUCING CO	8122029	07801	3503722661	102	RECEIVED: 03/16/81	03/16/81	JA: OK	VANDERSLICE	66.0	
-KEY DRILLING CO	8121946	05397	3511121214	108	RECEIVED: 03/16/81	03/16/81	JA: OK	HECTORVILLE	21.0	PHILLIPS PETROLEUM C
-L G WILLIAMS OIL COMPANY INC	8121947	06314	3501721324	103	RECEIVED: 03/16/81	03/16/81	JA: OK	N CONCHO	0.0	PHILLIPS PETROLEUM C
	8121948	06312	3501721191	103	RECEIVED: 03/16/81	03/16/81	JA: OK	N CONCHO	0.0	PHILLIPS PETROLEUM C
	8121949	05643	3501721476	103	RECEIVED: 03/16/81	03/16/81	JA: OK	N RICHLAND	0.0	PHILLIPS PETROLEUM C
-L G WILLIAMS OIL COMPANY INC	8122002	06312	3501721426	103	RECEIVED: 03/18/81	03/18/81	JA: OK	N CONCHO	0.0	PHILLIPS PETROLEUM C
-LADD PETROLEUM CORPORATION	8122028	07807	3514771258	103	RECEIVED: 03/18/81	03/18/81	JA: OK	DEWEY EAST	219.0	CITIES SERVICE GAS C
-MARLIN OIL CORPORATION	8122010	07716	3500702172	103	RECEIVED: 03/18/81	03/18/81	JA: OK	N FOLLETT	100.0	NORTHERN NATURAL GAS
-MAY PETROLEUM INC	8121961	06967	3500721778	103	RECEIVED: 03/16/81	03/16/81	JA: OK	S W COMO	100.0	PHILLIPS PETROLEUM C
-MAY PETROLEUM INC	8121985	07800	3510721028	103	RECEIVED: 03/18/81	03/18/81	JA: OK	SOUTH PCLO	730.0	
-MESA PETROLEUM	8121929	07718	3500721717	103	RECEIVED: 03/16/81	03/16/81	JA: OK	CIMARRON BEND	275.0	COLORADO INTERSTATE
-N W GLADE	8121921	06974	3511900000	102	RECEIVED: 03/16/81	03/16/81	JA: OK	INGALLS	0.0	COLORADO GAS COMPRES
-NATURAL GAS ANADARKO INC	8121939	07796	3500721742	103	RECEIVED: 03/16/81	03/16/81	JA: OK	MOCANE LAVERNE	108.0	TRANSWESTERN PIPELIN
-NORTHWEST OIL CO	8121951	06920	3502720356	102	RECEIVED: 03/18/81	03/18/81	JA: OK	WEST NORMAN	6.5	SUN GAS CO
-NOVA ENERGY CORPORATION	8121985	07907	3507322492	103	RECEIVED: 03/18/81	03/18/81	JA: OK	N OKARCHE	0.0	DELHI GAS PIPELINE C
-O L SCOTT JR	8121940	07791	3504722219	103	RECEIVED: 03/16/81	03/16/81	JA: OK		100.0	ARCO GAS CO
-OLD BLUE OIL & GAS CO	8122011	07793	3508321203	103	RECEIVED: 03/18/81	03/18/81	JA: OK	NW AGRA	4.0	EASON OIL CO
-PARKFORD PETROLEUM INC	8121945	06421	3508100000	102	RECEIVED: 03/16/81	03/16/81	JA: OK	NW AGRA	0.0	COLORADO GAS COMPRES
-PARKFORD PETROLEUM INC	8122004	06420	3508100000	103	RECEIVED: 03/16/81	03/16/81	JA: OK	NORTH AGRA	3.0	COLORADO GAS COMPRES
	8122005	06422	3511900000	103	RECEIVED: 03/16/81	03/16/81	JA: OK	BUTCHER FIELD	8.0	COLORADO GAS COMPRES
	8122006	06423	3511900000	103	RECEIVED: 03/16/81	03/16/81	JA: OK	BUTCHER FIELD	6.0	COLORADO GAS COMPRES
-PERKINS PRODUCTION CO	8121942	07787	3504921288	103	RECEIVED: 03/16/81	03/16/81	JA: OK	WEST WHITEBEAD	25.0	WARREN PETROLEUM CO
	8121941	07786	3504921074	102	RECEIVED: 03/16/81	03/16/81	JA: OK	WEST WHITEBEAD	0.0	WARREN PETROLEUM CO
-PETROLEUM RESOURCES CO	8121943	07786	3500320652	103	RECEIVED: 03/16/81	03/16/81	JA: OK	SW CHEROKEE	12.0	AMINOIL USA INC
	8121932	07785	3500320748	103	RECEIVED: 03/16/81	03/16/81	JA: OK	SW CHEROKEE	12.0	AMINOIL USA INC

VOLUME 555 PAGE 606

812291	85984	356520747	102	HOFFMAN 42-2	90.0	
812290	85983	356520753	102	WARREN 51-12	24.0	
812240	85983	3568520757	102	WARREN 51-12	24.0	
-W B OSBORN JR (OPERATOR)						
812130	87711	3501120576	101	RECEIVED: 03/16/81	50.0	MUSTANG FUEL CORP
-WESSLEY ENERGY CORPORATION						
812286	87490	3509021337	101	RECEIVED: 03/18/81	100.0	WARREN PETROLEUM CO
-WHITMAR EXPLORATION CO						
8122031	87736	3504521356	101	RECEIVED: 03/18/81	200.0	WARREN PETROLEUM CO
-WILLIAM H DAVIS						
8121354	87732	3505300000	103	RECEIVED: 03/16/81	180.0	CITIES SERVICE GAS C
-WILLIAM M FULLER ADEMAR						
8121323	87416	3515300109	103	RECEIVED: 03/16/81	150.0	NORTHERN NATURAL GAS
-WOHLNICH OIL CO						
8122022	87855	3542221224	103	RECEIVED: 03/18/81	182.0	OKLAHOMA NATURAL GAS
** U.S. GEOLOGICAL SURVEY - CASPER, WY						
-CHAPARRAL RESOURCES INC						
8121982	8372-0	450090654E	108	RECEIVED: 12/19/80	14.0	KANSAS-NEBRASKA NAT
GOVERNMENT 19-2						

OTHER PURCHASERS

8121953 LONE STAR GAS CO
 8121999 CHASE GATHERING SYSTEMS INC
 8122026 EL PASO NATURAL GAS COMPANY

BILLING CODE 8480-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the

notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before April 28, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11107 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

[Volume 400]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

April 8, 1981.

FILE NO.	BUYER	PRICE	PURCHASER
NORTH TEXAS GEOLOGICAL SURVEY			
-AMERADA HESS CORPORATION	RECEIVED: 02/12/81 JA: AD		
812211	SMENSON P 1-34		CHARLSON
OHIO DEPARTMENT OF NATURAL RESOURCES			
-B T SIMPSON JR	RECEIVED: 03/18/81 JA: OH		BLISSFIELD
812216	EVERETT KSMFR #4	50.0	COLUMBIA GAS TRANS
-BEDDEN & BLAKE CORPORATION	RECEIVED: 03/18/81 JA: OH		
812217	H R P LEWIS #1-1027	36.5	EAST OHIO GAS CO
812218	LINERODF #3-10#2	36.5	EAST OHIO GAS CO
812219	M B C LAUGHLIN #1-1017	36.5	EAST OHIO GAS CO
-C J WARREN OIL COMPANY	RECEIVED: 03/18/81 JA: OH		
812202	DANFURY #2	20.0	UNION
-C M RIGGS INC	RECEIVED: 03/18/81 JA: OH		
812210	ARTUR CORP #1	14.5	COLUMBIA GAS TRANS
812211	PERFECT DARKHART #2	5.5	COLUMBIA GAS TRANS
812212	POPEY SCHERSOCK #1	25.0	COLUMBIA GAS TRANS
812213	POPEY SCHERSOCK #3	10.5	COLUMBIA GAS TRANS
812214	POPEY SCHERSOCK #5	14.5	COLUMBIA GAS TRANS
812215	PUCMAN - SMITH #1	14.5	COLUMBIA GAS TRANS
812216	CECIL BIEHL #3	3.5	COLUMBIA GAS TRANS
812217	CECIL BIEHL #5-A	7.0	COLUMBIA GAS TRANS
812218	CHARLES HALL #4	5.0	COLUMBIA GAS TRANS
812219	CHARLES HALL #5	7.5	COLUMBIA GAS TRANS
812220	CHARLES HALL #6	29.0	COLUMBIA GAS TRANS
812214	CLIFF-BLEAKLEY UNIT #1	11.0	COLUMBIA GAS TRANS
812215	CLYDE BOSWELL #1	5.5	COLUMBIA GAS TRANS
812216	C L BIEHL #1	3.5	COLUMBIA GAS TRANS
812217	C L BIEHL #2	3.5	COLUMBIA GAS TRANS
812218	C S J CREIGHTON #1	12.8	COLUMBIA GAS TRANS
812219	DAVID CLINE #1	11.0	COLUMBIA GAS TRANS
812214	DAVID CLINE #2	5.0	COLUMBIA GAS TRANS
812217	DAVID CLINE #3	6.0	COLUMBIA GAS TRANS
812218	DAVID PATTERSON #1	12.5	COLUMBIA GAS TRANS
812219	DOMLER UNIT #1	12.5	COLUMBIA GAS TRANS
812214	DOMLER UNIT #2	8.0	COLUMBIA GAS TRANS
812215	C PAUL CLIFSON #1	8.0	COLUMBIA GAS TRANS
812216	EDWARD H WARGO #3	12.0	COLUMBIA GAS TRANS
812217	FRANCES KALEM #4	6.0	COLUMBIA GAS TRANS
812218	FRANK S GREENWOOD #1	8.0	COLUMBIA GAS TRANS
812219	GARY COOK #1		WOODSFIELD

VOLUME 400 PAGE 102

UNIT #	UNIT NAME	PRICE	PURCHASER
8122167	GARY RUTHERFORD #1	8.0	COLUMBIA GAS TRANS C
8122168	GEORGE BROOKS #1	0.0	COLUMBIA GAS TRANS C
8122169	GEORGE BROOKS #2	5.0	COLUMBIA GAS TRANS C
8122170	GERALD KENDALL #2	7.5	COLUMBIA GAS TRANS C
8122171	GERALD KENDALL #3	8.5	COLUMBIA GAS TRANS C
8122172	HAWKINS-ROQUES #1	8.5	COLUMBIA GAS TRANS C
8122173	HAWKINS-ROQUES #2	6.0	COLUMBIA GAS TRANS C
8122174	HOWARD NOLAND #1	6.5	COLUMBIA GAS TRANS C
8122175	HOWARD WEST #3	14.5	COLUMBIA GAS TRANS C
8122176	J. E. W. POWERSOCK UNIT #1	8.0	COLUMBIA GAS TRANS C
8122177	JAMES ACCISON #1	3.5	COLUMBIA GAS TRANS C
8122178	JENNIE POWERSOCK #1	10.0	COLUMBIA GAS TRANS C
8122179	JENNIE POWERSOCK #2	14.5	COLUMBIA GAS TRANS C
8122180	JOHN ALEXANDER #1	20.0	COLUMBIA GAS TRANS C
8122181	KATIE WEST #1	15.0	COLUMBIA GAS TRANS C
8122182	KATIE WEST #2	17.0	COLUMBIA GAS TRANS C
8122183	KATIE WEST #3	10.5	COLUMBIA GAS TRANS C
8122184	KEITH DORR #1	4.0	COLUMBIA GAS TRANS C
8122185	KENNETH EDDY #1	3.0	COLUMBIA GAS TRANS C
8122186	KENNETH EDDY #2	3.5	COLUMBIA GAS TRANS C
8122187	KENNETH EDDY #3	3.5	COLUMBIA GAS TRANS C
8122188	KENNETH EDDY #4	3.5	COLUMBIA GAS TRANS C
8122189	KENNETH EDDY #5	3.5	COLUMBIA GAS TRANS C
8122190	LANCE DECKER #1	3.5	COLUMBIA GAS TRANS C
8122191	LARRY CHORPENNING #1	10.0	COLUMBIA GAS TRANS C
8122192	MIKE SAGEO #1	12.0	COLUMBIA GAS TRANS C
8122193	NELLIE HALL #1	6.0	COLUMBIA GAS TRANS C
8122194	NELLIE HALL #2	6.5	COLUMBIA GAS TRANS C
8122195	R. OSTEN HARTSHORN #1	5.5	COLUMBIA GAS TRANS C
8122196	RICHY BEGE UNIT #2	7.0	COLUMBIA GAS TRANS C
8122197	ROBERT CASTO #1	8.0	COLUMBIA GAS TRANS C
8122198	ROBERT CASTO #2	14.5	COLUMBIA GAS TRANS C
8122199	ROBERT CASTO #3	23.0	COLUMBIA GAS TRANS C
8122200	ROBERT THOMAS #2	7.3	COLUMBIA GAS TRANS C
8122201	ROBERT THOMAS #3	7.0	COLUMBIA GAS TRANS C
8122202	ROBERT THOMAS #4	6.5	COLUMBIA GAS TRANS C
8122203	SADIE BROOKS #1	9.0	COLUMBIA GAS TRANS C
8122204	THOMAS MCERMOTT #1	14.0	COLUMBIA GAS TRANS C
8122205	THURMAN CLINE #1	12.0	COLUMBIA GAS TRANS C
8122206	USA - COHEN #1	13.0	COLUMBIA GAS TRANS C
8122207	USA - FULLER #1-A	4.0	COLUMBIA GAS TRANS C
8122208	USA - FULLER #1-B	3.5	COLUMBIA GAS TRANS C
8122209	USA - NAU #1	13.0	COLUMBIA GAS TRANS C
8122210	WHEELER-DEARTH UNIT #1	7.3	COLUMBIA GAS TRANS C
8122211	WHEELER-DEARTH UNIT #2	29.0	COLUMBIA GAS TRANS C
8122212	WHEELER-DEARTH UNIT #3	31.0	COLUMBIA GAS TRANS C
8122213	WILEY WEDDLE #1	7.0	COLUMBIA GAS TRANS C
8122214	WILLIAM POWERSOCK #1	12.0	COLUMBIA GAS TRANS C
8122215	WILLIAM POWERSOCK #2	12.0	COLUMBIA GAS TRANS C
8122216	RECEIVED: 03/18/81 JA: CH		
8122217	EDGAR #1	50.0	NEWPORT
8122218	CERRER #1	50.0	NEWPORT
8122219	HARPON #1	50.0	WASHINGTON

-CARLTON OIL CORP

ENCLOSURE 400 PAGE 024

SELLER NAME PURCHASER

STREETSBORO 40.0
AURORA 18.0
POUSSON 50.0
AUPORA 50.0
STREETSBORO 35.0
STREETSBORO 35.0
LAWRENCE 70.0
GRANDVIEW 6.0
WOOSTER 20.0
WOOSTER 20.0
MILLCREEK 25.0
MECHANIC 0.0 COLUMBIA GAS TRANSMI
LICKING 4.0 BARBCORP INC
LICKING 3.0 BARBCORP INC
INDEPENDENCE 12.0 COLUMBIA GAS TRANSMI
ELK 0.0 COLUMBIA GAS TRANSMI
FARMINGTON 1.0 EAST OHIO GAS CO
ELLSWORTH 15.0 EAST OHIO GAS CO
ELLSWORTH 2.0 AMERICAN-EMERGENCY SERV
FARMINGTON 2.0 EAST OHIO GAS CO
FARMINGTON 1.0 EAST OHIO GAS CO
FARMINGTON 2.0 EAST OHIO GAS CO
FARMINGTON 0.5 EAST OHIO GAS CO
WAYNE 30.0
MONDAY CREEK 3.0 FORAKER GAS-CO INC
JACKSON 0.0
RUSHCREEK 0.0
INDEPENDENCE 10.0
DECATUR 15.0
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO
EAST CANTON 3.6 CANTON OIL & GAS CO

LOWER ET AL #1
KEESE #1
SULENITH-KILFOYLE #1
THORNTON-HORVATH #1
WILLIAMS #1
WILLIAMS #2
RECEIVED: 03/18/81 JA: CH
CHAPLIS & JENNIE POLFSOCC #4
RECEIVED: 03/16/81 JA: CH
PRZA PRYOR #1
RECEIVED: 03/18/81 JA: CH
DONALD EARNES #1
WILLOUR-EROMN UNIT #1
RECEIVED: 03/18/81 JA: CH
YODER #1
YODER #1
RECEIVED: 03/18/81 JA: CH
NO 2 SCHELL UNIT
NO 7 SCHELL UNIT
RECEIVED: 03/18/81 JA: CH
GEORGE HAYTH #1
RECEIVED: 03/18/81 JA: CH
PECKER-SCHRAMM HEIPS #2
RECEIVED: 03/18/81 JA: CH
CLEER - OSMEP #2
DMETRUK #1
GIBSON - LAUTZENHEISER #1
KRIEER #1
M & R DEWELER #1
POTTER-DEWELLER #1
SATTERLEE #1
RECEIVED: 03/18/81 JA: CH
HARRY KINNEY #1
RECEIVED: 03/18/81 JA: CH
WALTER WHITMER #4
RECEIVED: 03/18/81 JA: CH
FINCK #2
GUPP #1
RECEIVED: 03/18/81 JA: CH
EDDY HEIPS #4
RANDALL HARPER #3
RECEIVED: 03/18/81 JA: CH
C & D SICKAFOOSE #1
C & D SICKAFOOSE #2
C & D SICKAFOOSE #3
F & D SICKAFOOSE #4
C & W YOUTZ #2
C & T PARRICK #1
CURTIS CONSTRUCTION #2
DURITE CONSTRUCTION #2

812202 341322073 103
812201 341322074 103
812211 341322075 103
812200 341322076 103
812208 341322077 103
812206 341322078 103
-QUADRYANT EXPLORATION
812217 341322079 103
-SANDHILL ENERGY INC (OH)
812201 341322080 103
-SCHRIMSHER OIL & GAS EXPLORATION
812208 341322081 103
812206 341322082 103
-SAY OIL & GAS CO
812203 341322083 103
-SNY PETROLEUM CORP
812201 341322084 103
-STOCKERSITLER INC
812205 341322085 103
812204 341322086 103
-THOMAS R HALLORAN & ASSOC
812207 341322087 103
-TIGER OIL INC
812204 341322088 103
-UNITED PETROLEUM CORP
812210 341322089 103
812210 341322090 103
812207 341322091 103
812216 341322092 103
812219 341322093 103
812218 341322094 103
812217 341322095 103
-VIKING RESOURCES CORP
812202 341322096 103
-W E SHRIDER CO
812205 341322097 103
-J LYDIC INC
812208 341322098 103
812206 341322099 103
-WHITMAN OIL & GAS CORP
812219 341322100 103
812216 341322101 103
-WITCO CHEMICAL CORP
812202 341322102 103
812210 341322103 103
812210 341322104 103
812210 341322105 103
812210 341322106 103
812209 341322107 103
812207 341322108 103
812204 341322109 103
812202 341322110 103

VOLUME 400 PAGE 105

8122095	103	E A LOOPS #1	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122096	103	E LORIC #2	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122097	103	G W CARLE UNIT #2	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122098	103	H S J KINSEY #2	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122099	103	K PITTSNER #1	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122100	103	L RECHTEL #2	3.6	EAST CANTON	3.6	FOLTZ ENTERPRISES
8122101	103	L RECHTEL #2	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122102	103	V CLAPPER #2	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122103	103	W SHEARER #2	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122104	103	R E WORMY #1	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122105	103	R E SMITH #1	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO
8122106	103	R FALLOT #1	3.6	EAST CANTON	3.6	CANTON OIL & GAS CO

BILLING CODE 6450-95-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the

notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol, NE, Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before April 28, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11106 Filed 4-10-81; 8:45 am]
BILLING CODE 6450-85-M

[Volume 401]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978
 April 8, 1981.

Agency	Case No.	Received Date	Unit #	Field Name	Production	Company
TEXAS RAILROAD COMMISSION						
-ADORE OIL & GAS CORPORATION	421330000 100	03/13/81	JAN TX	MANGUM NORTH (3200)	292.0	OOESSA NATURAL CORP
-ADUIL INC	424651369 102			CRANE (3700) FIELD	91.0	TENNESSEE GAS PIPELI
	424651369 103			CRANE (3700) FIELD	91.0	TENNESSEE GAS PIPELI
	424651372 102			CRANE (3700) FIELD	91.0	TENNESSEE GAS PIPELI
	424651372 103			CRANE (3700) FIELD	91.0	TENNESSEE GAS PIPELI
-ALLIED PRODUCTION CORP	423369060 103	03/13/81	JAN TX	TOPBALL 1200 FIELD	55.0	CELOTEK CORP
-AMARILLO OIL COMPANY	421750000 108			PANHANDLE EAST	0.0	PIONEER NATURAL GAS
-AMWEX PETROLEUM CORP	420510000 102	03/13/81	JAN TX	GIDDINGS (AUSTIN CHALK)	303.0	CLAJON GAS CO
	420510000 103			GIDDINGS (AUSTIN CHALK)	187.0	CLAJON GAS CO
	420510000 104			GIDDINGS (AUSTIN CHALK)	187.0	CLAJON GAS CO
	420510000 105			GIDDINGS (AUSTIN CHALK)	153.0	CLAJON GAS CO
	420510000 106			GIDDINGS (AUSTIN CHALK)	153.0	CLAJON GAS CO
	420510000 107			GIDDINGS (AUSTIN CHALK)	277.0	CLAJON GAS CO
	420510000 108			GIDDINGS (AUSTIN CHALK)	277.0	CLAJON GAS CO
-AMOCO PRODUCTION CO	420761051 103	03/13/81	JAN TX	SLAUGHTER	2.1	AMOCO PRODUCTION CO
	420761051 104			DEAN UNIT WELL #26	4.3	AMOCO PRODUCTION CO
	420761051 105			FULLERTON SAN ANDRES	233.0	MICHIGAN WISCONSIN P
	420761051 106			G. A. MAHLER NO 3-L	9.1	PIONEER NATURAL GAS
	420761051 107			JE WITCHER #75	35.5	NORTHERN NATURALG AS
	420761051 108			OWNEY (UP CLEARFORK) #4-3	13.1	NORTHERN NATURAL GAS
	420761051 109			OWNEY (UP CLEARFORK) #7-2	8.4	NORTHERN NATURAL GAS
	420761051 110			OWNEY (UP CLEARFORK) #5-2	13.8	AMOCO PRODUCTION CO
	420761051 111			PRENTICE NORTHEAST UNIT #142	2.1	AMOCO PRODUCTION CO
	420761051 112			PRENTICE NORTHEAST UNIT #144	5.1	PHILLIPS PETROLEUM C
	420761051 113			W. F. COWDEN C R/A A 867	96.7	PHILLIPS PETROLEUM C
	420761051 114			W. T. FORD #12	82.4	PHILLIPS PETROLEUM C
	420761051 115			W. T. FORD #12	0.0	
-ARCO OIL AND GAS COMPANY	4200310651 108	03/13/81	JAN TX	SHAFTER LAKE	250.0	LONE STAR GAS CO
	4200310651 109			UNIVERSITY 169 NO 3	0.0	VALERO TRANSMISSION
-ASTRO ENERGY CORP	422951554 102	03/13/81	JAN TX	WENDY JC (FRIO)	85.0	NATURAL GAS PIPELINE
	422951554 103			WRIGHT NO 1 (90#89)		
-B. D. K. PRODUCTION CO INC	422956000 102	03/13/81	JAN TX	KEMPER EAST		
	422956000 103			KEMPER EAST		
	422956000 104			FRANK GAS UNIT NO 2 WELL NO 1		
	422956000 105			W. E. DOWELL WELL NO 1		

PAGE 2

FIELD NAME

RECEIVED DATE

UNIT #

PRODUCTION

COMPANY

VOLUME #01 PAGE 082

FILE NAME

FILE

PURCHASER

FILE NAME	FILE	PURCHASER
8122326 29134	W E DOWELL WELL NO 2-C	51.0 NATURAL GAS PIPELINE
-BOSDER EXPLORATION CO	RECEIVED: 03/13/81	
8122407 30359	A K WYLIE NO 2	32.0 VALERO TRANSMISSION
-BRITANNY DRILLING CO	RECEIVED: 03/13/81	
8122327 29176	C R MICHAELS # 1 (650713)	309.0 COESSA NATURAL CORP
-CARTER EXPLORATION CO	RECEIVED: 03/13/81	
8122304 29325	SPENCER ESTATE #1	100.0 CFH GAS GATHERING CO
-CHAFFIN & MEDGES	RECEIVED: 03/13/81	
8122228 21147	YAMHEM FARM A WELL NO 1	36.0 PHILLIPS PETROLEUM C
8122229 21148	YAMHEM FARM B WELL #2	28.0 PHILLIPS PETROLEUM C
8122231 21149	YAMHEM FARM C WELL #3	28.0 PHILLIPS PETROLEUM C
-CHAFFIN PETROLEUM CO	RECEIVED: 03/13/81	
8122227 21146	JOHN C MAREBURGER WELL #1	36.0 PHILLIPS PETROLEUM C
-CHAMPLIN PETROLEUM COMPANY	RECEIVED: 03/13/81	
8122262 28440	I W TERPY & NO 3	60.0 NORTHERN NATURAL GAS
-CHRISTIE CO INC	RECEIVED: 03/13/81	
8122368 39525	M M HENSON #1	200.0 ODESSA NATURAL CORP
-CHRISTIE ENERGY CO INC	RECEIVED: 03/13/81	
8122219 19960	JAMES E REASONER A WELL NO 1	120.0 CHRISTIE GAS TRANSMI
8122255 27732	RICHARD D SWANNER WELL #2	431.0 CHRISTIE GAS TRANSMI
-CLAYTON W WILLIAMS JR	RECEIVED: 03/13/81	
8122314 35542	FRANK CPELLAR #1	0.0 VALERO TRANSMISSION
8122313 35541	L THOMPAN-ANSSELL UNIT #1	0.0 VALERO TRANSMISSION
8122195 30331	MARGARET WHITEWELL #1	46.7 VALERO TRANSMISSION
8122111 21542	WILBERT PERNEPL #1	0.0 VALERO TRANSMISSION
-CONSTAL OIL & GAS CORP	RECEIVED: 03/13/81	
8122465 30977	EVIVINS 3310 S	6.0 COLORADO INTERSTATE
8122466 30958	RIVINS 3511 S	108.0 COLORADO INTERSTATE
8122404 30955	RIVINS 3505 S	9.0 COLORADO INTERSTATE
-COLA PETROLEUM INC	RECEIVED: 03/13/81	
*8122376 33755	HOLT 136 #2	30.0 UNION TEXAS PETROLEU
-CONOCO INC	RECEIVED: 03/13/81	
8122261 26559	FURHREN-MASCHO #23 (21220)	0.1 PHILLIPS PETROLEUM C
8122354 31130	J G RATHMELL A NO 1 (23214)	180.0 HOUSTON PIPELINE CO
8122353 31128	J G RATHMELL E NO 1 (28128)	400.0 HOUSTON PIPELINE CO
8122449 31151	JOHNSON - 28 - #1 (26558)	1.4 AMOCO PRODUCTION CO
8122410 30576	TKL -27-#1 (26239)	14.6 EL PASO NATURAL GAS
-CORPUS CHRISTI OIL AND GAS CO	RECEIVED: 03/13/81	
8122335 29345	NO 1 STATE TRACT 520-L SW/4	0.0 HOUSTON PIPE LINE CO
8122334 29344	NO 2 STATE TRACT 520-L NE/4	0.0 HOUSTON PIPE LINE CO
8122332 29343	NO 2 STATE TRACT 520-L SE/4	0.0 HOUSTON PIPE LINE CO
8122328 29185	NO 2 STATE TRACT 520-L NW/4	0.0 HOUSTON PIPE LINE CO
-CROWN EXPLORATION CO	RECEIVED: 03/13/81	
8122322 29593	PRISCOE NO 1 (85837)	185.0 LONE STAR GAS CO
-DAN J III & BRUCE F HARRISON	RECEIVED: 03/13/81	
8122316 26975	NO 1 DAVID H SCHULTZ TRUSTEE	274.0 DOW CHEMICAL CO USA
8122319 26974	NO 1 DAVID H SCHULTZ TRUSTEE	274.0 DOW CHEMICAL CO USA
-DAVID ALBERT OIL & GAS	RECEIVED: 03/13/81	
8122231 21272	L A CRAWFORD	18.0 CITIES SERVICE CO
-DEETER CONSTRUCTION INC	RECEIVED: 03/13/81	
*8123307 35375	BLAKE-BUNERS NO 1	360.0 SEAGULL PIPELINE COR
-DELRAY OIL INC	RECEIVED: 03/13/81	

PAGE 002

VOLUME 401

FUCHSNER

PAGE

-LEAF 1411

8122450	51159	4268232240	102	BUY A DANIEL WELL #4 RECEIVED: 03/13/81	JA: TX
-DERMICK RESOURCES INC					
8122472	25958	426217042	102	KEY #0 1	
8122471	25956	426213042	103	STEWART NO 1-L RECEIVED: 03/13/81	JA: TX
-DIAMOND SHAMROCK CORPORATION					
8122438	31022	423530745	103	F A SHAFLEY JR NO 4	
8122424	31025	423115124	103	FRANK SHALLER C 3-105 RECEIVED: 03/13/81	JA: TX
-DYNAMIC OF TEXAS INC					
8122389	30875	423610050	102	KILLER-VIDOR #1 RECEIVED: 03/13/81	JA: TX
-DYNE OIL & GAS INC					
8122388	30874	426653372	103	BURNETT NO 2 WELL (04464)	
8122397	30912	422330000	102	SARUFL E NO 1 WELL (04464)	
-EL PASO NATURAL GAS COMPANY					
8122329	24819	421922644	108	MCANNON #4 RECEIVED: 03/13/81	JA: TX
-ESEJAY PETROLEUM CORP					
8122343	25957	423553165	102	C L LEMONG NO 1 (0958)	
-EXPANADO OIL CO					
8122309	23312	424650000	102	HELLER UNIT #1 (82161)	
-EXXON CORPORATION					
8122424	31013	427133158	103	FORT STOCKTON UNIT #616 RECEIVED: 03/13/81	JA: TX
8122422	31014	4237133105	103	FT STOCKTON UNIT #819	
8122375	30747	424130574	102	J G KENEDY JR E 36-F (09587)	
*8122269	25880	4215731061	103	J P P DAVIS ESTATE #68	
8122270	25881	4247330309	103	KATY GAS FIELD CONSOL #4405	
*8122252	24542	4215731054	103	LOCKWOOD & SHARP E-64	
8122420	31001	420023247	102	MEANS SAN ANDRES UNIT #7212	
8122423	31012	423531557	103	PEARL WILLIAMS #5	
*8122246	23020	4247330458	103	TRAVICK GAS UNIT 20 #3	
8122255	27915	4213134559	100	V KOHLER A-133	
*8122251	24541	4236530667	103	W M THOMAS & S E WOOD #2 RECEIVED: 03/13/81	JA: TX
-FORTUNE PRODUCTION CO					
*8122346	25890	4241330944	102	UNIVERSITY 14 #1	
*8122346	25892	4241330540	103	UNIVERSITY 14 #1	
*8122348	25926	4241330954	102	UNIVERSITY 14-A #1	
*8122348	29024	4241330564	103	UNIVERSITY 14-A #1 RECEIVED: 03/13/81	JA: TX
-G DEPRANG OIL CO					
8122451	31179	4208231925	103	F E DEPRANG #2 (16402)	
-GRACE PETROLEUM CORPORATION					
8122282	26594	4226530503	103	CAPPS #1-C RECEIVED: 03/13/81	JA: TX
-GREAT WESTERN DRILLING COMPANY					
8122411	30477	4244530641	103	JACOFSON #27	
8122412	30478	4244530642	103	JACOFSON #28	
-GULF OIL CORPORATION					
8122386	30447	4247532152	103	HUTCHINGS STOCK ASSN WELL #6 1111 RECEIVED: 03/13/81	JA: TX
8122350	30450	422131014	102	JOHN C ISAACS NO 1-1	
8122354	30534	422631067	103	LIGON S E - STATE NO 12	
*8122250	30545	424621670	103	T P TRAYLOR B NO 61 RECEIVED: 03/13/81	JA: TX
-H S L OPERATING COMPANY					
8122200	27916	423523682	103	THURMAN #1 (78337)	
-HAMKEY OIL & GAS CORP					
8122280	25411	423323117	103	CAMPBELL C NO 3 RECEIVED: 03/13/81	JA: TX
-HOME PETROLEUM CORPORATION					
				RECEIVED: 03/13/81	JA: TX
				4.0 LONE STAR GAS CO	
				100.0 NORTHERN GAS PRODUCT	
				30.0 NORTHERN GAS PRODUCT	
				46.0 NORTHERN NATURAL GAS	
				862.0 NORTHERN NATURAL GAS	
				360.0 SOUTHWEST GATHERING	
				0.0 PHILLIPS PETROLEUM C	
				0.0 PHILLIPS PETROLEUM C	
				20.0 EL PASO NATURAL GAS	
				73.0 ESPERANZA TRANSMISSI	
				36.5 VALERO TRANSMISSION	
				186.0 NUECES CO	
				2.0 NUECES CO	
				10.0 NATURAL GAS PIPELINE	
				13.0 ARMO STEEL CORP	
				325.0 UNITED TEXAS TRANSMI	
				45.5 ARMO STEEL CORP	
				0.8 PHILLIPS PETROLEUM C	
				43.0 NORTHERN NATURAL GAS	
				300.0 ARMO STEEL CORP	
				388.0 TENNESSEE GAS PIPELI	
				440.0 ARMO STEEL CORP	
				532.0 CRA INC	
				532.0 CRA INC	
				532.0 CRA INC	
				532.0 CRA INC	
				5.0 UNION TEXAS PETROLEU	
				900.0 UNITED GAS PIPELINE	
				14.6 AMOCO PRODUCTION CO	
				49.3 AMOCO PRODUCTION CO	
				40.0 CABOT CORP	
				572.0 PIONEER NATURAL GAS	
				12.0 TRANSWESTERN PIPELIN	
				900.0 TENNESSEE GAS PIPELI	
				0.0 NORTHERN NATURAL GAS	
				94.0 LONE STAR GAS CO	

OFFEROR	OFFER NO.	UNIT	RECEIVED	UNIT #	REMARKS	PRICE	PURCHASER
8122246	25526	J B PORTER JR ET AL UNIT #1	03/13/81	102	RECEIVED: 03/13/81	223.0	CLAUON GAS CO
8122245	25526	MILTON E REIP #1	03/13/81	102	RECEIVED: 03/13/81	278.0	CLAUON GAS CO
8122240	12224	SCOTH-FREEMAN WELL NO 2	03/13/81	103	RECEIVED: 03/13/81	852.0	TEXAS EASTERN TRANSP
8122341	10142	JOHN MORRIS A WELL NO 1	03/13/81	102	RECEIVED: 03/13/81	182.5	DELHI GAS PIPELINE C
8122342	30403	JULIA M FULIOT A #2 WELL	03/13/81	102	RECEIVED: 03/13/81	1460.0	HOUSTON PIPE LINE CO
8122406	30766	ELLE OGDING #1	03/13/81	102	RECEIVED: 03/13/81	32.0	PHILLIPS PETROLEUM C
8122406	30766	ELLE OGDING #1	03/13/81	103	RECEIVED: 03/13/81	32.0	PHILLIPS PETROLEUM C
8122421	20122	JOANIE #1 - 11993	03/13/81	102	RECEIVED: 03/13/81	124.0	PHILLIPS PETROLEUM
8122419	19920	KIMBERLY #1 - 12148	03/13/81	102	RECEIVED: 03/13/81	141.0	PHILLIPS PETROLEUM
8122419	15920	KIMBERLY #1 - 12148	03/13/81	103	RECEIVED: 03/13/81	141.0	PHILLIPS PETROLEUM
8122383	25834	MYSTLE COLLINS #1	03/13/81	102	RECEIVED: 03/13/81	191.0	PHILLIPS PETROLEUM
8122383	25834	MYSTLE COLLINS #1	03/13/81	103	RECEIVED: 03/13/81	191.0	PHILLIPS PETROLEUM
8122368	24292	V T AMACKER 77 #2	03/13/81	102	RECEIVED: 03/13/81	515.0	PHILLIPS PETROLEUM C
8122394	30324	PHILLIPS 1 #2	03/13/81	103	RECEIVED: 03/13/81	100.0	EL PASO NATURAL GAS
8122491	30407	PIERCE HENDERSON 18 A 1	03/13/81	103	RECEIVED: 03/13/81	73.0	NORTHERN NATURAL GAS
8122393	30407	PIERCE HENDERSON 18 B #2	03/13/81	103	RECEIVED: 03/13/81	35.0	DELHI GAS PIPELINE C
8122394	30407	WINTERCOTHAM #3C-2	03/13/81	103	RECEIVED: 03/13/81	0.0	NORTHERN NATURAL GAS
8122392	30407	WINTERCOTHAM 29 #2	03/13/81	103	RECEIVED: 03/13/81	50.0	NORTHERN NATURAL GAS
8122392	30407	WINTERCOTHAM 29-1	03/13/81	103	RECEIVED: 03/13/81	100.0	NORTHERN NATURAL GAS
8122215	10672	PARTHA WELDER MCFILLIAN #1 (62197)	03/13/81	102	RECEIVED: 03/13/81	110.0	LOWACA GATHERING CO
8122217	13491	STAT TRACT #4 #2 (69287)	03/13/81	103	RECEIVED: 03/13/81	219.0	VALLEY PIPE LINES IN
8122284	26604	JERALD A DAVIS NO 1	03/13/81	103	RECEIVED: 03/13/81	206.7	NATURAL GAS PIPELINE
8122320	47031	ROMAN ESTATE NO 1	03/13/81	103	RECEIVED: 03/13/81	124.8	LONE STAR GAS CO
8122325	79273	UNIVERSITY 25W-2	03/13/81	102	RECEIVED: 03/13/81	292.0	PHILLIPS PETROLEUM C
8122345	29247	CONNELL ESTATE #2	03/13/81	103	RECEIVED: 03/13/81	0.0	PHILLIPS PETROLEUM C
8122416	30592	OFFERHOLTZER #1	03/13/81	103	RECEIVED: 03/13/81	30.0	PHILLIPS PETROLEUM C
8122242	22623	R L STECCER NO 2 WELL (665003)	03/13/81	102	RECEIVED: 03/13/81	324.0	HOUSTON PIPE LINE CO
8122240	22421	R TAYLOR NO 1 (62766)	03/13/81	102	RECEIVED: 03/13/81	72.0	HOUSTON PIPE LINE CO
8122241	27422	R TAYLOR NO 2 (61013)	03/13/81	102	RECEIVED: 03/13/81	72.0	HOUSTON PIPE LINE CO
8122356	30170	O L JONES UNIT #3 - WELL #2 (78750)	03/13/81	103	RECEIVED: 03/13/81	108.0	TEXAS UTILITIES FUEL
8122357	31171	O L JONES UNIT NO 2 - WELL #2	03/13/81	103	RECEIVED: 03/13/81	70.0	TEXAS UTILITIES FUEL
8122432	31014	STARKE SMITH #1 (65876)	03/13/81	102	RECEIVED: 03/13/81	500.0	LONE STAR GAS CO
8122417	30993	PATTON 1 WFL (68913)	03/13/81	103	RECEIVED: 03/13/81	0.0	LONE STAR GAS CO
8122352	23107	ARCOC-WEGRAND FEE NO 2	03/13/81	102	RECEIVED: 03/13/81	100.0	ARCO OIL & GAS CO
8122345	28271	FRUIT MINERAL A SGT WELL NO 4	03/13/81	102	RECEIVED: 03/13/81	0.0	HOUSTON PIPELINE CO
8122310	24250	FRUIT MINERAL B WELL NO 1	03/13/81	102	RECEIVED: 03/13/81	0.0	HOUSTON PIPELINE CO

VOLUME 461

PAGE 401

FIELD NAME

FALL

PURCHASER

ACRES

DATE

8122306	28772	PRUNT MINERAL P WELL NO 3	0.0 HOUSTON PIPELINE CO	
8122311	28781	PRUNT MINERAL D WELL AC 1	0.0 HOUSTON PIPELINE CO	
-LA SALLE ENERGY CORP		RECEIVED: 03/13/81		
8122358	31722	JACK LEWIS UNIT #1	326.5 CLAJON GAS CO	
-LEAGUE OIL & GAS		RECEIVED: 03/13/81		
8122403	30952	L CAMERON NO 1	342.0 NATURAL GAS PIPELINE	
-LEUDE OIL & GAS INC		RECEIVED: 03/13/81		
8122428	31015	UNIVERSITY 508 #8	10.0 J L DAVIS	
-LEWIS ENERGY CORP		RECEIVED: 03/13/81		
8122275	26044	BERDES NO A-1	175.0 HOUSTON PIPE LINE CO	
-LOUISIANA GENERAL PETROLEUM CORP		RECEIVED: 03/13/81		
8122225	20827	OFC24RZAK NO 1 WELL	150.0	
8122225	20827	OFC24RZAK NO 1 WELL	150.0	
-MCCORMICK OPERATING CO		RECEIVED: 03/13/81		
8122253	24812	GOWAN NC 1	240.0 LONE STAR GAS CO	
-MESA PETROLEUM		RECEIVED: 03/13/81		
8122292	27501	WILLIAM P HOOVER 10 #1	54.0 DELHI GAS PIPELINE C	
-NEUROURNE OIL CO		RECEIVED: 03/13/81		
8122431	31077	FRASS-6P #4 WELL	40.0 TRANSWESTERN PIPELIN	
-MITCHELL ENERGY CORPORATION		RECEIVED: 03/13/81		
8122263	25644	D A SHAWN #2	956.6 NATURAL GAS PIPELINE	
8122387	30657	SA LEWIS #3	2.0 NATURAL GAS PIPELINE	
-MOBIL PROG TEXAS & NEW MEXICO INC		RECEIVED: 03/13/81		
8122218	22031	PRONW-MCNINCH ESTATE UNIT NO 3	109.0 EL PASO NATURAL GAS	
8122342	30821	C F PARKS UNIT NO 1	4.3 WARREN PETROLEUM CO	
*8122351	24261	SOUTH CALLAGHAN RANCH NO 2	324.0 UNITED TEXAS TRANSMI	
8122366	30617	TEXAS UNIVERSITY SEC 15 & 16 #1545	25.9 PHILLIPS PETROLEUM C	
8122369	30615	TEXAS UNIVERSITY SEC 15 & 16 # 1546	49.3 PHILLIPS PETROLEUM C	
8122345	30516	TEXAS UNIVERSITY SEC 15 & 16 # 1553	64.2 PHILLIPS PETROLEUM C	
8122357	30518	TEXAS UNIVERSITY SEC 15 & 16 # 1548	32.1 PHILLIPS PETROLEUM C	
-MOLE OPERATIONS COMPANY INC		RECEIVED: 03/13/81		
8122336	27418	LEVERIDGE	182.0	
-MOORE OIL & GAS INC		RECEIVED: 03/13/81		
8122365	30592	A O COOK #3-C (90326)	905.0 TENNESSEE GAS PIPELI	
-MORAN EXPLORATION INC		RECEIVED: 03/13/81		
8122378	30755	ROCKER B A WELL #6	1.8 NORTHERN NATURAL GAS	
8122377	30754	ROCKER B A WELL NO 5	1.8 NORTHERN NATURAL GAS	
8122414	30954	ROCKER B E NO 7	13.4 NORTHERN NATURAL GAS	
8122779	30766	ROCKER S # 2	16.8 NORTHERN NATURAL GAS	
-MORRELL & PARROTT		RECEIVED: 03/13/81		
8122321	29244	W A REAPES S # 1 (89802)	138.7 WARREN PETROLEUM CO	
-NEUMIN PRODUCTION CO		RECEIVED: 03/13/81		
8122312	26337	STATE TRACT 260 UNIT #1 WELL #1	0.0 ALUMINUM CO OF AMERI	
-NORTH STAR ENERGY INC		RECEIVED: 03/13/81		
8122401	30938	GALL #1 (869556)	204.0 LONE STAR GAS CO	
-NORTH STAR PETROLEUM CORPORATION		RECEIVED: 03/13/81		
8122279	26375	W L MATTERS #1 (82243)	22.4 DIAMOND SHARROCK COR	
-NUGORP ENERGY INC		RECEIVED: 03/13/81		
8122276	26190	JUSTICE UNIT #1	131.4 CLAJON GAS CO	
8122247	26650	L F KNIGHT #1	77.0 PHILLIPS PETROLEUM C	
-OUIDA OIL & LTD		RECEIVED: 03/13/81		
8122417	33726	MCCARROLL #2 (165589)	29.0 COESSA NATURAL CORP	
-OWL PETROLEUM CO		RECEIVED: 03/13/81		

NO.	DATE	FROM	TO	TYPE	AMOUNT	REMARKS
812241	7-4-55					
812242	2-4-7					
-PANHANDLE PRODUCING COMPANY						
812278	2-1-1					
-PAR PRODUCING CO						
812279	7-10-2					
-PAUL DE CLEVA						
812281	3-10-0					
-PEERLESS OIL CO INC						
812282	2-5-5					
812283	2-6-7					
-PETROLEUM CORPORATION OF TEXAS						
812284	2-14-7					
812285	2-14-5					
812286	2-14-5					
812287	2-14-5					
812288	2-14-5					
812289	2-14-5					
812290	2-14-5					
812291	2-14-5					
812292	2-14-5					
812293	2-14-5					
812294	2-14-5					
812295	2-14-5					
812296	2-14-5					
812297	2-14-5					
812298	2-14-5					
812299	2-14-5					
812300	2-14-5					
812301	2-14-5					
812302	2-14-5					
812303	2-14-5					
812304	2-14-5					
812305	2-14-5					
812306	2-14-5					
812307	2-14-5					
812308	2-14-5					
812309	2-14-5					
812310	2-14-5					
812311	2-14-5					
812312	2-14-5					
812313	2-14-5					
812314	2-14-5					
812315	2-14-5					
812316	2-14-5					
812317	2-14-5					
812318	2-14-5					
812319	2-14-5					
812320	2-14-5					
812321	2-14-5					
812322	2-14-5					
812323	2-14-5					
812324	2-14-5					
812325	2-14-5					
812326	2-14-5					
812327	2-14-5					
812328	2-14-5					
812329	2-14-5					
812330	2-14-5					
812331	2-14-5					
812332	2-14-5					
812333	2-14-5					
812334	2-14-5					
812335	2-14-5					
812336	2-14-5					
812337	2-14-5					
812338	2-14-5					
812339	2-14-5					
812340	2-14-5					
812341	2-14-5					
812342	2-14-5					
812343	2-14-5					
812344	2-14-5					
812345	2-14-5					
812346	2-14-5					
812347	2-14-5					
812348	2-14-5					
812349	2-14-5					
812350	2-14-5					
812351	2-14-5					
812352	2-14-5					
812353	2-14-5					
812354	2-14-5					
812355	2-14-5					
812356	2-14-5					
812357	2-14-5					
812358	2-14-5					
812359	2-14-5					
812360	2-14-5					
812361	2-14-5					
812362	2-14-5					
812363	2-14-5					
812364	2-14-5					
812365	2-14-5					
812366	2-14-5					
812367	2-14-5					
812368	2-14-5					
812369	2-14-5					
812370	2-14-5					
812371	2-14-5					
812372	2-14-5					
812373	2-14-5					
812374	2-14-5					
812375	2-14-5					
812376	2-14-5					
812377	2-14-5					
812378	2-14-5					
812379	2-14-5					
812380	2-14-5					
812381	2-14-5					
812382	2-14-5					
812383	2-14-5					
812384	2-14-5					
812385	2-14-5					
812386	2-14-5					
812387	2-14-5					
812388	2-14-5					
812389	2-14-5					
812390	2-14-5					
812391	2-14-5					
812392	2-14-5					
812393	2-14-5					
812394	2-14-5					
812395	2-14-5					
812396	2-14-5					
812397	2-14-5					
812398	2-14-5					
812399	2-14-5					
812400	2-14-5					
812401	2-14-5					
812402	2-14-5					
812403	2-14-5					
812404	2-14-5					
812405	2-14-5					
812406	2-14-5					
812407	2-14-5					
812408	2-14-5					
812409	2-14-5					
812410	2-14-5					
812411	2-14-5					
812412	2-14-5					
812413	2-14-5					
812414	2-14-5					
812415	2-14-5					
812416	2-14-5					
812417	2-14-5					
812418	2-14-5					
812419	2-14-5					
812420	2-14-5					
812421	2-14-5					
812422	2-14-5					
812423	2-14-5					
812424	2-14-5					
812425	2-14-5					
812426	2-14-5					
812427	2-14-5					
812428	2-14-5					
812429	2-14-5					
812430	2-14-5					
812431	2-14-5					
812432	2-14-5					
812433	2-14-5					
812434	2-14-5					
812435	2-14-5					
812436	2-14-5					
812437	2-14-5					
812438	2-14-5					
812439	2-14-5					
812440	2-14-5					
812441	2-14-5					
812442	2-14-5					
812443	2-14-5					
812444	2-14-5					
812445	2-14-5					
812446	2-14-5					
812447	2-14-5					
812448	2-14-5					
812449	2-14-5					
812450	2-14-5					
812451	2-14-5					
812452	2-14-5					
812453	2-14-5					
812454	2-14-5					
812455	2-14-5					
812456	2-14-5					
812457	2-14-5					
812458	2-14-5					
812459	2-14-5					
812460	2-14-5					
812461	2-14-5					
812462	2-14-5					
812463	2-14-5					
812464	2-14-5					
812465	2-14-5					
812466	2-14-5					
812467	2-14-5					
812468	2-14-5					
812469	2-14-5					
812470	2-14-5					
812471	2-14-5					
812472	2-14-5					
812473	2-14-5					
812474	2-14-5					
812475	2-14-5					
812476	2-14-5					
812477	2-14-5					
812478	2-14-5					
812479	2-14-5					
812480	2-14-5					
812481	2-14-5					
812482	2-14-5					
812483	2-14-5					
812484	2-14-5					
812485	2-14-5					
812486	2-14-5					
812487	2-14-5					
812488	2-14-5					
812489	2-14-5					
812490						

VC-DYE 461

FACE 307

FIELD NAME -----

FRCC -----

FURCHASER -----

Account Number	Company Name	Received Date	Received From	Field Name	FRCC	Furchaser
8122433	SHELL OIL CO	03/13/81	JAT TX	WASSON		81.3 SMELL OIL CO
8122434	SHOW PETROLEUM INC	03/13/81	JAT TX	FERGUSON COUNTY REGULAR (MA		120.0 ODESSA NATURAL CORP
8122435	SIMPSON-MANN OIL PRODUCERS	03/13/81	JAT TX	SPRALECKEY (TRENCH AREA)		57.6 NORTHERN NATURAL GAS
8122436	SNOW OIL CO	03/13/81	JAT TX	LEGETTER (FRANGER)		600.0 ATLAS-REISS PIPELINE
8122437	SOHIO PETROLEUM CO	03/13/81	JAT TX	MANGUM NORTH (3200)		438.0 ODESSA NATURAL CORP
8122438	SOJOURNER DRILLING CORP	03/13/81	JAT TX	CALVIN (DEAN)		40.0 UNION TEXAS PETROLEU
8122439	SUN OIL COMPANY (DELAWARE)	03/13/81	JAT TX	PRUDENCE (ATOKA)		40.2 LONE STAR GAS CO
8122440	SUN OIL COMPANY	03/13/81	JAT TX	PRUDENCE (ATOKA)		32.9 LONE STAR GAS CO
8122441	SUN OIL COMPANY	03/13/81	JAT TX	CRAWAR		85.0 EL PASO NATURAL GAS
8122442	SUN OIL COMPANY	03/13/81	JAT TX	LYGAY		36.0 LONE STAR GAS CO
8122443	SUN OIL COMPANY	03/13/81	JAT TX	JAMESON NORTH (STRAWN)		13.0 LONE STAR GAS CO
8122444	SUN OIL COMPANY	03/13/81	JAT TX	FOSTER		0.4 ODESSA NATURAL CORP
8122445	SUN OIL COMPANY	03/13/81	JAT TX	FOSTER		0.1 ODESSA NATURAL CORP
8122446	SUN OIL COMPANY	03/13/81	JAT TX	SARATOGA		31.0 UNITED TEXAS TRANSMI
8122447	SUN OIL COMPANY	03/13/81	JAT TX	SARATOGA		36.5 UNITED TEXAS TRANSMI
8122448	SUN OIL COMPANY	03/13/81	JAT TX	GARCIA		7.0
8122449	SUN OIL COMPANY	03/13/81	JAT TX	JAMESON NORTH (STRAWN)		1.0 LONE STAR GAS CO
8122450	SUN OIL COMPANY	03/13/81	JAT TX	JAMESON NORTH (STRAWN)		15.0 LONE STAR GAS CO
8122451	SUN OIL COMPANY	03/13/81	JAT TX	JAMESON NORTH (STRAWN)		135.0 LONE STAR GAS CO
8122452	SUN OIL COMPANY	03/13/81	JAT TX	BETHANY (A & B)		144.0 ARKANSAS LOUISIANA G
8122453	SUN OIL COMPANY	03/13/81	JAT TX	BETHANY (A & B)		144.0 ARKANSAS LOUISIANA G
8122454	SUN OIL COMPANY	03/13/81	JAT TX	THOMAS LOCKHART		3.0 VALERO TRANSMISSION
8122455	SUN OIL COMPANY	03/13/81	JAT TX	THOMAS LOCKHART		5.5 VALERO TRANSMISSION
8122456	SUN OIL COMPANY	03/13/81	JAT TX	THOMAS LOCKHART		7.7 VALERO TRANSMISSION
8122457	SUN OIL COMPANY	03/13/81	JAT TX	THOMAS LOCKHART		9.8 VALERO TRANSMISSION
8122458	SUN OIL COMPANY	03/13/81	JAT TX	THOMAS LOCKHART		6.1 VALERO TRANSMISSION
8122459	SUN OIL COMPANY	03/13/81	JAT TX	PROVIDENT CITY (WILCOX 9		70.0 TEXAS EASTERN TRANSM
8122460	SUN OIL COMPANY	03/13/81	JAT TX	CALDWELL (AUSTIN CHALK)		30.0 CLAJON INC
8122461	SUN OIL COMPANY	03/13/81	JAT TX	CALDWELL (AUSTIN CHALK)		30.0 CLAJON INC
8122462	SUN OIL COMPANY	03/13/81	JAT TX	PERRYTON (MORROW UPPER)		26.0 PHILLIPS PETROLEUM C
8122463	SUN OIL COMPANY	03/13/81	JAT TX	UNDERWOOD (STRAWN)		109.5 PHILLIPS PETROLEUM C
8122464	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		127.0 RESERVE GAS SYSTEMS
8122465	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		215.0 RESERVE GAS SYSTEMS
8122466	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		573.0 SOUTH CEN-TEX GAS CO
8122467	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		185.4 FERGUSON CROSSING PI
8122468	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		11.0 FERGUSON CROSSING PI
8122469	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		4.0 FERGUSON CROSSING PI
8122470	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		8.0 FERGUSON CROSSING PI
8122471	SUN OIL COMPANY	03/13/81	JAT TX	GIDDINGS (AUSTIN CHALK)		98.0 FERGUSON CROSSING PI

RECEIVED: 03/13/81

RECEIVED: 03/13/81

RECEIVED: 03/13/81

RECEIVED: 03/13/81

RECEIVED: 03/13/81

RECEIVED: 03/13/81

RECEIVED: 03/13/81

WELL NAME

WELL NO

DATE

WELL TYPE

PROD

BUYER

UNIT NO

DATE

WELL TYPE

47.8 FERGUSON CROSSING FI
 15.0 FERGUSON CROSSING FI
 268.0 SOUTH CEN-TEX GAS CO
 73.0 SOUTH CEN-TEX GAS CO
 81.8 FERGUSON CROSSING FI
 30.0 NATURAL GAS PIPELINE

420510084 102 LISA C UNIT NO 10 (682784)
 420510085 102 MARK UNIT NO 1 (672746)
 421890038 102 WULLINS PG 3 (01-6747)
 421890061 102 NEEDHAM UNIT NO 1 (686357)
 420510089 102 TUNIS FOUR UNIT NO 1
 RECEIVED: 03/13/81 JA: TX
 WICKLE
 423673145 102 RECEIVED: 03/13/81 JA: TX
 424135093 102 UNIVERSITY 5 #1
 424135093 102 UNIVERSITY 5 #1
 RECEIVED: 03/13/81 JA: TX
 424771671 102 DANA #1
 424773357 102 HWY KATHY KAY NO 1 (25179)
 422873072 102 OLY NO 1
 RECEIVED: 03/13/81 JA: TX
 424250000 102 ADA CAUTHORN 5-1
 424250000 103 ADA CAUTHORN 5-1
 424250000 107 ADA CAUTHORN 5-2
 424250000 103 ADA CAUTHORN 5-2
 RECEIVED: 03/13/81 JA: TX
 425673182 102 EARL KING #1
 425673205 102 ELLIS G #2
 425673205 102 LC ROY PYRD #3
 RECEIVED: 03/13/81 JA: TX
 420510009 102 WILSON UNIT #1

377.2 CRA INC
 377.2 CRA INC
 75.0 PGP GAS PRODUCTS INC
 80.0 PGP GAS PRODUCTS INC
 350.0 PGP GAS PRODUCTS INC

GIDDINGS (AUSTIN CHALK)
 GIDDINGS (AUSTIN CHALK)
 GIDDINGS (AUSTIN CHALK)
 GIDDINGS (AUSTIN CHALK)
 ATOKA-UPPER
 UNIVERSITY 54 (CANYON)
 UNIVERSITY 54 (CANYON)
 GIDDINGS (AUSTIN CHALK)
 GIDDINGS (AUSTIN CHALK)
 SHIRLEY RANCH (CANYON)
 SHIRLEY RANCH (CANYON)
 SHIRLEY RANCH (CANYON)
 SHIRLEY RANCH (CANYON)
 MOBY DICK (CONGL)
 MOBY DICK (CONGL)
 MOBY DICK (STRAWN)
 GIDDINGS (AUSTIN CHALK)

0.0 EL PASO NATURAL GAS
 0.0 EL PASO NATURAL GAS
 0.0 EL PASO NATURAL GAS
 0.0 EL PASO NATURAL GAS
 300.0 SOUTHWESTERN GAS PIP
 300.0 NATURAL GAS PIPELINE
 73.0 NATURAL GAS PIPELINE
 0.0 CLAJON GAS CO

420510084 102 LISA C UNIT NO 10 (682784)
 420510085 102 MARK UNIT NO 1 (672746)
 421890038 102 WULLINS PG 3 (01-6747)
 421890061 102 NEEDHAM UNIT NO 1 (686357)
 420510089 102 TUNIS FOUR UNIT NO 1
 RECEIVED: 03/13/81 JA: TX
 WICKLE
 423673145 102 RECEIVED: 03/13/81 JA: TX
 424135093 102 UNIVERSITY 5 #1
 424135093 102 UNIVERSITY 5 #1
 RECEIVED: 03/13/81 JA: TX
 424771671 102 DANA #1
 424773357 102 HWY KATHY KAY NO 1 (25179)
 422873072 102 OLY NO 1
 RECEIVED: 03/13/81 JA: TX
 424250000 102 ADA CAUTHORN 5-1
 424250000 103 ADA CAUTHORN 5-1
 424250000 107 ADA CAUTHORN 5-2
 424250000 103 ADA CAUTHORN 5-2
 RECEIVED: 03/13/81 JA: TX
 425673182 102 EARL KING #1
 425673205 102 ELLIS G #2
 425673205 102 LC ROY PYRD #3
 RECEIVED: 03/13/81 JA: TX
 420510009 102 WILSON UNIT #1

OTHER PURCHASERS

- 812224 TARRANTS GAS PIPELINE
- 812246 CUB STATE UTILITIES CO
- 812251 TEXAS PAC CORP
- 812252 GULF STATES UTILITIES CO
- 812254 FLOWER NATURAL GAS CO
- 812265 GULF STATES UTILITIES CO
- 812270 AMCO GAS CO
- 812331 TRANSCONTINENTAL GAS F L CO
- 812346 LOW STAR GAS CO
- 812348 LOW STAR GAS CO
- 812351 LOW STAR GAS CO
- 812358 LOW STAR GAS CO
- 812376 EL PASO NATURAL GAS CO
- 812408 CLIFAC CORP

BILLING CODE 8450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before April 28, 1981.

Please reference the FERC Control Number (JD No) in all correspondence, related to these determinations.
Kenneth F. Plumb,
Secretary.

[FR Doc. 81-11109 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-85-M

Office of Hearings and Appeals

Cases Filed; Week of February 20 Through February 27, 1981

During the week of February 20 through February 27, 1981, the appeals and applications for exception or other

relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under DOE procedural regulations, 10 CFR Part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

George B. Breznay,
Director, Office of Hearings and Appeals.
April 8, 1981.

List of Cases Received by the Office of Hearings and Appeals

[Week of Feb. 20 through Feb. 27, 1981]

Date	Name and location of applicant	Case No.	Type of submission
Feb. 20, 1981	Dow Chemical, U.S.A., Washington, D.C.	BEX-0169	Supplemental Order. If granted: The DOE would review the entitlements exception relief granted to Dow Chemical, U.S.A. in the December 15, 1980, Decision and Order to determine whether the level of relief accorded the firm was appropriate.
Do	Edgington Oil Co., Long Beach, Calif.	BEN-1555	Request for Interim Order. If granted: The Edgington Oil Co. would receive exception relief on an interim basis pending a final determination on its Application for Exception (Case No. BEE-1555).
Feb. 23, 1981	Cambridge Systematics, Inc., Cambridge, Mass.	BFA-0615	Appeal of Information Request Denial. If granted: The January 22, 1981 Information Request Denial issued by the Acting Assistant Manager for Administration, Oak Ridge Operations, would be rescinded and Cambridge Systematics, Inc. would receive access to a proposal submitted by Booz, Allen & Hamilton, Inc. in response to RFP No. 1122-40.
Do	Energy Cooperative, Inc., Washington, D.C.	BEJ-0189	Motion for Protective Order. If granted: Energy Cooperative, Inc. would enter into a Protective Order with Marathon Oil Co. regarding the release of proprietary information to Marathon in connection with Energy Cooperative, Inc.'s Application for Exception (Case No. BEE-1298).
Do	Fund for Constitutional Government, Washington, D.C.	BFA-0613	Appeal of Information Request Denial. If granted: The February 2, 1981 Information Request Denial issued by the Executive Secretariat would be rescinded and the Fund for Constitutional Government would receive access to certain DOE information.
Do	Gulfport Oil Co., Houston, Tex.	BEE-1635	Exception from the Reporting Requirements. If granted: Gulfport Oil Co. would not be required to file Form ERA-69 ("Domestic Crude Oil Purchasers Report").
Do	Indiana Farm Bureau Cooperative, Mobil Oil Corp., Washington, D.C.	BEJ-0191	Motion for Protective Order. If granted: Indiana Farm Bureau Cooperative Association would enter into a Protective Order with Mobil Oil Corp. regarding the release of proprietary information to Mobil in connection with Indiana Farm Bureau Cooperative Association's Application for Exception (Case No. BEE-1526).
Do	Miller & Chevalier, Washington, D.C.	BFA-0614	Appeal of Information Request Denial. If granted: The January 2, 1981 Information Request Denial issued by the Acting Assistant Administrator for Enforcement, Economic Regulatory Administration would be rescinded and Miller & Chevalier would receive access to statements and resolutions of 'issues' under the provisions of ERA Enforcement Manual § 5.107.
Feb. 24, 1981	Dobrovir, Oakes & Gebhardt, Washington, D.C.	BFA-0616	Appeal of Information Request Denial. If granted: The February 17, 1981 Information Request Denial issued by the Energy Information Administration would be rescinded and Dobrovir, Oakes & Gebhardt would receive access to the "EIA PIES compilation".
Do	Enterprise Oil & Gas, Washington, D.C.	BEE-1638	Exception from the Entitlements Program. If granted: Enterprise Oil & Gas would receive an exception from the provisions of 10 CFR 211.67 regarding its entitlements sales obligations.
Do	Gulf Oil Corp., Washington, D.C.	BRD-0085	Motion for Discovery. If granted: Discovery would be granted to Gulf Oil Corp. in connection with the Statement of Objections submitted in response to the Proposed Remedial Order (Case No. DRD-0194).
Do	Office of Enforcement (O'Donnell), Washington, D.C.	BEF-0035	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR Part 205, in connection with the October 1, 1979 Consent Order (Case No. 940C00176) issued to O'Donnell Oil Company.
Do	Somerset Refinery, Inc., Washington, D.C.	BEN-1500	Request for Interim Order. If granted: Somerset Refinery, Inc. would receive exception relief on an interim basis pending a final determination on its Application for Exception (Case No. BEE-1500).

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Feb. 20 through Feb. 27, 1981]

Date	Name and location of applicant	Case No.	Type of submission
Do	Standard Oil Co. of California, Office of Special Counsel, Washington, D.C.	BRJ-0190	Motion for Protective Order. If granted: Standard Oil Co. of California would enter into a Protective Order with the Office of Special Counsel regarding the exchange of proprietary information in connection with Standard Oil Co. of California's Statement of Objections to a Proposed Remedial Order (Case No. DRO-0196).
Feb. 25, 1981	Ergon Refining, Inc., Washington, D.C.	BET-0015	Request for Temporary Stay. If granted: Ergon Refining, Inc. would receive a temporary stay of its entitlements purchase obligations under the February 20, 1981, Entitlements Notice, pending a final determination on its Application for Exception (Case No. BEE-1620).
Do	Indiana Farm Bureau Cooperative, Cities Service, Tulsa, Okla.	BEJ-0192	Motion for Protective Order. If granted: Indiana Farm Bureau Cooperative Association, Inc. would enter into a Protective Order with Cities Service Co. regarding the exchange of proprietary information.
Do	Southland Oil Co., VGS Corp., Houston, Tex.	BEX-0168	Supplemental Order. If granted: The February 23, 1981 Decision and Order (Case No. DEX-0058) issued to Southland Oil Co./VGS Corp. would be modified.
Do	Southland Oil Co./VGS Corp., Washington, D.C.	BET-0016	Request for Temporary Stay. If granted: The February 23, 1981, Decision and Order issued to Southland Oil Co./VGS Corp. (Case Nos. DEX-0058, DEX-0161, and BEX-0043) would be stayed temporarily pending judicial review.
Feb. 26, 1981	Marion Corp., Washington, D.C.	BEE and BES-1639	Request for Exception and Stay. If granted: Marion Corp. would receive an exception from the provision of 10 CFR 212 which would permit the firm to certify crude oil under the tertiary regulations. The firm would receive a stay of the provisions of 10 CFR 212 pending a final determination on its Application for Exception (Case No. BEE-1639).
Do	Tosco Corp., Washington, D.C.	BEE-1640	Exception from the Entitlements Program. If granted: Tosco Corp. would receive an exception from the Provisions of 10 CFR 211.57 which would modify its entitlements purchase obligations.
Feb. 27, 1981	Chevron USA, Inc., Washington, D.C.	BES-0143	Request for Stay. If granted: Chevron USA, Inc. would receive a stay of the December 31, 1980 Interim Decision and Order issued to The 341 Tract Unit of the Citronelle Field (Case No. BEN-0078).
Do	Gary Energy Corp., Washington, D.C.	BRD, BRH-1344	Motion for Discovery and Evidentiary Hearing. If granted: An Evidentiary hearing would be convened and Discovery would be granted to Gary Energy Corp. in connection with the Statement of Objection submitted in response to the Proposed Remedial Order (Case No. BRO-1344).
Do	Jones & Gungoff, Enid, Okla.	BFA-0617	Appeal of Information Request Denial. If granted: The July 31, 1980 Information Request Denial issued by the Southwest District Enforcement Division of the Economic Regulatory Administration would be rescinded, and Jones & Gungoff would receive access to certain DOE information.
Do	Office of Special Counsel, Washington, D.C.	BRX-0170	Supplemental Order. If granted: OHA would determine whether documents provided by the Office of Special Counsel should be used under the Motion for Discovery (Case No. DRO-0199).

[FR Doc. 81-11135 Filed 4-10-81; 8:45 am]

BILLING CODE 8450-81-M

Office of the Secretary

Intent To Prepare Environmental Impact Statement and Conduct Public Scoping Meetings for Remedial Actions at an Inactive Uranium Mill Tailings Pile Near Salt Lake City, Utah

AGENCY: Department of Energy.

ACTION: Notice is hereby given that the Department of Energy intends to prepare an environmental impact statement (EIS) to assess the environmental implications of remedial action to be performed on an inactive uranium mill tailing pile in the Salt Lake City, Utah, metropolitan area.

SUMMARY: The Department of Energy (DOE) announces its intent to prepare an EIS, in accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA), to provide environmental input into the selection of an appropriate strategy for the permanent disposal of the uranium mill tailings located at the site of the former Vitro Corporation of America uranium mill processing site. The DOE is currently considering as its proposed

action the removal of the tailings to a specially prepared remote site for permanent disposal. In accordance with the Council on Environmental Quality regulations for compliance with NEPA (40 CFR Part 1501), the DOE is serving as the lead agency for preparation of the EIS; the Nuclear Regulatory Commission will participate as a cooperating agency.

The DOE invites interested agencies, organizations, and members of the general public to submit comments or suggestions for consideration in connection with the preparation of the draft EIS. Comments or suggestions to assist the the DOE in identifying significant environmental issues and the appropriate scope of the draft EIS are requested. Comments may be submitted by mail or presented at scoping meetings which will be held in Salt Lake City on May 5, 1981, and in Tooele, Utah, on May 6, 1981. On completion of the draft EIS, notice of its availability will be announced in the **Federal Register**, and comments will be solicited. Comments received on the draft EIS will be considered in preparing the final EIS.

ADDRESS: Written comments or suggestions on the scope of the EIS and requests to speak at the scoping meetings may be submitted to: Mr. R. H. Campbell, Uranium Mill Tailings Project Office, Albuquerque Operations Office, Department of Energy, P.O. Box 5400, Albuquerque, NM 87115. Envelopes should be marked "DEIS for Salt Lake City tailings pile."

General information on the process followed by the DOE in preparing environmental impact statements may be obtained from: NEPA Affairs Division, Office of Environmental Compliance and Overview, Office of the Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness, U.S. Department of Energy, Attn.: Ms. Carol Borgstrom, Room 4G-064, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252-4800.

DATES: Written comments postmarked by May 20, 1981, will be considered in the preparation of the DEIS. Comments postmarked after that date will be considered to the maximum extent practicable. Scoping meetings will be

held in Salt Lake City on May 5, 1981, and in Tooele, Utah, on May 8, 1981. Requests to speak at these meetings should be received by Mr. R. H. Campbell at the address above by April 24, 1981.

BACKGROUND INFORMATION: The uranium mill tailings at the former Vitro processing site are about 4 miles from downtown Salt Lake City. The mill processed uranium ore for the U.S. Atomic Energy Commission, the predecessor of the DOE, from 1951 to 1964; then it produced vanadium until 1968. The plant was dismantled in 1970. The tailings remaining from these operations now rest in piles up to 16 feet high over more than 100 acres of fenced land.

In 1978 the U.S. Congress passed the Uranium Mill Tailings Radiation Control Act, Public Law 95-604. In this Act the Congress found that uranium mill tailings may pose a significant radiation health hazard to the public and directed the DOE to designate processing sites for remedial action to remove this potential hazard. It authorized the DOE to carry out remedial action at each site in cooperation with other Federal agencies and with the states or Indian tribes affected by the action. It gave to the Nuclear Regulatory Commission (NRC) responsibility for consulting with the DOE over a range of subjects concerning conduct of remedial action, for concurring with the selected remedial action and with any cooperative agreement with a state or Indian tribe, and for licensing the maintenance of each tailings disposal site after the remedial action is completed. To most expeditiously fulfill its remedial action oversight role, as delineated in Public Law 95-604, the NRC decided to participate as a "cooperating agency" as defined by the NEPA. By participating in this manner the need for NRC to duplicate the DOE efforts in a separate NRC prepared EIS for the Salt Lake City tailings will thus be eliminated. In addition, the Environmental Protection Agency (EPA) was given the responsibility to set standards to protect public health, safety, and the environment at the tailings sites and the disposal sites.

In accordance with Public Law 95-604, the DOE has designated 25 sites for remedial action. One of them is the former Vitro processing site near Salt Lake City. The DOE has made preliminary assessments of the tailings pile there and of possible remedial actions. The State of Utah has investigated several locations in which the tailings might safely be permanently disposed of and has recommended three

of them for analysis by the DOE in the draft EIS. One of these three sites has been identified by the State of Utah as the primary candidate for consideration. The EPA has issued proposed standards governing the cleanup and disposal of inactive uranium processing sites (including the cleanup and disposal of residual radioactive material located at the former Vitro processing site near Salt Lake City, Utah) and, intends to issue final standards by late 1981.

A document describing the preliminary assessments of the Salt Lake City tailings is the "Phase II Title I Engineering Assessment of Inactive Uranium Mill Tailings, Vitro Site, Salt Lake City, Utah" (FBDU-360-00 Revision 1), which is available for public inspection at the locations listed at the end of this notice.

In order to proceed with the selection of an appropriate remedial action, the DOE will prepare an EIS that will analyze the effects of the proposed action and alternatives. After the completion of a final EIS based on the draft EIS and comments on the draft EIS, the plan for remedial action at the former Vitro processing site will be selected, probably in 1982. The remedial action could then begin in early 1983 and be completed during 1987, subject to the appropriation of sufficient funds by the Congress and by the State of Utah to cover the remedial action costs.

Preliminary Identification of Environmental Issues

Those issues to be analyzed during the preparation of the EIS will include:

1. Exposures to radiation that the public and the workers on the project will receive from routine operations.
2. Exposures to radiation from hypothetical accidents that release radioactive material.
3. Changes in air quality caused by dust and other pollutants.
4. Effects on soils and mineral resources.
5. Effects on surface and ground waters.
6. Effects on plants and animals.
7. Changes in land use.
8. Changes in noise levels during the actions.
9. Effects on scenic, historic, and cultural resources.
10. Changes in population and effects on housing, social structure, services, and economic structure in the communities near the affected places.
11. Effects on transportation networks, including changes in traffic patterns and volumes.
12. Expected use of energy and other resources.

13. Effects of accidents other than effects arising from release of radioactive material.

14. Benefits of reprocessing the tailings to recover minerals.

The list is not intended to be all-inclusive nor to be a predetermination of impacts.

Analyses of the listed effects will be made for the mill-tailings site, the properties in the vicinity that are contaminated by material from the pile, the disposal sites, the reprocessing sites if any, the transportation routes, and the sites where cover material is obtained. The analyses, made for all the alternative actions, will cover both the time when the remedial action is in progress and the time after it has been completed.

Preliminary Definition of Alternatives

The DOE will consider all reasonable alternatives to the proposed action and their environmental impacts. The alternative actions presently proposed for analysis in the draft EIS are briefly listed below. This list may be longer or shorter in the draft EIS itself.

1. No action. Under this alternative, the tailings would be left in place; no measures would be taken to control them.
2. Removing the tailings and disposing of them permanently below the ground in a natural depression 8 miles north of Clive, Tooele County, Utah. This is the location designated by the State of Utah as the primary site for consideration. There are two options under this alternative. Under option 1 the tailings would be reprocessed by heap leaching at the disposal site to allow the recovery of minerals. Under option 2 the tailings would receive no reprocessing before final disposal.
3. Removing the tailings and disposing of them permanently below the ground in an area 1 mile south of Clive, Tooele County Utah. Similar to alternative 2, alternative 3 will have the same two options and will use a similar method of analysis.
4. Removing the tailings and disposing of them permanently below the ground in an area 3 miles west of Delle, Tooele County, Utah. It has the same two options as alternative 2, and its methods of analysis will be the same.
5. Stabilization of the tailings pile at its present site. Under this alternative the tailings would not be moved. Instead they would remain at the former Vitro site after treatment to ensure that the pile meets the EPA standards for permanent disposal.

Comments and Scoping Meetings

The DOE invites all interested parties to submit written comments or suggestions on the draft EIS and to attend two scoping meetings. The purposes of the meetings and of the request for written comments are to provide the DOE and the NRC with as much information from as many viewpoints as possible and to provide interested persons with opportunities to express their views. The DOE will then determine, in consultation with NRC, the scope of the issues to be addressed in the draft EIS and will identify the significant issues related to the remedial action.

The public scoping meetings will be held in Salt Lake City, Utah, on May 5, 1981, and in Tooele, Utah, on May 6, 1981. The times and places will be announced in local news publications; they may also be obtained from R. H. Campbell at the address given above.

Persons desiring to make oral comments at the meetings should mail their requests to R. H. Campbell at the above address and should write "Salt Lake City scoping meetings" or "Tooele scoping meeting" on the envelopes. They should notify the DOE of their desire to speak before April 24, 1981, so that the DOE may arrange a schedule for the presentations.

The DOE will establish procedures governing the conduct of the meetings. The meetings will not be conducted as evidentiary hearings, and those who choose to make statements may not be cross-examined by other speakers. To ensure that everyone who wishes to speak has a chance to do so, five minutes will be allotted to each speaker. Depending on the number of persons requesting to be heard, the DOE may allow longer times for representatives of organizations; persons wishing to speak on behalf of an organization should identify the organization in their request. Persons who have not submitted a request to speak in advance may register to speak at the scoping meetings; they will be called on to present their comments if time permits.

Written comments and suggestions for issues to be addressed in the draft EIS should be sent to R. H. Campbell at the address given above by May 20, 1981. Written comments will be considered and given equal weight with oral comments in the preparation of the EIS.

On the completion of the draft EIS, notice of its availability will be announced in the Federal Register, and the Department of Energy will again solicit comments. Persons who do not desire to submit comments or suggestions during the scoping period

may wish to receive a copy of the draft EIS for review and comment when it is issued; they should notify R. H. Campbell at the above address. Persons seeking further information may inquire at either of the addresses given above.

Transcripts of the scoping meetings will be prepared by DOE and made available at the Freedom of Information Reading Room, Room 1E-190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. In addition, members of the public may inspect the transcripts of the scoping meetings and other documents now planned for use in preparing the draft EIS at the following locations:

Freedom of Information Reading Room, Room 1E-190, Forrestal Building, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585
Salt Lake City Public Library, 209 East 500 South, Salt Lake City, Utah 84111
Tooele Public Library, 47 East Vine Street, Tooele, Utah 84074
Albuquerque Operations Office, National Atomic Museum, Kirtland Air Force Base East, Albuquerque, New Mexico 87115
Chicago Operations Office, 9800 South Cass Avenue, Argonne, Illinois 60639
Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho 83401
Nevada Operations Office, 2753 South Highland Drive, Las Vegas, Nevada 89114
Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee 37830
Richland Operations Office, Federal Building, Richland, Washington 99352
Energy Information Center, 215 Fremont Street, San Francisco, California 94105
Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina 29801
Regional Energy/Environment Information Center, Denver Public Library, 1357 Broadway, Denver, Colorado 80210

Dated at Washington, D.C., this 7th day of April 1981.

For the United States Department of Energy,

Alex G. Fremling,

Acting Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness.

[FR Doc. 81-11136 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-01-M

International Atomic Energy Agreements; Proposed Subsequent Arrangement; European Atomic Energy Community

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves approval for the sale of 233.2 grams of normal uranium to Fabbriazioni Nucleari S.p.A., Italy, for use as standard reference material.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of this nuclear material under Contract Number S-EU-686 will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than April 28, 1981.

For the Department of Energy,

Dated: April 7, 1981.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 81-11133 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-01-M

International Atomic Energy Arrangements; Proposed Subsequent Arrangement; European Atomic Energy Community

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves approval of contractual arrangements as follows:

Contract Number WC-EU-188, for the shipment of 6.7 grams of depleted uranium, 4.6 grams of uranium enriched to 83% in U-235, and 1.9 grams of plutonium-239 to the United Kingdom for use in international comparison studies of experimental techniques for the determination of uranium-238 capture to Pu-239 fission ratio. After completion of

the studies, these materials are to be returned to the United States.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of these nuclear materials will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than April 28, 1981.

For the Department of Energy.

Dated: April 7, 1981.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 81-11134 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-01-M

Proposed Subsequent Arrangement; International Atomic Energy Agreement; Sweden

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden Concerning Civil Uses of Atomic Energy, as amended, and the Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreements involves approval for the retransfer from the Federal Republic of Germany to Sweden of 8 irradiated fuel rods for post-irradiation examination. The fuel rods contain 1.922 kilograms of uranium, enriched to 3.02% in U-235, and 92 grams of natural uranium.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that approval of this retransfer, designated as RTD/SW(EU)-119 will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than April 28, 1981.

For the Department of Energy.

Dated: April 7, 1981.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 81-11132 Filed 4-10-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[EN-FRL 1803-3]

Fuels and Fuel Additives; Waiver Application

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On February 20, 1981, Anafuel Unlimited (Anafuel) submitted an application for a waiver of the section 211(f) prohibition on certain fuels and fuel additives set forth in the Clean Air Act (Act). This application is for a proprietary fuel known as Petrocoal which consists of up to 12 percent, by volume, of methanol, up to six percent of certain four-carbon alcohols, by volume, in the presence of a proprietary inhibitor of not less than 0.023 grams per gallon (gpg) and not more than 0.033 gpg in unleaded gasoline. The Administrator of EPA has until August 19, 1981 (180 days from the date of receipt of the application) to grant or deny a waiver.

ADDRESS: Copies of the non-business confidential information relative to this application are available for inspection in public docket EN-81-8 at the Central Docket Section (A-130) of the EPA, Gallery I—West Tower, 401 M Street, S.W., Washington, D.C. 20460, between the hours of 8:00 a.m. and 4:00 p.m. Any comments from interested parties should be addressed to this docket with a copy forwarded to Richard G. Kozlowski, Director, Field Operations and Support Division (EN-397), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services. Comments should be submitted on or before May 28, 1981.

FOR FURTHER INFORMATION CONTACT: Thomas E. Moore, Attorney-Advisor, Field Operations and Support Division (EN-397), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 472-9367.

SUPPLEMENTARY INFORMATION: Section 211(f)(1) of the Act makes it unlawful effective March 31, 1977, for any manufacturer of a fuel or fuel additive to first introduce into commerce or to increase the concentration in use of any fuel or fuel additive for use in light duty motor vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975 or subsequent model year vehicle or engine under section 206 of the Act. Section 211(f)(4)

of the Act provides that the Administrator of the EPA may waive the prohibitions of section 211(f)(1) upon application of any fuel or fuel additive manufacturer if the Administrator determines that the applicant has established that such fuel or fuel additive will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards to which it has been certified pursuant to section 206 of the Act. If the Administrator does not act to grant or deny a waiver within 180 days of receipt of the application, the waiver shall be treated as granted. Anafuel submitted an application for a waiver for a proprietary fuel known as Petrocoal which consists of up to 12% methanol, by volume, up to 6% of certain four carbon alcohols; by volume, a proprietary inhibitor of not less than 0.023 grams per gallon and not more than 0.033 grams per gallon, and the remainder is unleaded gasoline. The 180 day review period expires on August 19, 1981.

Because of the proprietary nature of Petrocoal and because of EPA's desire to render a determination on the maximum amount of data, Anafuel will provide a reasonable amount of the premixed fuel Petrocoal for test purposes provided the prospective tester executes a confidentiality agreement with Anafuel.

For more information on obtaining test fuel contact: Ronald E. Eames, President, Anafuel Unlimited, Suite 201, 57 West 200 South, Salt Lake City, Utah 84101, (801) 322-2632.

Richard D. Wilson,

Acting Assistant Administrator for Enforcement.

[FR Doc. 81-11008 Filed 4-10-81; 8:45 am]

BILLING CODE 6560-33-M

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20735]

Deadline for Class D Noncommercial Educational FM Stations To File Power Increase Applications in Reserved Band; Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Petition for Reconsideration; Extension of reply comment period.

SUMMARY: Action taken herein extends time for filing reply comments

concerning a petition for reconsideration filed in response to an *Order* adopted January 29, 1981. The *Order* eliminated a deadline for filing certain construction permits in connection with new standards for Class D FM stations announced in the *Second Report and Order* in Docket 20735, adopted June 7, 1978.

DATES: Reply comments must be filed on or before April 10, 1981.

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

FOR FURTHER INFORMATION CONTACT: John Kamp, Broadcast Bureau, 200-632-6302.

SUPPLEMENTARY INFORMATION:

In the matter of the deadline established in Docket 20735 for Class D noncommercial educational FM stations to file power increase applications in the reserved band; order extending time for filing reply comments re: petition for reconsideration. See also 46 FR 17880, March 20, 1981.

Adopted: April 2, 1981.

Released: April 6, 1981.

1. On January 29, 1981, the Commission adopted an *Order*, released on February 3, 1981, in the above-captioned proceeding (46 FR 14131; February 28, 1981). The *Order* eliminated a January 1, 1981, deadline for filing certain construction permit applications in connection with standards for noncommercial educational ten-watt Class D FM stations announced in the *Second Report and Order* in Docket 20735, adopted June 7, 1978.

2. On March 5, 1981, pursuant to § 1.106 of the Commission's Rules, National Public Radio (NPR) filed a Petition for Reconsideration setting out certain arguments in opposition to the *Order* and requesting reconsideration. On March 18, Boise State University filed an opposition of the NPR petition for reconsideration, setting forth certain counter-arguments in favor of the Commission *Order*, and urging denial of the NPR petition.

3. Under §§ 1.45 and 1.46 of the Commission's Rules, reply comments to the Boise State University opposition would have been due on March 30, 1981.

4. On April 1, 1981, NPR filed a Motion for Extension of Time, requesting that the time for filing its Reply Comments be extended until April 10, 1981. NPR stated that it did not receive the Boise State University Opposition until March 27, 1981, which allowed inadequate time for preparation of a reply by March 30, 1981. NPR stated that it has conferred with counsel for Boise State University

and secured acquiescence in this extension.

5. Accordingly, it is ordered, That the Motion for Extension of Time in Docket 20735, filed by National Public Radio, is granted and the date for filing comments is hereby extended to and including April 10, 1981.

6. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-11143 Filed 4-10-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[Docket Nos. FEMA-REP-5-MI-1; FEMA-REP-5-MI-2; FEMA-REP-5-MI-3]

Michigan Radiological Emergency Plan

AGENCY: Federal Emergency Management Agency.

ACTION: Notice of receipt of plan.

SUMMARY: For continued operation of nuclear power plants, the Nuclear Regulatory Commission requires approved licensee and State and local governments' radiological emergency response plans. Since FEMA has a responsibility for reviewing the State and local government off-site plans, the State of Michigan, by letter of transmittal dated February 26, 1981, submitted its radiological emergency plans to FEMA Region V office. These plans support the Indiana and Michigan Electric Company's Donald C. Cook Fixed Nuclear Facility located in Berrien County and Consumers Power Company's Big Rock Point Fixed Nuclear Facility located in Charlevoix County and Palisades Fixed Nuclear Facility located in Van Buren County.

DATE: Received March 9, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Robert E. Connor, Acting Regional Director, FEMA Region V, One North Dearborn Street, Chicago, Illinois 60602, (312) 353-1500.

SUPPLEMENTARY INFORMATION: In support of the Federal requirement for off-site emergency response plans, FEMA has proposed a Rule describing its procedures for review and approval of State and local governments' radiological emergency response plans. Pursuant to this proposed FEMA Rule (44 CFR 350.8), "Review and Approval of State Radiological Emergency Plans and

Preparedness," 45 FR 42341, the State Radiological Emergency Plan for the State of Michigan was received by the Federal Emergency Management Agency Region V Office.

Included are plans for local governments which are wholly or partially within the plume exposure pathway emergency planning zones of the nuclear plants. For the Donald C. Cook Facility, plans are included for Berrien County; for the Big Rock Point Facility, plans are included for Charlevoix and Emmet Counties; for the Palisades Facility, plans are included for Berrien, Van Buren, and Allegan Counties.

Copies of the Plan are available for review at the FEMA Region V Plans and Preparedness Division, REP Section, Federal Center, Battle Creek, Michigan 49016. Copies will be made available upon request in accordance with the fee schedule for FEMA Freedom of Information Act requests, as set out in subpart C of 44 CFR Part 5. There are 1,075 pages in the document with an additional 778 pages of Tabs; reproduction fees are \$.10 a page payable with the request for copy.

Comments on the Plan may be submitted in writing to Mr. Robert E. Connor, Acting Regional Director, at the above address on or before May 13, 1981.

FEMA proposed Rule 44 CFR 350.10 also calls for a public meeting prior to approval of the plans. Public meetings were held on the State and local jurisdiction plans for the Palisades plant on December 10, 1980, 7:00 p.m., Van Buren Skills Center, Lawrence, Michigan; Donald C. Cook plant, December 11, 1980, 7:00 p.m., Berrien County Courthouse, St. Joseph, Michigan; and Big Rock Point plant on December 15, 1980, 7:00 p.m., Holiday Inn South, U.S. 131, Petoskey, Michigan.

Mernice L. Vandel,

Acting Regional Director, FEMA Region V, March 23, 1981.

[FR Doc. 81-11074 Filed 4-10-81; 8:45 am]

BILLING CODE 6716-01-M

[Docket No. FEMA-REP-5-OH-1]

Receipt of Ohio Radiological Emergency Plan

AGENCY: Federal Emergency Management Agency.

ACTION: Notice of receipt of plan.

SUMMARY: For continued operation of nuclear power plants, the Nuclear Regulatory Commission requires approved licensee and State and local governments' radiological emergency

response plans. Since FEMA has a responsibility for reviewing the State and local government off-site plans, the State of Ohio has submitted its radiological emergency plans to FEMA Region V office. These plans support the Toledo-Edison Company's Davis-Besse Nuclear Power Plant located in Ottawa County.

DATE: Plans Received: February 25, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Robert E. Connor, Acting Regional Director, FEMA Region V, One North Dearborn Street, Chicago, Illinois 60602, (312) 353-1500.

SUPPLEMENTARY INFORMATION: In support of the Federal requirement for off-site emergency response plans, FEMA has proposed a Rule describing its procedures for review and approval of State and local governments' radiological emergency response plans. Pursuant to this proposed FEMA Rule (44 CFR 350.8), "Review and Approval of State Radiological Emergency Plans and Preparedness," 45 FR 42341, the State Radiological Emergency Plan for the State Ohio and Ottawa County was received by the Federal Emergency Management Agency Region V Office.

Included are plans for local governments which are wholly or partially within the plume exposure pathway emergency planning zones of the nuclear plant. For the Davis-Besse Plant, plans are included for Ottawa County.

Copies of the Plan are available for review at the FEMA Region V Plans and Preparedness Division, REP Section, Federal Center, Battle Creek, Michigan 49016. Copies will be made available upon request in accordance with the fee schedule for FEMA Freedom of Information Act requests, as set out in subpart C of 44 CFR Part 5. There are 563 pages in the document; reproduction fees are \$.10 a page payable with the request for copy.

Comments on the Plan may be submitted in writing to Mr. Robert E. Connor, Acting Regional Director, at the above address on or before May 13, 1981.

FEMA proposed Rule 44 CFR 350.10 also calls for a public meeting prior to approval of the plans. A public meeting on the State and local jurisdiction plans for the Davis-Besse plant was held November 7, 1980, at 1:30 p.m., American Legion Hall, 118 Monroe Street, Port Clinton, Ohio.

Mernice L. Vandell,
Acting Regional Director, FEMA Region V,
March 23, 1981.

[FR Doc. 81-11055 Filed 4-10-81; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL MEDIATION AND CONCILIATION SERVICE

Labor-Management Cooperation Program; Continue Deferral of Program Guidelines

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Continued deferral of program guidelines.

SUMMARY: The Federal Mediation and Conciliation Service published in the February 10, 1981 issue of the *Federal Register* (46 FR 11706) an announcement deferring the guidelines for its new Labor-Management Cooperation Program until March 31, 1981. The deferral of these guidelines is now extended indefinitely pending final congressional action on the President's decision to rescind FY 81 appropriations for this program.

FOR FURTHER INFORMATION CONTACT: Peter L. Regner, Director, Office of Labor-Management Grant Programs, FMCS, 2100 K Street, N.W., Washington, DC 20427, 202-653-5240.

SUPPLEMENTARY INFORMATION: As soon as congressional action is completed on the rescission, FMCS will publish in the *Federal Register* further instructions.

Kenneth E. Moffett,
Acting Director.

[FR Doc. 81-11051 Filed 4-10-81; 8:45 am]

BILLING CODE 6732-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Company; Proposed de Novo Nonbank Activities; Federal Reserve Bank of Chicago

The bank holding company listed in this notice has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to the application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on the application that

requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for the application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than May 3, 1981.

A. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690; Morning Sun Bank Corp., Morning Sun, Iowa (insurance activities; Iowa): To engage in the sale of general insurance in a town with a population not exceeding 5,000. These activities would be conducted from an office at 18 Division Street, Morning Sun, Iowa, serving the town of Morning Sun, Iowa, and the surrounding rural area.

B. Other Federal Reserve Banks: None.

Board of Governors of the Federal Reserve System, April 3, 1981.

D. Michael Manies,
Assistant Secretary of the Board.

[FR Doc. 81-11110 Filed 4-10-81; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Company; Proposed De Novo Nonbank Activities; Key Banks, Inc.

The bank holding company listed in this notice has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to the application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest,

or unsound banking practices." Any comment on the application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for the application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than May 5, 1981.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045: CITICORP, New York, New York (commercial lending and leasing activities; Nevada, Northern California, Oregon): to engage, through a *de novo* office of Citicorp Industrial Credit, Inc., in making or acquiring, for its own account or for the account of others, commercial loans and other extensions of credit; and leasing personal or real property or acting as agent, broker, or advisor in leasing such property and servicing such leases, subject to all of the qualifications specified in 12 CFR 225.4(a)(6) (a) and (b), where the leases serve as the functional equivalent of an extension of credit to the lessee of the property. Such activities would be conducted from an office in Oakland, California serving the states identified in the caption above.

Key Banks Inc., Albany, New York; trust activities; New York: to engage, through its subsidiary, Key Trust Company, in any one or more of the functions or activities that may be performed or carried on by a trust company, including activities of a fiduciary, agency or custodian nature, in the manner authorized by Federal or State law, so long as the institution does not make loans or investments or accept deposits other than (i) deposits that are generated from trust funds not currently invested and are properly secured to the extent required by law, or (ii) deposits representing funds received for a special use in the capacity of managing agent or custodian for an owner of, or investor in, real property, securities, or other personal property, or for such owner or investor as agent or custodian of funds held for investment or escrow agent, or for an issuer of, or broker or dealer in securities, in a capacity such as paying

agent, dividend disbursing agent, or securities clearing agent, and not employed by or for the account of the customer in the manner of a general purpose checking account or bearing interest, or (iii) making of call loans to securities dealers or purchase of money market instruments such as certificates of deposit, commercial paper, government or municipal securities, and bankers acceptances (such authorized loans and investments, however, may not be used as a method of channeling funds to non-banking affiliates of the trust company). Watertown, New York 13601 and 99 North Main Street, Wellsville, New York 14895. Such activities would be performed at offices in Watertown and Wellsville, New York.

B. Other Federal Reserve Banks: None.

Board of Governors of the Federal Reserve System, April 6, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-11113 Filed 4-10-81; 8:45 am]

BILLING CODE 6210-01-M

Citizens Banking Corp.; Formation of Bank Holding Company

Citizens Banking Corporation, Flint, Michigan, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of the successor by consolidation to Citizens Commercial & Savings Bank, Flint, Michigan. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 6, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-11111 Filed 4-10-81; 8:45 am]

BILLING CODE 6210-01-M

Fort Cobb Bancshares, Inc.; Formation of Bank Holding Company

Fort Cobb Bancshares, Inc., Fort Cobb, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of Washita Valley Bank, Fort Cobb, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 6, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-11112 Filed 4-10-81; 8:45 am]

BILLING CODE 6210-01-M

Ohio Valley Bancorp; Formation of Bank Holding Company

Ohio Valley Bancorp, Madison, Indiana, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares, less directors' qualifying shares, of the successor by merger to The Madison Bank and Trust Company, Madison, Indiana. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 6, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-11114 Filed 4-10-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Health Research and Teaching Facilities and Training of Professional Health Personnel Title VII of the Public Health Service Act; Delegations of Authority

Notice is hereby given that in furtherance of the delegation of October 8, 1980, by the Secretary of Health and Human Services to the Assistant Secretary for Health (45 FR 76516-76517), the Acting Assistant Secretary for Health has made the following delegations under Title VII of the Public Health Service Act (42 U.S.C. 296 *et seq.*), as amended, pertaining to health research and teaching facilities and training of professional health personnel:

1. Delegation by the Acting Assistant Secretary for Health to the Administrator, Health Services Administration, with authority to redelegate subject to Section 707 of the Public Health Service Act, of the following authorities delegated to the Assistant Secretary for Health under Title VII of the Public Health Service Act, as amended:

(a) Authority under Section 711 of the Public Health Service Act (42 U.S.C. 292k), to establish criteria for determining allowable increases in tuition and other educational costs for the Health Services Administration Programs.

(b) Authorities under Part C, Subpart II, Title VII of the Public Health Service Act (42 U.S.C. 294-294r), providing for student loans.

(c) Authorities under Part C, Subpart IV, Title VII of the Public Health Service Act (42 U.S.C. 294t-294y-1), providing for National Health Service Corps Scholarships, excluding the authority under Section 751(j).

(d) Authorities under Part C, Subpart V, Title VII of the Public Health Service Act (42 U.S.C. 294z-294aa), providing for other student assistance scholarships.

2. Delegation by the Acting Assistant Secretary for Health to the Administrator, Health Resources Administration, with authority to redelegate subject to Section 707 of the Public Health Service Act, of the following authorities delegated to the

Assistant Secretary for Health under Title VII of the Public Health Service Act, as amended:

(a) Authorities under Part A, Title VII of the Public Health Service Act (42 U.S.C. 292-292k), concerning the administration of the general provisions under Title VII, excluding the authorities under Section 708 which were delegated to the Deputy Assistant Secretary for Health Research, Statistics, and Technology, Office of the Assistant Secretary for Health. Also excluded are certain authorities under Section 711 of the Public Health Service Act (42 U.S.C. 292k) which were delegated to the Administrator, Health Services Administration.

(b) Authorities under Part B, Title VII of the Public Health Service Act (42 U.S.C. 293-293i), providing for grants and loan guarantees and interest subsidies for constructions of teaching facilities for medical, dental, and other health personnel.

(c) Authorities under Part C, Subpart III, Title VII of the Public Health Service Act (42 U.S.C. 294e-294s), providing for traineeships for students in schools of public health and other graduate programs.

(d) Authority under Section 751(j) of the Public Health Service Act (42 U.S.C. 294t), providing for the review of applications for scholarships and grants with respect to the National Health Service Corps Scholarship Program.

(e) Authorities under Part D, Title VII of the Public Health Service Act (42 U.S.C. 295e-1-295e-5), providing for grants to provide professional and technical training in the field of family medicine.

(f) Authorities under Part E, Title VII of the Public Health Service Act (42 U.S.C. 295f-295f-5), providing for grants to improve the quality of schools of medicine, osteopathy, dentistry, public health, veterinary medicine, optometry, pharmacy, and podiatry.

(g) Authorities under Part F, Title VII of the Public Health Service Act (42 U.S.C. 295g-295g-10), providing for grants and contracts for programs and projects, excluding the authority under Section 785 and certain authorities under Section 790 which were delegated to the Director, Centers for Disease Control.

(h) Authorities under Part G, Title VII of the Public Health Service Act (42 U.S.C. 295h-295h-7), providing for programs for personnel in health administration and in allied health, excluding the authority under Section 793 which was delegated to the Deputy Assistant Secretary for Health Research, Statistics, and Technology, Office of the Assistant Secretary for Health.

3. Delegation by the Acting Assistant Secretary for Health to the Director, Center for Disease Control, with authority to redelegate subject to Section 707 of the Public Health Service Act, of the following authorities delegated to the Assistant Secretary for Health under Title VII of the Public Health Service Act, as amended:

(a) Authority under Section 785 of the Public Health Service Act (42 U.S.C. 295g-5), providing for occupational health training and education centers.

(b) Authority under Section 790 of the Public Health Service Act (42 U.S.C. 295g-10), insofar as the general provisions thereunder are applicable to Section 785.

4. Delegation by the Acting Assistant Secretary for Health to the Deputy Assistant Secretary for Health Research, Statistics, and Technology, Office of the Assistant Secretary for Health, with authority to redelegate subject to Section 707 of the Public Health Service Act, of the following authorities delegated to the Assistant Secretary for Health under Title VII of the Public Health Service Act, as amended:

(a) Authority under Section 708 of the Public Health Service Act (42 U.S.C. 292h), pertaining to the following subsections:

(1) Authority under Subsections 708(a) and 708(b)(1) providing for the establishment of a program to collect, compile, and analyze general purpose data on health professions personnel, including the uniform professions data reporting system.

(2) Authority under Subsection 708(b)(3) to award data collection grants and contracts to the States.

(3) Authority under Subsection 708(e) providing for the protection of the privacy of individuals and the confidentiality of records.

(4) Authority under Subsection 708(g) providing for technical assistance to the States under Section 708.

(b) Authority under Section 793 of the Public Health Service Act (42 U.S.C. 295h-2), providing for the planning, collection, and dissemination of basic statistics on the supply of public and community health personnel.

The delegation provides that the authorities delegated to the Deputy Assistant Secretary for Health Research, Statistics, and Technology, Office of the Assistant Secretary for Health, are to be coordinated with the Administrator, Health Resources Administration.

Previous delegations made by the Assistant Secretary for Health or his designee to the Administrator, Health Services Administration, to the Administrator, Health Resources

Administration, and to the Director, Center for Disease Control, of authorities under Title VII of the Public Health Service Act have been superseded. Provision has been made for previous delegations and redelegations of authority under Title VII of the Public Health Service Act made to other officials in the Public Health Service to continue in effect for no more than 90 days from the effective date of the delegations from the Acting Assistant Secretary for Health to the Administrator, Health Services Administration, the Administrator, Health Resources Administration, the Director, Center for Disease Control, and to the Deputy Assistant Secretary for Health Research, Statistics, and Technology, Office of the Assistant Secretary for Health, provided they are consistent with these delegations.

The above delegations were effective on March 27, 1981.

Dated: March 27, 1981.

Charles Miller,

Acting Assistant Secretary for Health.

[FR Doc. 81-10666 Filed 4-10-81; 8:45 am]

BILLING CODE 4110-85-M

Nurse Training; Title VIII of the Public Health Service Act; Delegations of Authority

Notice is hereby given that in furtherance of the delegation of October 8, 1980, by the Secretary of Health and Human Services to the Assistant Secretary for Health (45 FR 76517), the Acting Assistant Secretary for Health has made the following delegations under Title VIII of the Public Health Service Act (42 U.S.C. 296 *et seq.*), as amended, pertaining to nurse training:

1. Delegation by the Acting Assistant Secretary for Health to the Administrator, Health Services Administration, with authority to redelegate subject to Section 856 of the Public Health Service Act, of the following authorities delegated to the Assistant Secretary for Health under Title VIII of the Public Health Service Act, as amended:

(a) Authorities under Part B, Subpart II of Title VIII (42 U.S.C. 297a-297h), providing for student loans.

(b) Authorities under Part B, Subpart III of Title VIII (42 U.S.C. 297j-297k), providing for scholarship grants to schools of nursing.

2. Delegation by the Acting Assistant Secretary for Health to the Administrator, Health Resources Administration, with authority to redelegate subject to Section 856 of the Public Health Service Act, of the following authorities delegated to the

Assistant Secretary for Health under Title VIII of the Public Health Service Act, as amended:

(a) Authorities under Part A of Title VIII (42 U.S.C. 296-296m), providing for assistance for expansion and improvement of nurse training.

(b) Authorities under Part B, Subpart I of Title VIII (42 U.S.C. 297-297-1), providing for nursing student traineeships.

(c) Authorities under Part C of Title VIII (42 U.S.C. 298-298b-3), concerning the administration of the general provisions under Title VIII.

Exercise of these authorities is subject to Health and Human Services policy and requirements for administering Section 855 of the Public Health Service Act relating to the prohibition against discrimination by schools on the basis of sex.

The October 8, 1980, delegation (45 FR 80906) made by the Assistant Secretary for Health to the Administrator, Health Resources Administration, of authorities under Title VIII of the Public Health Service Act has been superseded. Provision has been made for delegations and redelegations to other officials within the Public Health Service of authorities under Title VIII of the Public Health Service Act to continue in effect for no more than 90 days from the effective date of the delegations from the Acting Assistant Secretary for Health to the Administrator, Health Services Administration, and to the Administrator, Health Resources Administration, provided they are consistent with such delegations.

The above delegations were effective on March 27, 1981.

Dated: March 27, 1981.

Charles Miller,

Acting Assistant Secretary for Health.

[FR Doc. 81-10667 Filed 4-10-81; 8:45 am]

BILLING CODE 4110-85-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Alabama; Amended Legal Descriptions for Tracts Proposed for Coal Lease Sale

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

This amends the notice which appeared on pages 9211-9214 of the *Federal Register*, Vol. 46, No. 18, on Wednesday, January 28, 1981. That notice announced the availability of the final EIS for a proposed coal lease sale in the Southern Appalachian Coal

Region and gave legal descriptions of tracts under consideration.

Legal descriptions for two tracts, Howard and Piney Woods Church, contained errors.

Correct legal descriptions for these two tracts listed incorrectly in the previous notice are provided here.

Legal Description of Federal Coal in Howard Tract

T. 14 S., R. 10 W, Huntsville Principal Meridian.

Sec. 2, SW ¼ of NE ¼; S ½ of SE ¼; NW ¼ of SE ¼; S ½ of SW ¼;

Sec. 11, W ½ of NE ¼; partial NE ¼ of NE ¼; partial SE ¼ of NE ¼; SW ¼ of SE ¼; SW ¼; E ½ of SW ¼ of NW ¼; E ½ of NW ¼.

Containing approximately 815 acres in Fayette County.

Legal Description of Federal Coal in Piney Woods Church Tract

T. 18 S., R. 9 W, Huntsville Principal Meridian.

Sec. 29, NW ¼ of NE ¼, that portion west of Crabbe Road; N ½ of SE ¼; NE ¼ of SE ¼; S ½ of SW ¼;

Sec. 30, S ½ of SE ¼;

Sec. 31, N ½ of N ½.

T. 18 S., R. 10 W, Huntsville Principal Meridian.

Sec. 25, SW ¼ of SE ¼;

Sec. 36, NW ¼ of NE ¼; NE ¼ of NW ¼.

Containing approximately 485.6 acres in Tuscaloosa County.

Dated: April 8, 1981.

Ed Hastey,

Acting Director.

[FR Doc. 81-11079 Filed 4-10-81; 8:45 am]

BILLING CODE 4310-84-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 Marathon Oil Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 3333, Block 345, Eugene Island 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: April 6, 1981.

Lowell G. Hammons,
Conservation Manager, Gulf of Mexico OCS
Region.

[FR Doc. 81-10872 Filed 4-10-81; 2:45 am]

BILLING CODE 4310-31-M

INTERSTATE COMMERCE COMMISSION

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the

quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F-110

The following applications were filed in Region I. Send protests to: Interstate Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 154954 (Sub-1-1TA), filed March 26, 1981. Applicant: THEODORE STEGNER, d.b.a. T. STEGNER TRUCKING CO., 39 Bolton Road, Flanders, NJ 07838. Representative: Theodore Stegner (same as applicant). *Contract carrier:* irregular routes: *Cement, viz mineral wool* between Netcong and Stanhope, NJ on the one hand, and on the other, Port Newark and Port Elizabeth, NJ, under continuing contract(s) with United States Mineral Products Co., Stanhope, NJ. Supporting shipper: United States Mineral Products Co., Stanhope, NJ 07874.

MC 52579 (Sub-1-5TA), filed March 27, 1981. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, NJ 07094. Representative: Julius Saltzman (same as applicant). *Wearing apparel, hanging loose and in cartons*, between Little Rock, AR, Morgantown, KY, and points in TN. Supporting shipper: Sears, Roebuck and Co., Sears Tower, Chicago, IL 60684.

MC 151193 (Sub-1-15TA), filed March 27, 1981. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, New Jersey 07016. Representative: Michael A. Beam (same as applicant). *Contract carrier:* irregular routes: *Such commodities as are dealt in and sold by supermarkets, food business houses and drug stores (except commodities in bulk), and equipment, materials and supplies used in the manufacture, sale and distribution of such commodities (except commodities in bulk)*, between points in CT, DE, FL, GA, MD, MA, NH, VT, ME, NJ, NY, NC, SC, PA, RI, VA, WV and DC, under continuing contract(s) with Lever Brothers Company, New York, New York. Supporting shipper: Lever Brothers Company, 390 Park Avenue, New York, New York 10022.

MC 148293 (Sub-1-1TA), filed March 23, 1981. Applicant: S & K MOTOR TRANS., INC., 30 Murdock Street, Somerville, MA 02145. Representative:

James F. Martin, Jr., 8 W. Morse Road, Bellingham, MA 02019. *Contract carrier:* irregular routes: *Commodities in bulk* between points in the U.S. under continuing contract(s) with A. E. Staley Manufacturing Co. of Decatur, IL. Supporting shipper: A. E. Staley Manufacturing Co., 2200 El Dorado, Decatur, IL 62525.

MC 142603 (Sub-1-19TA), filed March 27, 1981. Applicant: CONTRACT CARRIERS OF AMERICA, INC., P.O. Box 1968, Springfield, MA 01101. Representative: Stephen J. Habash, 100 E. Broad St., Columbus, OH 43215. *Contract carrier:* irregular routes: *Lumber, lumber products, wood products, mill work and moulding* between Fresno, Stockton, Toyon, Martell, Foresthill, and North Fork, CA; Kooskia, Meridian, Emmett, Grangeville, Midvale, and Post Falls, ID; Prineville, Bend, Eugene, Klamath Falls, Medford, Grants Pass, and Roseburg, OR; and Marysville, Longview, and Chehalis, WA, on the one hand, and, on the other, points in the U.S., under continuing contract with American Forest Products Company of San Francisco, CA. Supporting shipper: American Forest Products Company, 2740 Hyde St., San Francisco, CA 94109.

MC 113784 (Sub-1-8TA), filed March 31, 1981. Applicant: LAIDLAW TRANSPORT, LIMITED, 65 Guise Street, Hamilton, Ontario CD L8L 7X7. Representative: Douglas R. Gowland (same as applicant). *Brick and Refractory Materials* between U.S.—Canada Boundary in MI and NY, on the one hand, and, on the other, points in IL, IN, KY, MD, MI, NJ, NY, OH, PA, and WV. Supporting shipper: BMI Refractories, Industrial Park Road, West Lincoln, Ontario.

MC 117303 (Sub-1-2TA), filed March 31, 1981. Applicant: HUDSON VALLEY CEMENT LINES, INC., Route 23B; Claverack, NY 12513. Representative: Michael R. Werner, Esq., 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006. *Clay*, from points in PA to Green County, NY. Supporting shipper: Marquette Co. (Division of Gulf & Western Natural Resource), P.O. Box 31, Catskill, NY 12414.

MC 151193 (Sub-1-16TA), filed March 31, 1981. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, NJ 07016. Representative: Michael A. Beam (same as applicant). *Contract carrier:* irregular routes: *Chemicals (except commodities in bulk), and equipment, materials and supplies used in the manufacture, sale and distribution of chemicals, (except commodities in bulk)*, between NJ, NY,

NC, CA, MN, MO, IL, TN, WI, TX and OR, under continuing contract(s) with N L Chemicals, division of N L Industries, Inc. of Hightstown, NJ. Supporting shipper: N L Chemicals, division of N L Industries, Inc., P.O. Box 700, Hightstown, NJ 08520.

MC 155018 (Sub-1-1TA), filed March 31, 1981. Applicant: RON AND BOB'S TRUCKING, INC., 1200 Como Park Boulevard, Depew, NY 14043. Representative: Robert D. Gunderman, Suite 710, Statler Bldg., Buffalo, NY 14202. *Contract carrier: irregular routes: Swimming pools and related items, and materials, supplies, and equipment used in the transportation and installation thereof, between points in Erie County, NY, on the one hand, and, on the other, points in AL, AR, DE, GA, IN, KY, LA, MD, MI, MS, NJ, NY, OH, PA, TN, TX, and WV, under a continuing contract(s) with Kayak Recreational Manufacturing Corp. of Depew, NY. Supporting shipper: Kayak Recreational Manufacturing Corp., 5460 Transit Road, Depew, NY 14043.*

MC 144305 (Sub-1-3TA), filed March 31, 1981. Applicant: MCCAIN TRANSPORT, INC., 5 Wade Road, Washburn, ME 04786. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. *Contract carrier: irregular routes: Beer, wine and related promotional items from Hartford, CT; Baltimore, MD; Merrimack, NH; Newark Commercial Zone, NJ; Albany and New York City Commercial Zone, NY and Williamsburg, VA to Bangor, ME under continuing contract(s) with Maine Distributors of Bangor, ME. Supporting shipper: Maine Distributors, 5 Coffey Street, Bangor, ME.*

MC 154630 (Sub-1-1TA), filed March 30, 1981. Applicant: S. J. K. ASSOCIATES, INC., Box 334, Forked River, NJ 08731. Representative: Harold L. Reckson, 33-28 Halsey Road, Fair Lawn, NJ 07410. *Hazardous wastes from points in NJ to Emelle, AL. Supporting shipper(s): Halcom Research & Development Corp., 1 Phillips Pkwy, Montvale, NJ 07645; Western Electric Co., 650 Liberty Ave., Union, NJ 07083; H & N Chemical Co., 90 Maltese Dr., Totowa, NJ 07512; Apollo Technologies, Inc., 1 Apollo Dr., Whippany, NJ 07981.*

MC 59570 (Sub-1-6Ta), filed March 27, 1981. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Road, Toms River, NJ 08753. Representative: James B. Callanan (same as applicant). *Copperas (ferrous sulfate) and materials, equipment, and supplies used in the manufacture and distribution of Copperas, between points in NY, NJ, PA, DE, and MD. Supporting shipper:*

Cosmin Corporation, 3800 Hawkins Pt. Pier Road, Baltimore, MD 21226.

MC 139741 (Sub-1-1TA), filed March 30, 1981. Applicant: D & D DISPOSAL SERVICES, LIMITED, Spring Creek Road and Thompson Avenue, Smithville, Ontario, CD L0R 2A0. Representative: William J. Hirsch, P.C., 1125 Convention Tower, 43 Court Street, Buffalo, NY 14202. *Contract carrier: irregular routes: Hazardous materials, between ports of entry on the International Boundary line between the US and CD, on the one hand, and, on the other, all points in the US, under continuing contract(s) with Chemical Waste Management of Smithville, Ontario, CD. Supporting shipper: Chemical Waste Management Limited, P.O. Box 372, Smithville, Ontario, CD.*

MC 14888 (Sub-1-1TA), filed March 31, 1981. Applicant: PORT TERMINAL REFRIGERATED TRANSPORT, INC., Foot of Algiers Street, Port Newark, NJ 07114. Representative: Frank D. Hall, Postell & Hall, P.C., Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Meat, meat products, meat by-products and related products distributed by meat packinghouses, from Kenosha County (Kenosha), WI, to points in CT, MD, MA, NJ, NY, PA, OH and VA. Supporting shipper: Kenosha Beef International, P.O. Box 639, Kenosha, WI 53141.*

MC 142011 (Sub-1-2TA), filed March 27, 1981. Applicant: LEISURE TIME TOURS, INC., P.O. Box 587, Mahwah, NJ 07430. Representative: Larsh B. Mewhinney, 555 Madison Ave., New York, NY 10022. *Passengers and their baggage in charter operations between New York, NY and points in the U.S. (except HI). Supporting shipper(s): There are 30 statements in support of this application which may be examined at the I.C.C. Regional Office in Boston, MA.*

MC 154981 (Sub-1-1TA), filed March 27, 1981. Applicant: SNAPS ENTERPRISES, LTD., 105 Amfesco Drive, Plainview, NY 11803. Representative: Edward L. Nehez, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. *Contract carrier: irregular routes: Plastic articles and commodities used or useful in the manufacture and sale thereof, between points in the U.S., under continuing contract(s) with Plexchem International Inc., of Dix Hills, NY, and Shore Plastics, Inc. of Freeport, NY. Supporting shipper(s): Plexchem International, Inc., 5 Beechwood Court, Dix Hills, NY 11746; Shore Plastics, Inc., 146 Hanse Avenue, Freeport, NY 11520.*

MC 142114 (Sub-1-7TA), filed March 27, 1981. Applicant: RETAIL EXPRESS, INC., 9 Stuart Road, Chelmsford, MA 01824. Representative: Frank M.

Cushman, 36 South Main Street, Sharon, MA 02067. *Contract carrier: irregular routes: Glass lamps; glass lamp bases; electric lamps; lamp shades, supplies and machinery used in the manufacture of lamps between NJ and points in AR, CT, DE, DC, FL, GA, IL, IN, IA, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, TX, VT, VA, WV, WI under continuing contract(s) with C. N. Burman Company, Paterson, NJ. Supporting shipper: C. N. Burman Company, 781 River Street, Paterson, NJ 07524.*

MC 152615 (Sub-1-2TA), filed March 27, 1981. Applicant: PETER J. DIGIOVANNI, d.b.a. GUARANTEED MOTOR TOWING SERVICE, P.O. Box 1, New Brunswick, NJ 08873. Representative: James F. Flint, Suite 406, 918 16th Street, N.W., Washington, DC 20006. *Buses between points in the U.S. (except AK and HI). Supporting shipper(s): Greyhound Lines, Inc., 5260 Peachtree Industrial Blvd., Chamblee, GA 30341; Body Rite Repair Co., Inc., 57 County Avenue, Secaucus, NJ 07094.*

MC 154121 (Sub-1-4TA), filed March 31, 1981. Applicant: TRAILINER CORP., P.O. Box 357, Old Chester Rd., Gladstone, NJ 07934. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Such commodities as are dealt in or used by manufacturers of automotive care products (except commodities in bulk) between the facilities of Turtle Wax, Inc., located at or near Chicago, IL, on the one hand, and, on the other, points in the US. Supporting shipper(s): Turtle Wax, Inc. 5655 West 73rd St., Chicago, IL 60638.*

MC 142126 (Sub-1-2TA), filed March 30, 1981. Applicant: FOAM TRANSPORT, INC., 201 Ballardvale Street, Wilmington, MA 01887. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108. *Contract carrier: irregular routes: Packaging materials, from Somerset, NJ, Salem, IL, Hanover, PA and Pontotoc, MS to points in the United States, under a continuing contract with Jiffy Packaging Corporation of Somerset, NJ. Supporting shipper: Jiffy Packaging Corporation, P.O. Box 27, Somerset, NJ 08873.*

MC 97244 (Sub-1-1TA), filed March 30, 1981. Applicant: MASS TRANSPORTATION, INC., 187 Sidney Street, Cambridge, MA 02139. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. *Corn syrup, in bulk, from Lakeville, NY to Cambridge, MA. Supporting shipper: Corn Sweeteners, Inc., A Division of Archer-Daniels Midland Co., 24 East Street, Cambridge, MA 02141.*

MC 136405 (Sub-1-1TA), filed March 30, 1981. Applicant: COLOSSAL CARRIERS LTD., 78 Hymus Boulevard, Pointe Claire, Quebec, CD H9R 1E3. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Food and related products*, between the port of entry at the boundary between the US and CD at or near Champlain, NY, on the one hand, and, on the other, points in NY, NJ, MA, RI and PA. Supporting shipper(s): There are six statements in support of this application which may be examined at the L.C.C. Regional Office in Boston, MA.

MC 134291 (Sub-1-2TA), filed March 30, 1981. Applicant: JOSEPH R. ST. HILAIRE, d.b.a. ST. HILAIRE'S DELIVERY SERVICE, 385 Emmett Street, Bristol, CT 06010. Representative: David M. Marshall, Marshall and Marshall, 101 State Street, Suite 304, Springfield, MA 01103. *Contract carrier*: irregular route: *Paper, pulp, printed matter and allied products*, between Bristol, CT on the one hand, and, on the other, points in AL, AR, DC, FL, GA, KY, NC, SC, TN, VA and WV, under continuing contract(s) with W. A. Krueger Co. of Brookfield, WI. Supporting shipper: W. A. Krueger Co., 12821 W. Blue-Mound Road, Brookfield, WI 53005.

MC 152946 (Sub-1-2TA), filed March 31, 1981. Applicant: ALBERT FARMS, INC., St. David Road, Madawaska, ME 04756. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. *Contract carrier*: irregular routes: *Toilet preparations and materials and supplies used in the manufacture and distribution of same* between the premises of Northern Trading Co., Inc. in Madawaska, ME and points in CT, MA, MD, NJ, NY, RI, and VT, under continuing contract(s) with Northern Trading Co., Inc. of Madawaska, ME. Supporting shipper: Northern Trading Co., Inc., 190202 East Main Street, Madawaska, ME 04756.

MC 108247 (Sub-1-2TA), filed March 30, 1981. Applicant: WESTCHESTER MOTOR LINES, INC., 35 Edgemere Road, New Haven, CT 06512. Representative: Ronald G. Esposito (same as applicant). *General commodities, except those of unusual value, and except dangerous explosives and hazardous wastes, household goods as defined in practices of Motor Common Carriers of household goods 17 MCC 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading*, between points in CT, MA and RI. Applicant intends to tack with existing authority

for points in CT. Supporting shipper(s): Connecticut Shippers Association, Inc., 605 Washington Avenue, North Haven, CT 06473; Chesebrough Ponds, Inc., Johns Street, Clinton, CT 06413; Char-Len Handbag Co., 732 Howard Avenue, New Haven, CT 06511; New England Printing Co., 60 Merritt Blvd., Trumbull, CT.

Republication

MC 135921 (Sub-1-1TA), filed March 11, 1981. Applicant: HARCO TRUCKING CORPORATION, 86 Garden Street, Westbury, NY 11590. Representative: Peter Gregory Lordi, Jr., 4 Richard Court, Butler, NJ 07405. *Contract carrier*: irregular routes: (1) *Paper and Paper Products, and (2) Equipment, material and supplies used in the manufacture, sale and distribution of the commodities named in (1) above (except in bulk in tank vehicles)* between points in AL, CT, DE, FL, GA, MA, MD, ME, NC, NH, NJ, NY, PA, RI, SC, TN, VA, VT, and WV, under continuing contract(s) with Harmon Associates Corporation of Westbury, NY and Chesapeake Corporation of VA, of West Point, VA. Supporting shipper(s): Chesapeake Corporation of VA, Box 311, West Point, VA 23181; Harmon Associates Corporation, 86 Garden Street, Westbury, NY 11590. Republication: To add NH.

The following applications were filed in Region 2. Send protests to: ICC, Fed. Res. Bank Bldg., 101 North 7th St., Rm. 620, Philadelphia, PA 19106.

MC 110525 (Sub-II-22TA), filed March 5, 1981. Originally published in Federal Register dated March 18, 1981. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Lionville, PA 19353. Representative: Thomas J. O'Brien (same as applicant). *Sulfuric acid (oleum 65), in bulk, in tank vehicles*, from Dominguez, CA to the port of entry at the international boundary between the U.S. and Mexico for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: The Procter & Gamble Co., P.O. Box 599, Cincinnati, OH 45201. The purpose of republication was to show "in bulk, in tank vehicles" which was omitted.

MC 148553 (Sub-II-1TA), filed February 18, 1981. Originally published in Federal Register of March 31, 1981. Applicant: B J EXPRESS, INC., 4928 Assisi Lane, Cincinnati, OH 45238. Representative: Bobby Ray Johnson (same address as applicant). *Laminated plastic sheets and paper products (except commodities in bulk)* between Cincinnati (Hamilton County), OH; Sunset/Whitney Ranch (Placer County), CA; and Piscataway (Middlesex

County), NJ, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Formica Corporation, Inc., 10155 Reading Rd., Cincinnati, OH 45241. The purpose of this re-publication is to show complete commodity description, paper products was omitted in the first publication.

MC 154119 (Sub-II-1TA), filed February 17, 1981. Originally published in the Federal Register of March 9, 1981. Applicant: LINDSEY MOTOR EXPRESS, INC., 3415 Southside Ave., Cincinnati, OH 45204. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. *Soybean oil*, in bulk, in tank vehicles, from the facilities of A. E. Staley Co. at or near Frankfort, IN to Cincinnati, OH, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): A. E. Staley Manufacturing Co., P.O.B. 249, Frankfort, IN 46041. The purpose of this republication is to show the origin city to read Frankfort, IN and the street to read Southside.

MC 488 (Sub-II-8TA), filed March 25, 1981. Applicant: BREMAN'S EXPRESS CO., 318 Haymaker Rd., Monroeville, PA 15146. Representative: Leslie S. Breman (same address as applicant). *Rubber tires, tubes, flaps and related articles, and materials, equipment and supplies used in the manufacture and distribution of the above commodities*, between the facilities of McCreary Tire & Rubber Co. in Allegheny and Indiana Counties, PA, on the one hand, and, on the other, points in MA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): McCreary Tire & Rubber Co., P.O.B. 549, 1600 W. Washington St., Indiana, PA 15701.

MC 125335 (Sub-2-28TA), filed March 23, 1981. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17495. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Such commodities as are dealt in or used by retail variety stores*, between Atlanta, GA, and its Commercial Zone, on the one hand, and, on the other, York, PA, and its Commercial Zone, and points in AL, FL, LA, MS, and TX, restricted to traffic originating at or destined to the facilities of McCrory Stores, Division of McCrory Corporation. Supporting shipper: McCrory Stores, Division of McCrory Corporation, 2955 East Market Street, York, PA 17402.

MC 150939 (Sub-II-18TA), filed March 23, 1981. Applicant: GEMINI TRUCKING, INC., 1533 Broad St., Greensburg, PA 15601. Representative: William A. Gray, 2310 Grant Bldg., Pittsburgh, PA 15219. *Foodstuffs*,

chemicals and plastics and equipment, materials and supplies used in the manufacture and distribution of foodstuffs, chemicals and plastics between the facilities of Borden, Inc. in AL, GA, ID, IL, KY, MA, ME, MN, MO, MS, NJ, NY, NC, OH, PA, SC, TX, and WI, on the one hand, and, on the other, points in the U.S., under continuing contract(s) with Borden, Inc. of Columbus, OH for 270 days. Supporting shipper: Borden, Inc., 180 E. Broad St., Columbus, OH 43215.

MC 150265 (Sub-II-1TA), filed March 19, 1981. Applicant: GUY J. JOHNSON TRANSPORTATION CO., INC., 5 Timberline Dr., Newark, DE. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, DC 20001. *Textile products, plastic products, and waste products*, from Rockland, DE to Greenville, Greensboro and Kinston, NC; Baltimore, MD; Rock Hill, SC; and Memphis, TN and from Walterboro, SC and Richmond, VA to Rockland, DE, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Westech, Inc., P.O. Box 256, Montchanin, DE 19710.

MC 149069 (Sub-II-3TA), filed March 23, 1981. Applicant: KEPPEL CORPORATION, Route 1, Box 213, Staunton, VA 24401. Representative: H. Neil Garson, 3251 Old Lee Hwy., Fairfax, VA 22030. *Automotive tires, tire tread rubber, automotive tubes, tire parts and automotive tire tube parts* from Akron, Columbus and Findlay, OH; Clarksdale, MS; St. Louis, MO; Texarkana, AR; Oklahoma City, OK and Plainfield, NJ to Baltimore, MD. An underlying ETA seeks 120 days authority. Supporting shipper(s): Jack's Tire Service, 3705 E. Baltimore St., Baltimore, MD 21224.

MC 149069 (Sub-II-2TA), filed March 23, 1981. Applicant: KEPPEL CORPORATION, Route 1, Box 213, Staunton, VA 24401. Representative: H. Neil Garson, 3251 Old Lee Hwy., Fairfax, VA 22030. *Automotive tires, tire tread rubber, automotive tubes, tire parts and automotive tire tube parts* from Akron, Columbus, Findlay and Warren, OH; Clarksdale, MS; St. Louis, MO; Texarkana, AR; and Plainfield, NJ to Lorton, Richmond, Roanoke, and Wytheville, VA. An underlying ETA seeks 120 days authority. Supporting shipper: Bogle Tire Co., 1070 E. Main St., Wytheville, VA 24382.

MC 123387 (Sub-II-5TA), filed March 23, 1981. Applicant: E. E. HENRY, INC., 1128 S. Military Hwy., Chesapeake, VA 23320. Representative: Dwight L. Koerber, Jr., P.O. Box 1320, 110 N. 2nd St., Clearfield, PA 16830. *Malt*

beverages, from Detroit, MI to Newport News, VA, and empty containers on return. An underlying ETA seeks 120 days authority. Supporting shipper: Akers Beverage Company, 4801 Roanoke Ave., Newport News, VA 23607.

MC 150432 (Sub-II-13TA), filed March 23, 1981. Applicant: H & M TRANSPORTATION, INC., U.S. 42 and 70, London, OH 43140. Representative: Owen B. Katzman, 1823 L Street NW., Suite 1111, Washington, DC 20036. *Contract-irregular: Adhesives, chemicals, resins, plastic materials, ink, paint and paint materials, and wallpaper and wallpaper materials*, between Demopolis, AL; Los Angeles, Compton, and Fremont, CA; Marietta, Griffin, and Atlanta, GA; Cicero, St. Charles, and Illiopolis, IL; Indianapolis, IN; Louisville, KY; Haverhill, North Andover, Leominster, and Acton, MA; Odenton, MD; St. Louis, MO; Missoula, MT; Middlesex and Fairlawn, NJ; Brooklyn and Cape Bainbridge, NY; Fayetteville and Charlotte, NC; Delaware, Columbus, Woodlawn, Cincinnati, and White House, OH; La Grande, Portland, and Springfield, OR; Norristown, PA; Dallas, Arlington, and Diboll, TX; Kent, WA; and Sheboygan, WI; on the one hand, and, on the other, points in the United States, under a continuing contract with Borden Chemical, division of Borden, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Borden Chemical, Division of Borden, Inc., 180 East Broad St., Columbus, OH 43215.

MC 147681 (Sub-II-15TA), filed March 23, 1981. Applicant: HOYA EXPRESS, INC., P.O. Box 543, Rt. 18, West Middlesex, PA 16159. Representative: Michael P. Pitterich (same address as applicant). *General commodities, except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment*, between points in MA, on the one hand, and, on the other, points in NY, NJ, DE, DC, VA, MD, WV, NC, SC, TN, OH, IN, KY, MI, IL and WI for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Adcco Inc., Peabody Office Bldg., 1 Newbury St., Peabody, MA 01960.

MC 133405 (Sub-II-4TA), filed March 18, 1981. Applicant: BOWIE HALL TRUCKING, INC., P.O. Box 1470, LaPlata, MD 20646. Representative: Daniel B. Johnson, 4304 East-Way Hwy., Washington, DC 20014. *General commodities, except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk and*

those requiring special equipment, between Williamsburg, VA, on the one hand, and, on the other, Atlantic City, NJ. An underlying ETA seeks 120 days authority. Supporting shipper(s): Spencer Grifts, Inc., 1601 Albany Ave., Atlantic City, NJ 08411.

MC 154791 (Sub-II-1TA), filed March 18, 1981. Applicant: JUDSON E. GRIGGS, t/d/b/a, JUDSON D. GRIGGS HAULING, 1053 Bethel Rd., Boothwyn, PA 19061. Representative: James H. Sweeney, P.O. Box 9023, Lester, PA 19113. *Chemicals, materials, equipment and supplies, used in the manufacture and distribution of chemicals*, between Philadelphia, PA, on the one hand, and, on the other, points in DE, MD, NJ, NY and OH. An underlying ETA seeks 120 days authority. Supporting shipper: George S. Coyne Chemical Co., Inc., Comly St. & Delaware River, Philadelphia, PA 19135.

MC 154417 (Sub-II-2TA), filed March 19, 1981. Applicant: KNUDSON ENTERPRISES, INC., 2033 Kennicott Rd., Baltimore, MD 21207. Representative: Robert W. Baker, Jr., 100 S. Charles St., Baltimore, MD 21201. *Contract, irregular—Hydraulic lifts*, from West Palm Beach, FL to points in the U.S. (except AK and HI), for 270 days. An underlying ETA seeks 270 days authority. Supporting shipper(s): Comman Lift Corp., 5730 Columbia Cir., West Palm Beach, FL 33407.

MC 129124 (Sub-II-8TA), filed March 18, 1981. Applicant: SAMUEL J. LANSBERRY, INC., P.O. Box 58, Woodland, PA 16881. Representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, PA 17108. (1) *Coal*, in bulk, in dump vehicles, from points in Indiana County, PA, to Niagara Falls, NY; (2) *Fly ash* from Niagara Falls, NY, to points in Indiana County, PA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Nitec Paper Corporation, 4001 Packard Road, Niagara Falls, NY 14302.

MC 154788 (Sub-II-1TA), filed March 18, 1981. Applicant: BONDED CARRIERS, INC., 307 East Road, Martinsburg, WV 25401. Representative: Frank B. Hand, Jr., 521 South Cameron Street, Winchester, VA 22601. *Printed Matter*, between Strasburg, Merrifield and Richmond, VA; Stamford, Bristol, New Haven and Hartford, CT; Baltimore, Hyattsville, Glenn Dale, Landover, and Riverdale, MD; Newark, Bellmawr, Trenton, Camden and Secaucus, NJ; Buffalo, New York, Rochester, Hicksville, Syracuse, Albany, Utica, and West Chester, NY; Charlotte and Greensboro, NC; Harrisburg, King of Prussia, Philadelphia, Vista, Pittsburgh,

and East Greenville, PA; Boston and Springfield, MA and Washington, DC, including the Commercial Zones of the cities named. An underlying ETA seeks 120 days authority. Supporting shipper: Newsweek, Inc., Route 55E, Strasburg, VA 22657.

MC 118598 (Sub-II-1TA), filed March 19, 1981. Applicant: STUART E. KEENEY, Rural Delivery No. 1, Box 100, New Freedom, PA 17349. Representative: Norman T. Petow, 43 N. Duke St. York, PA 17401. *Agricultural limestone*, in bulk, in dump trucks or spreader type vehicles, from the facilities of The J. E. Baker Company in West Manchester Township, York County, PA, to points in MD. Supporting shipper: The J. E. Baker Company, 232 E. Market St., York, PA 17403.

MC 150954 (Sub-II-24TA), filed March 26, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: William E. Collier, 8918 Tesoro Drive, Suite 515, San Antonio, TX 78217. Contract carrier, irregular routes: (1) *Audio and video electrical equipment and (2) parts, materials and supplies incidental to the manufacture and distribution thereof*, between Long Beach and Martel, CA; Chicago, IL; Bluffton and Evansville, IN; Ruston, LA; Springfield, MO; Oxford, MS; Moncure, and Spring Hope, NC; Bryan and Columbus, OH; Bend, OR; Pittston and Watsontown, PA; Holly Hill, SC and points in TX, on the one hand, and, on the other; Commerce, Fresno, Sacramento, San Diego, San Francisco and San Jose, CA; Chicago, IL; Evansville, IN; Springfield, MO; Billings, MT; Portland, OR; Watsontown, PA; points in TX; Seattle and Spokane, WA, under continuous contract with Zenith Radio Corporation, Chicago, IL, for 270 days. Underlying ETA seeks 120 days operating authority. Supporting shipper: Zenith Radio Corporation, 1900 N. Austin Ave., Chicago, IL 60639.

MC 107012 (Sub-II-148TA), filed March 26, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant). *Furniture*, from the facilities of Sun Terrace Casual Furniture at Brooksville, FL to Louisburg, NC for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Sun Terrace Casual Furniture, 520 Howard Court, Clearwater, FL 33515.

Note.—Common control may be involved.

MC 136343 (Sub-II-18TA), filed March 26, 1981. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative:

Herbert R. Nurick, P.O. Box 1166, Harrisburg, PA 17108. *Printing inks, and materials, equipment, and supplies used in the manufacture and distribution of printing inks* between Ridgway, PA, on the one hand, and, on the other, Chicago, IL; New Albany, IN; Des Moines, IA; Louisville, KY; Detroit, Holland and Kalamazoo, MI; St. Paul and Waseca, MN; St. Louis, MO; Lodi, NJ; Akron, Cincinnati and Youngstown, OH; Memphis, TN; Appleton, LaCrosse and Milwaukee, WI for 270 days. Supporting shipper: Ridgeway Color & Chemical Company, 75 Front Street, Ridgway, PA 15853.

MC 152494 (Sub-II-2TA), filed March 26, 1981. Applicant: CHESSIE MOTOR EXPRESS, INC., P.O. Box 6419, 3200 Terminal Tower, Cleveland, OH 44101. Representative: Eugene D. Anderson, 910 17th St., N.W., Suite 428, Washington, D.C. 20006; John J. Paylor, P.O. Box 6419, 3200 Terminal Tower, Cleveland, OH 44101. *General Commodities (except when transported in flatbed or tank trailers and further restricted against transportation of household goods, Class A & B explosives, commodities which because of size or weight require special equipment, and driveway transportation)* between points in DE, on the one hand, and CT, DC, IL, IN, KY, MA, MD, ME, MI, MO, NJ, NY, OH, PA, RI, VA, WI, WV, on the other (restricted to transportation which is auxiliary to or supplemental of a railroad; or restricted to transportation which has a prior or subsequent move by rail; or restricted to transportation where the origin or destination is a point served by the Chessie System), for 270 days. An underlying ETA seeks 120 days authority. Applicant intends to interline with railroads. Supporting shipper(s): Chessie System, 3200 Terminal Tower, Cleveland, OH 44101.

MC 107012 (Sub-II-149TA), filed March 26, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Gerald A. Burns (same as applicant). Contract irregular: *Medical equipment and equipment, materials, parts and supplies used in the manufacture, repair and installation of medical equipment* between Milwaukee, WI, on the one hand, and, on the other, points in the United States for 270 days. Supporting shipper: General Electric Company, Medical Systems Business Division, P.O. Box 414, Milwaukee, WI 53201.

Note.—Common control may be involved.

MC 145018 (Sub-II-8TA), filed March 26, 1981. Applicant: NORTHEAST DELIVERY, INC., P.O. Box 127, Taylor,

PA 18517. Representative: Edward F. V. Pietrowski, 3300 Birney Ave., Moosic, PA 18607. (1) *Plastic products* from Erie, PA to points in AL, FL, LA, NC and SC; (2) *materials, equipment and supplies* on return, for 270 days. Supporting shipper(s): Erie Crate & Mfg. Co., 1112 Bacon St., Erie, PA 16511.

MC 154964 (Sub-II-1TA), filed March 26, 1981. Applicant: WILCOX TRANSFER CO., 3700 Brookpark Rd., Cleveland, OH 44134. Representative: J. C. Schriener, 19706 Center Ridge Rd., Rocky River, OH 44116. *New household appliances*, from Cleveland, OH (the warehouse facilities of Wilcox Transfer Co.) to points in OH on shipments which have had a prior movement in interstate commerce from the facilities of General Electric Co., at or near Louisville, KY for 270 days. Supporting shipper(s): General Electric Co., Appliance Park, KY 40225.

MC 146423 (Sub-II-6TA), filed March 27, 1981. Applicant: STEPHEN HROBUCHAK, d.b.a. TRANS-CONTINENTAL REFRIGERATED LINES, Route 502, P.O.B. 1456, Scranton, PA 18501. Representative: Peter Wolff, 722 Pittston Ave., Scranton, PA 18505. (1) *Plastic film and sheeting and plastic bags (2) materials, equipment and supplies used in the manufacture of (1) above*, between Pottsville, PA on the one hand, and, on the other, points in CA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Exxon Chemicals of America, P.O. Box 395, Pottsville, PA 17901.

MC 146386 (Sub-II-2TA), filed March 26, 1981. Applicant: NATIONAL RETAIL TRANSPORTATION INC., 10 East Oregon Ave., Phila., PA 19146. Representative: Richard Rueda, 135 N. 4th St., Phila., PA 19106. *Merchandise as is dealt in by retail stores and chain food business houses and materials equipment and supplies used in the conduct of such business* between New York City commercial zone; Akron, Canton, Cleveland, Cincinnati, Columbus, Dayton, Lima and Springfield, OH; Philadelphia, and Pittsburgh, PA; Providence, RI; Columbus and Greenville, SC; Memphis, TN; Arlington, Austin, Baytown, Dallas, Fort Worth, Houston, Irving, Pasadena and Plano, TX; Brookfield, Greendale and Milwaukee, WI; Birmingham, AL; Scottsdale, Phoenix, and Tucson, AZ; Carmel, Costa Mesa, La Habra, Lakewood, Los Angeles, Oakland, Sacramento, Pasadena, San Diego, San Mateo, Santa Ana, Santa Barbara, Santa Clara and Torrance, CA; Athens, Atlanta, Augusta and Lilburn, GA; Chicago, IL; Indianapolis, IN; Florence, Lexington and Louisville, KY;

Kensington and Worchester, MD; Burlington, Chestnut Hill, Framingham, Hyannis and Sargos, MA; Charlotte and Gastonia, NC; Manchester, NH; Hackensack, Paramus and Woodbridge, NJ; Long Island, New Rochelle, NY, White Plains and Rochester, NY on the one hand and points in the U.S. (except the States of MT, UT, ND, SD, and NE) on the other for 270 days. Supporting shipper(s): Federated Department Stores, Inc., 7 West 7th St., Cincinnati, OH 45202.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 58923 (Sub-3-3TA), filed March 31, 1981. Applicant: GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road, S.E., Atlanta, Georgia 30315. Representative: William W. West (same address as applicant). *Contract, irregular, general commodities, except classes A & B explosives, between points in the US under continuing contract(s) with (a) United Freight, Inc., of Morrow, GA and (b) Distribution Services of America of Boston, MA. Supporting shippers: United Freight, Inc., 1260 Southern Road, Morrow, GA 30260; Distribution Services of America, 666 Summer Street, Boston, MA 02210.*

MC 152544 (Sub-3-11TA), filed March 31, 1981. Applicant: CYPRESS TRUCK LINES, INC., 1746 East Adams Street, Jacksonville, FL 32202. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *General Commodities (except classes A and B explosives and hazardous materials), between Hialeah, FL on the one hand, and, on the other, points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Post-Tensioned Structures, Inc. Supporting Shipper: Post-Tensioned Structures, Inc., 540 West 83rd Street, Hialeah, FL 33014.*

MC 116014 (Sub-3-2TA), filed March 30, 1981. Applicant: OLIVER TRUCKING COMPANY, INC., P.O. Box 53, Winchester, KY 40391. Representative: Harry Ross, 58 S. Main St., Winchester, KY 40391. *Steel pipe from points in Mahoning County, OH and Dauphin County, PA to points in Harford County, MD, Allegheny and Shenandoah Counties, VA and Upshur and Braxton Counties, WV. Supporting shipper: Columbia Gas Transmission Corp., P.O. Box 1273, Charleston, WV 25325.*

MC 154705 (Sub-3-1TA), filed March 27, 1981. Applicant: MAC'S CUSTOMIZED DISTRIBUTION SERVICE, INC., 4150 Pleasantdale Road, Doraville, GA 30340. Representative: K. Edward Wolcott, Suite 1200 Gas Light

Tower, 235 Peachtree St., N.E., Atlanta, GA 30303. *Contract carrier, irregular routes, 1. Unexposed, sensitized photographic materials and equipment used in the exposure, processing and mounting thereof, and photographic chemicals in vehicles equipped with mechanical refrigeration (except commodities in bulk) from the facilities of DuPont located at or near Chamblee, GA to points in AL, FL, MS, NC, SC, TN, and VA, with no transportation for compensation on return except as otherwise authorized and, 2. Photographic film and materials and supplies used in the exposure, processing, and mounting thereof, from the facilities of DuPont located at or near Cedar Mountain and Brevard, NC to the facilities of DuPont located at or near Chamblee, GA with no transportation for compensation on return except as otherwise authorized and, 3. Plastic sheeting in vehicles equipped with mechanical refrigeration for the account of DuPont from Nashville, TN to Selma, AL. Supporting Shipper: E. I. du Pont de Nemours & Co., Inc., 1007 Market St., Wilmington, DE 19898.*

MC 155028 (Sub-3-1TA), filed March 31, 1981. Applicant: H & R TRANSPORTATION CO., INC., 715 E. Court St., P.O. Box 964, Marion, NC 28752. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, N.W., Washington, DC 20005. *Such commodities as are dealt in or used by paint manufacturers, between Portsmouth, VA, and points in its commercial zone, on the one hand, and, on the other, points in the U.S. Supporting shipper: Seaguard Corporation, P.O. Box 669, 4030 Seaguard Ave., Portsmouth, VA 23704.*

MC 140484 (Sub-3-20TA), filed March 31, 1981. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Fort Myers, Florida 33902. Representative: Frank T. Day (same as applicant). *Meats, meat products, meat by products and articles distributed by meat packing houses between points in the United States under continuing contract with Swift Independent Packing Company, Chicago, IL. Supporting shipper: Swift Independent Packing Company, 115 West Jackson Boulevard, Chicago, IL 60604.*

MC 112520 (Sub-3-17TA), filed March 30, 1981. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, FL 32302. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Liquid Chemicals and Pulp Mill Liquids, in bulk, in tank vehicles, between Washington Parish, LA on the one hand, and, on the other, all points in*

the states of AL, FL, GA, and MS. Supporting shipper: Crown Zellerbach Corporation, P.O. Box 1060, Bogalusa, LA 70427.

MC 94350 (Sub-3-2TA), filed March 25, 1981. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Greenville, SC 29602. Representative: Mitchell King, Jr., P.O. Box 1628, Greenville, SC 29602. *Trailers designed to be drawn by passenger automobiles in initial movements from points in Washington County, TN to points in AL, GA, IN, KY, MD, NC, SC, VA, WV. An underlying ETA seeks 120 days authority. Supporting shipper: All-Rite Industries, Inc., P.O. Box 2306, Johnson City, Tennessee 37601.*

MC 155003 (Sub-3-2TA), filed March 30, 1981. Applicant: FREIGHT MASTERS, INC., 5329 Brookleigh Dr., Jackson, MS 39212. Representative: Perry, Crockett, Morrison and Starling, Law firm, Suite 1500, Deposit Guaranty Bank Bldg., Jackson, MS 39205. *Cookware and small electrical appliances, between Jackson, MS and points in LA, TN, AR, OK, GA, AL, FL and TX. Supporting shipper: The West Bend Company, Division of Dart Industries, Inc., 4299 Industrial Dr., Jackson, MS 39209.*

MC 155003 (Sub-3-1TA), filed March 30, 1981. Applicant: FREIGHT MASTERS, INC., 5329 Brookleigh Dr., Jackson, MS 39212. Representative: Perry, Crockett, Morrison and Starling, Law firm, Deposit Guaranty Bank Bldg., Suite 1500, Jackson, MS 39205. *Covered copper wire, fluorescent lamp ballast and equipment, materials and supplies used in the manufacture thereof, between Mendenhall, MS, Gallman, MS, Blytheville, AR, Bridgeport, CT and Paterson, NJ and points in AR, CA, CT, GA, FL, MS, NJ, NC, TX and WA. Supporting shipper: Universal Mfg. Corp., 29-51 East 6th St., Paterson, NJ.*

MC 155004 (Sub-3-1TA), filed March 30, 1981. Applicant: JOSEPH LAND AND CO., INC., West Central Avenue, P.O. Box 3310, Lake Wales, FL 33853. Representative: M. Craig Massey, 215 East Lime St., P.O. Drawer 1109, Lakeland, FL 33802. *Contract carrier; irregular routes; such commodities as are manufactured or distributed by the food processing industry and the materials, supplies and equipment used in the manufacture, production, sale, and distribution of said commodities, between the facilities of Tropicana Products, Inc. and its subsidiaries at Cincinnati, OH, Kearny, NJ and Bradenton, FL, on the one hand, and on the other, all points in the US. Supporting shipper: Tropicana Products,*

Inc., 1001 13th Avenue East, Bradenton, FL 33506.

MC 136123 (Sub-3-14TA), filed March 31, 1981. Applicant: MEAT DISPATCH, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: William L. Beasley (same as above). *Common carrier, irregular route, commodities as are used or manufactured in the labeling industry*, between the facilities of Avery Label located in Azusa and Monrovia, CA, Gainesville, Ga, Elmhurst, IL, New Brunswick, NJ, and points in the United States. Supporting shipper: Avery Label, 777 East Foothill Blvd., Azusa, CA 91702.

MC 148047 (Sub-3-1TA), filed March 31, 1981. Applicant: JAMES E. JARBOE, d.b.a. FLOORCO DISTRIBUTING COMPANY, 8507 Brownsboro Road, Louisville, KY 40222. Representative: William P. Whitney, Jr., Attorney, Suite 708 McClure Bldg., Frankfort, KY 40601. *Carpet* from Whitfield County, GA, to Cincinnati, Columbus and Dayton, OH. Supporting shippers: Wycoff Sales, 43 Vine Street, Columbus, OH 43216; G.A. Enterprises d.b.a. G. A. Carpet Remnant Outlet, 8343 Beechmont Avenue, Cincinnati, OH 45230; Carpet Fashions Contract, Incorporated, 2339 Distribution Drive, Indianapolis, IN 46241.

MC 155003 (Sub-3-3TA), filed March 30, 1981. Applicant: FREIGHT MASTERS, INC., 5329 Brookleigh Dr., Jackson, MS 39212. Representative: Perry, Crockett, Morrison, and Starling—Law firm, Deposit Guaranty Bank Bldg., Suite 1500, Jackson, MS 39205. *Mops, brooms, clotheslines, plastic flatware (knives, spoons, forks, plates), metal hardware, mop refills, waxers, dust mops, scrub mops, dust pans, rubber articles and equipment, materials and supplies used in the manufacture thereof*, between Hazlehurst, MS and points in NY, GA, WA, PA, VT, LA, CA, NJ, CO, and MA. Supporting shipper: Royal Maid, Inc., Hazlehurst, MS.

MC 106074 (Sub-3-24TA), filed March 31, 1981. Applicant: B AND P MOTOR LINES, INC., Shiloh Rd. and U.S. Hwy. 221 S., Forest City, NC 28043. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *General commodities (except household goods and classes A and B explosives)* (1) between pts. in NC and SC on the one hand, and, on the other, all pts. in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of FCX, Inc.; and (2) between pts. in, south and east of TX, OK, MO, IL, OH, PA and NJ, restricted to traffic originating at or destined to the facilities of Lowe's Companies, Inc. Supporting

shippers: FCX, Inc., P.O. Box 1111, Hwy. 268 E., North Wilkesboro, NC 28656.

MC 150912 (Sub-3-4TA), filed March 31, 1981. Applicant: LONGHORN TRUCKING CO., INC., 602 Prince Rd., Hendersonville, NC 28739. Representative: Richard B. Austin, 320 Rochester Building, 5390 NW 53d St., Miami, FL 33166. *Contract carrier, irregular routes: (A) raw plastic pellets, boxed or bagged, from Henderson County, NC to Los Angeles and Orange Counties, CA under continuing contract(s) with Farrand Enterprises, Inc., 522 South Rose St., Anaheim, CA; (B) towels, industrial fabrics, and industrial linen products from points in GA, NC, SC and TN to Los Angeles County, CA under continuing contract(s) with Acme Laundry Products, Inc., 3510 South Central Ave., Los Angeles, CA; and (C) cosmetics, toilet preparations, toilet articles, and equipment and supplies used in connection therewith from Elizabethton, TN to Walnut, CA and Sparks, NV under continuing contract(s) with Iodent Chemical Co., Iodent Industrial Way, Elizabethton, TN. Supporting shippers: Farrand Enterprises, Inc., 522 South Rose Street, Anaheim, CA 92805, Acme Laundry Products, Inc., 3510 South Central Ave., Los Angeles, CA 90011, Iodent Chemical Co., Iodent Industrial Way, Elizabethton, TN 37643.*

MC 140334 (Sub-3-3TA), filed March 24, 1981. Applicant: AM-CAN TRANSPORT SERVICE, INC., P.O. Box 859, Anderson, SC 29621. Representative: John T. Wirth, 717 17th St., Ste. 2600, Denver, CO 80202. *Contract carrier, irregular routes: Such commodities as are dealt in and used by sporting goods manufacturers*, (1) from Westminster, SC and Hartwell, GA to Dayton, NJ, Cornwell Heights, PA, Anaheim, CA, and the port of entry on the International Boundary between the U.S. and Canada located at Buffalo, NY; and (2) from Harrisburg, PA and Chicago, IL to Westminster, SC and Hartwell, GA; under continuing contract(s) with Dunlop Tire and Rubber Corp. of Westminster, SC. Supporting shipper: Dunlop Tire and Rubber Corp., P.O. Box 604, Westminster, SC 29693.

MC 146782 (Sub-3-14TA), filed March 22, 1981. Applicant: ROBERTS CONTRACT CARRIER CORPORATION, 300 Fifth Avenue, South, Nashville, TN 37201. Representative: Stephen L. Edwards, 806 Nashville Bank & Trust Building, Nashville, TN 37201. *Metal and metal articles* between Cobb County, GA, on the one hand, and, on the other, points in AL, AR, KY, LA, MS, MO, NC, OK, SC and TN. Supporting shipper: Pacesetter

Steel Service, Inc., P.O. Box 6865, 980 Marietta Industrial Drive, Marietta, GA 30065.

MC 128095 (Sub-3-9TA), filed March 27, 1981. Applicant: IBCO TRUCK LINE, INC., P.O. Box 1402, Tupelo, MS 38801. Representative: Robert L. McAarty, P.O. Box 22628, Jackson, MS 39205. *Plastic articles expanded between Indianapolis, IN, and Reading, PA, on the one hand, and, on the other, points in AL, AR, GA, KY, LA, MS, NC, SC, TN, and VA.* Supporting shipper: W. R. Grace and Company, FORMPAC Division, P.O. Box 295, Reading, PA 19603.

MC 154969 (Sub-3-1TA), filed March 27, 1981. Applicant: WM. S. LEE TRUCKING, Rt. #10, Box 249, McMinnville, TN 37110. Representative: Wm. S. Lee (same address as above). *Frozen Piglets*, from Fayetteville, TN to Los Angeles, CA. Supporting shipper: Lookout Mountain Packers, Box 288, 305 Oak Street, Fayetteville, TN 37334.

MC 118831 (Sub-3-12TA), filed March 5, 1981. Republication—originally published in Federal Register of March 16, 1981, page 16976, volume 46, No. 50. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 7007, High Point, NC 27264. Representative: Ben H. Keller III, (same address as applicant). *Hazardous materials and waste, in bulk, in portable containers, and empty containers of flat bed trailers* between points in NC and SC. Supporting shipper: Celanese Fibers Company, P.O. Box 32414, Charlotte, NC 28232.

MC 2934 (Sub-3-23TA), filed March 30, 1981. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: James L. Beattey, 300 E. Fall Creek Pkwy., Indianapolis, IN 46205. (1) *Those commodities that are usually and ordinarily dealt in by wholesale and retail, chain, department, stores and establishments, and (2) such commodities as are dealt in or used by manufacturers or distributors of commodities in (1) above* between points and places in the US east of MN, IA, NE, KS, OK, and TX, and the states of OH and WV. Supporting shipper: Hart Stores, Inc., 7770 W. Goodale Boulevard, Columbus, OH 43212.

MC 136315 (Sub-3-10TA), filed March 30, 1981. Applicant: OLEN BARRAGE TRUCKING, INC., P.O. Box 706, Philadelphia, MS 39350. Representative: Fred W. Johnson, Jr., P.O. Box 22807, Jackson, MS 39205. *Composition boards and sheets* from the facilities of Champion International Corporation at or near Oxford, MS to points in IL, IN, IA, KY, MI, MN, MO, OH, PA, and WI.

Supporting shipper: Champion International Corporation, Knightsbridge Dr., Hamilton, OH 45020.

MC 107515 (Sub-3-109TA), filed March 31, 1981. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, Esq., 3390 Peachtree Rd., N.E., 5th Floor—Lenox Towers South, Atlanta, GA 30326. *Expanded foam food service trays and egg carton containers* between points in the US (except AK and HI) restricted to traffic originating at facilities of Keyes Fibre Company, Inc. Supporting shipper: Keyes Fibre Company, Inc., 5837 Distribution Drive, Memphis, TN 38115.

MC 155013 (Sub-3-1TA), filed March 31, 1981. Applicant: FREIGHTMASTER, INC., P.O. Box 488, Taylorsville, NC 28681. Representative: D. R. Beeler, 1261 Columbia Avenue, Franklin, TN 37064. *Contract; irregular; Furniture and furniture fixtures* between points in NC on the one hand and points in and east of ND, SD, NE, OK, and TX on the other. Under continuing contract with Craftmaster Furniture, Inc., P.O. Box 488, Taylorsville, NC 28681 for 270 days. Supporting shipper: Craftmaster Furniture, P.O. Box 488, Taylorsville, NC 28681.

MC 124887 (Sub-3-15TA), filed March 31, 1981. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, FL 32421. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Primary and Fabricated Metal Articles*, between points in the U.S. (except AK and HI), on traffic originating at or destined to the facilities utilized by Intercontinental Metals Corporation and suppliers or customers of Intercontinental Metals Corporation. Supporting shipper: Intercontinental Metals Corporation, 6525 Morrison Blvd., Suite 301, Charlotte, NC 28222.

MC 152763 (Sub-3-3TA), filed March 30, 1981. Applicant: EXPRESSCO, INC., 105 Rhine St., Madison, TN 37115. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, TN 37219. *Metal buildings, parts, thereof and steel*, between Sumner County, TN, on the one hand, and, on the other, points in the U.S., under continuing contract(s) with Kirby Building Systems. Supporting shipper: Kirby Building Systems, P.O. Box 390, Kirby Drive, Portland, TN 37148.

MC 144827 (Sub-3-39TA), filed March 30, 1981. Applicant: DELTA MOTOR FREIGHT, INC., P.O. Box 18423, Memphis, TN 38118. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Plastic*

granules, except in bulk, from facilities of Southwest Chemicals and Plastics, Deer Park, TX, to points in the U.S. Supporting shipper: Southwest Chemicals and Plastics, 9402 Highway 225, Deer Park, TX 77536.

MC 120981 (Sub-3-5TA), filed March 27, 1981. Applicant: BESTWAY EXPRESS, INC., 905 Visco Drive, Nashville, TN 37210. Representative: George M. Catlett, 708 McClure Building, Frankfort, KY 40601. *Such commodities as are dealt in by Publishing Houses*, between Nashville, TN, on the one hand, and, on the other, points in Rapides Parish, LA. Supporting shipper: Baird Ward Printing Co., Inc., P.O. Box 539, Nashville, TN 37202.

MC 146451 (Sub-3-30TA), filed March 25, 1981. Applicant: WHATLEY-WHITE, INC., P.O. Box 6, Dothan, AL 36302. Representative: Jeffrey W. Kohlman, Fifth Floor, Lenox Towers S, 3390 Peachtree Rd., N.E., Atlanta, GA 30326. *Chemicals and related products; non-chemical toilet preparations, articles, and products; non-chemical household and industrial cleaning articles and products; and swimming pool maintenance articles and products*; between the facilities of Purex Corporation, on the one hand, and, on the other, points in the US. Supporting shipper: Purex Corporation, 1414 N. Radcliffe St., Bristol, PA 19007.

MC 150643 (Sub-3-10TA), filed March 25, 1981. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA. 30253. Representative: Frank D. Hall, Postell & Hall, P.C., Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA, 30326. *Contract, irregular, (1) Bakery products (except frozen) and related stationery and advertising materials; and (2) materials, equipment and supplies used, sold or dealt in by bakeries*, between all points in the US, under continuing contract(s) with Sunshine Biscuits, Inc. Supporting shipper: Sunshine Biscuits, Inc., P.O. Box 7, Sayreville, NJ, 08872.

The following applications were filed in region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 133689 (Sub-4-77TA), filed April 2, 1981. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Heating and air conditioning apparatus, and equipment, materials, and supplies used in the manufacture and distribution of heating and air conditioning apparatus*, between Nashville and Lewisburg, TN on the one hand, and, on the other, points in the

U.S. in and east of ND, SD, NE, KS, OK, and TX. Restricted to shipments originating at or destined to the facilities of Heil Quaker, Inc. Supporting shipper: Heil Quaker, Inc., 1714 Heil Quaker Blvd. Laverne, TN 37066.

MC 138575 (Sub-4-1TA), filed April 2, 1981. Applicant: GWINNER OIL CO., INC., P.O. Box 38, Gwinner, ND 58040. Representative: James B. Hovland, 525 Lumber Exchange Bldg., 10 South 5th St., Minneapolis, MN 55402. *Fertilizer*, from Glenwood and Barnesville, MN and Murdock, SD to Sargent County, ND. An underlying ETA seeks 120 days authority. Supporting shipper: Gary's Farm Service, Inc., Gwinner, ND.

MC 142310 (Sub-4-11TA), filed April 2, 1981. Applicant: H. O. WOLDING, INC., Box 56, Nelsonville, WI 54458. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. *Containers and container closures* from Shakopee, MN to points in IL, IN, IA, KY, MI, MO, NE, and WI. Supporting shipper: Midland Glass Company, Cliffwood Avenue, Cliffwood, NJ 07721.

MC 143280 (Sub-4-16TA), filed April 2, 1981. Applicant: SAFE TRANSPORTATION COMPANY, 6834 Washington Avenue South, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Plastic containers*, from the facilities of Hoover Universal, Inc., at Lenexa, KS to points in IA, MN, ND, SD, AR, NE, WI, MT, and OK. Supporting shipper: Hoover Universal, Inc., 9939 Widner Road, Lenexa, KS 66215.

MC 143280 (Sub-4-17TA), filed April 2, 1981. Applicant: SAFE TRANSPORTATION COMPANY, 6834 Washington Avenue South, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *General commodities (except Classes A & B explosives)* from the facilities of James A. Green, Jr. & Company at St. Louis County, MO, to points in OH, IA, MI, MN, IL, NE, ND, SD, WY, MT, KS, IN, KY, TN, AR, and OK. Supporting shipper: James A. Green, Jr. & Co., 7912 Bonhomme, St. Louis, MO 63105.

MC 145944 (Sub-4-7TA), filed April 2, 1981. Applicant: H & N TRANSPORT, INC., P.O. Box 148, Main Street, Cottage Grove, WI 53527. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Road, Madison, WI 53719. *Contract irregular: Commodities as are dealt in by the supplier, distributors and vendors of farm supplies* between points in the 48 states. Restricted to transportation performed under continuing contract(s) with Hartung Brothers, Inc. An underlying ETA seeks

120 days authority. Supporting shipper: Hartung Brothers, Inc., Route #2, Arena, WI 53503.

MC 146329 (Sub-4-3TA), filed April 2, 1981. Applicant: W-H TRANSPORTATION CO., INC., P.O. Box 1222, Wausau, WI 54401. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. (1) *Storage tanks, silos, and bins and (2) Materials, equipment and supplies used in the manufacture and distribution of the commodities in (1) above between Mosinee, WI; Iowa Falls, IA; Van Wert, OH; Ocala, FL, and Milton, PA, on the one hand, and, on the other, points in the U.S. Supporting shipper: Schuld Manufacturing Co., Inc., P.O. Box 130, Mosinee, WI 54455.*

MC 146728 (Sub-4-8), filed April 2, 1981. Applicant: GOLDEN BROS., INC., 234 East McClure Street, Kewanee, IL 61443. Representative: Abraham A. Diamond, 29 South La Salle Street, Chicago, IL 60603. *Contract Irregular: Iron and Steel Articles between points in the U.S., under continuing contracts with Dade Steel Sales Corp. and William R. Hubbell Steel Corporation. Supporting shippers: Dade Steel Sales Corp., 4255 N.W. 73rd Avenue, Miami, FL 33166; and William R. Hubbell Steel Corporation, 11305 Franklin Avenue, Franklin Park, IL 60131.*

MC 147039 (Sub-4-10TA), filed April 1, 1981. Applicant: TRANSPORTATION SERVICES, INC., 21055 West Rd., Trenton, MI 48183. Representative: H. Neil Garson, 3251 Old Lee Highway, Fairfax, VA 22030. *Chemicals, between TX and points in DE, IN, IL, KY, MD, MI, NJ, NY, OH, PA, TN, VA, and WV. Supporting shipper: Southern Texas Chemical Corp., 15 Charleston Park 904, Houston, TX 77025.*

MC 149275 (Sub-4-2TA), filed April 2, 1981. Applicant: GNAN TRUCKING, INC., Route 8, Box 367, Brainerd, MN 56401. Representative: James M. Christenson, 4444 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402. *Beer and malt beverages and empty containers between Morrison County, MN on the one hand and on the other St. Louis, MO. Supporting shipper: C&L Distributing Co., P.O. Box 165, Royalton, MN 56373.*

MC 149365 (Sub-4-1TA), filed April 2, 1981. Applicant: WOOD DALE LEASING & TRUCKING CO., INC., 312 Frederick Place, Wood Dale, IL 60191. Representative: William H. Towle, 180 North LaSalle Street, Chicago, IL 60601. *Primary and fabricated metal products between the facilities of R A Industries, Inc. in Cook County, IL, on the one hand, and, on the other, points in the U.S. Supporting shipper: R A Industries, Inc.,*

1092 N. North Branch Street, Chicago, IL 60622.

MC 150247 (Sub-4-4TA), filed March 30, 1981. Applicant: VANEERDEN TRUCKING COMPANY, INC., 1150 Freeman, S.W., Grand Rapids, MI 49503. Representative: J. Michael Smith, 465 Old Kent Building, Grand Rapids, MI 49503. *Frozen potato products between points in the U.S., under a continuing contract with Mid-America Potato Company, Wyoming, Lake Odessa and Martin, MI. Supporting shipper: Mid-America Potato Company, P.O. Box 2064, Grand Rapids, MI 49501. An underlying ETA seeks 120 days authority.*

MC 152730 (Sub-4-3TA), filed April 1, 1981. Applicant: DEPENDABLE TRANSIT, INC., P.O. Box 21, Hartford City, IN 47348. Representative: William E. Ervin, 211 N. High Street, Hartford City, 47348. *Plastic Articles, Materials, equipment and Supplies utilized in the manufacture, sale and distribution of Plastic Articles between Jackson County, IN; DU Page County, IL, on the one hand, and, on the other all points in and East of the States of MN, IA, MO, AR, and LA. Supporting shipper: Amoco Container Company, 21100 Powers Ferry Road NW., Atlanta, GA 30099.*

MC 153829 (Sub-4-12TA), filed April 2, 1981. Applicant: UNITED SHIPPING COMPANY, 2104 Lower St. Dennis Road, St. Paul, MN 55116. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. *Flavoring syrups and compounds, between points in the U.S. Restricted to the transportation of traffic moving to or from the facilities of Dr Pepper Company. Supporting shipper: Dr Pepper Company, 5523 East Mockingbird Lane, Dallas, TX 75206.*

MC 153829 (Sub-4-13TA), filed April 2, 1981. Applicant: UNITED SHIPPING COMPANY, 2104 Lower St. Dennis Road, St. Paul, MN 55116. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. *Lighting fixtures, and parts, and accessories therefor and materials, equipment and supplies used in the manufacture, sale and distribution thereof, between the facilities of L & L Manufacturing, Inc. at or near Minneapolis-St. Paul, MN, on the one hand, and, on the other, points in the U.S. Supporting shipper: L & L Manufacturing, Inc., 14600 Martin Drive, Eden Prairie, MN 55344.*

MC 153829 (Sub-4-14TA), filed April 2, 1981. Applicant: UNITED SHIPPING COMPANY, 2104 Lower St. Dennis Road, St. Paul, MN 55116. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102.

Foodstuffs (except in bulk), between the facilities of Stokely-Van Camp, Inc. located in Douglas County, KS and points in the U.S. Supporting shipper: Stokely Van Camp, Inc., Canned Foods Division, 941 N. Meridian Street, Indianapolis, IN 46206.

MC 154008 (Sub-4-2TA), filed April 1, 1981. Applicant: DAVID E. YOUNG AND JOYCE E. YOUNG d.b.a. YOUNG TRUCK LINES, Box 8, Lyle, MN 55953. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., 10 South Fifth Street, Minneapolis, MN 55402. *Contract Irregular: Expanded metal products, between points in the U.S. under a continuing contracts or contracts with B. L. Downey Company, Inc., Cicero, IL 60650. Supporting shipper: B. L. Downey Company, Inc., Cicero, IL.*

MC 154953 (Sub-4-1TA), filed April 1, 1981. Applicant: DOKE TRANSPORT CO., INC., P.O. Box 109, Clarks Hill, IN 47930. Representative: Richard A. Huser, 1301 Merchants Plaza, Indianapolis, IN 46204. *Animal feed (ingredients including calcium), between Adams County, IL, on the one hand, and, on the other, Kosciusko, Elkhart and Carroll Counties, IN. An underlying ETA seeks 120 days authority. Supporting shipper: Clunette Elevator, R.R. 2, Leesburg, In 46358; Triangle Feeds, A Division of Yeagar & Sullivan Co., P.O. Box 11, Camden, IN; and Middlebury Grain & Feed, Box 272, Middlebury, IN 46540.*

MC 155074 (Sub-4-1TA), filed April 3, 1981. Applicant: JOHNSON FEED, INCORPORATED, Fairview, SD 57027. Representative: A. J. Swanson, P.O. Box 1103, Sioux Falls, SD 57101. *Contract irregular: Salt, salt products, materials and supplies used in the manufacture, packaging and distribution of salt and salt products between points in IA, KS, MN, NE, ND, SD, UT, and WI under a continuing contract or contracts with Cargill, Incorporated, Salt Division, Minneapolis, MN. Supporting shipper: Cargill, Incorporated Salt Division, P.O. Box 9300, Minneapolis, MN 55440.*

MC 83539 (Sub-5-4TA), filed March 31, 1981. Applicant: C & TRANSPORTATION CO., INC., 9757 Military Parkway, Dallas, TX 75227. Representative: Thomas E. James (same as Applicant). *Contract, Irregular; General Commodities, except classes A & B explosives, between points in the U.S., under continuing contract(s) with Ingersoll-Rand Company, its divisions and subsidiaries. Supporting shipper: Ingersoll-Rand Company, 277 Park Avenue, New York, NY 10172.*

MC 110567 (Sub-5-2TA), filed March 31, 1981. Applicant: SOONER

TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, Attorney, P.O. Box 855, Des Moines, IA 50304. Contract, irregular; *Commodities distributed by retail stores*, between pts in SD, NE, IA and IL. Supporting shipper: Super Value Stores, Des Moines Division, 3919 109th Street, Des Moines, IA 50322.

MC 111401 (Sub-5-36TA), filed April 1, 1981. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, OK 73701. Representative: Victor R. Comstock, Vice President, Traffic (same as applicant). *Coal tar, in bulk, in tank vehicles* from Channelview, TX to Wichita, KS. Supporting shipper: Acro Products, P.O. Box 506, Channelview, TX 77530.

MC 115669 (Sub-5-7TA), filed March 31, 1981. Applicant: DAHLSTEN TRUCK LINE, INC., 101 W. Edgar St., P.O. Box 95, Clay Center, NE 68933. Representative: Vayle Hayes (same address as application). *Dry products produced by Swift Adhesives and Coatings*, from St. Joseph, MO, to pts in WI. Supporting shipper: Swift Adhesives and Coatings, P.O. Box 399, St. Joseph, MO 64504.

MC 125535 (Sub-5-9TA), filed March 31, 1981. Applicant: NATIONAL SERVICE LINES, INC. OF NEW JERSEY, P.O. Box 1746, Maryland Heights, MO, 63043. Representative: Donald S. Helm (same as above). Contract; Irregular. (1) *Steel tubing and pipe and (2) materials used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk in tank vehicles)*, between Union, MO on the one hand, and on the other, points in the U.S. (except AK and HI). Supporting shipper: Maverick Tube Corporation, 311 N. Lindbergh Blvd., St. Louis, MO 63141.

MC 135691 (Sub-5-11TA), filed April 1, 1981. Applicant: DALLAS CARRIERS CORP., P.O. Box 38528, Dallas, TX 75238. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Rm. 909, Memphis, TN 38103. (1) *Diatomaceous earth* from Lompoc, CA, to Dallas and Houston, TX; Little Rock, AR; New Orleans, LA; Memphis, TN; Birmingham, AL; Atlanta, GA; Jackson, MS; and Oklahoma City, OK; and (2) *Perlite* from Antonito, CO, and Socorro, NM, to pts in the U.S. Supporting shipper: General Refractories Company, 50 Monument Rd., Bala Cynwyd, PA 19004.

MC 135953 (Sub-5-5TA), filed March 31, 1981. Applicant: CHEROKEE LINES, INC., P.O. Box 152, Cushing, OK 74023. Representative: Barbara A. Spess (address same as above). Contract, irregular; *Meats and meat products, meat by-products, and articles*

distributed by meat packing houses, from the facilities of Wilson Foods Corp., at Marshall, MO and Oklahoma City, OK, to points in AZ and CA. Supporting shipper: Wilson Foods Corp., 4545 Lincoln Blvd., Okla. City, OK 73105.

MC 142672 (Sub-5-22TA), filed April 1, 1981. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., Post Office Drawer F, Mulberry, AR 72947. Representative: Don Garrison, Esq., Post Office Box 1065, Fayetteville, AR 72701. *Resin Solutions and Flammable Liquid, in containers*—From points in the U.S.—To the facilities of Coatings and Plastics, Inc., at or near Ft. Smith, AR. Supporting shipper: Coatings & Plastic, Inc., 5106 Wheeler Avenue, Ft. Smith, AR 72901.

MC 144982 (Sub-5-8TA), filed March 31, 1981. Applicant: OHIO PACIFIC EXPRESS, INC., P.O. Box 277, Benton, MO 63736. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. Contract; irregular; *general commodities (except Class A and B explosives, household goods, and commodities in bulk)*, between points in the U.S. Supporting shipper: Nationwide Shippers Cooperative Association, Inc., 2735 Springgrove Ave., Cincinnati, OH 45225.

MC 144982 (Sub-5-9TA), filed April 1, 1981. Applicant: OHIO PACIFIC EXPRESS, INC., P.O. Box 277, Benton, MO 63736. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. Contract; irregular; *general commodities (except Class A and B explosives, household goods, and commodities in bulk)*, between points in the U.S. Supporting shipper: Ohio Valley Shippers Association, Inc., 1428 Dalton Street, Cincinnati, OH 45214.

MC 146448 (Sub-5-19TA), filed April 1, 1981. Applicant: C & L TRUCKING, INC., P.O. Box 409, Judsonia, AR 72081. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Refractories, refractory products, minerals and ores*, (1) From Camden, NJ; Port Kennedy, PA and Wilmington, DE to points in AR, IL, MS and TN, and (2) From Chicago Heights and Aurora, IL to points in AR, MS and TN. Supporting shipper: Industrial Products Group—Combustion Engineering, Inc., P.O. Box 828, Valley Forge, PA 19482.

MC 152406 (Sub-5-2TA), filed March 31, 1981. Applicant: TEXAS WESTERN EXPRESS, INC., 5713 Azle Avenue, Fort Worth, TX 76114. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. *Meat, Meat products and articles distributed by meat packinghouses* between Hale and Palmer Counties, TX, on the one hand, and, on the other,

points in AZ, CA, ID, NV, OR, UT, WA and WY. Supporting shipper: MBPXL Corp., P.O. Box 2519, Wichita, KS 67201.

MC 152959 (Sub-5-7TA), filed March 31, 1981. Applicant: MOBILE EXPRESS, INC., P.O. Box 8167, Longview, TX 75607. Representative: Robert Nieman (same address as applicant). Contract; Irregular *Van type trailers, double van type trailers, flat bed trailers, double flat bed trailers, dump type trailers, double dump type trailers and trailer chassis. Materials, supplies and parts of trailers and trailer chassis, trailer converter dollies, oil pumping units, oil pumping gears, and any and all related component parts thereof*, between the facilities of Lufkin Industries, Inc. on the one hand; and all points and places in the continental U.S. and AK, on the other. Supporting shipper: Lufkin Industries, Inc., P.O. Box 848, Lufkin, TX 75901.

MC 153210 (Sub-5-1TA), filed April 1, 1981. Applicant: ALAN E. WOLFE EQUIPMENT AND CONSTRUCTION COMPANY, 3001 East 83rd Street, Kansas City, MO 64132. Representative: E. Wayne Farmer, City Center Square, 27th Floor, P.O. Box 26010, Kansas City, MO 64196. Contract irregular *concrete sewer pipe*, from: Tulsa OK and its commercial zone; to Coffeyville KS and its commercial zone. Supporting shipper: Tri-City Construction Company, 3001 East 83rd Street, Kansas City, MO 64132.

MC 153723 (Sub-5-2TA), filed April 1, 1981. Applicant: A&M ENTERPRISE, INC., Post Office Box 884, Springdale, AR 72764. Representative: Don Garrison, Esq., Post Office Box 1065, Fayetteville, AR 72701. *Foodstuffs*—Between the facilities of Mexican Original Products, at or near Washington County, AR, on the one hand, and, on the other, points in AR, AL, FL, IL, IN, KS, MA, MN, MO, MS, NC, ND, NE, NY, OH, PA, SC, TN, TX, VA, WI and WV. Supporting shipper: Mexican Original Products, Inc., Post Office Box 1368, Fayetteville, AR 72701.

MC 154813 (Sub-5-1TA), filed March 31, 1981. Applicant: DALLAS SERVICE CORPORATION, P.O. Box 343, Earlham, IA 50072. Representative: R. J. Denkhoff, 3000 Grand, Des Moines, IA 50312. *Cement*, from Des Moines, IA, to pts in NE. Supporting shipper: Monarch Cement Co., Humboldt, KS 66748.

MC 24583 (Sub-5-4TA), filed April 3, 1981. Applicant: FRED STEWART COMPANY, P.O. Box 665, Magnolia, AR 71753. Representative: James M. Duckett, 411 Pyramid Life Building, Little Rock, AR 72201. *Asphalt and Asphalt Products*, from Union County, AR, to all points in AL, NC, PA, and IA.

Supporting shipper: Bitucote Products Company, 1824 Knox Avenue, St. Louis, MO 63139.

MC 47583 (Sub-5-16TA), filed April 3, 1981. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, KS 66115. Representative: D. S. Huits, P.O. Box 225, Lawrence, KS 66044. *Charcoal and charcoal briquettes, hickory chips and charcoal lighter fluid*, from Branson, MO; Meta, MO; Poplar Bluff, MO; Waupaca, WI; Isanti, MN; and Dickinson, ND; to points in AR, AZ, CA, CO, IL, IN, KS, LA, MN, MT, NE, NV, OH, OK, OR, TX, UT, WA, and WI. Supporting shipper: Husky Industries, 62 Perimeter Center East, Atlanta, GA 30346.

MC 83539 (Sub-5-5TA), filed April 2, 1981. Applicant: C & H TRANSPORTATION CO., INC., 9757 Military Parkway, P.O. Box 270535, Dallas, TX 75227. Representative: Thomas E. James (same address as applicant). Contract; irregular; *Castings*, between MI, TX, OK, LA, and CO, under a continuing contract(s) with Regney & Roe, Inc., its divisions, and subsidiaries. Supporting shipper: Rigney & Roe, Inc., 1726 Augusta Drive, Houston, TX 77057.

MC 100666 (Sub-5-18TA), filed April 3, 1981. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Paul L. Caplinger (same as applicant). *Magazines, catalogs, periodicals, newspaper supplements, inserts and printed matter* between the facility utilized by Southern State Periodical Shippers, Inc. at or near New Orleans, LA, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper: Southern State Periodical Shippers, Inc., 300 Jefferson Highway, Suite 304, Jefferson, LA 70121.

MC 106398 (Sub-5-67TA), filed April 2, 1981. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same as applicant). *Iron and Steel Articles*, between SC on the one hand, and, on the other, all points in the U.S. in and east of the Mississippi River including AR and MO. Supporting shipper: Oceana Corporation, P.O. Box 1260, Darlington, SC 29513.

MC 114211 (Sub-5-29TA), filed April 3, 1981. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, IA 50704. Representative: Adelor J. Warren, P.O. Box 420, Waterloo, IA 50704. *Brass, chrome, satin, and plastic plumbing fixtures*, between the facilities of Dearborn Brass, Division of Beatrice Foods Company, at or near Tyler, TX, on the one hand, and, on the other, pts in the U.S. Supporting

shipper: Dearborn Brass, Division of Beatrice Foods Company, P.O. Box 802, Tyler, TX 75710.

MC 124673 (Sub-5-12TA), filed April 2, 1981. Applicant: FEED TRANSPORTS, INC., P.O. Box 2167, Amarillo, TX 79105. Representative: Gail P. Johnson (same as applicant). *Fertilizer, fertilizer ingredients, and fertilizer compounds*, between Ford County, KS, and points in AR, MO, IA, IL, IN, OH, and MI. Supporting shipper: Ruffin, Inc., P.O. Box 940, Dodge City, KS 67801.

MC 124711 (Sub-5-6TA), filed April 3, 1981. Applicant: BECKER CORPORATION, P.O. Box 1050, El Dorado, KS 67042. Representative: T. M. Brown, P.O. Box 1540, Edmond, OK 73034. *Silica gel catalyst*, from Lake Charles, LA to TX, OK, KS, AR, PA, NJ, IN, IL, MN, MT, CO, UT, OH, and DE. Supporting shipper: Davidson Chemical Division of W. R. Grace and Co., P.O. Box 2117, Baltimore, MD 21203.

MC 127804 (Sub-5-1TA), filed April 3, 1981. Applicant: WILLIAM R. WEINRICH, d.b.a. WEINRICH TRUCK LINES, P.O. Box 1037, Hinton, IA 51024. Representative: WILLIAM L. FAIRBANK, 2400 Financial Center, Des Moines, IA 50309. *Salt and salt products*, from the facilities utilized by Cargill, Incorporated, Salt Division, at Sioux City, IA; Hutchinson, KS and Little Mountain, UT, to pts in IA, MN, NE, and SD. Supporting shipper: Cargill, Incorporated, Salt Division, P.O. Box 9300, Minneapolis, MN 55440.

MC 135797 (Sub-5-110TA), filed April 2, 1981. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant, Esq. (address same as applicant). *Foodstuffs*, from El Paso County, TX to points in the U.S. Supporting shipper: Bruce Foods Corporation, Ashley's Division, 6590 Montana Ave., El Paso, TX 79925.

MC 135797 (Sub-5-111TA), filed April 2, 1981. Applicant: J. B. HUNT TRANSPORT, INC., Post Office Box 130, Lowell, AR 72745. Representative: Paul R. Bergant, Esq. (Address same as applicant). *Animal feed supplements*, between points in OK on the one hand, and, on the other, points in AZ, CA and TX. Supporting shipper: Bankers Service Corporation, 6161 North May, Suite 117, Oklahoma City, OK 73112.

MC 138627 (Sub-5-12TA), filed April 3, 1981. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, IA 50501. Representative: Arlyn L. Westergren, Westergren & Hauptman, P.C., Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114. *Salt*, from Hutchinson, KS to pts in the U.S.

Supporting shipper: Carey Salt, Division of Processed Minerals, Inc., 1800 Carey Blvd., Hutchinson, KS 67501.

MC 140635 (Sub-5-11TA), filed April 2, 1981. Applicant: ADAMS LINES, INC., 2619 N Street, Omaha, NE 68107. Representative: John L. Hornung (Same as above). *Foodstuffs, confectioneries, and cocoa*. (1) Between Chicago, IL and Lincoln, NE, and pts in KS, NE, OK, TX, AR, MO, IA, MN, IL, OH, PA, NY, MA & CO; and (2) From New York, NY, Philadelphia, PA and Baltimore, MD to Chicago, IL.

MC 140665 (Sub-5-67TA), filed April 3, 1981. Applicant: PRIME, INC., P.O. Box 4208, Springfield, MO 65804. Representative: Ann Holcombe, P.O. Box 786, Ravenna, OH 44266. *General Commodities, (except Classes A and B explosives)* (a) between points in IL, KS, MN, NE, SD, and WI, on the one hand, and, on the other, points in CT, DE, IL, IN, KS, KY, ME, MA, MD, MI, MN, NE, NJ, NY, NC, OH, PA, RI, TN, VA, WV, WI, and (b) between points in AZ, CA, CO, ID, KS, MT, NE, NV, NM, OR, UT, WA and WY, on the one hand, and, on the other, points in AZ, CA, CO, ID, KS, MT, NE, NV, NM, OR, UT, WA and WY. Restricted to traffic originating at or destined to facilities utilized by ITOFCA, INC., or its members, and restricted to shipments moving on bills of lading of the above shipper association. Supporting shipper: ITOFCA, INC., P.O. 188, Clarendon Hills, IL 60514.

MC 141885 (Sub-5-19TA), filed April 3, 1981. Applicant: ACTION DELIVERY SERVICE, INC., 2401 West Marshall Drive, Grand Prairie, TX 75051. Representative: A. William Brackett, 623 So. Henderson, 2nd Floor, Fort Worth, TX 76104. Contract; irregular. *Such merchandise as dealt in by Home Products Distributors*, from the facility of Amway Corporation at Des Moines, IA to points in NE. Supporting shipper: Amway Corporation, 4161 McDonald, Des Moines, IA 50313.

MC 145743 (Sub-5-4TA), filed April 3, 1981. Applicant: T.F.S. INC., RR 2, Box 126, Grand Island, NE 68801. Representative: A. J. Swanson, Quintance & Swanson, P.O. Box 1103, 226 North Phillips Avenue, Sioux Falls, SD 57101. *Meat, meat products and meat byproducts* from Grand Island, NE and pts in its commercial zone to Cache County, UT. Supporting shipper: E. A. Miller & Sons Packing Co., Inc., 200 West 400 N., Hyrum, UT 84319.

MC 145900 (Sub-5-1TA), filed April 3, 1981. Applicant: BOBBY W. RAGAN, d.b.a. TEKAMAH TRANSFER, 1414 "J" Street, Tekamah, NE 68061.

Representative: James F. Crosby & Associates, 7363 Pacific Street, Suite 210B, Omaha, NE 68114. *Equipment, materials, parts and supplies used in the manufacture, sale, and distribution of mobile housing*, between the facilities of Shar Lo Homes at Tekamah, NE, on the one hand, and, on the other, pts in the U.S. (except AK and HI). Supporting shipper: Shar Lo Homes, 19th & J Streets, Tekamah, NE 68061.

MC 147676 (Sub-5-4TA), filed April 2, 1981. Applicant: KEATON TRUCK LINES, INC., 1000 South Lelia Street, P.O. Box 1187, Texarkana, TX 75504. Representative: Patsy R. Washington, CPA (same as applicant). Contract; irregular: *Bakery Products and All Items Used in the Preparation of Bakery Products in containers and packages, in straight or mixed shipments*, between the facilities of Sta-Fresh Buns, Inc. at or near Texarkana, AR, and Atlanta, GA, and points in AR, CA, GA, IL, KS, OK, and TX. Supporting shipper: Sta-Fresh Buns, Inc., 1940 Will Ross Court, Chamblee, GA 30341.

MC 148437 (Sub-5-7TA), filed April 3, 1981. Applicant: BORK TRANSPORT, INC., 600 S.E. 18th Street, Des Moines, IA 50317. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. *Petroleum products*, from Bettendorf, IA, to Galesburg, Kewanee, Macomb and Monmouth, IL. Supporting shipper: Superamerica, Division of Ashland Oil, Inc., Suite 310 Wentworth Office Center, 33 East Wentworth Avenue, West St. Paul, MN 55118.

MC 148479 (Sub-5-4TA), filed April 3, 1981. Applicant: MIDWEST SOLVENTS COMPANY, INC., 1300 Main Street, Atchison, KS 66002. Representative: Kenneth E. Smith (same as applicant). Contract; irregular: *Charcoal, charcoal products, materials, equipment and supplies used in the manufacture and distribution of charcoal and charcoal briquets*, between Baxter County, AR and points in AL, AZ, CA, CO, CN, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NJ, NM, NY, NC, OH, OK, PA, SC, TN, TX, VA, WV, WI. Supporting shipper: Cotter Manufacturing Company, P.O. Box 100, Cotter, AR 72626.

MC 152955 (Sub-5-1TA), filed April 2, 1981. Applicant: HEAVY HAULERS TRANSPORTATION, INC., 3822 Louisiana 1 North, Port Allen, LA. Representative: Roy H. Maughan, 1755 Wooddale Blvd., Baton Rouge, LA 70806. *Heavy and combersome pressure containment vessels, equipment, and machinery including accessories and parts thereof*, between points in TX, MS, and LA. Supporting shippers: Delta

Southern Fabricators—Donald R. Newman, P.O. Box 3034, 1435 Choctaw Drive, Baton Rouge, LA 70821. R.O.W. Equipment and Construction Co., 4207 Perkins Rd., Baton Rouge, LA.

Note.—Applicant intends to interline. MC 155053 (Sub-5-1TA), filed April 2, 1981. Applicant: B & S TRANSPORTATION (a division of BRYANTS TRUCKING INC. OF FRANKLINTON), Route 2, Box 175B, Franklinton, LA 70438. Representative: Douglas C. Wynn, P.O. Box 1285, Greenville, MS 38701. Contract; Irregular: (1) *Lumber and wood products*; (2) *pulp, paper and related products*; and (3) *materials, equipment and supplies used in the manufacture, assembly, sale and distribution of commodities described in (1) & (2) above*; between points in Livingston, Tangipahoa, Washington, Winn, and West Feliciana Parishes, LA and Lamar County, MS, on the one hand, and, on the other, points in AL, AR, CO, FL, GA, IL, IN, KY, LA, MI, MN, MO, MS, NJ, NY, NC, NM, OH, OK, PA, TN, TX and WI, under continuing contract(s) with Crown Zellerbach Corporation. Supporting shipper: Crown Zellerbach Corporation, P.O. Box 1060, Bogalusa, LA 70427.

MC 155062 (Sub-5-1TA), filed April 2, 1981. Applicant: AVERY PRUITT AND SON, INC., Route 1, Box 1A, Jasper, AR 72641. Representative: Jay C. Miner, P.O. Box 313, Harrison, AR 72601. (1) *Charcoal briquets* from Taney County, MO to points in LA, TX, OK and AR; (2) *lumber, lumber products and treated wood products* from points in Boone and Newton Counties, AR to points in OK, TX, LA, MO, TN, MS, GA, AL and IA; (3) *foodstuffs and such merchandise as is dealt in by wholesale, retail and chain grocery stores* from the facilities of Clorox, Inc. in Houston, TX to points in AR; and (4) *folding tables* from the facilities of Twin Table, Inc. in Conway, AR to points in the U.S. Supporting shippers: 6.

MC 155067 (Sub-5-1TA), filed April 2, 1981. Applicant: DOW TRUCKING, INC., Highway 167 South, P.O. Box 2653, Batesville, AR 72501. Representative: Thomas B. Staley, 1550 Tower Building, Little Rock, AR 72201. Contract; Irregular: (a) *Foodstuffs*; and (b) *material, equipment and supplies used in the production and distribution of those items in (a) above*; between points and places in the U.S. under continuing contracts with Banquet Foods Corporation. Supporting shipper: Banquet Foods Corporation, 100 North Broadway, St. Louis, MO 63102.

MC 155090 (Sub-5-1TA), filed April 3, 1981. Applicant: S & T TRUCKING CO., INC., 77 South James Street, Kansas

City, KS 66118. Representative: Charles J. Fain, Attorney at Law, 333 Madison Street, Jefferson City, MO 65101. Contract; Irregular: *Non-exempt food or kindred products* from Loring, KS, to all points in the U.S. Supporting shipper: Mid-Continent Underground Storage Co., P.O. Box 356, Bonner Springs, KS 66012.

MC 155095 (Sub-5-1TA), filed April 3, 1981. Applicant: JOBBERS OIL TRANSPORT CO., INC., 810 Kenner Avenue, Kenner, LA 70062. Representative: Edward A. Winter, 235 Rosewood Drive, Metairie, LA 70005. *Petroleum Products and their derivatives, and Alcohols*, Between points in AL, AR, LA, MS and TX. Supporting shippers: Field Industries, Inc., P.O. Box 23216, Harahan, LA 70123, NOLA Chemicals Co., P.O. Box 10248, Jefferson, LA 70121, and Tenneco Oil Company, P.O. Box 1037, Chalmette, LA 70043.

The following protests were filed in region 6. Send protests to: Interstate, Commerce Commission, Region 6, Motor Carrier Board (RMCB), P.O. Box 7413, San Francisco, CA 94120.

MC 152671 (Sub-6-7TA), filed March 27, 1981. Applicant: ALL FREIGHT TRANSPORTATION, INC., P.O. Box 6699, Boise, ID 83707. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701. *Contract Carrier*, Irregular routes: *Commodities dealt in by department and discount stores*, from the facilities of Allied Stores Marketing Corporation at or near New York City, NY and Hoboken, NJ to Seattle, WA and points in its commercial zone, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Allied Stores Marketing Corporation, 1114 Ave. of the Americas, New York, NY 10036.

MC 153576 (Sub-6-2TA), filed March 30, 1981. Applicant: ALPINE TRANSPORT, INC., 225 Commerce St., Missoula, MT 59801. Representative: William E. Seliski, P.O. Box 8255, Missoula, MT 59807. *Pre cut log buildings, knocked down, and materials and supplies used in the construction of such commodities* from Missoula County, MT to points in OR, CA, WA, MN, and ID, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Real Log Homes, Inc. P.O. Box 8509, Missoula, MT 59807.

MC 118544 (Sub-6-28TA), filed March 27, 1981. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: Richard G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. *Food and related products* between the facilities of Heublein, Inc., in the U.S., on the one

hand, and, on the other, points in the U.S. for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Heublein, Inc., 330 New Park Ave., Hartford, CT 06101.

MC 129262 (Sub-6-1TA), filed March 26, 1981. Applicant: AYERS AND MADDUX, INC., P.O. Box 1848, Nogales, AZ 85621. Representative: Fred H. Mackensen, 2029 Century Park East, Suite 4150, Los Angeles, CA 90067. *Water*, from Mena, AR, to Houston and San Antonio, TX, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Alpine Water Co., 249 W. La Chapelle, San Antonio, TX 78204.

MC 138313 (Sub-6-7TA), filed March 26, 1981. Applicant: BUILDERS TRANSPORT, INC., 409 14th St. SW, Great Falls, MT 59404. Representative: Irene Warr, 430 Judge Bldg., Salt Lake City, UT 84111. *Metal products*, between points on the international boundary line between the U.S. and CD in MT and ND, on the one hand, and, on the other, points in MT, ND, SD, WY, UT, CO & NE, restricted to traffic originating at or destined to the facilities of Interprovincial Steel and Pipe Sales, Ltd., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Interprovincial Steel and Pipe Sales, Ltd., POB 1670, Regina, Saskatchewan S4P 3C7.

MC 152429 (Sub-6-2TA), filed March 30, 1981. Applicant: C R & S TANK LINES, INC., P.O. Box 871, Benecia, CA 94510. Representative: Robert J. Gallagher, 1000 Connecticut Avenue, NW., Suite 1200, Washington, D.C. 20036. *Contract Carrier*. Irregular routes: Waste Jet Fuel, in Bulk, in Tank Trucks, from Hill Air force Base in Ogden, UT to I T Corporation, Martinez, CA for the account of I T Corporation for 270 days. Supporting shipper: I T Corporation, 4575 Pacheco Blvd., Martinez, CA 95443.

MC 133828 (Sub-6-2TA), filed March 26, 1981. Applicant: CASAZZA TRUCKING CO., 1250 Glendale Ave., Sparks, NV 89431. Representative: Robert G. Harrison, 4299 James Dr., Carson City, NV 89701. (1) *Gasoline, Diesel fuel, heating oil and lubricating oils*, in bulk, in tank vehicles, and in metal containers, between points in and South of Monterey, Kings, Tulare and Inyo Counties, CA, Clark, Lincoln and Nye Counties, NV and points in AZ. (2) *and articles, the transportation of which, by reason of size or weight, requires the use of special equipment, and parts and materials when moving in the same shipments with such articles*, between points in Monterey, Kings, Tulare and Inyo Counties, CA, Clark, Lincoln and Nye Counties, NV and

points in AZ, OR, WA, CO and WY, for 270 days. Supporting shippers: There are five (5) shippers. Their Statements may be examined at the Regional Office listed.

MC 147702 (Sub-6-3TA), filed March 27, 1981. Applicant: DOUBLE AA PARKING & TRUCKING, INC., 465 W. Second St., Calexico, CA 92231. Representative: Arturo Rioseco (same as applicant). *Contract Carrier*, irregular routes: (A) *Expanded plastic foam articles, and (B) Plastic pellet molds and machinery needed to manufacture foam plastic articles*, (A) from Calexico, CA to points in CA and AZ and (B) from points in CA and AZ to Calexico, CA for the account of Poliespuma, S.A. for 270 days. Supporting shipper: Poliespuma, S.A., P.O. Box 5821, Calexico, CA 92231.

MC 124679 (Sub-6-41TA), filed March 26, 1981. Applicant: C. R. ENGLAND AND SONS, INC., 975 W 2100 S, Salt Lake City, UT 84119. Representative: Michael L. Bunnell (same as applicant). *General commodities* (except those of unusual value, Class A & B explosives, household goods as defined by the Commission and commodities in bulk in tank vehicles) from ME, VT, NH, MA, CT, RI, NY, NJ, PA, MD, & DE to points in WI, IL, IN, OH, KY, MO, KS, MI, TX, ND, SC, CA, WA, OR, NV, AZ, UT, ID & CO for 270 days. Supporting shippers: There are (25) supporting shippers. Their statements may be examined at the Regional office listed.

MC 48958 (Sub-6-8TA), filed March 30, 1981. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., P.O. Box 16404, Denver, CO 80216. Representative: Robert A. Haddock (same as applicant). *Contract Carrier*. Irregular route: *general commodities of usual exceptions* from Irving, TX to points in CA for the account of NCH Corp., for 270 days. Supporting shipper: NCH Corp., 2730 Carl Rd., Irving, TX 75062.

MC 154996 (Sub-6-1TA), filed March 27, 1981. Applicant: JOHNSTON MEATS INC., Rt. 3, Bx. 3514 Cabana Rd., Hermiston, OR 97838. Representative: Earl M. Johnston (same as applicant). (1) *Plastic pipe*, from McNary plant near Umatilla OR, to points in OR, WA, ID, MT, UT, & CA (2) *Hazardous waste* from points in Eastern OR, Eastern WA, ID, MT, UT, to hazardous waste dump at Artington, OR, for 270 days. Supporting shipper(s) Johns-Manville Sales Corporation P.O.B. 731, Umatilla, OR. Chem-Security System Inc. P.O.B. 1269, Portland, OR.

MC 153758 (Sub-6-2TA), filed March 30, 1981. Applicant: LAMPMAN BROKERS, INC., d.b.a. MASTRO ENTERPRISE, 4233 Sierra Madre. Room

103, Fresno, CA 93711. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Rd., Madison, WI 53719. *Contract*; irregular; *frozen foodstuffs* between points in the U.S. Restriction: restricted to transportation performed under a continuing contract(s) with Calavo Growers of California, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Calavo Growers of California, Inc., 4833 Everett Ave., Los Angeles, CA 90058.

MC 127115 (Sub-6-3TA), filed March 27, 1981. Applicant: MILLERS TRANSPORT, INC., 510 W. 4th N., Hyrum, UT 84319. Representative: Bruce W. Shand, 430 Judge Bldg., Salt Lake City, UT 84111. *Contract*, irregular; (1) *Printed matter*, and (2) *materials, equipment and supplies used in the manufacture, and distribution of printed matter*, (1) from Logan, UT to WA, OR, NM, and CA and (2) from Anderson, CA and points in MO to Logan, UT, under a continuing contract(s) with Herff Jones (a Division of Carnation Company) for 270 days. ETA seeks 120 days authority. Supporting shipper: Herff Jones Yearbooks, a Division of Carnation Co., P.O.B. 3288, Logan, UT 84321.

MC 138762 (Sub-6-5TA), filed March 27, 1981. Applicant: MUNICIPAL TANK LINES LTD., P.O. Box 3500, Calgary, Alberta T2P 2P9. Representative: D.S. Vincent (same as above). *ASPHALT, BLENDED SOLVENTS AND OILS*, from points of entry on the U.S./Canada boundary line located at MI and NY to MI, OH, and NY for 270 days. Supporting shipper: Phoenix Log Ltd., 740 William St., Tecumseh, Ontario.

MC 125916 (Sub-6-8TA), filed March 30, 1981. Applicant: NORWOOD TRANSPORTATION, INC., 2232 South 7200 West, Magna, UT 84044. Representative: Macoy A. McMurray, 800 Beneficial Life Tower, 36 South State Street, Salt Lake City, UT 84111. *General Commodities* Between points in CA, CO, ID, OR, UT and WA under a continuing contract with Intermountain Farmers Association for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Intermountain Farmers Association, 1147 West 2100 South, Salt Lake City, UT 84127.

MC 110149 (Sub-6-2TA), filed March 27, 1981. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, CA 90801. Representative: W. C. Fogle (same address as applicant). (a) *Rocket Engines*, and (b) *Rocket Fuel (except in bulk)*, between points in the U.S., except AK and HI, for 270 days. Supporting shipper: Rocketdyne

Division—Rockwell International, 6633 Canoga Ave., Canoga Park, CA 91304.

MC 142935 (Sub-6-3TA), filed March 26, 1981. Applicant: PLASTIC EXPRESS, 2301 E. Francis St., Ontario, CA 91761. Representative: Richard C. Celio, 2300 Camino Del Sol, Fullerton, CA 92633. *Foodstuffs*, from the manufacturing and warehouse facilities of Rod's Foods Products, Inc. located in Los Angeles County, CA to points in CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Rod's Foods Products, Inc., 17380 Railroad St., City of Industry, CA 91748.

MC 148007 (Sub-6), filed March 30, 1981. Applicant: RAPID HOLDINGS, LTD., d.b.a. RAPID TRANSFER, P.O. Box 518, Oliver, B.C., CN. V0H 1T0. Representative: David W. Wiley, 1100 Norton Building, Seattle, WA 98104. *Contract carrier*, irregular routes; *lumber and wood products, building products and lumber and wood product machinery* from points in British Columbia to points in WA, OR, ID, MT, CA, WY, CO, NV, UT, ND and SD and return under continuing contract with Lignum Sales Ltd., Vancouver, B.C.; Cascade Imperial Mills Ltd., Burnaby, B.C. and Weyerhaeuser Company, Tacoma, WA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Lignum Sales Ltd., #1500, 1090 W. Georgia, Vancouver, B.C. V6E 3X6; Cascade Imperial Mills Ltd., Suite 401, 4946 Canada Way, Burnaby, B.C. V5G 4H7; Weyerhaeuser Company, Tacoma, WA 98401.

MC 101998 (Sub-6-1TA), filed March 31, 1981. Applicant: KARL R. SALS KOV, d.b.a. SALS KOV TRANSFER, 214 E. Park, Emmett, ID 83617. Representative: Karl R. Salskov (same address as applicant). *Common carrier*, Regular routes, *General Commodities* except bulk liquid petroleum products, and Class A and B explosives, between Boise, ID and Emmett, ID serving all intermediate points and off-route points in Adams, Boise, Gem, Payette, Valley and Washington Counties, ID as off-hwy points in connection with carriers presently authorized regular route operations. (1) From Boise, ID over Idaho Hwy 44 to Jct Idaho Hwy 55, then over Idaho Hwy 55 to Jct US Hwy 95, then over US Hwy 95 to Jct US Hwy 30, then over US Hwy 30 to Jct Idaho Hwy 72, then over Idaho Hwy 72 to Jct Idaho Hwy 52, then over Idaho Hwy 52 to Emmett, ID and return over same route. (2) Operations in (1) above in conjunction with carrier's presently authorized regular route operations, for 270 days. An underlying ETA seeks authority for 120 days. Supporting

shipper: There are nine (9) shippers. Their statements may be examined at the Regional Office listed.

MC 138875 (Sub-6-49TA), filed March 27, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell (same address as applicant). *Frozen bakery goods*, from Buffalo, NY to Portland, OR and Seattle, WA, for 270 days. Supporting shipper: Lender's Bagels Bakery, Inc., P.O. Box 191, West Haven, CT 06516.

MC 138875 (Sub-6-50TA), filed March 30, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell (same as applicant). *Plumbing supplies* from Ford City, PA to City of Industry, CA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Familian Sierra Craft, 710 North 11th St., Caldwell, ID 83605.

MC 154973 (Sub-6-1TA), filed March 27, 1981. Applicant: THOMAS W. TEEL, d.b.a. STAGE TRUCKING COMPANY, 11558 N. Tomahawk, Parker, CO 80134. Representative: (Same as applicant.) *Trade show exhibit booths; exhibition paraphernalia; freight; and theatrical stage equipment* between CO, TX, NM, and AZ for 270 days. Supporting shippers: Paradise Decorating Company, 2132 Lawrence, Denver, CO 80204. Design Dynamics, 11411 E 51st Ave., Denver, CO 80239. Freeman Decorating Company, 2590 31st, Denver, CO 80216.

MC 151471 (Sub-6-7TA), filed March 27, 1981. Applicant: STEINBECKER BROS., INC., P.O. Box 852, Greeley, CO 80632. Representative: Charles J. Kimbal, 1600 Sherman St., Suite 350, Denver, CO 80203. *Contract carrier*; Irregular routes; *Meat, meat products, meat by-products and articles distributed by meat packinghouses* (1) from the facilities of Armour Food Company at or near Madison and Omaha, NE, and St. Joseph, MO to points in CA, OR, WA and AZ, (2) from the facilities of Armour Food Company at or near Madison, NE to points in FL, and (3) from the facilities of Armour Food Company at or near Dixon, CA to points in MA, NY, NJ, MD, DC, PA, OH, CT, IL and CO, for 270 days; under continuing contract(s) with Armour Food Company. Supporting shipper(s): Armour Food Company, Greyhound Tower, Phoenix, AZ 85077.

MC 146798 (Sub-6-3TA), filed March 30, 1981. Applicant: SULLIVAN TRUCKING, INC., 1340 Umatilla St., Denver, CO 80204. Representative: Dale E. Isley, 50 S. Steele St., Suite 330, Denver, CO 80209. (1) *Malt beverages and related advertising materials; and (2) empty used beverage containers and*

materials and supplies used in and dealt with by breweries, (a) from points in Jefferson County, CO, to points in TX; and (b) from points in TX to points in Jefferson County, CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Adolph Coors Company, 1746 Cole Blvd., Golden, CO 80401.

MC 134721 (Sub-6-1TA), filed March 27, 1981. Applicant: GEORGE M. DZIAK, d.b.a. SUPER SERVICE TRANSPORT, P.O. Box 3494 TA, Spokane, WA 99220. Representative: Chandler L. van Orman, 1729 H Street NW., Washington, D.C. 20006. *Talc*, between points in MT, on the one hand, and, on the other, points in UT, OR, CA, WA, ID and NV, for 270 days. Supporting shipper: Pfizer Inc., 235 E. 42nd St., NY, NY 10017.

MC 154566 (Sub-6-1TA), filed March 30, 1981. Applicant: DONNIE G. VANDERVORT, SR., d.b.a. D. VANDERVORT WHOLESALERS, 4728 El Cedro Loop NE, Salem, OR 97303. Representative: Kerry D. Montgomery, 400 Pacific Building, Portland, OR 97204. *Industrial mill supplies, lumber and wood products, machinery, and building materials* between points in OR on the one hand and points in WA, CA, AZ, NV, ID and MT on the other, for 270 days. Supporting shippers: Alpine Veneers, Inc., 1210 Yeon Bldg., Portland, OR 97204; Erickson Hardwood Company, P.O. Box 248, Grande Rhode, OR 97347; Frank Lumber Co., Inc., P.O. Box 1467, Mill City, OR 97360; Gerlinger Industrial Supply, P.O. Box 2009, Salem, OR 97308.

MC 151225 (Sub-6-6TA), filed March 27, 1981. Applicant: DON WARD, INC., 241 West 56th Ave., Denver, CO 80216. Representative: Steven E. Napper, 718 17th Street, Suite 1700, Denver, CO 80202. (1) *Vanadium Liquor*, from the facilities of Energy Fuel Nuclear, Inc. near Blanding, UT, to Union Carbide Corp., in Rifle, CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Union Carbide Corporation, One California Street, San Francisco, CA 94111.

MC 153298 (Sub-6-1TA), filed March 30, 1981. Applicant: ED WOLOSZYNIUK, d.b.a. ED WOLOSZYNIUK TRUCKING, 5924 141 Ave., Edmonton, Alberta, CD T5A 1H8. Representative: Ed Woloszyniuk (same as applicant). *Oilfield Equipment and Supplies* between ports of entry on the international boundary line between the U.S. and Canada located in ID, MT, and ND on the one hand, and points in MT, ND, SD, WY, CO, OK, ID, TX, KS, UT, on the other for 270 days. An underlying ETA seeks 120 days authority.

Supporting shipper: H. R. Thompson
Transportation Consulting, 8612 143
Ave., Edmonton, Alberta, CD.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11035 Filed 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the Federal Register of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the Federal Register issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The

unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY-2-035

Decided: April 2, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 107012 (Sub-675F), filed March 17, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). Transporting *such commodities* as are dealt in or used by manufacturers and distributors of consumer electronic devices, between points in Los Angeles County, CA, on the one hand, and on the other, points in FL and GA.

MC 107012 (Sub-679), filed March 20, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), (219) 429-2110. Transporting *rubber and plastic products*, between the facilities of Scott Paper Co., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 113063 (Sub-11F), filed March 27, 1981. Applicant: RALPH H. BURNS & SON, INC., P.O. Box 38, Hillsboro, WV 24946. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. Transporting *cement*, between points in Berkeley County, WV, on the one hand, and, on the other, to points in WV.

MC 117303 (Sub-18), filed March 27, 1981. Applicant: HUDSON VALLEY CEMENT LINES, INC., P.O. Box 203, Route 23 B, Claverack, NY 12513. Representative: Michael R. Werner, 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006, (201) 575-7700. Transporting *cement* between the facilities of

Independent Cement Corporation at points in CT, MA, NH, NJ, NY, PA, RI, VT, and ME, on the one hand, and, on the other, points in CT, MA, NH, NJ, NY, PA, RI, VT, and ME.

MC 135152 (Sub-49), filed March 24, 1981. Applicant: CASKET DISTRIBUTORS, INC., Rural Route No. 2, P.O. Box 327, West Harrison, IN 45030. Representative: Jack B. Josselson, 700 Atlas Bank Bldg., 524 Walnut Street, Cincinnati, OH 45202, (513) 241-4037. Transporting *food and related products*, between Cincinnati, OH, on the one hand, and, on the other, points in AR, LA, TX, and those points in the U.S. in and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, NM, to the International Boundary Line between the United States and Canada.

MC 136212 (Sub-38), filed March 27, 1981. Applicant: JENSEN TRUCKING COMPANY, INC., P.O. Box 349, Gothenburg, NE 69138. Representative: Scott T. Robertson, P.O. Box 94748, Lincoln, NE 68509, (402) 476-8062. Transporting *feed and feed ingredients* between points in AR, CO, IL, IN, IA, KS, MI, MN, MO, NM, NE, ND, OK, OH, TX, SD, UT, WI, and WY.

MC 144622 (Sub-207), filed March 23, 1981. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021, (817) 282-8344. Transporting *general commodities* (except classes A and B explosives), between the facilities of Ohio Valley Shippers Association, Inc., and its members, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 146473 (Sub-5), filed March 18, 1981. Applicant: C.L.D. TRANSPORTATION CO., INC., 751 Broadway, Bayonne, NJ 07002. Representative: Charles J. Williams, P.O. Box 186 Scotch Plains, NJ 07076, 201-322-5030. Transporting *passengers and their baggage*, in special operations, between New York, NY and Atlantic City, NJ.

MC 147443 (Sub-1), filed March 18, 1981. Applicant: ROGER E. SCHAGER, d.b.a. SCHAGER TRUCKING CO., P.O. Box 391, Genoa, NE 68640. Representative: Donald R. Treadway, 407 3rd, Fullerton, NE 68638, 308-536-2426. Transporting *such commodities* as are dealt in or used in the mining, manufacture, and distribution of

fertilizer, feed ingredients, and bentonite clay, between points in the U.S.

MC 147712 (Sub-15), filed March 23, 1981. Applicant: MID-WESTERN TRANSPORT, INC., 14625 Carmenita Road, Norwalk, CA 90650. Representative: Joseph Fazio (same address as applicant). Transporting *such commodities* as are dealt in or used by manufacturers or distributors of industrial storage racks, between points in Wayne County, MI, and Montgomery County, PA, on the one hand, and, on the other, points in the U.S.

MC 149563 (Sub-7), filed March 24, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Ave., Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203, (205) 251-2881. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Broadview Lumber Company, of Carthage, MO.

MC 152353 (Sub-2), filed March 20, 1981. Applicant: WILLIAM TIMBLIN TRANSIT, INC., Route #1, Eden, WI 53019. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Road, Madison, WI 53719, (608) 273-1003. Transporting (1) *such commodities* as are dealt in or used by manufacturers and distributors of steel bars, coils, plates and sheets, between the facilities of Appleton Supply Company, at points in the U.S., on the one hand, and, on the other, points in Outagamie and Winnebago Counties, WI; and (2) *building materials*, between the facilities of Triangle Manufacturing Company, at points in the U.S., on the one hand, and, on the other, points in IL, IA, KS, MO, MN, NE, ND, and SD.

MC 152822 (Sub-1), filed March 24, 1981. Applicant: PAWNEE MOTOR SERVICE, INC., 5101 St. Charles Road, Bellwood, IL 60104. Representative: Jerome Miceli (same address as applicant), (312) 921-5800. Transporting *general commodities* (except classes A and B explosives), between points in IL, WI, IA, IN, MI, MO, KY, OH, and PA.

MC 153292 (Sub-1), filed March 24, 1981. Applicant: J. E. BUCKNER TRUCKING, a division of J. E. BUCKNER TRUCKS, INC., 1017 Savage Lane, Corpus Christi, TX 78407. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062, (214) 255-6279. Transporting *food and related products*, between points in Cameron County, TX, on the one hand, and, on the other, points in Hidalgo County, TX.

MC 153962 (Sub-2), filed March 24, 1981. Applicant: NEBRASKALAND CONTRACT CARRIERS, INC., P.O. Box

1190, Kearney, NE 68847. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *metal products, machinery and building materials*, between points in the U.S., under continuing contract(s) with Modern Farm Systems, Inc., of Webster City, IA.

MC 154132 (Sub-1), filed March 27, 1981. Applicant: JOLEE CONSOLIDATORS, INC., 11 West Street, Brooklyn, NY 11222. Representative: Irving Klein, 371 Seventh Avenue, New York, NY 10001, (212) 279-3050. Transporting *personal care items and toiletries* between points in the U.S., under continuing contract(s) with Avon Products, Inc., of NY, NY. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 2, Room 2379.

Volume No. OPY-2-037

Decided: April 3, 1981.

By The Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 4483 (Sub-31F), filed March 27, 1981. Applicant: MONSON TRUCKING, INC., R.R. #1, Red Wing, MN 55066. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102, (612) 221-0310. Transporting *chemicals and related products* between points in IL, IN, IA, KS, MI, MN, MO, NE, ND, OH, SD and WI, on the one hand, and, on the other, points in MN, WI, and the upper peninsula of MI.

MC 77972 (Sub-41), filed March 27, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017, (901) 853-7208. Transporting *general commodities* (except classes A and B explosives), between points in Covington, Forrest, Jasper, and Wayne Counties, MS, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the authority sought with its existing regular-route authority.

MC 141652 (Sub-43), filed March 26, 1981. Applicant: ZIP TRUCKING, INC., P.O. Box 6126, Jackson, MS 39208. Representative: K. Edward Wolcott, P.O. Box 872, Atlanta, GA 30301, (404) 522-2322. *General Commodities* (except classes A and B explosives) between the facilities of American Cyanamid

Company at points in NV, on the one hand, and, on the other, points in CA, CO, OR, WA and UT.

MC 143713 (Sub-11), filed March 27, 1981. Applicant: AGRICULTURAL TRANSPORTATION ASSOCIATION OF ILLINOIS, R.F.D. 8, 37 Forest Ridge, Springfield, IL 62707. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Road, Omaha, NE 68106, (402) 392-1220. Transporting *food and related products* between points in the U.S., under continuing contract(s) with Wilson Foods Corporation of Oklahoma City, OK.

MC 146782 (Sub-46), filed March 25, 1981. Applicant: ROBERTS CONTRACT CARRIER CORPORATION, 300 First Avenue, South, Nashville, TN 37201. Representative: Stephen L. Edwards, 806 Nashville Bank & Trust Building, Nashville, TN 37201, (615) 244-2926. *Metal products* between points in Cobb County, GA, Lake County, IN, and Clark County, OH, on the one hand, and, on the other, those points in the U.S., in and east of ND, SD, NE, KS, OK and TX.

MC 146782 (Sub-47), filed March 25, 1981. Applicant: ROBERTS CONTRACT CARRIER CORPORATION, 300 First Avenue, South, Nashville, TN 37201. Representative: Stephen L. Edwards, 806 Nashville Bank & Trust Building, Nashville, TN 37201, (615) 244-2926. *Metal products* between points in Pulaski County, AR, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK and TX.

MC 146782 (Sub-48), filed March 25, 1981. Applicant: ROBERTS CONTRACT CARRIER CORPORATION, 300 First Avenue, South, Nashville, TN 37201. Representative: Stephen L. Edwards, 806 Nashville Bank & Trust Building, Nashville, TN 37201, (615) 244-2926. *Metal products* between points in Cook County, IL, and Lake County, IN, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK and TX.

MC 148732 (Sub-4), filed March 26, 1981. Applicant: L & J TRUCKING, INC., P.O. Box 1325, Wisconsin Rapids, WI 54494. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118, (612) 457-6889. Transporting *nonmetallic minerals and chemicals and related products* between the facilities of Effective Building Products, Int., at Cleveland, OH, Dallas, TX and San Francisco, CA, on the one hand, and, on the other, points in the U.S.

MC 151202, filed March 27, 1981. Applicant: R. L. & H. DISTRIBUTION CO., INC., 10909 Bob Stone, El Paso, TX 79936. Representative: Henry Kreiner

(same address as applicant), (915) 592-6095. Transporting *building materials*, between points in the U.S., under continuing contract(s) with (a) Casahi, Inc., (b) Pan American Distribution and Supply, both of El Paso, TX, (c) American Saturated Felt Company, Inc., of Thomaston, CT, and (d) Railroad Roofing and Building Supply Company, Inc., of Jersey City, NJ.

MC 153003 (Sub-1), filed March 27, 1981. Applicant: OKLAHOMA INTERSTATE LINES, INC., 1508 North 32nd St., P.O. Box 1372, Muskogee, OK 74401. Representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137, (901) 767-5600. Transporting *metal products and machinery*, between points in OK, on the one hand, and, on the other, points in the U.S.

MC 154982, filed March 27, 1981. Applicant: JOE FORTENBERRY, d.b.a. FERNWOOD TRANSPORTATION, P.O. Box 57, Fernwood, MS 39635. Representative: Fred W. Johnson, Jr., P.O. Box 22807, Jackson, MS 39205, (601) 969-3424. Transporting *forest products, and lumber and wood products*, between points in Copiah, Forest, Pearl River, and Pike Counties, MS, on the one hand, and, on the other, points in AL, AZ, AR, CO, FL, GA, IL, IN, IA, KS, KY, LA, MD, MI, MN, MO, NE, NM, NC, ND, OK, OH, PA, SC, SD, TN, TX, VA, WV, and WI.

Volume No. OPY-4-64

Decided: April 7, 1981.

By The Commission, Review Board No. 2, members Carleton, Fisher, and Williams.

MC 121026 (Sub-2), filed March 25, 1981. Applicant: ALBUQUERQUE MOVING AND STORAGE COMPANY, INC., 7510 Mena Blvd., NE., Albuquerque, NM 87110. Representative: Paul Holquin (same address as applicant), (505) 883-5969. Transporting *household goods*, between points in the U.S.

MC 133566 (Sub-178), filed March 27, 1981. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, IN 46947. Representative: Daniel O. Hands, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068, (312) 692-3020. Transporting *food and related products*, between those points in the U.S. in and east of ND, SD, NE, CO, OK, and TX.

MC 135646 (Sub-8), filed March 26, 1981. Applicant: DERVAN CARTAGE SERVICE, INC., 952 North Maple St., Albany, GA 31705. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349, (404) 996-6266. Transporting *general commodities*

(except classes A and B explosives), between points in GA and SC, on the one hand, and, on the other, points in the U.S.

MC 148516 (Sub-30), filed March 27, 1981. Applicant: BRUCE TRANSPORT COMPANY, P.O. Box 607, Bruce, MS 38915. Representative: Cliff R. Easley, Jr., (same address as applicant), (601) 983-4331. Transporting (1) *pulp, paper and related products*, and (2) *lumber and wood products*, between points in MS and AL, on the one hand, and, on the other, points in the U.S.

MC 151526 (Sub-2), filed March 27, 1981. Applicant: TRIAD TRANSPORTATION SERVICES, INC., P.O. Box 20714, Greensboro, NC 27420. Representative: Jerald A. Honeycutt (same address as applicant), (919) 621-9770. Transporting *plastics and plastic articles*, between points in Guilford, Davidson, Roanoke, and Randolph Counties, NC, on the one hand, and, on the other, points in the U.S.

MC 154456 (Sub-1), filed March 27, 1981. Applicant: TITAN TRANSFER, INC., 2669 Territorial Rd., St. Paul, MN 55114. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440, (612) 542-1121. Transporting *such commodities* as are dealt in by auto parts and supply companies, between points in the U.S., under continuing contract(s) with General Trading Company, Inc., of St. Paul, MN.

MC 154986, filed March 27, 1981. Applicant: DIRECT LINES, INC., 302 Hawthorn Dr., Effingham, IL 62401. Representative: Robert T. Lawley, 300 Reich Bldg., Springfield, IL 62701, (217) 544-5468. Transporting *printed matter*, between points in Effingham, Jefferson, Marion, and Randolph Counties, IL, on the one hand, and, on the other, St. Louis, MO, and points in St. Clair County, IL, and Marion County, IN.

Volume No. OPY-5-29

Decided: April 3, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 2428 (Sub-37), filed March 24, 1981. Applicant: H. PRANG TRUCKING CO., INC., 112 New Brunswick Ave., Hopelawn (Perth Amboy) NJ 08861. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048, (201) 466-0220. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Phelps Dodge Copper Products Co., of New York, NY.

MC 30059 (Sub-10), filed March 24, 1981. Applicant: PRENTICE TRUCK LINE, INC., P.O. Box 4201, Ft. Smith, AR 72914. Representative: Jay C. Miner, P.O.

Box 313, Harrison, AR 72601, (501) 741-3501. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Ft. Smith, AR and Jackson, MS, from Ft. Smith over U.S. Hwy 71 to Shreveport, LA, then over Interstate Hwy 20 (also U.S. Hwy 80) to Jackson and return over the same route; (2) between Ft. Smith, AR and Houston, TX, over U.S. Hwy 59, (3) between Houston, TX and New Orleans, LA, over Interstate Hwy 10 (4) between Shreveport and Baton Rouge, LA, from Shreveport over U.S. Hwy 71 to junction U.S. Hwy 190, then over U.S. Hwy 190 to Baton Rouge and return over the same route; (5) between Ft. Smith, AR and Dallas, TX from Ft. Smith over U.S. Hwy 71 to junction Interstate Hwy 30, then over Interstate Hwy 30 to Dallas and return over the same route; (6) between Shreveport, LA and Dallas, TX, over Interstate Hwy 20 (7) between Shreveport, LA and Lake Charles, LA, over U.S. Hwy 171, and (8) in routes (1) through (7) serving all intermediate points.

MC 65088 (Sub-6), filed February 10, 1981. Published initially in the Federal Register on March 20, 1981. Applicant: FAYARD MOVING AND TRANSPORTATION CORPORATION, 2615 25th Ave., Gulfport, MS 39501. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205, (601) 948-8820. Transporting *general commodities* (except classes A and B explosives), (1) between Mobile, AL, and Birmingham, AL, (a) over U.S. Hwy 31, and (b) over Interstate Hwy 65, (2) between Montgomery, AL, and Atlanta, GA, over Interstate Hwy 85, (3) between Birmingham, AL, and Atlanta, GA, (a) over Interstate Hwy 20, and (b) over U.S. Hwy 78, (4) between New Orleans, LA, and Houston, TX, over Interstate Hwy 10, and (5) between junction Interstate Hwy 10 and Interstate Hwy 12 near Alton, LA, and Baton Rouge, LA, over Interstate Hwy 12, serving all intermediate points in routes (1) through (5).

Note.—Applicant intends to tack this authority with existing regular-route authority so as to provide a direct service. This application is republished to show an accurate description of the authority.

MC 105269 (Sub-96), filed March 24, 1981. Applicant: GRAFF TRUCKING COMPANY, INC., 2110 Lake St., P.O. Box 988, Kalamazoo, MI 49005. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503, (616) 459-8121. Transporting *pulp, paper, and related products*, between the facilities used by Hexagon Honeycomb Corporation and Watervliet Paper Company at points in MI on the one

hand, and, on the other, points in the U.S.

MC 112668 (Sub-64), filed February 9, 1981 (republishing) previously noticed in the *Federal Register* issue of March 16, 1981. Applicant: HARVEY R. SHIPLEY & SONS, INC., 2601 Emory Road (P.O. Box 266), Finksburg, MD 21048. Representative: Theodore Polydoroff, 1307 Dolley Madison Blvd., McLean, VA 22101, (703) 893-4924. Transporting (1) *chemicals and related products*, (2) *metal products*, (3) *building materials*, (4) *clay, concrete, glass or stone products*, and (5) *ores and minerals*, (a) between points in CT, DE, WV, MD, NJ, NY, OH, PA, VA, and DC, and (b) between points in CT, DE, WV, MD, NJ, NY, OH, PA, VA, and DC, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and LA.

Note.—Purpose of republication is to modify the authority as above.

MC 121649 (Sub-9), filed March 13, 1981. Applicant: MILAN EXPRESS, INC., P.O. Box 439, Milan, TN 38358. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137, 901-767-5600. Transporting *building materials* between points in Hardeman County, TN, on the one hand, and, on the other, points in Madison County, TN.

Note.—Applicant plans to tack with its existing authority.

MC 123218 (Sub-2), filed February 10, 1981. Applicant: EDWARD A. KERWIN, R.R. #1, Milkyo Drive, Washington Crossing, PA 18977. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110, (215) 561-1030. Transporting *petroleum, natural gas and their products*, between Philadelphia, PA, points in Berks County, PA, and points in NJ, on the one hand, and, on the other, points in CT, DC, DE, MA, MD, ME, NH, NJ, NY, OH, PA, RI, VA, VT, and WV.

MC 133689 (Sub-365), filed March 23, 1981. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St., NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118, (612) 457-6889. Transporting *machinery*, between the facilities of General Electric in the U.S., on the one hand, and, on the other, points in the U.S.

MC 134518 (Sub-7), filed March 24, 1981. Applicant: CHEESE HAULING, INC., P.O. Box 1973, Bismarck, ND 58501. Representative: Carl E. Munson, 469 Fischer Bldg., P.O. Box 796, Dubuque, IA 52001. Transporting (1) *such commodities as are dealt in or used by gift and curio shops*, and (2) *food and related products*, between points in Dane and Green Counties, WI, on the

one hand, and, on the other, points in Nobles County, MN, Burleigh, Stark and Ward Counties, ND, and Codington County, SD.

MC 135399 (Sub-22), filed March 24, 1981. Applicant: HASKINS TRUCKING, INC., 1208 F.M. 1845, P.O. Drawer 7729, Longview, TX 75602. Representative: A. William Brackett, 1108 Continental Life Bldg., Fort Worth, TX 76102, 817-332-4415. Transporting *such commodities as are dealt in, or used by the manufacturers and distributors of charcoal, charcoal briquettes, vermiculite, activated carbon, hickory chips, lighter fluid, and charcoal grills*, between points in Taney County, MO on the one hand, and, on the other, points in TX, LA, AR, TN, NM, CO, and AZ.

MC 146518 (Sub-14), filed March 24, 1981. Applicant: OWEN MOTOR FREIGHT LINE, INC., P.O. Box 7516, Alexandria, LA 71306. Representative: Bruce E. Mitchell, Fifth Floor, Lennox Towers South, 3390 Peachtree Rd., NE., Atlanta, GA 30326, 404-262-7855. Transporting *chemicals and related products*, (a) between points in LA, on the one hand, and, on the other, points in FL and CA, and (b) between points in TN and FL, on the one hand, and, on the other, points in CA.

MC 146758 (Sub-9), filed March 17, 1981. Applicant: LADLIE TRANSPORTATION, INC., 103 East Main St., Albert Lea, MN 56007. Representative: Phillip H. Ladlie (same address as applicant), 507-533-6038. Transporting *pulp, paper and related products*, between the facilities of Nekoosa Paper, Inc., in Portage and Wood Counties, WI, on the one hand, and, on the other, points in TX and FL.

MC 154879, filed March 23, 1981. Applicant: MT. ZION A.M.E. CHURCH, Zion Hill, Box 218, Atglen, PA 19310. Representative: Dr. Joseph L. Harrison, Box 141, Lincoln University, PA 19352, 215-932-8300 Ext. 507. Transporting *passengers and their baggage* in the same vehicle with passengers, in charter or special operations, beginning and ending at points in Chester County, PA, and extending to points in NJ and MD.

MC 154908, filed March 23, 1981. Applicant: BOB'S FOOD SERVICE, INC., Box 792, Mt. Sterling, KY 40353. Representative: Robert H. Kinker, 314 West Main Street, P.O. Box 464, Frankfort, KY 40602. Transporting *general commodities* (except classes A and B explosives), between points in the

U.S., under continuing contract(s) with A. O. Smith, Inc., of Milwaukee, WI.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11033 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Finance Applications

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 11343 (formerly Section 5(2)) or 11349 (formerly Section 210a(b)) of the Interstate Commerce Act.

An original and one copy of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this *Federal Register* notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

MC-F-13901F, filed: February 12, 1979. Authority sought for purchase by FOUR WINDS VAN LINES, INC., 7035 Convoy Court, San Diego, California 92138 of a portion of the operating rights of PLYMOUTH VAN LINES, INC., 4433-41 Howley Street, Pittsburgh, Pennsylvania 15224. Applicants' representative: ROBERT J. GALLAGHER, ESQ., 1000 Connecticut Avenue, N.W., Suite 1112, Washington, D.C. 20036. Operating rights sought to be purchased. Household Goods, as defined by the Commission, over irregular routes, (15) Between points in MD, on the one hand, and, on the other, points in AL, AZ, CA, CO, that part of FL on and west of U.S. Highway 41, that part of GA on and west of U.S. Highway 441, IL, IN, IA, KS, KY, MI, MN, MS, MO, NE, NV, that part of OH on and west of Interstate Highway 75, that part of TN on and west of Interstate Highway 65, UT, and WI. (15a) Between points in VA, on the one hand, and, on the other, points in AZ, CA, CO, MI, NE, NV, and UT. (15c) Between points in that part of VA on and east of U.S. Highway 15, on the one hand, and, on the other, points in that

part of IL on and north of Interstate Highway 70, that part of IN on and north of U.S. Highway 40, IA, KS, and that part of OH on and north of U.S. Highway 224. Application has been filed for temporary authority under Section 210a(b). Hearing site: San Diego, CA.

Note.—Vendee is authorized to operate as a common carrier pursuant to Certificate No. MC-15643 and subs thereto. Between points in CT, PA, NJ, NY, OH, MI, IL, IN, NC, MD, MO, VA, WV, WI, RI, and the DC. Between Boston, MA and points within 25 miles thereof, on the one hand, and, on the other, points in CT, ME, NH, VT, MA, RI, NJ, and NY. Between points in OK on the one hand, and, on the other, points in CO, KS, LA, MO, and TX. Between points in Cleveland and McClain, OH, on the one hand, and, on the other, points in AR, KS, and TX. Between points in Beckham County, OH, and points within 50 miles thereof, on the one hand, and, on the other, points in OK, TX, and NM. Between points in AL, FL, GA, NC, SC, and TN. Between points in NC, and TN, on the one hand, and, on the other, points in KY and DE.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11115 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the Federal Register of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49,

Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed) appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP3-213

Decided: April 1, 1981.

By The Commission, Review Board No. 1, Members Carleton, Fisher, and Williams.

MC 29854 (Sub-35), filed February 6, 1981, previously published in the Federal Register issue of March 10, 1981. Applicant: THE HUDSON BUS TRANSPORTATION CO., INC., 437 Tonnele Ave., Jersey City, NJ 07306. Representative: W. C. Mitchell 370 Lexington Ave., New York, NY 10017. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special operations, beginning and ending at those points in Rockland County, NY, on and east of a line beginning at a point on the southern boundary of Rockland County and extending along Saddle River Rd. to junction South Monsey Rd., then along South Monsey Rd. to junction College Rd., then along College Rd. to junction Forshay Rd., then along Forshay Rd. to junction Wilder Rd., then along Wilder Rd. to junction U.S. Hwy 202, then along U.S. Hwy 202 to junction NY Hwy 306, then along NY Hwy 306 to junction Willow Grove Rd., then along Willow Grove Rd. to junction Palisades Interstate Parkway, then along Palisades Interstate Parkway to the Rockland-Orange County line, and extending to Atlantic County, NJ.

Note.—This republication indicates the correct territorial description.

MC 113434 (Sub-157F), filed November 6, 1980. Applicant: GRA-BELL TRUCK LINE, INC., A5253 144th Avenue, Holland, MI 49423. Representative: Wilhelmina Boersma, 1600 First Federal Building, Detroit, MI 48226. Transporting *such commodities* as are dealt in or used by food business houses and manufacturers of containers, container closures, glass, glassware and packaging products, between points in IL, IN, IA, KY, MD, MI, MN, MO, NJ, NY, OH, PA, TN, VA, WV, WI and DC.

MC 143505 (Sub-3F), filed September 29, 1980, previously published in the Federal Register of October 17, 1980. Applicant: KOMMER BULK FEED SERVICES, INC., 171 Stafford Rd., Palmyra, NY 14522. Representative: Charles A. Schiano, 500 Wilder Bldg., One East Main St., Rochester, NY 14614. Transporting *feed, feed ingredients and feed grade phosphate*, between points in NY, PA, OH, CT, MD, VA, DE, NJ, MA, ME, NH, and VT.

Note.—This republication includes the State of NH.

Volume No. OP3-214

Decided: March 31, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 111045 (Sub-190), filed February 6, 1981, previously noticed in Federal Register on March 13, 1981. Applicant: REDWING CARRIERS, INC., P.O. Box 426, Tampa, FL 33601. Representative: L. W. Fincher (same address as applicant). Transporting *commodities in bulk*, between points in AL, AR, FL, GA, LA, OK, MS, NC, SC, TN, and TX, and points in the U.S.

Note.—This republication removes the condition statement.

Volume No. OP3-215

Decided: March 31, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 140294 (Sub-20), filed January 15, 1981, previously noticed in Federal Register on February 10, 1981. Applicant: GENERAL FREIGHT, INC., P.O. Box 1946, Hagerstown, MD 21740. Representative: Dixie C. Newhouse, P.O. Box 1417, Hagerstown, MD 21740. Transporting *toys and games*, from points in New Haven County, CT, to points in Washington County, MD.

Note.—This republication corrects the territorial description.

Volume No. OP3-218

Decided: April 7, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 150984 (Sub-1), filed February 6, 1981, previously published in the *Federal Register* issue of March 9, 1981.

Applicant: ESTES TRUCKING CO., INC., 4203 S. 297th Pl., Auburn, WA 98002. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055. Transporting (1) *pipe*, between points in Brown County, TX, on the one hand, and, on the other, points in OR, CA, WA, ID, MT, and NV; and (2) *building materials*, between points in CA, on the one hand, and, on the other, points in OR and WA.

Note.—This republication corrects the commodity and territorial description.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-11125 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the *Federal Register* of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the

quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP1-111

Decided: April 8, 1981.

By The Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 52460 (Sub-320), filed March 31, 1981. Applicant: ELLEX TRANSPORTATION, INC., P.O. Box 9637, 1420 W. 35th St., Tulsa, OK 74107. Representative: Don E. Kruizinga (same address as applicant), (918) 446-4434. Transporting *food and related products*, between points in Jefferson and St. John the Baptist Parishes, LA, on the one hand, and, on the other, points in AL, AR, FL, GA, IA, IL, IN, KS, KY, MI, MO, MS, NC, NE, OK, SC, TN, TX, VA, and WI.

MC 56640 (Sub-53), filed February 10, 1981, and previously noticed in *Federal Register* issue of March 16, 1981. Applicant: DELTA LINES, INC., P.O. Box 2081, Oakland, CA 94621. Representative: Kirk Wm. Horton, 333 Hegenberger Road, Suite 400, Oakland, CA 94621, (415) 577-7000. Transporting *general commodities*, between points in WA, OR, CA, ID, NV, AZ, UT, WY, MT, and CO.

Condition: To the extent that it authorizes the transportation of classes

A and B explosives, any certificate issued shall expire 5 years from its date of issuance.

Note.—This republication includes the transportation of classes A and B explosives.

MC 66900 (Sub-47), filed April 1, 1980. Applicant: HOUFF TRANSFERS, INC., P.O. Box 91, Weyers Cave, VA 24486. Representative: Harold G. Hernly, Jr., P.O. Box 1281, Old Town Station, Alexandria, VA 22313, (703) 836-6115. Transporting *general commodities* (except classes A and B explosives), between points in DE, MD, KY, NJ, NC, OH, PA, SC, TN, VA, WV and DC.

MC 120380 (Sub-4), filed March 31, 1981. Applicant: GARVEY TRANSPORT, INC., 2 Water St., Hollbrook, MA 02343. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181. Transporting *metal articles*, between points in the U.S., under continuing contract(s) with Falvey Steel Casting, Inc., of Braintree, VA.

MC 133591 (Sub-143), filed March 31, 1981. Applicant: WAYNE DANIEL TRUCK, INC., P.O. Box 303, Mt. Vernon, MO 65712. Representative: Harry Ross, 58 South Main St., Winchester, KY 40391, (606) 744-3503. Transporting *general commodities* (except classes A and B explosives), between the facilities used by ITOFCA, Inc., and its members at points in the U.S. in and west of WI, IL, MO, AR, and LA (except AK and HI), on the one hand, and, on the other, points in the U.S. and west of WI, IL, MO, AR, and LA (except AK and HI).

MC 135490 (Sub-1), filed March 31, 1981. Applicant: JONES MOVING & STORAGE, INC., 39 Selleck St., Stamford, CT 06902. Representative: Sidney L. Goldstein, 109 Church St., New Haven, CT 06510, (203) 327-7960. Transporting *household goods*, (1) between points in CT, MA, NY, and NJ, and (2) between points in CT, MA, NY, and NJ, on the one hand, and, on the other, points in AL, DE, FL, GA, LA, ME, MD, MS, NH, NC, OH, PA, RI, SC, TX, VT, VA, and DC.

MC 140460 (Sub-13), filed March 30, 1981. Applicant: COAST REFRIGERATED TRUCKING CO., INC., P.O. Box 188, Holly Ridge, NC 28445. Representative: Herbert Alan Dubin, 818 Connecticut Avenue, NW., Washington, DC 20006, (202) 331-1174. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with The Kroger Co., of Cincinnati, OH.

MC 141641 (Sub-16), filed March 31, 1981. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. Box 3326, Des Moines, IA 50316. Representative:

Donald L. Stern, Suite 610, 7171 Mercy Rd., Omaha, NE 68106, (402) 392-1220. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Kraft, Inc., of Glenview, IL.

MC 143091 (Sub-3), filed March 9, 1981, and previously noticed in Federal Register issue of March 24, 1981. Applicant: R AND R TRUCKING INC., 1257 E. Reno, Oklahoma City, OK 73117. Representative: G. Timothy Armstrong, 200 N. Choctaw, P.O. Box 1124, El Reno, OK 73036, (405) 262-1322. *Over regular routes*, transporting *general commodities* (except classes A and B explosives), (1) between Oklahoma City and Durant, OK, from Oklahoma City over U.S. Hwy 77 to junction OK Hwy 39, then over OK Hwy 39 to junction OK Hwy 3, then over U.S. Hwy 3 to junction OK Hwy 99, then over OK Hwy 99 to junction U.S. Hwy 70, then over U.S. Hwy 70 to Durant, and return over the same route, (2) between Durant and Broken Bow, OK, over U.S. Hwy 70, (3) between Caddo, OK and the OK-TX State line, over U.S. Hwy 75, (4) between Oklahoma City and Broken Bow, OK, from Oklahoma City over Interstate Hwy 40 to junction U.S. Hwy 177, then over U.S. Hwy 177 to junction OK Hwy 3, then over OK Hwy 3 to Broken Bow, and return over the same route, serving the off-route point of Wright City, OK, (5) between Tupelo and Durant, OK, over OK Hwy 48, (6) between Clayton and Hugo, OK, over U.S. Hwy 271, serving all intermediate points in connection with routes (1) through (6) above. Condition: Issuance of a certificate in this proceeding is conditioned upon coincidental cancellation, at applicant's written request, of its certificate of registration in No. MC-143091 Sub-No. 1.

Notice.—The purpose of this application is to convert applicant's certificate of registration into a certificate of public convenience and necessity. This republication shows Broken Bow, OK as a terminus in route (2) above in lieu of Broken Arrow, OK.

MC 147491 (Sub-4), filed March 31, 1981. Applicant: TAB TRUCKING, INC., 4342 Janitoral Rd., Columbus, OH 43228. Representative: Brian S. Stern, North Springfield Professional Center II, 5411-D Backlick Rd., Springfield, VA 22151, (703) 941-8200. Transporting *food and related products, and rubber and plastic products*, between points in Franklin County, OH, on the one hand, and, on the other, points in AL, GA, MS, and TN.

MC 148340 (Sub-3), filed April 1, 1981. Applicant: CITIZENS CARPET SERVICE, INC., 600 4th Ave., Dalton,

GA 30720. Representative: Truman A. Stockton, Jr., 1365 Logan St., Suite 100, Denver, CO 80203. Transporting *floor coverings*, between points in GA, on the one hand, and, on the other, points in the U.S. in and west of ND, SD, NE, KS, OK, and TX (including AK, but excluding HI).

MC 150420 (Sub-3), filed March 31, 1981. Applicant: WES-FLO CO., INC., P.O. Box 17401, Tampa, FL 33682. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 South Orange Ave., Orlando, FL 32801 (305) 425-2213. Transporting *containers*, between points in FL, on the one hand, and, on the other, points in LA, MS, AL, GA, NC, and SC.

MC 150890 (Sub-2), filed April 1, 1981. Applicant: THIELE TRANSPORTATION, INC., 1338 Dugdale Road, Waukegan, IL 60085. Representative: Paul J. Maton, 10 South La Salle St., Suite 1620, Chicago, IL 60603 (312) 332-0905. Transporting *metal products, machinery, and building materials*, between Detroit, MI, Chicago, IL, and points in Boone, McHenry, Rock Island, Whiteside, and Winnebago Counties, IL, on the one hand, and, on the other, points in IL, IN, MI, and WI.

MC 151990, filed March 30, 1981. Applicant: WILLIAM C. VAN DYKE d.b.a. HIGH COUNTRY EXPRESS, 40 W. Alameda Ave., Denver, CO 80223. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Transporting *general commodities* (except classes A and B explosives), between Denver, CO, points in WY, and those in Rich County, UT, Scottsbluff County, NE, and Carbon, Yellowstone, Bighorn, Treasure, Rosebud and Powder River Counties, MT.

MC 154461, filed March 3, 1981 and previously noticed in Federal Register issue of March 24, 1981. Applicant: VILLAGE CHARTERS, INC., Suite 404, Colorado Derby Bldg., 202 West First, Wichita, KS 67202. Representative: Mark S. Marney (same address as applicant) (316) 264-3543. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, between points in Sumner, Ellis, Pratt, Sedgwick, Reno, Harvey, Saline, Butler, Lyon, Barton, Kingman, Seward and Ford Counties, KS, on the one hand, and, on the other, points in the U.S. (including AK but excluding HI).

Note.—This republication clarifies the territorial description.

MC 155010 (Sub-1), filed March 31, 1981. Applicant: CRUMP TRANSPORTATION MANAGEMENT, INC., 11843 Missouri Bottom Road, Hazelwood, MO 63042. Representative:

B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105, (314) 727-0777. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Cupples Company, Manufacturers, of St. Louis, MO.

Volume No. OPY-3-035

Decided: April 3, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 2234 (Sub-3), filed March 20, 1981. Applicant: SEAVER'S EXPRESS, INC., 25 East Main St., Milford, MA 01757. Representative: Thomas E. Seaver (same address as applicant) 1-(800)-982-2272. Transporting *general commodities* (except classes A and B explosives), between points in CT, MA, ME, NH and RI.

MC 3114 (Sub-46), filed March 25, 1981. Applicant: T. H. COMPTON, INC., R. F. D. #1, Berkeley Springs, WV 25411. Representative: Herbert Alan Dubin, 818 Connecticut Ave., N.W., Washington, DC 20006 (202) 311-1174. Transporting *metal products*, between points in Allegheny and Beaver Counties, PA, and Oklahoma and Tulsa Counties, OK, on the one hand, and, on the other, points in the U.S.

MC 98614 (Sub-13), filed March 26, 1981. Applicant: ARKANSAS TRANSPORT COMPANY, P.O. Box 702, Little Rock, AR 72203. Representative: Roland M. Lowell, 618 United American Bank Bldg., Nashville, TN 37219 (615)-255-6576. Transporting *petroleum, natural gas and their products*, between points in AR, on the one hand, and, on the other, points in KS and MO.

MC 98964 (Sub-22), filed March 24, 1981. Applicant: P.B.I. FREIGHT SERVICE, a corporation, 960 North 1200 West, P.O. Box 37, Orem, UT 84057. Representative: Lon Rodney Kump, 333 East Fourth South, Salt Lake City, UT 84111 (801) 328-8987. Transporting *general commodities* (A) over regular routes, between Tonopah, NV, and Los Angeles County, CA: From Tonopah, NV, over U.S. Hwy 6 to junction U.S. Hwy 395, then over U.S. Hwy 395 to junction CA Hwy 14, then over CA Hwy 14 to junction Los Angeles County, CA, and return over the same route, serving the off-route points in San Bernardino, Riverside, and Orange Counties, CA; (B) over irregular routes, between points in Orange, San Bernardino, Riverside, and Los Angeles Counties, CA. Note: Applicant intends to tack this authority with its existing authority between Tonopah, NV, and points in UT. To the extent the authority granted herein authorizes the transportation of classes

A and B explosives, it will expire 5 years from the date of issuance.

MC 116915 (Sub-146), filed March 23, 1981. Applicant: ECK MILLER TRANSPORTATION CORP., Route 1, P.O. Box 248, Rockport, IN 47635. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602 (502) 227-2254. Transporting (1) *chemicals and related products*, and (2) *machinery*, between points in Cobb County, GA, on the one hand, and, on the other, points in the U.S.

MC 124774 (Sub-136), filed March 20, 1981. Applicant: MIDWEST REFRIGERATED EXPRESS, INC., 4440 Buckingham Ave., Omaha, NE 68107. Representative: Arlyn L. Westergren, Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114 (402)-397-7033. Transporting *food and related products*, between points in Monmouth County, NJ, on the one hand, and, on the other, points in IA, NE, MO, MN, and IN.

MC 125294 (Sub-10), filed March 24, 1981. Applicant: HILDRUP TRANSFER AND STORAGE CO., INC., 300 Central Rd., Fredericksburg, VA 22401. Representative: Carroll B. Jackson, 1810 Vicennes Rd., Richmond, VA 23229, (804) 282-3809. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Stromberg Carlson Corporation, of Sanford, FL.

MC 128095 (Sub-44), filed March 23, 1981. Applicant: IBCO TRUCK LINE, INC., P.O. Box 1402, Tupelo, MS 38801. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205, (601) 842-3000. Transporting (1) *microfoam sheeting*, between points in IA, GA, NC, SC, and Greenup County, KY; and (2) *rubber and plastic products*, between points in Berks County, PA, and Marion, Hancock, Shelby, Johnson, Morgan, Hendricks, Boone and Hamilton County, IN, on the one hand, and, on the other, points in AL, AR, GA, KY, LA, MS, NC, SC, TN, and VA.

MC 138875 (Sub-297), filed March 26, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell (same address as applicant), (208) 376-5757. Transporting *pulp, paper and related products*, between points in CA, OR and WA, on the one hand, and, on the other, points in AZ, CA, CO, ID, MT, NV, OR, UT, WA and WY.

MC 138875 (Sub-298), filed March 26, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell (same address as

applicant), (208) 376-5757. Transporting *transportation equipment*, between points in ID, on the one hand, and, on the other, points in CA.

MC 138875 (Sub-299), filed March 27, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, a corporation, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell (same address as applicant), (208) 376-5757. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Albertson's Inc., of Boise, ID.

MC 142955 (Sub-2), filed March 19, 1981. Applicant: J & G SWARTZ, INC., 3755 Fenwick Dr., Spring Valley, CA 92077. Representative: David P. Christianson, 707 Wilshire Blvd., Suite 1800, Los Angeles, CA 90017, (213) 627-8471. Transporting *alcoholic beverages*, between points in CA, TN, KY, IL, OH, NY, and TX.

MC 143264 (Sub-7), filed March 27, 1981. Applicant: DAIRY LEASING SERVICE, INC., P.O. Box 3427, Wilson, NC 27893. Representative: Walter T. Stancil (same address as applicant), (919) 219-8703. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Kraft, Inc., of Glenview, IL. Condition: Issuance of a certificate in this proceeding is subject to prior or coincidental cancellation, at applicant's written request, of carrier's existing permit in No. MC-143264 and the related sub.

MC 145625 (Sub-5), filed March 25, 1981. Applicant: DUTCHLAND TRUCKING, INC., 1051 Center Ave., Oostburg, WI 53070. Representative: Richard A. Westley, 4508 Regent St., Suite 100, Madison, WI 53705, (608) 238-3119. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Ralston Purina Company, of St. Louis, MO.

MC 145715 (Sub-17), filed March 23, 1981. Applicant: BELL TRUCKING, INC., P.O. Box 165, Van Buren, AR 72965. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701, (501) 521-8121. Transporting *general commodities* (except classes A and B explosives), between the facilities of International Paper Company, on the one hand, and, on the other, points in the U.S.

MC 145984 (Sub-4), filed April 24, 1981. Applicant: MELBA S. POWELL, d.b.a. C.B.M. TRANSPORT, 922 South 2300 East, Salt Lake City, UT 84108. Representative: Harry D. Pugeley, 940 Donner Way #370, Salt Lake City, UT

84108. Transporting *sodium bicarbonate*, between the facilities of Dwight & Church Corporation, near Green River WY, on the one hand, and, on the other, points in CA.

MC 149155 (Sub-9), filed April 26, 1981. Applicant: MIDWEST CARTAGE, INC., P.O. Box 318, Atchison, KS 66002. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141, (816) 842-8600. Transporting *rubber and plastic products, and metal products*, between points in CA, CO, IA, IL, IN, KS, MD, MI, MN, MO, NE, NJ, NY, OK, SC, TN, and TX.

MC 150954 (Sub-21), filed March 24, 1981. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: Robert J. Birnbaum, 3636 Executive Center Dr., Suite 151, Austin, TX 78731, (512) 346-4800. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with The Coca-Cola Company, of Atlanta, GA.

MC 152745 (Sub-1), filed April 24, 1981. Applicant: LYLE OIL CO., a corporation, 111 South Fairway, Fairfield, TX 75840. Representative: Larry G. Berkman, 900 Washington, P.O. Box 1470, Waco, TX 76703, (817) 754-1421. Transporting *general commodities* (except classes A and B explosives), between points in Freestone, Dallas, Tarrant, and Harris, TX.

MC 154504 (Sub-1), filed March 19, 1981. Applicant: ROBERT E. & CAROL TAYLOR, d.b.a. ROBERT E. TAYLOR, 5227 S.E. Holgate Blvd., Portland, OR 97206. Representative: Carol Taylor (same address as applicant), (503) 775-9075. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Bar Supply Brokerage, Inc., of Portland, OR.

MC 154865, filed March 19, 1981. Applicant: L. K. MCKENZIE & SONS, INC., P.O. Box 567, 406 Grant St., Chambersburg, PA 17201. Representative: L. Arnold McKenzie 2521 New Franklin Rd., Chambersburg, PA 17201 (717)-264-7514. Transporting *chemicals and related products*, between Baltimore, MD, and points in Franklin County, PA.

MC 154904 (Sub-1), filed March 23, 1981. Applicant: RUSSELL TRUCKING, INC., 1860 W. Main, Ubyly, MI 48475. Representative: James R. Davis, 1018 Michigan National Tower, Lansing, MI 48933 (517) 372-0235. Transporting (1) *grain bins and buildings*, between Kansas City, MO and points in Knox

and Warren Counties, IL, on the one hand, and, on the other, points in MI; (2) *metal products*, between points in Huron and Tuscola Counties, MI, on the one hand, and, on the other, points in NJ, CA, OK, MO, VA, KY, TN, NE, TX, SC, GA, IL, OH, IN, and ports of entry on the international boundary line between the U.S. and Canada, in NY, MI, and MN; and (3) *rubber and plastic products*, between points in Huron County, MI, on the one hand, and, on the other, points in TX, DE, WI, IA, and OH.

MC 154944, filed March 23, 1981. Applicant: AAA MOTOR CLUB OF NORTHEASTERN PENNSYLVANIA 1035 N. Washington Ave., Scranton, PA 18509. Representative: John D. Wilson (same address as applicant) (717) 344-9661. As a *broker* at Scranton, Carbondale, Stroudsburg, Towanda and Montrose, PA of *passengers and their baggage*, between points in Lackawanna, Luzerne, Monroe, Pike, Susquehanna, Bradford, Sullivan, Wayne and Wyoming Counties, PA, on the one hand, and, on the other, points in the U.S.

MC 154945, filed March 24, 1981. Applicant: JOSEPH J. MEIGHAN, d.b.a. JOSEPH J. MEIGHAN MOVING, 307 Columbia St., Cohoes, NY 12047. Representative: Neil D. Breslin, 600 Broadway, Albany, NY 12207 (518) 465-3391. Transporting *household goods*, between points in Albany, Schenectady, Rensselaer and Saratoga Counties, NY, on the one hand, and, on the other, points in FL.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11126 Filed 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

Motor Carrier Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule 251 of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the Federal Register on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the Federal Register issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request

and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the serviced 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. OP1-112

Decided: April 6, 1981.

By The Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 153811 (Sub-3), filed March 31, 1981. Applicant: TRANSPORTATION SYSTEM OF AMERICA, INC., 3905 River Rd., Pennsauken, NJ 08110. Representative: Richard M. Parnicky, 71 West Park Ave., Vineland, NJ 08360 (609) 488-1320. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 1, Room 8358.

Volume No. OPY-2-036

Decided: April 3, 1981.

By The Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 136393 (Sub-9), filed March 27, 1981. Applicant: NY, NJ, CONN., FREIGHT & MESSENGER CORP., 351 West 38th St., New York, NY 10123. Representative: Ronald I. Shapss, Esq., 450 Seventh Avenue, New York, NY 10123 (212) 239-4610. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

MC 154742, filed March 13, 1981. Applicant: ALLTRANSPORT, INCORPORATED, 17 Battery Place North, New York, NY 10004. Representative: Harold E. Mesrirow, 1333 New Hampshire Ave. NW., Washington, DC 20036, 202-785-3288. As a *broker of general commodities* (except household goods), between points in the U.S.

Volume No. OPY-3-034

Decided: April, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 40815 (Sub-7), filed March 26, 1981. Applicant: HARRAN TRANSPORTATION CO., INC., 1417 Jerusalem Ave., North Merrick, NY 11565. Representative: William H. Shawn, 1730 M St., NW., Suite 501, Washington, DC 20036, (202) 296-2900. Transporting *shipments weighing 100*

pounds or less, if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

MC 154814, filed March 17, 1981.
Applicant: RELIABLE TRUCK BROKERS, INC., 4255 LBJ Freeway, Suite 148, Dallas, TX 75234.
Representative: Jack L. Coke, Jr., 4555 First National Bank Bldg., Dallas, TX 75202 (214) 741-6263. As a broker of general commodities (except household goods), between points in the U.S.

MC 154815, filed March 19, 1981.
Applicant: CONTINENTAL TRAFFIC COMPANY, INC., P.O. Box 1256, 19730 84th Ave. W., Lynnwood, WA 98036.
Representative: Jim Pitzer, Suite 321 Evergreen Bldg., 15 S. Grady Way, Renton, WA 98055 (206) 235-1111. As a broker of general commodities (except household goods), between points in the U.S.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11124 Filed 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

[Permanent Authority Volume No. OP5-85]

Republications of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the Federal Register.

An original and one copy of opposing verified statements must be filed with the Commission within 45 days after the date of this Federal Register notice. Applicant may file a verified statement in rebuttal within 60 days. Such pleadings shall comply with 49 CFR 1100.252 addressing specifically the issue(s) indicated as the purpose for republication.

MC 34479 (Sub-4F) (Republication), filed August 8, 1980, published in the Federal Register issue of September 10, 1980, and republished this issue.
Applicant: E.I. KANE, INC., 4546 Annapolis Rd., Baltimore, MD 21227.
Representative: Robert H. Shertz, 915 Pennsylvania Bldg., 425 13th Street, NW, Washington, DC 20004. An Order of the Commission, Division 2, decided March 18, 1981, and served March 20, 1981, finds that the present and future public convenience and necessity require operations by applicant in interstate or foreign commerce as a common carrier, by motor vehicle, over irregular routes, in the transportation of general commodities (except household goods as defined by the Commission, and

Classes A and B explosives) between Baltimore, MD, Alexandria, Culpeper, Falls Church, Manassas, Vienna and Warrenton, VA, Washington, D.C., and points in Anne Arundel, Baltimore, Carroll, Charles, Harford, Montgomery, and Prince Georges Counties, MD, and Arlington, Culpeper, Fairfax, Fauquier, Loudon, and Prince William Counties, VA, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate applicant's actual grant of authority.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11122 Filed 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

[Decision Volume No. 421]

Motor Carriers; Permanent Authority Notices; Substitution Application: Single-Line Service for Existing Joint-Line Service

MC 112304 (Sub-193) (correction) (republication), filed June 5, 1979, published in the Federal Register issues of November 27, 1979, March 2, 1981, and republished, as corrected, this issue.
Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock St., Cincinnati, OH 45223.
Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. A Decision of the Commission, Division 1, Acting as an Appellate Division, decided January 6, 1981 and served January 9, 1981 orders that the proceedings be reopened for further processing, that applicant seeks authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) commodities, the transportation of which because of size or weight requires the use of special equipment, (2) metal articles, (3)(a) self-propelled articles, each weighing 15,000 pounds or more, and (b) related machinery, tools, parts, and supplies moving in connection therewith, (1) between points in CT, IL, IN, KY, MD, MA, MI, MO, NH, NJ, NY, OH, PA, RI, TX, VT, VA, WV, WI, and DC, on the one hand, and, on the other, points in AL, AZ, AR, CA, CO, DE, FL, GA, ID, IA, KS, LA, ME, MN, MS, MT, NE, NV, NM, NC, ND, OK, OR, SC, SD, TN, UT, WA, and WY, and (2) between points in CT, IL, IN, KY, MD, MA, MI, MO, NH, NJ, NY, OH, PA, RI, TX, VT, VA, WV, WI, and DC. The purpose of this republication is to correct the territorial description in part (1) to reflect service

between points in Michigan, New Jersey and New Mexico which were incorrectly published as NJ, NJ and MN; and further to include the state of New York which was inadvertently omitted from the previous publication.

Note.—The sole purpose of this application is to substitute single-line for joint-line operations. Inasmuch as persons not party to this proceeding may have relied upon the notice of the application as published and may have an interest in the proceeding to be reconsidered on the basis of the new Act, the notice of application must be republished indicating that a decision is to be made in accordance with the provisions of the Motor Carrier Act of 1980. All interested persons, including protestants, will thereupon have an opportunity to file protests within 45 days of publication, and applicant, to file rebuttal materials within 60 days of publication in keeping with regular application procedures. See Ex Parte No. 55 (Sub-No. 43), Rules Governing Applications for Operating Authority, pp. 8-9 (1980).

By the Commission.
Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11119 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP3-220]

Motor Carrier Permanent Authority; Republications of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the Federal Register.

An original and one copy of opposing verified statements must be filed with the Commission within 45 days after the date of this Federal Register notice. Applicant may file a verified statement in rebuttal within 60 days. Such pleadings shall comply with 49 CFR 1100.247 (renumbered 1100.251) addressing specifically the issue(s) indicated as the purpose for republication. Special Rule 247 (renumbered 251) was published in the Federal Register of July 3, 1980, at 45 FR 45539.

MC 59265 (Sub-76) (republication), filed September 26, 1980, published in the Federal Register issue of October 23, 1980 and republished this issue.
Applicant: SMITH & SOLOMON TRUCKING COMPANY, a corporation, P.O. Box-2015, New Brunswick, NJ 08903.
Representative: Lawrence S. Burstein, Suite 2373, One World Trade Center, New York, NY 10048. A Decision of the Commission, Review Board Number 3, decided January 14, 1981, served

February 13, 1981, finds that the performance by applicant of the service will serve a useful public purpose, responsive to a public demand or need to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except household goods as defined by the Commission, articles of unusual value, Classes A and B explosives, commodities in bulk, and those requiring special equipment) between points in Atlantic, Cape May, Cumberland, Gloucester, Hunterdon, Ocean, Salem, Sussex and Warren Counties, NJ, Dutchess, Orange, Putnam, Suffolk, Sullivan, Ulster Counties, NY, Fairfield, New Haven, Litchfield Counties, CT, Adams, Berks, Carbon, Chester, Columbia, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Perry, Pike, Schuylkill, Susquehanna, Wayne, Wyoming, and York Counties, PA, Kent, New Castle and Sussex Counties, DE, and Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, Frederick, Harford, Howard, Kent, Montgomery, Prince Georges, Queen Anne, St. Marys, Somerset, Talbot, Washington, Wicomico, and Worcester Counties, MD, and points in Virginia; that applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulation. The purpose of this republication is to reflect applicant's actual grant of authority and to indicate that the docket number has been reassigned to Sub-76 in lieu of Sub-73 as previously published.

By the Commission,
Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11120 Filed 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

[Decision Volume No. 420]

Motor Carriers; Republications of Grants of Operating Rights; Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the Federal Register.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this Federal Register notice. Such pleading

shall comply with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 141124 (Sub-51) (republication), filed August 23, 1979, published in the Federal Register issue of February 26, 1980 and republished this issue. Applicant: EVANGELIST COMMERCIAL CORPORATION, P.O. Box 15000, Wilmington, DE 19850. Representative: Boyd B. Ferris, 50 West Board St., Columbus, OH 43215. A Decision of the Commission, Review Board Number 2, decided October 3, 1980 and served October 21, 1980, finds that the performance by applicant of the service will serve a useful public purpose, responsive to a public demand or need to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *such commodities* as are dealt in or used by manufacturers and converters of paper and paper products (except commodities in bulk), between Burlington, IA, Crossett, AR, Gary, IN, Kalamazoo, MI, Lockport and Taylorville, IL, New Brunswick, NJ, Cincinnati, OH, Reading, PA, St. Genevieve and St. Louis, MO, Tomahawk, WI, Woodland, ME, Gilman, VT, Lyons Falls, Thomson, Warwick, and Plattsburgh, NY, and Richmond, VA, on the one hand, and, on the other, points in the U.S. (except AK and HI); that applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to reflect service to Cincinnati, OH.

By the Commission,
Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-11121 Filed 4-10-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. 58]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: April 7, 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 8535 (Sub-125)X, filed March 27, 1981. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, P.O. Box 500, Parkton, MD 21120. Representative: John Guandolo, 1000 Sixteenth St., N.W., Washington, DC 20036. Applicant seeks to remove restrictions in its Sub-Nos. 73F and 96F certificates to (1) broaden its commodity descriptions, in both certificates, from iron and steel articles (except in dump vehicles), to "metal products"; (2) replace its facilities and cities with county-wide authority, (a) in Sub-No. 73F, facilities at Bethlehem, Johnstown, Lebanon, Steelton, and Williamsport, PA, Baltimore and Sparrows Point, MD, and Lackawanna, NY, with Northampton, Lehigh, Cambria, Lebanon, Dauphin, and Lycoming Counties, PA, Baltimore County and Baltimore, MD, and Erie County, NY; and facilities at Burns Harbor, IN, with Porter County, IN, and (b) in Sub-No. 96F, facilities at or near Braddock, Clairton, Duquesne, Fairless, Homestead, Dravosburg, Johnstown,

McKeesport, McKees Rocks, Pittsburgh, and Vandergrift, PA, and Cleveland, Lorain, and Youngstown, OH, with Allegheny, Bucks, Cambria, and Westmoreland Counties, PA, and Cuyahoga, Lorain, and Mahoning Counties, OH; and facilities at or near Gary, IN, and Joliet and South Chicago, IL, with Lake County, IN, and Will County and Chicago, IL; (3) change its one-way authority to radial authority between the above-named counties and points in several specified eastern States; and (4) eliminate the materials, equipment and supply authority, in Sub-No. 96F, parts (1)(b) and (2)(b).

MC 8958 (Sub-48)X, filed March 26, 1981. Applicant: THE YOUNGSTOWN CARTAGE CO., 825 W. Federal Street, Youngstown, OH 44501. Representative: James W. Muldoon, 50 W. Broad Street, Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-Nos. 12, 13, 18, 21, 24, 25, 26, 27, 32F, 38F, 39F, 40F, 41F, 42F, 43F, 44F, 45F, 46F certificates and letter notices E1 through E20 and E23 through E25 as follows: In its lead, part (1), broaden the commodity description from bar steel, iron and steel castings, engine parts, forgings, and wooden patterns to "metal products, transportation equipment and lumber and wood products"; authorize service at all intermediate points between Grove City, PA, and Mount Vernon, OH; and eliminate the "minimum 20,000 pounds" restriction; part (2), broaden metal, metal products, malt beverages and empty beverage containers, agricultural implements and parts, steel storage cabinets and automobile wheels, wheel rims and bands to "metal products, food and related products, machinery, and transportation equipment"; authorize service at all intermediate points between Pittsburgh, PA, and Warren, OH and between Youngstown, OH, and Pittsburgh, PA; part (3), remove all exceptions except classes A and B explosives from its general commodities authority; part (4) broaden rough-iron castings to "metal products"; broaden Grove City to Mercer County, PA and Hamilton to Butler County, OH; part (5), broaden Sharon to Mercer County, PA; remove the "delivery only to points in MI" restriction; part (6), broaden malt beverages to "food and related products"; part (7), remove all exceptions except classes A and B explosives from its general commodities authority; broaden plantsites located in Novi Township and Sterling Township to Oakland and Macomb Counties, MI; eliminate the restriction against service to points in IN lying within the Chicago, IL, CZ; broaden Libertyville and

Grayslake, to Lake County, IL; part (8), remove all exceptions except classes A and B explosives from its general commodities authority; part (9), broaden household goods, contractors' equipment, machinery, and iron and steel articles, of the kind used in construction and manufacture, to "household goods, contractors' equipment, machinery, and metal products"; part (10) broaden metal, metal products, asphalt, roofing cement, and prepared roofing materials to "metal products and building materials and petroleum and petroleum products"; part (12) remove all exceptions except classes A and B explosives from its general commodities authority; remove the restriction against service between Chicago, IL and Detroit, MI; in Sub-No. 12, broaden the commodity description from building materials, steel, steel pipe, machinery, factory equipment, and contractors' equipment to "building materials, metal products, machinery, factory equipment and contractors' equipment"; eliminate the "except in bulk, in tank or hopper type vehicles" restriction; in Sub-No. 13, broaden the commodity description from metal, metal products, machinery, and iron and steel articles of the kind used in construction and manufacture to "metal products and machinery"; replace a plantsite at Burns Harbor with Porter County, IN; remove the "originating at/or destined to" restrictions; in Sub-No. 18, broaden the commodity description from iron and steel articles to "metal products and material, equipment, and supplies used in the manufacture or distribution of metal products"; replace a plantsite in Putnam County with Putnam County, IL; eliminate the restriction "against commodities in bulk"; and remove the "originating at or destined to" restriction; in Sub-No. 21, remove all exceptions except classes A and B explosives from its general commodities authority; replace a plantsite in Sterling Township with Macomb County, MI; in Sub-No. 24, remove all exceptions except classes A and B explosives from its general commodities authority; in Sub-No. 25; broaden the commodity description from pipe and tubing to "building materials"; replace a plantsite at Hometown with Schuylkill County, PA; in Sub-No. 26, remove all exceptions except classes A and B explosives from its general commodities authority; replace facilities at Romeo with Macomb County, MI; in Sub-No. 27, broaden iron and steel articles to "metal products"; replace facilities at Reading with Berks County, PA; eliminate the "originating at and destined to"

restriction; in Sub-No. 32F, broaden the commodity description from iron and steel articles to "metal products"; eliminate the restriction against the use of "dump vehicles"; in Sub-No. 38F, broaden the commodity description from iron and steel articles and materials, equipment and supplies to "such commodities as are dealt in or used by manufactures or distributors of metal and metal products"; expand Weiton to Brooke and Hancock Counties, WV; and eliminate the "except commodities in bulk" restriction; in Sub-Nos. 39F, 40F, 41F, 42F, 43F, 44F, 45F, 46F, E1, E2, E3, E10, E11, E16, E17, E19, and E20, broaden the commodity descriptions from specified metal products such as iron and steel articles, steel storage racks and aluminum articles and materials, equipment and supplies used in the manufacture and distribution of such commodities to "such commodities as are dealt in or used by manufacturers or distributors of metal products"; in Sub-Nos. E4, E5, E6, E7, E8, E12, E13, and E14, broaden the commodity description from iron and steel articles the kind used in construction and manufacture, and contractors' equipment and machinery to "such commodities as are dealt in or used by manufacturers or distributors of metal products, building materials, machinery and equipment"; in Sub-Nos. E9, E18, and E23, broaden the commodity description from metal, metal products, asphalt, roofing cement and prepared roofing materials to "such commodities as are dealt in or used by manufacturers or distributors of metal products, building materials, and petroleum and petroleum products"; in Sub-Nos. E15, E24, and E25 remove all exceptions except classes A and B explosives from its general commodities authority; in Sub-No. 39F through 46F remove the "except commodities in bulk" restriction; in Sub-Nos. E3, E8, E9, E20, and E23 remove the "except commodities in bulk and those requiring special equipment" restrictions; in Sub-No. 39F, broaden New Haven and Windsor to New Haven and Hartford Counties, CT; in Sub-No. 40F, replace a plantsite at Strongsville with Cuyahoga County, OH; in Sub-No. 41F, replace a plantsite at East Hartford, CT with Hartford County, CT; in Sub-Nos. 42F, replace a plantsite at New Britain, CT with Hartford County, CT; and in Sub-Nos. 43F, replace a plantsite at Perth Amboy with Perth Amboy, NJ; in Sub-No. E2, and E20, broaden Monroe to Monroe County, MI; in Sub-Nos. E3, E8, E9, broaden Libertyville and Grayslake to Lake County, IL, Belvidere to Boone County, IL; in Sub-Nos. E10, E11, E15, E19, E20 and E23, broaden Belvidere to

Boone County, IL; in Sub-Nos. E16, E17, E18, E20 replace a plantsite in Putnam County with Putnam County, IL; in Sub-No. E25, replace plantsites in Oakland and Macomb Counties, MI with Oakland and Macomb Counties, MI, a plantsite at Romeo with Macomb County, MI, and broaden Belvidere, IL to Boone County, IL. In each of its above numbered certificates expand its one-way authority to radial authority between various combinations of points in the U.S.

MC 52669 (Sub-12)X, filed March 30, 1981. Applicant: CARGOCARE TRANSPORTATION COMPANY, INCORPORATED, P.O. Box 4433, Rocky Mount, NC 27801. Representative: Lawrence E. Lindeman, 1032 Pennsylvania Building, Pennsylvania Ave. and 13th Street, N.W., Washington, DC 20004. Applicant seeks to remove restrictions in its lead and Sub-No. 11F certificates to (1) broaden the commodity description from tobacco, leaf tobacco, unmanufactured tobacco when moving in mixed loads with materials, equipment, and supplies used in the manufacture and distribution of unmanufactured tobacco to "tobacco products," in lead and Sub-No. 11F, (2) remove the "in bulk, in tank vehicles" restrictions, in Sub-No. 11F and (3) authorize radial authority in place of oneway authority in the lead.

MC 72069 (Sub-36)X, filed April 1, 1981. Applicant: BLUE HEN LINES, INC., P.O. Box 280, Milford, DE 19963. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St., N.W., Washington, D.C. 20005. Applicant seeks to remove restrictions from its lead and Sub-Nos 30 and 31F certificates to (1) remove all exceptions from its general commodity authority (except classes A and B explosives) in lead certificate, sheet No. 2, paragraph 6; (2) broaden the commodity description in Sub-No. 31F from frozen bakery products and materials, equipment and supplies used in the manufacture and distribution of frozen bakery products to "food and related products"; (3) remove the restriction "except AK and HI" in Sub-Nos. 30 and 31F; (4) remove the restriction against transportation of commodities in bulk and the "originating at, destined to" restriction in Sub-No. 30; (5) authorize radial service between New York, NY, and Philadelphia, PA, and Dover, DE, and points in DE within 20 miles thereof in lead certificate, sheet No. 2, paragraph 6; and (6) replace city authority with county-wide authority: in Sub-No. 30, Vineland, NJ with Cumberland County, NJ, and in Sub-No. 31F, Saugatuck and Holland, MI with Ottawa and Allegan Counties, MI.

MC 97345 (Sub-5)X, filed March 27, 1981. Applicant: DUFFY HEAVY MOVING COMPANY, 389 South Lipan, Denver, CO 80223. Representative: Steven K. Kuhlmann, 2600 Energy Center, 717 17th Street, Denver, CO 80202. Applicant seeks to remove restrictions in its Sub-No. 4F certificate to (1) broaden a portion of the commodity descriptions from concrete products to "clay, concrete, glass or stone products", from air compressors and transformers to "machinery" and from general commodities (with exceptions and restricted against the transportation of foodstuffs) to "general commodities (except classes A and B explosives)", (2) remove restrictions against the transportation of commodities in bulk, mercer commodities, and earth drilling machinery, materials, supplies and equipment; and agricultural implements, farm machinery and farm tractors originating at points in WY, UT, NM, and AZ.

MC 104149 (Sub-217)X, filed March 23, 1981. Applicant: OSBORNE TRUCK LINE, INC., 516 North 31st Street, Birmingham, AL 35202. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. Applicant seeks to remove restrictions in its Sub-Nos. 141, 170, 171, 172, 173, 175, 176, 179, 180, 182, 184, 185, 186, 187, 188, 190, 191, 194, 195, 197, 199, 200, 201F, 202F, 203F, 204, 205F, 206F, 209F, 210F, 211F, 212F, 213F, 215F and 216F certificates to (A) broaden the commodity descriptions to (1) "general commodities, except Classes A and B explosives" from general commodities, with exceptions, in Sub-No. 179; (2) "metal products" from (a) iron and steel products, in minimum shipments of 10,000 pounds, iron and steel commodities used in, or in connection and repair of ships, in minimum shipments of 10,000 pounds, in Sub-No. 141, (b) iron and steel, and iron and steel articles, in Sub-No. 170, (c) fiber and fiber pipe fittings, iron and steel, and iron and steel articles, in Sub-No. 172, (d) iron fittings and connections, valves, hydrants, and gaskets, in Sub-No. 182, (e) aluminum and aluminum products, in Sub-No. 186, (f) iron and steel articles, in Sub-No. 187, (g) pipe, fittings, valves, hydrants, gaskets and accessories for the above named articles, in Sub-Nos. 188 and 215, (h) cast iron and brass valves and components and cast iron hydrants, in Sub-No. 191, (i) aluminum and aluminum products, in Sub-Nos. 194, 195, 203F, 205F, 212F, and 213F, (j) iron and steel articles, in Sub-Nos. 197, 200, 201F, 202F, 209F, 210F, 211F, and 216F, (k) metal articles, in Sub-No. 206F, (l) empty malt

beverage containers, in Sub-No. 204; (3) "machinery" from (a) machinery parts and contractors' materials and supplies, in Sub-No. 141, (b) self-propelled articles and related machinery, tools, parts and supplies, in Sub-No. 171, (c) contractors' equipment, materials and supplies, in Sub-No. 187, (d) contractors' equipment, foundry equipment, pollution control equipment, scrap metal shredding machinery, transformer rectifiers and electrical control assemblies, in Sub-No. 200; (4) "clay, concrete, glass or stone products" from (a) cement asbestos products, in Sub-Nos. 173, 176, 184, and (b) cement, mortar, lime and limestone, in Sub-No. 175; (5) "rubber and plastic products" from plastic pipe and fittings and rubber gaskets, in Sub-Nos. 182, 185, and 190; (6) "food and related products" from (a) citrus pulp, in Sub-No. 180, (b) malt beverages, in Sub-No. 199, and (c) canned vegetables and malt beverages, in Sub-No. 204; (7) "such commodities as are dealt in by seafood manufacturers" from oyster shells and fish meal, in Sub-No. 180, (8) "chemicals and related products" from polyvinyl-chloride, in Sub-No. 182; (9) "building materials" from (a) fibre pipe and fibre fittings, in Sub-No. 172; (b) plastic pipe, plastic or iron fittings and connections, valves, hydrants, and gaskets, in Sub-No. 182; (c) cement asbestos pipe and plastic pipe, in Sub-No. 184; (d) contractors' equipment, materials and supplies (except cement and commodities in bulk), in Sub-No. 187; (e) pipe, fittings, valves, hydrants, gaskets, and accessories, in Sub-Nos. 188 and 215; (f) contractor's equipment, material and supplies, in Sub-No. 200; and (g) pipe, in Sub-No. 216; (10) "coal and coal products" from charcoal, in Sub-No. 204; (B) eliminate the facilities restrictions, in Sub-Nos. 175, 179, 182, 184, 185, 186, 190, 191, 194, 195, 197, 201F, 202F, 203F, 212F and 215F; (C) broaden the territorial description to authorize county-wide authority in place of existing city-wide authority as follows: from Birmingham, AL to Jefferson County, AL, in Sub-No. 141, 170, 172, 187, 188, 191, 206F; from Decatur, AL to Morgan County, AL, in Sub-Nos. 141, 171, 172; from Montgomery, AL to Montgomery County, AL, in Sub-Nos. 141, 170, 171, 172, 187, 197; from Pascagoula, MS, to Jackson County, MS, in Sub-No. 141; from Gadsden, AL to Etowah County, AL, in Sub-Nos. 172 and 201F; from Holt, AL, to Tuscaloosa County, AL, in Sub-No. 172; from Ragland, AL, to St Clair County, AL, in Sub-Nos. 173 and 176; from Graystone and Landmark, AL, to Blount and Shelby Counties, AL, in Sub-No. 175; from Scottsboro, AL, to Jackson County, AL, in Sub-Nos. 179, 186, 194

and 203F; from Lincoln, AL, to Talladega County, AL, in Sub-Nos. 182, 185 and 215F; from Houston, TX, to Harris County, TX, in Sub-No. 182; from Pompano Beach, FL, to Broward County, FL, in Sub-No. 182; from Van Buren, AR, to Crawford County, AR, in Sub-No. 184; from Forth Smith, AR, to Sebastian County, AR, in Sub-No. 190; from Listerhill and Sheffield, AL, to Colbert County, AL, in Sub-Nos. 195 and 205F; from Anniston, Dothan and Montgomery, AL, to Calhoun, Houston and Montgomery Counties, AL in Sub-No. 197; from Jacksonville, FL, to Duval County, FL, in Sub-No. 199; from Huntington, WV, to Cabell County, WV, in Sub-No. 202F; from Sardis, AL, to Dallas County, AL, from Rochelle, DeKalb, Belleville and Peoria, IL, to Ogle, DeKalb, St. Clair and Peoria Counties, IL, from Rockfield and Jackson, WI, to Washington County, WI, from Cincinnati, OH, to Hamilton County, OH, from Evansville, Fort Wayne, South Bend and Terre Haute, IN, to Vanderburgh, Allen, St. Joseph and Vigo Counties, IN, in Sub-No. 204; from Mobile, AL, to Mobile County, AL, from Little Rock, AR, to Pulaski County, AR, from Lafayette and Monroe, LA, to Lafayette and Ouachita Parishes, LA, and from Knox County, TN to Knox County, TN, in Sub-No. 206F; from Charleston and Darlington, SC, to Charleston and Darlington Counties, SC, in Sub-No. 211F; from Newport, AR, to Jackson County, AR, and from Meridian, MS, to Lauderdale County, MS, in Sub-No. 212F; (D) eliminate the "size or weight" restriction as it applies to machinery in Sub-No. 141; (E) eliminate the restriction limiting service to, or prohibiting the transportation of (a) traffic originating at, and/or destined to specified points, in Sub-Nos. 197, 203F, and 216F part (2), (b) commodities or trailers, in Sub-No. 171, (c) Mercer commodities, in Sub-No. 172, (d) shipments having a prior or subsequent movement by rail or water, in Sub-No. 210F, (e) specified commodities from and to named points, in Sub-Nos. 180 and 187; (F) remove the restriction prohibiting service to AL, AK and HI, in Sub-No. 200; (G) authorize radial authority in place of existing one-way service between cities and counties in various combinations of States throughout the U.S., in Sub-Nos. 170, 172, 173, 175, 176, 180, 182, 184, 185, 188, 190, 194, 197, 199, 200, 201F, 202F, 203F, 204, 205F, 209F, 211F, 212F, 213F, 215F and 216F; and (H) remove the tacking restrictions in Sub-Nos. 170 and 171.

Note.—Applicant's authority to tack will be governed by 49 CFR Part 1042.

MC 104881 (Sub-8)X, filed March 4, 1981, previously noticed in the FR of

March 20, 1981, republished as corrected in this issue. Applicant: GAY TRUCK LINE, INC., P.O. Box 134, Falkner, MS 38629. Representative: Harold D. Miller, Jr., 17th Floor, Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205. Applicant seeks to remove restrictions in its Sub-Nos. 2 and 7F certificates (1) to remove all exceptions from the general commodities authorization, except Classes A and B explosives; and (2) to authorize service to all intermediate points on regular routes in Sub-No. 2 between points in MS and TN; (3) to remove a restriction in its Sub-No. 2 certificate prohibiting tacking of irregular-route authority to regular-route authority, and to convert that irregular-route authority to radial authority between Ripley, MS and Hohenwald, TN; and (4) to expand off-route point authority in its Sub-No. 7 from named facilities in Tishomingo County, MS, to all points in Tishomingo County, MS. The purpose of this republication is to add the removal of the facilities restriction in part (4).

MC 106274 (Sub-32)X, filed March 24, 1981. Applicant: RAEFORD TRUCING CO., P.O. Box 219, Sanford, NC 27330. Representative: Edward G. Villalon, Pennsylvania Ave. & 13th St., N.W., Suite 1032, Washington, DC 20004. Applicant seeks to remove restrictions in its lead and Sub-Nos. 6, 9, 10, 12, 13, 16, 19, 22G, 23, 24, 25, 28F, and 30F certificates, E6, E7, E8, E10, E11, and E12 letter-notices to (1) broaden the commodity description from (a) hardware to "metal products" in lead; and Sub-No. 6(b) fertilizer and fertilizer materials to "chemicals and related products" in the lead; (c) lumber, (except plywood and veneer) logs, millwork, plywood, veneer, furniture panels and doors, wooden fencing, wooden fence pickets, wooden poles, wooden posts, composition board, materials, supplies and accessories used in the installation thereof, cross-arms, landscape timbers, fiberboard, wood residuals, flakeboard, particleboard, cross ties, furniture panels, to "lumber and wood products" in Sub-Nos. 6, 9, 10, 12, 13, 19, 22G, 23, 25, 28, 30, E6, E7, E8, E10, E11, and E12; (d) brick, lime, cement, lumber and roofing materials to "building materials" in Sub-No. 6; (e) roof decking, flotation materials, boat docks, and laminated, prefabricated or machined wood products, materials and supplies necessary for the erection and installation of such commodities to "miscellaneous products of manufacturing" in Sub-No. 10; (f) conduit and pipe (other than iron and steel) and attachments, parts and fittings, to "clay, concrete, glass, or

stone products, and metal products" in Sub-No. 16; (g) book cases and shelving to "furniture and fixtures" in Sub-No. 28; (2) authorize country-wide authority for city-wide service: Hake County for Raeford, NC; New Hanover and Wilmington Counties for Wilmington and Navassa, NC; York County for York, PA; Richmond and Scotland Counties for Rockingham and Laurinburg, NC in lead; Halifax County for Halifax, VA; Frederick County for Frederick, MD, Caswell County for Yanceyville, NC, in Sub-No. 6; Wilkes County for Roaring River, NC, in Sub-No. 13; Portage County for Rootsdown Township, OH, in Sub-No. 16; New Hanover County for Wilmington, NC; Cumberland, Columbus, Sampson, and Duplin Counties, NC, in Sub-No. 19; Washington and Craven Counties, NC; Wicomico County for Salisbury, MD; Chesterfield County for Pageland, SC, in Sub-No. 23; Colleton and Orangeburg Counties for Walterboro and Holly Hill, SC, in Sub-No. 24; Chatham County for Savannah, GA, in Sub-No. 30; (3) authorize radial service in lieu of existing one-way authority between the counties named above and numerous points throughout the U.S. in all referenced authority (4) remove facilities restrictions in Sub-Nos. 13, 16, 19, 23, and 24; (5) delete restrictions limiting service to the transportation of traffic "originating at and/or destined to named origins" in Sub-Nos. 24, E8, E10, E11, and E12; (6) delete an "in bulk" restriction in Sub-No. 13 and (7) eliminate a restriction against the transportation of plywood and veneer from Wilmington, NC, in Sub-No. 19.

MC 110479 (Sub-29)X, filed March 25, 1981. Applicant: HARPER TRUCK SERVICE, INC., 402 Popular Avenue, P.O. Box 100463, Nashville, TN 37210. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Applicant seeks to remove restrictions in its Sub-Nos. 1, 20, 21, 23, 24, and 27 certificates to (1) broaden its commodity descriptions (a) from general commodities (with exceptions), to "general commodities (except classes A and B explosives)", in each of the above sub-numbers, (b) from feed and malt beverages, to "food and related products", from automobile tires and tubes, to "transportation equipment", from furniture and used furniture, to "furniture and fixtures", from fertilizer, to "chemicals and related products", from hardware, to "fabricated metal products (except ordnance)", and from concrete and cinder bricks and blocks, to "clay, concrete, glass or stone products", in Sub-No. 1; (2) change its one-way authority to two-way authority,

and authorize service at all intermediate points where service is limited to specified intermediate point service (a) in Sub-No. 1, regular-route portion, between East St. Louis, IL and La Center, KY, between St. Louis, MO, and La Center, KY, between St. Louis and East St. Louis, IL; between Paducah, KY, and St. Louis, MO; between Paducah, KY, and Memphis, TN; between Massac, KY, and points in KY within 12 miles of Massac, and St. Louis, MO; between St. Louis, MO, and Cairo, IL, to Massac, KY, and points in KY within 12 miles of Massac; and authorize radial authority for one-way authority, irregular route portion, between several specified points in KY, IL, TN, and MO; and authorize two-way operations in Sub-No. 21, between Paducah, KY, and Evansville, IN; between Gilbertsville, KY, and Paducah, KY; and between junction U.S. Highway 62 and the west bank of Kentucky Lake at Kentucky Dam, and Louisville, KY; in Sub-No. 23, between Paducah, KY, and facilities located 2 miles south of Wickliffe, KY; in Sub-No. 27, between Iuka, KY, and Crayne, KY; and between Hopkinsville, KY, and Nortonville, KY; (3) remove the restrictions in Sub-Nos. 1 and 20, against transportation of traffic moving to and from Briensburg and Calvert, KY, and the facilities located near Kevil, KY, and (4) eliminate the originating at and destined to restrictions in Sub-Nos. 21, and 27; and the joinder only restrictions in Sub-No. 27.

MC 116227 (Sub-14)X, filed March 27, 1981. Applicant: POLMAN TRANSFER, INC., Rt. 3, Box 470, Wadena, MN 56462. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Applicant seeks to remove restrictions in its Sub-No. 11F certificate to (1) broaden the commodity description from furniture and furniture parts to "furniture and fixtures", (2) replace authority to serve named facilities with county-wide authority: Wadena County, MN for Wadena, MN, (3) to remove AK and HI exceptions and (4) replace one-way authority with radial authority between Wadena County, MN and points in the U.S.

MC 116519 (Sub-100)X, filed March 30, 1981. Applicant: FREDERICK TRANSPORT, LIMITED, R.R. 6, Chatham, Ontario, Canada. Representative: Jeremy Kahn, 1511 K Street, NW., Washington, DC 20005. Applicant seeks to remove restrictions from its Sub-No. 77F certificate to (A) broaden the commodity description in part (2) from confectionery and dessert preparations to "food and related products"; (B) expand its one-way authority to radial authority in part (2)

between ports of entry on the US-CN international boundary line located in MI and NY, and, points in the US (except 11 states); and (C) remove the "AK and HI" exceptions in part (2). The authority in parts (1), (3), and (4) of the certificate will be subsumed in part (2).

MC 117373 (Sub-3)X, filed March 27, 1981. Applicant: NU-WAY TRUCKING, INC., 101 E. Monroe, Owensville, MO 65066. Representative: Dennis D. Dunton (same as applicant). Applicant seeks to remove restrictions in its Sub-No. 1F permit, to (1) broaden the commodity description from steel tubing and materials, equipment, and suppliers used in the manufacture and distribution of steel tubing to "metal products" (2) broaden the territorial description to between points in the United States under contract(s) with a named shipper, and (3) delete the exception of commodities in bulk, and "size and weight" commodities.

MC 117686 (Sub-297)X, filed March 27, 1981. Applicant: HIRSCHBACH MOTOR LINES, INC., 920 West 21st Street, P.O. Box 155, South Sioux City, NE 68776. Representative: George L. Hirschbach (same as applicant). Applicant seeks to remove restrictions in its lead and Sub-Nos. 9, 10, 13, 16, 18, 21, 24, 27, 29, 30, 31, 33, 35, 39, 41, 43, 45, 46, 47, 48, 51, 54, 57, 58, 61, 66, 68, 71, 77, 78, 79, 81, 82, 83, 84, 85, 86, 88, 89, 90, 92, 93, 94, 98, 101, 102, 103, 105, 107, 110, 112, 123, 114, 116, 117, 121, 122, 124, 125, 127, 128, 129, 132, 133, 136, 137, 140, 141, 143, 144, 145, 148, 149, 151, 153, 154, 155, 157, 161, 162, 166, 167, 168, 169, 171, 172, 173, 177, 178, 180, 181, 183, 185, 186, 188, 189, 191, 192, 193, 194, 199, 200, 202, 203, 208F, 208, 209F, 210F, 212F, 214F, 217F, 218F, 220F, 223F, 225F, 226F, 227F, 228F, 232F, 233F, 234F, 236F, 237F, 239F, 241F, 242F, 244F, 245, 248F, 249F, 250, 251F, 252F, 253, 254, 255, 256F, 258, 259F, 260F, 263F, 264F, 268F, 269F, 270F, 271F, 272F, 274F, 275F, 276F, 278F, 280F, 281F, 282F, 284F, 286F, 289F, 291F, and 295F to (1) remove the "except commodities in bulk" restrictions, the "ex-water" and "in tank vehicles" restrictions, the "except hides and pelts" restrictions, and the originating at and/or destined to restrictions wherever they appear in the above-named certificates; and (2) remove the except AK and HI restriction in Sub-No. 260F. Applicant further seeks to broaden its commodity descriptions (1) in the lead (sheet 1 thru 5) and Sub-Nos. 9, 13, 16, 18, 21, 24, 27, 29, 30, 31, 33, 35, 39, 41, 43, 45, 46, 47, 48, 51, 57, 58, 51, 66, 68, 71, 78, 79, 81, 82, 83, 84, 85, 86, 88, 89, 90, 92, 93, 94, 98, 101, 102, 103, 107, 110, 112, 113, 114, 116, 121, 122, 125, 129, 132, 133, 136, 137, 140, 141, 143, 144, 145, 148, 151, 153, 154, 155, 157, 161, 167, 168, 169, 171, 172, 177, 185, 186,

188, 189, 199, 200, 203, 210F, 212F, 220F, 223F, 227F, 232F, 236F, 237F, 248F, 252F, 253F, 263F, 268F, 270F, 271F, 274F, 275F, 276F, 278F, 281F, 286F, 289F, and 295F to "food and related products" from, for example, meats, packing-house products (except liquid commodities); meats, meat products, and meat byproducts, and articles distributed by meat-packing houses; sugar, in bags or packages, canned goods, except coffee; foodstuff (except bananas); frozen foods; fresh fruit; (2) in the lead (sheets 5 and 6) and Sub-Nos. 226F, 258, and 259F to "farm products and food and related products" from bananas, and agricultural commodities exempt from economic regulation under Section 203(b)(6) of the Act, when transported in mixed loads with bananas; (3) in the lead (sheets 2 and 3) to "containers" from cream and cheese boxes; empty cans; glass containers; (4) in Sub-Nos. 117, 214F, 228F, 233F and 234F to "chemicals and related products" from, for example, soap; toilet preparations and cleaning compounds; toothpaste; (5) in Sub-Nos. 162, 173, 183, 206F, 241F, and 242F, to "textile mill products, rubber and plastic products, and leather and leather products" from, for example, floor covering, and materials, equipment, and supplies used in the installation, manufacture, packaging, and sale of floor covering; ceramic tile, artificial turf, neoprene foam padding; (6) in Sub-Nos. 166, 178, 193, 202, 249F, 254, and 282F to "textile mill products" from, for example, cloth and materials and supplies used in the manufacture, sale and distribution of goods produced from cloth; clothing and wearing apparel; yarn; (7) in Sub-No. 180 to "rubber and plastic products, and clay, concrete, glass or stone products" from glass beads, glass spheres, and thermo plastic marking materials; (8) in Sub-No. 181 to "transportation equipment, juvenile wheel goods and rubber and plastic products" from juvenile wheel goods, motorized bicycles, and accessories for such commodities, and, pneumatic tires; (9) in Sub-No. 192 to "furniture and fixtures" from modular office systems, modular industrial handling systems, and modular health, care units; (10) in Sub-No. 208 to "such commodities as are used by or dealt in by sellers or manufacturers of wearing apparel" from materials, equipment and supplies, used in the manufacture and sale of wearing apparel; (11) in the lead and Sub-Nos. 244F and 280F to "pulp, paper and related products" from paper and paper products in truckloads; paper and paper articles and materials, equipment, and supplies used in the manufacture or distribution of paper and paper articles;

paper bags; (12) in Sub-Nos. 209F and 209F to "pulp, paper and related products, and rubber and plastic products" from paper and paper products and polyurethane bags in mixed shipments; paper products, plastic bags, plastic film and plastic sheeting; (13) in Sub-No. 218F to "lumber and wood products, pulp, paper and related products, and clay, concrete, glass or stone products" from building board, wall board, and insulating board, and materials and supplies used in the installation of these commodities; (14) in Sub-Nos. 239F, 255, 256F, and 264F, to "machinery, metal products, and transportation equipment" from chain saws, snow throwers, garden equipment, turf equipment and golf course care equipment; heating and cooling units; (15) in Sub-No. 260F to "petroleum, natural gas and their products, and chemicals and related products" from petroleum, petroleum products, vehicle body sealer and sound deadner compounds, filters, and materials, equipment and supplies; (16) in Sub-No. 272F to "rubber and plastic products" from rubber articles and plastic articles, and materials, equipment and supplies; (17) in the lead (sheet 5) to "coal and coal products" from coal; and (18) in Sub-No. 284F to "general commodities (except classes A and B explosives)" from general commodities (with the usual exceptions and foodstuffs). Applicant also seeks to (1) change its one-way authorities (wherever they appear in the above named certificates) to radial authorities between named points throughout the U.S. or combinations of States therein; (2) replace some cities and named facilities with county-wide authority wherever they appear in each of the above numbered certificates as follows: Sylacauga, Opelika, Lanett, Hamilton, Guin, Eufaula and Lineville with Talladega, Lee, Chambers, Marion, Barbour, and Clay Counties, AL; Jacksonville, Siloam Springs, Rogers, Fort Smith, Summers, Lincoln, Fayetteville, Bentonville, Arkadelphia, Osceola, and Hot Springs with Pulaski, Benton, Sebastian, Washington, Clark, Mississippi, and Garland Counties, AR; Port Hueneme with Ventura County, CA; Colorado Springs and Grand Junction with El Paso and Mesa Counties, CO; Tampa with Hillsborough County, FL; Dalton, Augusta, Lindale, Trion, Decatur, Thomaston, Lyerly, La Grange and Louisville with Whitfield, Richmond, Floyd, Chattooga, DeKalb, Upson, Troup, and Jefferson Counties, GA; Sterling, Joslin, and Olney with Whiteside, Rock Island, and Richland Counties, IL; Logansport with Cass

County, IN; Storm Lake, Spencer, Sioux Center, Ottumwa, New Hampton, Mason City, Marshalltown, Le Mars, Iowa Falls, Britt, Carroll, Cedar Rapids, Cherokee, Denison, Esterville, Ft. Dodge, Glenwood, Hartley, Iowa City, Eldora, and Sheldon with Buena Vista, Clay, Sioux, Wapello, Chickasaw, Cerro Gordo, Marshall, Plymouth, Hardin, Hancock, Carroll, Linn, Cherokee, Crawford, Emmet, Webster, Mills, O'Brien, and Johnson Counties, IA; Emporia, Garden City, Holcomb, Hutchinson, Bonner Springs, Liberal, Mankato, Wichita, Coffeyville, Independence, Pittsburgh, Topeka, and Salina with Lyon, Finney, Reno, Wyandotte, Seward, Jewell, Sedgwick, Montgomery, Crawford, Shawnee, and Salina Counties, KS; Lawrenceburg, Louisville and Louisa with Anderson, Jefferson, and Lawrence Counties, KY; Cade, Golden Meadow, Mathews, Gonzales, Gramercy, Houma, Reserve, St. Francisville, Supreme, New Belledeau, Lozes, Hodge, and Winfield with Martin, Lafourche, Ascension, St. James, Terrebonne, St. John the Baptist, West Feliciana, Assumption, Avoyelles, Iberia, Jackson, and Winn Parishes, LA; Zeeland and Grand Rapids with Ottawa and Kent Counties, MI; Windom, Abert Lea, Austin, Crookston, Duluth, Fairmont, Jackson, Luverne, New Prague, New Ulm, St. James, Worthington, Northfield, and Madelia with Cottonwood, Freeborn, Mower, Polk, St. Louis, Martin, Jackson, Rock, Scott, Brown, Watonwan, Nobles, and Rice Counties, MN; Canton, Crystal Springs, Collins, Forest, New Albany, Wiggins, Stonewall, Moss Point, Pascagoula and Gulfport with Madison, Copiah, Covington, Scott, Union, Stone, Clarke, Jackson, and Harrison Counties, MS; Garthage, Joplin, Marshall, Neosho, Monett, Springfield, Aurora, Bolivar, Webb City, Phelps City, Koshkonong, and Mountain View with Jasper, Saline, Newton, Barry, Greene, Lawrence, Polk, Atchison, Oregon, and Howell Counties, MO; Battle Creek, Cozad, Crete, Fremont, Fullerton, Grand Island, Hastings, Lexington, Lincoln, Lyons, Madison, Minden, Newman Grove, Norfolk, North Platte, Plainview, Schuyler, Scottsbluff, West Point, McCook, Holdrege, and Kearney with Madison, Dawson, Saline, Dodge, Nance, Hall, Adams, Lancaster, Burt, Kearney, Lincoln, Pierce, Colfax, Scotts Bluff, Cuming, Red Willow, Phelps, and Buffalo Counties, NE; Mount Holly, Gastonia, Belmont, Albermarle, Greensboro, Haw River, Salisbury, Yadkinsville, Morehead City, Landis, Henderson, Ranlo, Stateville, Goldsboro, Tuxedo, Madison, Kingston, Lumberton

and Erwin with Gaston, Stanly, Guilford, Alamance, Rowan, Yadkin, Carteret, Vance, Iredell, Wayne, Henderson, Rockingham, Lenoir, Robeson and Harnett Counties, NC; Miami, Durant, and Guymon with Ottawa, Bryan, and Texas Counties, OK; Graniteville, Greenville, Orangeburg, Rock Hill, Ware Shoals, and Landrum with Aiken, Greenville, Orangeburg, York, Greenwood, and Spartanburg Counties, SC; Mitchell, Brookings, Clark, Huron, North Sioux City, Watertown, and Madison with Davison, Brookings, Clark, Beadle, Union, Codington, and Lake Counties, SD; Murfreesboro, Elizabethton, Piney Flats, Knoxville, Crossville, Centerville, and Cookeville with Rutherford, Carter, Sullivan, Knox, Cumberland, Hickman, and Putnam Counties, TN; Galveston, Freeport, Brenham, New Braunfels, Amarillo, Friona, Paris, Hereford, Lubbock, Cactus, Palestine, and Plainview with Galveston, Brazoria, Washington, Comal, Potter, Parmer, Lamar, Deaf Smith, Lubbock, Moore, Anderson, and Hale Counties, TX; Walla Walla with Walla Walla County, WA; Tomah with Monroe County, WI; and Casper with Natrona County, WY; and (3) replace facilities restrictions in the following counties or cities with County-wide or city-wide authority wherever they appear as follows: Mankato, Minneapolis, Moorhead, St. Paul, and Hopkins, MN; Jackson and Biloxi, MS; Pottawattamie County, Sioux City, Dubuque, Des Moines, and Muscatine, IA; St. Bernard Parish and New Orleans, LA; Grand Forks, Fargo, and Bismarck, ND; Denver, CO; Dakota City and Omaha, NE; Pensacola, FL; Nashville, TN; Sioux Falls, SD; Green Bay, and Milwaukee, WI; Champaign, and East St. Louis, IL; Fort Wayne, IN; Irving, TX; and Los Angeles, CA.

MC 121496 (Sub-76)X, filed April 2, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 29 certificate to (1) broaden the commodity description from chemicals, in bulk, in tank vehicles, to "chemicals and related products"; (2) remove facilities limitations at Houston, Chocolate Bayou and Texas City, TX; (3) replace Chocolate Bayou, TX with Brazoria County, TX and Texas City with Galveston County, TX; and (4) replace one-way with radial authority between Houston, TX, and Brazoria and Galveston Counties, TX, and, points in

the U.S. in and east of LA, AR, MO, IA, and MN.

MC 128544 (Sub-8)X, filed March 30, 1981. Applicant: IOWA STEEL EXPRESS, INC., 1600 C. Avenue, N.W., P.O. Box 1304, Cedar Rapids, IA 52406. Representative: Richard P. Moore, 2720 First Avenue, N.E., P.O. Box 1943, Cedar Rapids, IA 52406. Applicant seeks to remove restrictions in its Sub-Nos. 4F and 5F certificates to authorize radial authority in place of one-way iron and steel authority from Chicago, IL, to points in NE, CO, part of IA.

MC 133415 (Sub-10)X, filed April 2, 1981. Applicant: SNR DELIVERY, INC., 913 McKinley Street, Peekskill, NY 10566. Representative: Roy A. Jacobs, 550 Mamaroneck Avenue, Harristown, NY 10528. Applicant seeks to remove restrictions in its Sub-Nos. 5, 7, 8 and 9F permits to (1) broaden the commodity description (a) in Sub-No. 5 from automobile parts, supplies, and accessories, and in Sub-Nos. 8 and 9F from brake shoes to "transportation equipment" and (b) in Sub-No. 7 from paint, paint thinners, paint reducers, and paint rollers to "chemicals and related products and miscellaneous products of manufacturing"; and (2) broaden the territorial description in Sub-Nos. 5, 7, 8, and 9F to between points in the United States under continuing contract(s) with named shippers.

MC 135395 (Sub-3)X, filed March 28, 1981. Applicant: WAREHOUSE & TERMINAL CARTAGE CO., P.O. Box 1874, Bridgeview, IL 60454. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602. Applicant seeks to remove restrictions from its Sub-Nos. 1 and 2F permits to (1) change the commodity description in Sub-No. 1, from various paper and paper articles to "pulp, paper, and related products"; (2) delete the "commodities in bulk" restrictions in each certificate; and (3) authorize service "between points in the U.S." under contract(s) with named shippers.

MC 136343 (Sub-233)X, filed March 30, 1981. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative: Stan C. Geist, P.O. Box 355, Milton, PA 17847. Applicant seeks to remove restrictions from its Sub-No. 151F certificate to replace facilities at (a) Bethany with New Haven County, CT; (b) Bloomfield with Hartford County, CT; (c) Bristol with Hartford County, CT; (d) New Haven with New Haven County, CT; (e) Springfield with Hampden County, MA; (f) New York with New York, NY; (g) Albany with Albany and Rensselaer Counties, NY; (h) Buffalo with Erie County, NY; (i)

Philadelphia, with Philadelphia, PA; (j) Atlanta with Atlanta, GA; (k) District of Columbia with District of Columbia.

MC 136807 (Sub-7)X, filed March 31, 1981. Applicant: INTERNATIONAL CARRIERS, INC., 7701 W. Jefferson, Detroit, MI 48209. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. Applicant seeks to remove restrictions in its Sub-Nos. 1, 2, and 3 certificates and MC-F-13834 and MC-F-14111, certificates not yet issued, to (1) broaden the commodity descriptions from general commodities, with exceptions to "general commodities (except classes A and B explosives)" in all certificates and F-13834 and F-14111; (2) authorize service to all intermediate points between (a) Saginaw and Lennon, MI, in Sub-No. 2, and (b) Lockport and Medina, NY, in F-14111; (3) eliminate the facilities limitations in Sub-Nos. 1, 2, and 3; and (4) remove the restriction against service between Fort Wayne, Corunna and Angola, IN, and between Coldwater, Lansing, and Sommerset, MI, from its regular route authority between Grand Rapids and Lansing, MI, in MC-F-13834F.

MC 146678 (Sub-7)X, filed March 2, 1981, previously noticed in the Federal Register of March 23, 1981, republished as corrected this issue. Applicant: SOUTHLAND TRANSPORTATION, INC., P.O. Box 7760, Ben Franklin Station, Washington, DC 20044. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425-13th Street, N.W., Washington, DC 20004. Applicant seeks to remove restrictions in its Sub-No. 5F certificate to broaden the commodity description from automotive parts, electric motors and materials, to "machinery and transportation equipment." The purpose of this republication is to correct the commodity description to include machinery.

MC 147199 (Sub-6)X, filed March 31, 1981. Applicant: MWM TRUCKING, INC., 1400 Chestnut, P.O. Box 736, Ottawa, IL 61350. Representative: Leslieann G. Maxey, 907 South Fourth Street, Springfield, IL 62703. Applicant seeks to remove restrictions in its Sub-Nos. 2F and 4F certificates to authorize radial authority in lieu of one-way authority, (1) on Salt, in bulk between Seneca, IL and points in LaSalle County, and, points in IA, WI, IN, KY, MO and MI in Sub-No. 2F; and (2) on fertilizer between Streator, IL and points in LaSalle County, IL, and, points in IN, IA and WI, in Sub-No. 4F.

MC 147452 (Sub-6)X, filed March 30, 1981. Applicant: W.D.W. TRUCKING, INC., 2626 S.W. 66th Terrace, Miramar,

FL 33023. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, N.W., Washington, D.C. 20001. Applicant seeks to remove restrictions in its Sub-No. 2F certificate to (1) remove the "in bulk, in tank vehicle" restriction, (2) eliminate the AK and HI exception and (3) remove the facilities limitation at Des Plaines, IL and replace it with Chicago, IL.

MC 148872 (Sub-4)X, filed March 27, 1981. Applicant: H.O.H. COMPANY, INC., P.O. Box 637, Rossville, GA 30741. Representative: C. Jack Pearce, Suite 1200, 1000 Connecticut Ave. N.W., Washington, D.C. 20036. Applicant seeks to remove restrictions in its Sub-No. 3F permit which authorizes the transportation of floor coverings to broaden the territorial description to authorize service "between points in the U.S." under continuing contract(s) with a named shipper's association.

MC 149308 (Sub-12)X, filed March 27, 1981. Applicant: VICTORY FREIGHTWAY SYSTEM, INC., P.O. Box P, Sellersburg, IN 47172. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. Applicant seeks to remove restrictions in its Sub-Nos. 1F, 3F, 4F and 5F certificates to (1) remove the "in bulk" restriction in Sub-Nos. 3F, 4F and 5F, (2) change its one-way authority to radial authority and replace cities and facilities with city or county-wide authority: Louisville, KY (for facilities at or near Louisville, KY) in Sub-Nos. 3F, 4F and 5F, and Richmond, VA, Rockingham and Chesterfield Counties, VA (for facilities at or near Richmond, Grottoes and Bellwood, VA), in sub-No. 5F and (3) remove AK and HI exceptions in Sub-No. 1F.

MC 149389 (Sub-3)X, filed March 30, 1981. Applicant: DELIVERY SERVICE CORPORATION, 1141 Springwells, Detroit, MI 48209. Representative: William B. Elmer, 624 Third Street, Traverse City, MI 49684. Applicant seeks to remove restrictions in its Sub-No. 1 certificate to (1) broaden the commodity description from plastics, plastics materials and supplies and plastic articles to "rubber and plastic products" and (2) remove the "except commodities in bulk" restriction and (3) broaden the territorial description from Warren, MI to county-wide authority in Oakland, and Macomb Counties, MI.

[FR Doc. 81-11117 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier; Temporary Authority Application**Correction**

In FR Doc. 81-2161 appearing at page 7093 in the issue of Thursday, January 22, 1981 make the following change:

On page 7099, under MC 153566 (Sub-3-1TA), in the line that appears sixth from the top of the second column, ". . . WA . . ." should have read ". . . WV . . ."

BILLING CODE 1505-01-M

[I.C.C. Order No. 76-A Under Service Order No. 1344]

Rerouting Traffic

To: All Railroads

Upon further consideration of I.C.C. Order No. 76, and good cause appearing therefor:

It is ordered,

I.C.C. Order No. 76 is vacated.

This order shall become effective April 3, 1981, and shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. A copy shall be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 3, 1981.
Interstate Commerce Commission.

Joel E. Burns,

Agent.

[FR Doc. 81-11118 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387 (Sub-No. 21)]

Southern Pacific Transportation Co.; Exemption for Contract Tariff ICC-SP-C-0005

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Provisional Exemption.

SUMMARY: Petitioner is granted a provisional exemption under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e). The contract and contract tariff to be filed will become effective on one day's notice. This exemption may be revoked if protests are filed within 15 days of publication in the Federal Register.

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

SUPPLEMENTARY INFORMATION: By petition filed March 20, 1981, Southern

Pacific Transportation Company (SP) has requested an exemption from the requirement of 49 U.S.C. 10713(e) that its contract tariff ICC-SP-C-0005 be made effective on a minimum of 30 days' notice. SP seeks to file the contract tariff on one day's notice with an effective date of April 8, 1981. The duration of the contract is one year.

The contract involves the movement of sulphuric acid over the lines of the SP, Louisville and Nashville, and Seaboard Coast Line. The SP states that an exemption is needed since the shipper is confronted with a critical shortage of sulphuric acid which it uses in the process of making plant food nutrients. The shipments which will be made pursuant to the contract shall assist the shipper in partially overcoming its existing shortage of this necessary material. Moreover, the shortage of sulphuric acid has reduced the production levels which the shipper has sought to maintain. This decline in production levels has resulted in the shipper operating its plant below capacity. Finally, the shipper has been informed that its reduced level of production will be exacerbated in the near future: the principal means of delivering sulphur to shipper's plant for processing into sulphuric acid will soon be significantly curtailed and will remain so for approximately nine months.

SP does not expect any protests of the contract tariff to be filed. It alleges that the contract is of limited scope because it involves a single commodity moving over a single route and has only a one year duration. It also contends that the 30 day notice period is not required to protect shippers from any abuse of market power. SP will use a pool of leased rail cars to provide service under the contract, so its own fleet of rail cars will be available to meet its common carrier obligation to serve other shippers.

There is no provision for waiving the section 10713(e) requirement that contracts must be filed to become effective on not less than 30 nor more than 60 days' notice. CF. former section 10762(d)(1). However, we may address the same relief under our section 10505 exemption authority and we do so here.

We believe, in this exceptional situation, an exemption should be granted. The shipper has a critical need to immediately implement substitute transportation services to provide sulphuric acid from non-standard sources. The SP avers that the parties have worked as expeditiously as possible to prepare the contract. The statutory thirty day period in this instance will be extremely disruptive to

the shipper's ability to maintain production levels and effectively market its product.

We will impose the following conditions:

If the Commission permits the contract to become effective on one day's notice, this fact neither shall be construed to mean that this is a Commission approved contract for purposes of 49 U.S.C. 10713(g) nor shall it serve to deprive the Commission of jurisdiction to institute a proceeding, on its own initiative or on complaint, to review the contract or to disapprove it.

Subject to compliance with the conditions set out above, under 49 U.S.C. 10505(a) we find that the 30 day notice requirement in this instance is not necessary to carry out the transportation policy of 49 U.S.C. 10101a and is not needed to protect shippers from abuse of market power. The contract tariff to be filed in conformity with our tariff publishing regulations may become effective on one day's notice. Further, we will consider revoking this exemption under 49 U.S.C. 10505(c) if protests are filed within 15 days of publication in the Federal Register.

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

(49 U.S.C. 10505)

Decided: April 7, 1981.

By the Commission, Division 1,
Commissioners Clapp, Gresham, and Trantum.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-11123 Filed 4-10-81; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**Humanities Panel: Meeting**

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meeting of the Humanities Panel will be held at 806 15th Street, N.W., Washington, DC 20506.

DATE: April 30, 1981.

TIME: 9:00 a.m. to 5:30 p.m.

ROOM: 1134.

PROGRAM: This meeting will review applications submitted for the General Research Program; State, Local and Regional Studies projects, Division of

Research Programs, for projects beginning after August 1, 1981.

The proposed meeting is for the purpose of Panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meeting will consider information that is likely to disclose:

(1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(2) Information of a personal nature the disclosure of which constitutes a clearly unwarranted invasion of personal privacy; and

(3) Information the disclosure of which would significantly frustrate implementation of proposed agency action;

pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that this meeting will be closed to the public pursuant to subsections (c) (4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Further information about this meeting can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, DC 20506, or call 724-0367.

Stephen J. McCleary,
Advisory Committee Management Officer.

[FR Doc. 81-11052 Filed 4-10-81; 8:45 am]

BILLING CODE 7536-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee on Fluid Dynamics; Meeting

The ACRS Subcommittee on Fluid Dynamics will hold a meeting at 8:30 a.m. on April 28 and 29, 1981 at the Travelodge—International Airport, 326 South Airport Blvd., San Francisco, CA 94060. The Subcommittee will review the status of the Mark II Containment Long-Term Program, including the program on safety-relief valve discharge loads, discuss the status of Staff action on Generic Technical Activity A-2 (Asymmetric Blowdown Loads on PWR Primary Systems), and discuss comments on the reliability of pumps and valves used in nuclear power

plants. Notice of this meeting was published March 27.

In accordance with the procedures outlined in the Federal Register on October 7, 1980, (45 FR 66535), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions which will be closed to protect proprietary information (Sunshine Act Exemption 4). One or more closed sessions may be necessary to discuss such information. To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows:

Tuesday and Wednesday, April 28 and 29, 1981, 8:30 a.m. Until the Conclusion of Business Each Day

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Paul Boehmert (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close portions of this meeting to public attendance to protect proprietary information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: April 8, 1981.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-11036 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. 50-269, 50-270 and 50-287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 94, 94 and 91 to Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, issued to Duke Power Company, which revised the Technical Specifications for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments revise the Station's common Technical Specifications by changing the steam generator tube inspection program.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated July 15, 1980, (2) Amendments Nos. 94, 94, and 91 to Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Oconee County Library, 501 West Southbroad, Walhalla, South Carolina 29691. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555,

Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 30th day of March 1981.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch #4,
Division of Licensing.

[FR Doc. 81-11042 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. 50-269, 50-270 and 50-287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses and Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 95, 95 and 92 to Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, issued to Duke Power Company, which revised the Technical Specifications for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments revise the Station's Common Technical Specifications by providing for the incineration of waste oil contaminated with very low levels of radioactivity under limits more stringent than 10 CFR Part 20 and represent approval of disposal by incineration as required by 10 CFR 20.305.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for this action and has concluded that an environmental impact statement is not warranted because there will be no significant environmental impact attributable to this action.

For further details with respect to this action, see (1) the licensee's request dated May 19, 1980, as supplemented December 17, 1980, (2) Amendments Nos. 95, 95, and 92 to Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, and (3) the Commission's related Safety Evaluation and Environmental Impact Appraisal. All of these items are available for public

inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 31st day of March 1981.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch #4,
Division of Licensing.

[FR Doc. 81-11043 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-269, 50-270 and 50-287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 96, 96 and 93 to Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, issued to Duke Power Company, which revised the Technical Specifications for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments revise the Technical Specifications to upgrade the Engineered Safety Features ventilation filter systems surveillance requirements, revise various surveillance requirement testing intervals from annually to refueling cycle to correspond with the 18-month refueling cycle interval, and incorporate requirements for the anticipatory reactor trip system.

The applications for the amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in

connection with the issuance of these amendments.

For further details with respect to this action, see (1) the applications for amendments dated May 1, 1979, February 16, 1981, March 6, 1981, (2) Amendments Nos. 96, 96, and 93 to Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 1st day of April 1981.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4,
Division of Licensing.

[FR Doc. 81-11044 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No 50-245]

Northeast Nuclear Energy Co., et al., Issuance of Amendment to Provisional Operating License

The U.S. Nuclear regulatory Commission (the Commission) has issued Amendment No. 74 to Provisional Operating License No. DPR-21, issued to Northeast Nuclear Energy Company, the Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company (the licensees), which revised the Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 1 (the facility) located in Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment approves Appendix A Technical Specifications for local leak rate testing criterion which is consistent with Appendix J to 10 CFR Part 50.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required

since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated March 20, 1978 and February 26, 1981, (2) Amendment No. 74 to License No. DPR-21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., 20555, and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 27th day of March, 1981.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,
Chief, Operating Reactors Branch No. 5
Division of Licensing.

[FR Doc. 81-11045 Filed 4-10-81; 8:45 am]
BILLING CODE 7590-01-M

[Docket Nos. 50-282 and 50-306]

Northern States Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 47 to Facility Operating License No. DPR-42, and Amendment No. 41 to Facility Operating License No. DPR-60 issued to Northern States Power Company (the licensee), which revised Technical Specifications for operation of Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2 (the facilities) located in Goodhue County, Minnesota. The amendments are effective as of the date of issuance.

The amendments revise the Technical Specifications with respect to decay heat removal capability and depth of water over the reactor vessel during refueling modes of operation.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate

findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) and environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated November 24, 1980, (2) Amendment Nos. 47 and 41 to License Nos. DPR-42 and DPR-60, and (3) the Commission's related letter dated June 11, 1980, August 15, 1980 and April 1, 1981. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Environmental Conservation Library, 300 Nicollet Mall, Minneapolis, Minnesota 55401. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 1st day of April, 1981.

For the Nuclear Regulatory Commission,
R. A. Clark,

Chief, Operating Reactors Branch No. 3,
Division of Licensing.

[FR Doc. 81-11048 Filed 4-10-81; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-244]

Rochester Gas & Electric Corp.; Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 39 to Provisional Operating License No. DPR-18, issued to Rochester Gas and Electric Corporation (the licensee), which revised the Technical Specifications for operation of the R. E. Ginna Nuclear Power Plant (the facility) located in Wayne County, New York. The amendment is to become effective June 30, 1981.

The amendment modifies the Technical Specifications to reflect modifications of the Fire Protection System being completed at the facility.

The application for the amendment complies with the standards and

requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment notarized February 11, 1981 (submitted by letter dated February 13, 1981), and (2) Amendment No. 39 to License No. DPR-18, including the Commission's letter of transmittal. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Rochester Public Library, 115 South Avenue, Rochester, New York 14627. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this first day of April, 1981.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,

Chief, Operating Reactors Branch No. 5,
Division of Licensing.

[FR Doc. 81-11047 Filed 4-10-81; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-29]

Yankee Atomic Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 65 to Facility Operating License No. DPR-3, issued to Yankee Atomic Electric Company (the licensee), which revised the license and its appended Technical Specifications for operation of the Yankee Nuclear Power Station (Yankee-Rowe) (the facility) located in Rowe, Franklin County, Massachusetts. The amendment is effective as of its date of issuance.

The amendment revises the Technical Specifications to provide reasonable assurance that the limits and

administrative requirements which were determined to be acceptable following the implementation of the TMI Lessons Learned Category "A" items are maintained. Additional license conditions are also added to implement a program to reduce leakage from systems outside containment which could contain highly radioactive fluids during a serious accident and to implement a program to ensure the accurate determination of airborne iodine concentration in vital areas under accident conditions.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 16, 1980 (Proposed Change No. 170), (2) Amendment No. 65 to License No. DPR-3, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Greenfield Community College, 1 College Drive, Greenfield, Massachusetts 01301. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 2nd day of April, 1981.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,
Chief, Operating Reactors Branch No. 5,
Division of Licensing.

[FR Doc. 81-11049 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-289]

**Metropolitan Edison Co.; et al.;
Issuance of Amendment to Facility
Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 63 to Facility Operating License No. DPR-50, issued to Metropolitan Edison Company, Jersey Central Power and Light Company and Pennsylvania Electric Company (the licensees), which revised Technical Specifications for operation of the Three Mile Island Nuclear Station, Unit No. 1 (the facility) located in Londonderry Township, Dauphin County, Pennsylvania. The amendment makes changes to the Technical Specifications related to primary reactor containment leakage testing. The amendment is effective as of its date of issuance.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 17, 1975, as revised October 29, 1975, February 18, 1977 and May 13, 1980, (2) Amendment No. 63 to License No. DPR-50, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Government Publications Section, State Library of Pennsylvania, Box 1601 (Education Building), Harrisburg, Pennsylvania 17126. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, the 30th day of March 1981.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4,
Division of Licensing.

[FR Doc. 81-11028 Filed 4-10-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-275-OL, 50-323-OL]

**Pacific Gas & Electric Co. (Diablo
Canyon Nuclear Power Plant, Units 1 &
2); Hearing**

April 6, 1981.

The Board has determined that the record compiled in the Diablo Canyon case to support the issuance of a license for fuel loading and low power testing is not adequate.

Accordingly, notice is hereby given of a hearing on the motion of Pacific Gas and Electric Company (Applicant) for fuel loading and low power testing of Diablo Canyon Units 1 and 2 to be held beginning May 19, 1981, as agreed to by all parties, and continuing through May 29, 1981, if necessary.

These hearings will be held at the following locations:

- * May 19, 22, 25, 26, 27, 28, 1981:
Discovery Inn, 1800 Monterey Street, San Luis Obispo, CA
- * May 20, 21, 1981:
Veteran's Memorial Building, 801 Grand Avenue, San Luis Obispo, CA
- * May 23, 1981:
Cash McCall Restaurant, 214 Madonna Road, San Luis Obispo, CA
- * May 29, 1981:
San Luis Bay Inn, Bay View Room, P.O. Box 188, Avila Beach, CA

Each session will begin at 9:00 a.m. each day.

Written testimony from the parties will be due to be filed not later than May 8, 1981.

The public is invited to attend these sessions. Since a full opportunity has been given at earlier sessions for limited appearances in this matter, none will be received at the sessions noticed here. However, any interested member of the public may submit to the Board's Clerk a written statement relevant to the issues to be heard and it will be considered by the Board and will ride with the record.

Therefore, on this 6th day of April 1981 it is ordered

That hearing sessions for the reasons stated above will begin on May 19, 1981 at the time and places noted above and will continue as enumerated, if necessary.

April 6, 1981, Bethesda, Maryland.

For the Atomic Safety and Licensing Board.
John F. Wolf,
Administrative Judge.
 [FR Doc. 81-11029 Filed 4-10-81; 8:45 am]
 BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

April 8, 1981.

Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 USC, Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

- The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available);
- The office of the agency issuing this form;
- The title of the form;
- The agency form number, if applicable;
- How often the form must be filled out;
- Who will be required or asked to report;
- The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected;
- Whether small businesses or organizations are affected;
- A description of the Federal budget functional category that covers the information collection;
- An estimate of the number of responses;
- An estimate of the total number of hours needed to fill out the form;
- An estimate of the cost to the Federal Government;

The number of forms in the request for approval;

The name and telephone number of the person or office responsible for OMB review; and

An abstract describing the need for and uses of the information collection.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the *Federal Register*, but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Assistant Director for Regulatory and Information Policy, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202-447-6201

Revisions

- Economics and Statistics Service Supermarket Labor Cost Survey Nonrecurring
- Businesses or other institutions Supermarket operators
- SIC: 541
- Small businesses or organizations

Agricultural research and services, 784 responses, 131 hours; \$1,500 Federal cost, 1 form

Office of Federal Statistical Policy & Standard, 202-673-7974

Provides data on labor costs of supermarkets. Data will be used as one of the variables in a multivariate analysis to determine whether market power is a signi factor in explaining retail food price differences between firms and cities.

DEPARTMENT OF EDUCATION

Agency Clearance Officer—Wallace McPherson—202-426-5030

New

- Office of Postsecondary Education Federal assistance application form— Law school clinical experience program
- Ed 595
- Annually
- Businesses or other institutions
- Accredited law schools
- SIC: 822
- Higher Education, 85 Responses, 2,550 Hours; \$2,000 Federal cost, 1 form
- Federal Education Data Acquisition Council, 202-426-5030

This information is required of law schools applying for an institutional grant under title IX-E of the Higher Education Act, as amended. The information will be used in the evaluation process to determine which accredited law schools should receive funds.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

New

- Health Resources Administration Recordkeeping and Reporting requirements for limitations on Federal participation for capital expenditures under sec. 1122 of social security act
- On occasion
- State or local governments
- Staff of state health planning and development agencies
- SIC: 943
- Health, 420 responses, 126 hours; \$5,000 Federal cost, 1 Form
- Gwendolyn Pla, 202-395-6880
- Title XV of PHS Act and Section 1122 of SS Act, the statutory authorities for the section 1122 review function, contain specific requirements for the State Health Planning and Development Agencies (Section 1122 Designated Planning Agencies). The DHHS is

responsible for insuring that each of the specific requirements are met through the issuance regulations.

• Human Development Services
Mail List Canvass Form

Annually

Individuals or households/State or Local Governments/Businesses or Other ins educ. instit., librar., priv. & non-prof. organ., etc.

SIC: Multiple

Multiple functions, 50,289 responses, 3,353 hours; \$60,777 Federal cost, 7 forms

Gwendolyn Pla, 202-395-6880

The Joint Committee on Printing, under authority of title 44 requires annual canvass of mailing lists. Additional questions will be used to precisely identify and categorize addressees to enable program managers to select limited, appropriate audiences to receive HDS publications.

• Health Care Financing Administration
Medicare Reimbursement Settlement

Data for Home Health Agencies
HCFA-501

Annually

Businesses or other institutions
Home Health Agen. Patric. in the Medicare prog., etc.

SIC: 808

Health, 300 responses, 900 hours; \$4,051 Federal cost, 1 form

Richard Eisinger, 202-395-6880

This form is used at cost settlement by HCFA's office of direct reimbursement which is the intermediary for some 300 home health agencies. It shows which services have been paid by the intermediary and which remain to be paid as of the date of final settlement. This information allows the intermediary and provider to reconcile their records.

• Health Care Financing Administration
Group Practice Prepayment Plans—
special administrative cost report,
quarterly invoice of and final special
administrative costs

HCFA-238, 239, & 240

Quarterly

Businesses or other institutions
Group practice prepayment plans

SIC: 808

Small businesses or organizations
Health, 330 responses, 3,080 hours; \$256 Federal cost, 3 forms

Richard Eisinger, 202-395-6880

HCFA has authorized through GPPP's to secure certain information for the secretary. Section 1874 of title XVII of SSA requires these organizations be paid for providing this information. These forms will be used to make payments to GPPP's for their services.

Extensions (Burden change)

• Centers for Disease Control

Statement in support of application for waiver of excludability under sections 212(a) (1) and (3) of immigration and nationality act

CDC 4.422-1 CDC 4.422-4 CDC 4.422-2
CDC 4.422-5

Semiannually

Individuals or households/Businesses or other institutions

Medical facilities or specialists

SIC: 808 801

Health, 4,000 responses, 600 hours;

\$41,600 Federal cost, 4 forms

Gwendolyn Pla, 202-395-6880

Forms used in connection with applications by immigrant for waiver of grounds of excludability. Part I completed by reviewing official of CDC, Part II completed by medical specialist or facility agreeing to provide medical supervision for applicant after he/she enters U.S. and Part III completed by local sponsor.

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John
Windsor—202-426-1887

New

• Federal Highway Administration

Written examination

On occasion

Individuals or households/Businesses or other institutions

Motor carriers & drivers oper. in inter. & foreign comm.

SIC: 962

Small businesses or organizations

Ground transportation, 148,291

responses, 205,135 hours; \$1,000

Federal cost, 1 form

Terry Grindstaff, 202-395-7340

49 CFR 391.35 requires carriers to assure, through testing or certification, that regulated drivers have basic knowledge of the regulations pertaining to commercial vehicle safety. Test and certification retention permits BMCS investigators to verify compliance.

• National Highway Traffic Safety
Administration

49 CFR Part 575 consumer information
regulations

Annually

Businesses or other institutions

Motor vehicle & tire manufacturers & tire brand name owners

SIC: 371

Small businesses or organizations

Ground transportation, 50 responses,

1,000 hours; \$5,000 Federal cost, 1 form

Corrinne Hayward, 202-395-7340

This regulation requires manufacturers to submit several elements of consumer related information relating to their vehicles and tires. It provides information used by consumers for comparison shopping.

Revisions

• Federal Aviation Administration
Notice of proposed (or actual)

construction or alteration

FAA 7460-1 FAA 7460-2

On occasion

Businesses or other institutions

Private enterprises

SIC: 152 153 154 161 162 173 174 179

Small businesses or organizations

Air transportation, 13,888 responses,

10,743 hours; \$500,000 Federal cost, 2 forms

Corrinne Hayward, 202-395-7340

Federal Aviation Act of 1958, Section 1101 (49 USC 1501) requires all persons to report proposed or actual construction or alteration of structures affecting air safety. 14 CFR 77 prescribes reporting requirements. Information is collected to give adequate public notice.

Reinstatements

• National Highway Traffic Safety
Administration

Request for national driver register file
check/reporting of license withdrawal
denial

HS-1046 HS-1047

Other—See SF83

State or local governments

State and Federal driver licensing
officials

SIC: 371

Ground transportation, 621,000
responses, 14,600 hours; \$115,000
Federal cost, 2 forms

Corrinne Hayward, 202-395-7340

Data are used by the National Driver Register (NDR) to conduct file searches (HS-1047) and to record revocation (HS-1046) information on a file. If the data were not supplied, NDR could not perform its legally mandated function (P.L. 89-563) to assist States in identifying and controlling dangerous drivers.

NATIONAL SCIENCE FOUNDATION

Agency Clearance Officer—Herman
Fleming—202-357-7811

Extensions (No change)

• Higher Education Panel

E0011

On occasion, Other—See SF83

Businesses or other institutions

Based on survey topic, either the entire
panel (760), etc.

SIC: Multiple

General science and basic research,

2,400 responses, 3,600 hours; \$300,000

Federal cost, 1 form

Marsha D. Traynham, 202-395-7340

The Higher Education Panel provides limited amounts of policy-relevant information from colleges and

universities on a relatively rapid turn-around basis. The information is requested by and used by Federal policy makers in the three sponsoring agencies—Department of Education, the National Endowment for the Humanities, and the National Science Foundation. This activity is conducted under the authority of P.L. 81-501, Sec. 3(a)(6)

VETERANS ADMINISTRATION

Agency Clearance Officer—R. C. Whitt—202-389-2146

New

•Request to lender for information re status of loan-veteran

Applied for subsequent loan
FL 26-247

On occasion

Businesses or other institutions
Lenders

SIC: 612 616

Small businesses or organizations
Veterans housing, 113,268 responses,
9,439 hours; \$192,660 Federal cost, 1 form

Robert Neal, 202-395-6880

Completed by holders of GOF guaranteed home loans. Essential to VA in processing of requests for restoration of entitlement based on payments in full of previous loan or substitution of entitlement as authorized by 38 U.S.C. 1802(b). Information collected is also used in computing remaining entitlement pursuant to 38 U.S.C. 1802(a)(2).

C. Louis Kincannon,

Assistant Administrator For Reports Management.

[FR Doc. 81-11116 Filed 4-10-81; 8:45 am]

BILLING CODE 3110-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD-08-026]

National Boating Safety Advisory Council; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App.1), notice is hereby given of a meeting of the National Boating Safety Advisory Council to be held on Tuesday and Wednesday, May 19 and 20, 1981, at the Sheraton-Islander Inn, Newport, Rhode Island, beginning at 9:00 a.m. on Tuesday, May 19, 1981. The meeting is scheduled to recess at 4:00 p.m. on Tuesday, May 19, 1981. On Wednesday, May 20, 1981, the meeting

is scheduled to begin at 9:00 a.m. and adjourn at 4:00 p.m. The agenda for the meeting will be as follows:

1. Review of action taken at the twenty-sixth meeting of the Council
2. Executive Director's Report
3. Presentation on Strobe lights
4. Intra Coastal Waterways Draw Bridge Resolution report
5. Subcommittee discussion and regulations review
6. On-site briefing on boat construction standards (Pearson Yachts)
7. Discussion on Uniform Waterway Marking System for Slalom Ski courses
8. Presentation on safety aspects of retro-reflective material
9. Slide presentation on Visual Distress Signals
10. Subcommittee chairman reports to Council
11. Members' items
12. Chairman's session

Attendance is open to the interested public. With advance notice to the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present oral statements should so notify the Executive Director no later than the day before the meeting. Any member of the public may present a written statement to the Council at any time. Additional information may be obtained from Commander Neal Mahan, Executive Director, National Boating Safety Advisory Council, U.S. Coast Guard, (G-BA), Washington, DC 20593, or by calling (202) 426-1080.

Issued in Washington DC April 8, 1981.

V. W. Driggers,

Captain U.S. Coast Guard, Acting Chief, Office of Boating, Public and Consumer Affairs.

[FR Doc. 81-11094 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-14-M

Research and Special Programs Administration

Hazardous Materials Safety Regulations; Proposal Solicitation for Establishment and Operation of Regional Training Centers (RTC's)

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Public notice and invitation for sources.

SUMMARY: The purpose of this procurement is to solicit proposals for the establishment and operation of Regional Training Center (RTC's) for training personnel in awareness of hazardous materials safety regulations and in emergency response to hazardous

materials transportation (vehicular and pipeline) accidents.

The Department of Transportation will provide "initial funding to successful bidders and has designated the Transportation Safety Institute (TSI), Oklahoma City, Oklahoma, to monitor this program and to be the principal interface with the RTC." Under this procurement up to six (6) RTC's will be established, with not more than one strategically located in each of the ten (10) Federal Standard Regions.

The Department of Transportation has a total of \$400,000 available in FY 1981 funds to support these projects. The Department of Transportation reserves the right to make any resulting procurement in the manner determined solely by DOT.

DATES: Sources received on or before April 30, 1981, will be issued a Request for Proposal. Reference RFP No. DTRS5681-R-00048 when requesting a copy.

ADDRESS: Department of Transportation, Research and Special Programs Administration, Procurement Division, DPA-14, 400 Seventh Street, S.W., Washington, D.C. 20590, Attn: John E. Doyle, Jr.

Issued in Washington D.C., on April 3, 1981.

John E. Doyle, Jr.,

Contracting Officer.

[FR Doc. 81-10239 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-60-M

Hazardous Materials Regulations; Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applicants for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft.

DATES: Comment period closes May 13, 1981.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S.

Department of Transportation, Washington, D.C. 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, D.C.

New Exemptions

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8592-N	Beech Aircraft Corporation, Boulder, CO	49 CFR 173.304a	To authorize shipment of liquefied methane or liquefied natural gas in non-DOT specification portable tanks (dewars) of 300 gallon capacity. (Mode 1).
8585-N	American Pyrotechnics Corporation, Llano, CA	49 CFR 172.101, 173.100, 173.51(a)(7)	To authorize shipment of a pest control device, class C explosive, consisting of 4 inside fiberboard cartons not to contain more than 72 devices overpacked in a DOT Specification 129 fiberboard box. (Modes 1, 2, 3).
8596-N	Southeastern Plastic Container Company, Arlington, TN	49 CFR 173.359	To manufacture, mark and sell DOT Specification 34 containers not to exceed 5 gallon capacity for shipment of ethyl parathion and methyl parathion mixture, classed as a class B poison. (Modes 1, 2, 3).
8597-N	McDonnell Douglas Corporation, St. Louis, MO	49 CFR 173.258, Part 172 Subpart C	To transport nitric acid in non-DOT specification portable tanks within plant premises over public road. (Mode 1).
8598-N	Teldyne CAE, Toledo, OH	49 CFR 173.102	To authorize shipment of an explosive power device (turbojet engines) Class C, contained in non-DOT specification polyurethane containers within a fiberboard box. (Mode 1).
8599-N	Liquid Air Corporation, San Francisco, CA	49 CFR 172.101, 173.316	To authorize shipment of liquid hydrogen in non-DOT specification portable tanks. (Modes 1, 3).
8600-N	CanOcean Resources Ltd., New Westminster, B.C., Can.	49 CFR 173.314(c)	To manufacture, mark and sell non-DOT specification fusion welded tank car tanks built in accordance with proposed Specification 220A500W for shipment of chlorine. (Modes 1, 2, 3).
8601-N	ACME Barrel Company, Chicago, IL	49 CFR 173.28(o), 178.118-10(a)	To authorize conversion of non-DOT specification light head 18 gauge steel 55 gallon drums to DOT Specification 17H except for marking for shipment of all commodities authorized in a DOT Specification 17H drum. (Modes 1, 2, 3, 4).
8602-N	Minnesota Valley Engineering, New Prague, MN	49 CFR 173.315(a)	To manufacture, mark and sell non-DOT specification portable tanks for shipment of liquefied argon, nitrogen and oxygen, classed as non-flammable gases. (Mode 3).
8603-N	Westinghouse Electric Corporation, Orville, OH	49 CFR 173.860(a)(1)	To authorize shipment of metallic mercury in plastic inside packages of not more than 7.5 pounds capacity each packed in strong outside packages for shipment by aircraft. (Modes 4, 5).
8604-N	Hugonnet S.A., Paris, France	49 CFR 173.118a, 173.119, 173.125, 173.245, 173.346(a), 173.505	To authorize shipment of various flammable, combustible, corrosive, and poison B liquids, and ORM-A materials in non-DOT specification IMCO Type 1 portable tanks without bottom openings. (Modes 1, 2, 3).
8605-N	Hugonnet S.A., Paris, France	49 CFR 173.118a, 173.119, 173.125, 173.245, 173.346(a), 173.505	To authorize shipment of various flammable, combustible, corrosive, and poison B liquids, and ORM-A materials in non-DOT specification IMCO Type 1 portable tanks having gravity discharge. (Modes 1, 2, 3).
8606-N	Bleiwerk Gostar KG, F.R., Germany	49 CFR 173.315	To authorize shipment of monomethylamine anhydrous, classed as a flammable gas in non-DOT specification IMCO Type V portable tanks. (Modes 1, 3).
8607-N	Eurotainer S.A., Paris, France	49 CFR 173.245	To authorize shipment of 2-chloro-6-fluoro benzylchloride, classed as a corrosive liquid, n.o.s., in DOT Specification 51 portable tank. (Modes 1, 2, 3).
8608-N	Feldman Bamsel & Drum Co., Inc., Buffalo, NY	49 CFR 173.28(o), 178.118-10(a)	To authorize conversion of non-DOT specification light head 18 gauge steel 55 gallon drums to DOT Specification 17H except for marking for shipment of all commodities authorized in a DOT Specification 17H drum. (Modes 1, 2, 3, 4).
8609-N	Nalco, Inc., Chicago, IL	49 CFR 177.841(e)	To manufacture, mark and sell non-DOT specification reusable, 16 gauge steel drums with removable heads, of 65-gallon capacity to be used as overpacks for properly packaged class B poisons for shipment in the same transport vehicle with foodstuff, feeds, etc. (Mode 1).
8610-N	Fabricated Metals, Inc., San Leandro, CA	49 CFR 173.245	To manufacture, mark and sell DOT Specification 57 aluminum portable tanks for shipment of ethylene diamine, classed as a corrosive liquid. (Modes 1, 2).
8611-N	Paisano, Inc., Alvin, TX	49 CFR 173.119(a)(17), 173.245(a) (30), (31), 173.342-5, 178.340-7, 178.343-5	To manufacture, mark and sell non-DOT specification cargo tanks complying generally with DOT Specification MC-307/312 except for bottom outlet valve variations for transportation of flammable or corrosive waste liquids or semi-solids. (Mode 1).
8612-N	FIBA Leasing Company, Inc., Westboro, MA	49 CFR 173.314(c)	To authorize transportation of natural gas in DOT Specification 107A tanks (tubes) by rail and highway. (Modes 1, 2).
8613-N	Chemical Express Company, Dallas, TX	49 CFR 173.131(a)(2)	To transport road asphalt or tar liquid having a flash point no less than 50 degrees in non-DOT specification cargo tanks. (Mode 1).
8614-N	Arrowhead Airways, Inc., Minneapolis, MN	49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b), Part 107 Appendix B	To authorize carriage of class A, B, and C explosives not permitted for air shipment or in quantities greater than those prescribed for air shipment. (Mode 4).

This notice of receipt of applications for new exemptions is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, D.C. on April 3, 1981.

J. R. Grothe,
Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 81-10940 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-60-M

Hazardous Materials Regulations; Applications for Renewal or Modification of Exemptions or Applications To Become a Party to an Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for renewal or modification of exemptions or application to become a party to an exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier Federal Register publications, they are not repeated here. Except as otherwise noted, renewal applications are for extension of the exemption terms only. Where changes are requested (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) they are described in footnotes to the application number. Application numbers with the suffix "X" denote renewal; application numbers with the suffix "P" denote party to. These applications have been separated from the new applications for exemptions to facilitate processing.

DATES: Comment period closes April 28, 1981.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, SW., Washington, D.C.

Application No.	Applicant	Renewal of exemption
3109-X	Raytheon Company, Lowell, MA.	3109
3330-X	Babcock and Wilcox Co., Lynchburg, VA.	3330

Application No.	Applicant	Renewal of exemption
3569-X	NE McCullough/NE Industries, Incorporated, Houston, TX ¹	3569
4242-X	U.S. Department of Defense, Washington, DC	4242
4354-X	Pennwalt Corporation, Buffalo, NY 4354	4354
4354-X	PPG Industries, Incorporated, Pittsburgh, PA	4354
4497-X	Red Ball Supply, Inc., Oklahoma City, OK	4497
5206-X	Gulf Oil Chemicals Company, Overland Park, KS	5206
6253-X	Bacardi International Limited, Hamilton, Bermuda	6253
6267-X	Bio-Lab, Incorporated, Conyers, GA	6267
6518-X	Union Carbide Corporation, New York, NY ²	6518
6686-X	Chilton Metal Products Division, Chilton, WI	6686
6762-X	Lever Brothers Company, New York, NY	6762
6773-X	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE	6773
6923-X	Dow Chemical Company, Midland, MI	6923
6958-X	Dow Chemical Company, Findlay, OH	6958
6984-X	Deupree Distributing Co., Inc., Oklahoma City, OK	6984
7010-X	Great Lakes Chemical Corporation, El Dorado, AR	7010
7052-X	Electrochimica Corporation, Mountain View, CA	7052
7235-X	Luder U.S.A., Limited, Riverside, CA ³	7235
7249-X	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE	7249
7413-X	Chilton Metal Products Div. Western Industries, Inc., Chilton, WI	7413
7455-X	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE	7455
7520-X	Dow Chemical Company, Midland, MI	7520
7520-X	Puerto Rico Marine Management, Inc., Elizabeth, NJ	7520
7721-X	Applied Environments Corporation, Van Nuys, CA	7721
7735-X	Rhoem Manufacturing Company, Linden, NJ	7735
7769-X	Brunswick Corporation, Lincoln, NE	7769
7774-X	Pipe Recovery Systems, Incorporated, Houston, TX	7774
7946-X	Westinghouse Electric Corporation, Horseheads, NY ⁴	7946
8012-X	Catu Containers, S.A., Geneva, Switzerland	8012
8158-X	Ford Aerospace & Communications Corporation, Palo Alto, CA	8158
8220-X	Applied Environments Corporation, Van Nuys, CA	8220
8221-X	Applied Environments Corporation, Van Nuys, CA	8221
8225-X	Hoover Universal, Inc., Beatrice, NE	8225
8334-X	Ford Aerospace & Communications Corporation, Newport Beach, CA ⁵	8334
8406-X	Presvac Systems (Burlington) Limited, Burlington, Ontario, Can.	8406

¹To authorize additional sizes of non-DOT specification non-refillable cylinders for shipment of bromine trifluoride.
²To authorize use of DOT Specification 3A, 4B240, 4BA240W, 4BW240, 4E240 cylinders as additional containers for shipment of a certain flammable solid.

³To renew, and to modify certain testing and physical requirements outlined for FRP cylinders.

⁴To authorize additional radiation detectors (having higher service pressure) containing non-flammable compressed gases.

⁵To restate in part and provide for 1 or 2 import shipments of certain class A or B explosives (ammunition) via cargo only aircraft.

Application No.	Applicant	Parties to exemption
4100-P	Welding and Therapy Service, Inc., Louisville, KY	4100
4453-P	Kentucky Powder Company, Lexington, KY	4453
5263-P	JM, St. Paul, MN	5263
5413-P	SunOlin Chemical Company, Claymont, DE	5413
6267-P	Airwick Industries, Inc., Carlstadt, NJ	6267
6874-P	Degussa Corporation, Teterboro, NJ	6874
7052-P	Saft Corporation of America, Valdosta, GA	7052
7060-P	Cheshire Airways, Inc., Keene, NH	7060
7820-P	Compagnie Generale Maritime, Paris, France	7820
8009-P	Production Services, Inc., Oklahoma City, OK	8009
8332-P	Celgon Corporation, Pittsburgh, PA	8332
8521-P	Independent Explosives Company, Cleveland, OH	8521
8606-P	Harbison Brothers, Inc., Buffalo, NY	8606
8608-P	H. Hyman Drum & Barrel Corporation, Buffalo, NY	8608
8608-P	Western NY Barrel & Drum Company, Tanawanda, NY	8608

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, D.C., on April 3, 1981.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 81-10941 Filed 4-10-81; 8:45 am]

BILLING CODE 4910-50-M

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 81-79]

Decision Denying American Manufacturer's Petition Requesting Reclassification of Footwear Known as Moon Boots; Petitioner's Desire to Contest This Decision

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of (1) decision on American manufacturer's petition, and (2) receipt of notice of petitioner's desire to contest this decision.

SUMMARY: In response to an American manufacturer's petition requesting that certain waterproof footwear known as moon boots be reclassified under the

provision for other footwear which is over 50 percent by weight of rubber or plastics (except footwear having uppers of which over 50 percent of the exterior surface area is leather) in item 700.60, Tariff Schedules of the United States (TSUS). Customs advised the petitioner that the particular moon boots in question, as well as footwear of the same class or kind, would continue to be classified under the provision for other footwear which is over 50 percent by weight of rubber or plastics and having uppers of which over 90 percent of the exterior surface area is rubber or plastics (except footwear having foxing or foxing-like band applied or molded at the sole and overlapping the upper) in item 700.58, TSUS. Upon being informed that its petition had been denied, the petitioner filed notice of its desire to contest the decision in accordance with section 516 of the Tariff Act of 1930, as amended.

FOR FURTHER INFORMATION CONTACT: Donald F. Cahill, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-8181).

SUPPLEMENTARY INFORMATION:

Background

A petition was filed under section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516), by Prevue Products, Inc., Manchester, New Hampshire, an American manufacturer, requesting that certain waterproof footwear known as moon boots be reclassified under the provision for other footwear which is over 50 percent by weight of rubber or plastics (except footwear having uppers of which over 50 percent of the exterior surface area is leather) in item 700.60, Tariff Schedules of the United States (TSUS), (19 U.S.C. 1202), dutiable at the rate of 20 percent ad valorem and subject to an American Selling Price (ASP) basis of valuation (Headnote 3(b), Schedule 7, Subpart 1A, TSUS). In the alternative, the petitioner argued for reclassification under the provision for other protective footwear which is over 50 percent by weight of rubber or plastics and having soles and uppers of which over 90 percent of the exterior surface area is rubber or plastics (except footwear with uppers of nonmolded construction formed by sewing the parts thereof together and having exposed on the outer surface a substantial portion of functional stitching) in item 700.53, TSUS, dutiable at the rate of 37.5 percent ad valorem.

In support of its contention, the petitioner describes the footwear involved as a moon boot which extends above the ankle and is designed to be

worn over, or in lieu of other footwear as a protection against water, cold, or inclement weather, is over 50 percent by weight of rubber or plastics, has soles and uppers of which over 90 percent of the exterior surface area is rubber or plastics, and has a pre-molded rubber/plastic shell bottom, the sides of which extend upward from the bottom of the boot to above the insole of the boot. The sides of the pre-molded shell bottom are sewed to, and overlap by approximately 1/2 inch the polyurethane top portion of the boot.

Notice of the petition was published in the *Federal Register* on January 30, 1980 (45 FR 6881). This notice advised that importations of the moon boots involved were being classified under the provision for other footwear which is over 50 percent by weight of rubber or plastics and having uppers of which over 90 percent of the exterior surface area is rubber or plastics (except footwear having uppers of which over 50 percent of the exterior surface area is leather or footwear having foxing or foxing-like band applied or molded at the sole and overlapping the upper) in item 700.58, TSUS, dutiable at the rate of 6 percent ad valorem.

Decision of Petition and Receipt of Petitioner's Notice of Desire to Contest

The first issue to be resolved is whether the instant footwear has a foxing or foxing-like band applied or molded at the sole which overlaps the upper and which would preclude classification under item 700.58, TSUS.

The term "foxing" has been defined as follows:

Shoe upper material forming or covering the lower part of the quarter of a shoe. With rubber soled canvas upper shoes, foxing is usually a strip of rubber covering and securing the joint between sole and upper. *The Art and Science of Footwear Manufacturing* (American Footwear Industries Association, 1974).

A piece of leather put on the upper leather of the shoe along the edge next to the sole. *Funk and Wagnalls New Practical Standard Dictionary* (1956).

A piece of material applied to the upper or extending around the outsole of a boot or a shoe. *Websters' Third International Dictionary* (1961).

A reading of the exclusionary language in item 700.58, TSUS, taken in conjunction with the definitions cited above for "foxing" leaves no doubt in our mind that the function of "foxing" is to reinforce or supplement the juncture between the sole and upper of footwear.

Customs previously has ruled that for the purposes of computing the "exterior surface area" of an upper, the upper is everything from just below the insole level. Our position as to what

constitutes an upper for tariff purposes is logical and we see no reason why the same concept cannot be used or should not be used with respect to the use of that term in the exclusionary clause in item 700.58, TSUS. It appears to us that the application of a different definition for the term "upper" in this situation is unwarranted and certainly would be inconsistent with previous rulings.

With respect to the moon boots in issue, that juncture which a "foxing" must reinforce or supplement in order to preclude classification under item 700.58, TSUS, is at a point just below the insole level. However, the uppers of the moon boots involved do not extend down to this point; thus, the sides of the shell bottom do not overlap the upper at this point, and consequently, they do not meet the exclusionary requirement of overlapping the upper.

Even if we assume that the overlapping need not occur at the juncture of the sole and upper, the stitching of the sides of the premolded bottoms to the polyurethane upper is not the overlapping contemplated by the statute because the stitching merely attaches the materials to each other and is not in the nature of reinforcement. In addition, the one half inch overlap in the case of the instant moon boots is necessary to effect a joinder of the materials and does not constitute a reinforcement.

Customs has held that the exclusionary language in item 700.58, TSUS, applies to a moon boot similar in all material respects to the moon boot in issue except that the upper was stitched to the sock lining and was complete before the attachment of the shell bottom. The petitioner, in view of our position that this type construction represents a molded foxing, urges that even if the sides of the shell bottoms of the moon boots in issue do not precisely meet the definition of foxing, they certainly qualify as a "foxing-like band." He maintains that the terms "foxing" and "foxing-like band" do not encompass the same articles because it is presumed that Congress did not use meaningless language in its tariff acts. Further, the petitioner maintains that the term "foxing-like band" was intended to pertain to bands which although technically not foxing, were nevertheless of such similar design that they also qualify under the parenthetical exception of item 700.58, TSUS.

The term "foxing-like band" has to our knowledge never been defined. In the past, Customs has treated as a "foxing-like band" any band which simulated the function of conventional foxing.

It is apparent from a visual examination of a sample of the moon boot in issue that the sides of the shell bottom do not simulate a reinforcement of the juncture between the sole and upper and they do not simulate a reinforcement of the stitching that joins them to the polyurethane upper. Thus, the sides of the premolded shell bottoms constitute neither a "foxing" nor a "foxing-like band" within the purview of the exclusionary language in item 700.58, TSUS.

The second issue to be resolved is whether the moon boots in issue are precluded from classification under item 700.53, TSUS, by having "uppers of nonmolded construction formed by sewing the parts thereof together and having exposed on the outer surface a substantial portion of functional stitching" as found in the exclusionary language to that provision.

The petitioner urges that because the uppers of the moon boots involved consist of both molded and nonmolded material that the moon boots are not precluded from classification under item 700.53, TSUS. He further asserts that in order to be excluded from classification under item 700.53, TSUS, the entire upper, and not simply a part of the upper, must be of nonmolded construction. In view of the fact that a portion of the premolded shell of the boot forms a part of the upper, the petitioner concludes that classification under item 700.53, TSUS, is proper, and that such classification would preclude classification under item 700.58, TSUS.

The petitioner relies heavily on the case of *International Seaway Trading Corp. v. United States*, 69 Cust. Ct. 144, C.D. 4385 (1972), to support his position. The footwear involved in that case is described as follows:

The imported boots, composed of rubber, are formed by placing a number of differently shaped pieces of rubber material upon a textile boa (lining) which has been stretched tight upon a metal last. While most of the rubber pieces adhere to the boa either by means of self-adhering quality (tackiness) or by means of an adhesive applied to them before being mounted on the last, some of the pieces comprising the upper portion of the boot are stitched together before placement upon the boa. (It is this phase of the process,

namely, the stitching in the upper that remains visible in the finished boot, which centers the present controversy.) When all the pieces of rubber are fully assembled on the last the last is inserted into an autoclave where the boot is vulcanized. And after vulcanization, the boot is trimmed, inspected, and packed for shipment.

The court rejected plaintiff's claim that the woodmen's boots came within the exclusionary language of item 700.53, TSUS, because the boots were formed by vulcanization rather than by sewing the parts together.

The basic difference between the boots in the *International Seaway* case and the moon boots in issue is that with the *Seaway* boots vulcanization was the force that held the parts together and not the stitching, whereas the uppers of the instant moon boots are not formed by vulcanization or molding but are stitched together with the stitching exposed. In the case of the moon boots it is clearly the stitching which is the force which holds the parts together.

The petitioner states that "the importance of the *International Seaway* case is to be found in the United States Customs Court's legal, not factual conclusions." He points out that the court held that the exclusionary language involved must be strictly construed. Further, "the teaching of the *International Seaway* case is that footwear falling short in any respect to the specifically designated prerequisites set forth in the nonmolded parenthetical exception cannot escape tariff classification under items 700.51-700.53."

We agree with the petitioner that the exclusionary language involved must be strictly construed. However, the interpretation urged by the petitioner is overly restrictive. It is our view that the boots in issue fall squarely within the parenthetical exception to item 700.53, TSUS. We note that the exclusionary language to item 700.53, TSUS, requires that the uppers be of nonmolded construction, however, there is no requirement that the material comprising the parts of the uppers be of nonmolded construction. In this instance all the parts are nonmolded except that portion of the shell bottom sides extending upward from just below the

insole level which is considered to be a part of the upper. Even that molded part of the upper is stitched to the upper thus, satisfying the requirement that the upper be formed by "sewing the parts together." In conclusion, the uppers are formed and held together by functional stitching and not by molding or vulcanization and consequently, are considered to be of nonmolded construction.

For the reasons stated above, by letter of December 10, 1980, file No. 062909, the petitioner was advised that his petition was denied and that the practice of classifying the moon boots under item 700.58, TSUS, would be continued.

In response, by letter dated December 30, 1980, the petitioner filed notice of its desire to contest this decision in accordance with section 516(c), Tariff Act of 1930, as amended (19 U.S.C. 1516(c)), and § 175.23, Customs Regulations (19 CFR 175.23). However, under section 516(d), Tariff Act of 1930, as amended (19 U.S.C. 1516(d)), the current Customs practice of classifying this type of moon boot under item 700.58, TSUS, will continue so long as no decision of the United States Court of International Trade or the United States Court of Customs and Patent Appeals not in harmony with this practice is published.

Authority

This notice is being published in accordance with section 516(c), Tariff Act of 1930, as amended (19 U.S.C. 1516(c)), and § 175.24, Customs Regulations (19 CFR 175.24).

Drafting Information

The principal author of this document was Barbara E. Whiting, Regulations and Information Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: April 8, 1981.

William T. Archey,

Acting Commissioner of Customs.

[FR Doc. 81-11660 Filed 4-10-81; 8:45 am]

BILLING CODE 4810-22-M

Sunshine Act Meetings

Federal Register

Vol. 46, No. 70

Monday, April 13, 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

	<i>Items</i>
Federal Energy Regulatory Commission	1
Nuclear Regulatory Commission	2
Parole Commission	3
Tennessee Valley Authority	4

1

FEDERAL ENERGY REGULATORY COMMISSION.

April 8, 1981.

TIME AND DATE: 10 a.m., April 15, 1981.**PLACE:** Room 9306, 825 North Capitol Street, N.E., Washington, D.C. 20426.**STATUS:** Open.**MATTERS TO BE CONSIDERED:** Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTRACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary; telephone (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Division of Public Information.

Power Agenda—486th Meeting, April 15, 1981, Regular Meeting (10 a.m.)

- CAP-1. Docket No. E-9530, Pyramid Lake Paiute Tribe of Indians v. Sierra Pacific Power Co.; Project Nos. 4161-000, 4162-000, 4163-000 and 4164-000, Sierra Pacific Power Co.
- CAP-2. Project No. 2780, Solano Irrigation District; Project No. 3220, Napa County, California.
- CAP-3. Project No. 2889-001, San Bernadino Valley Municipal Water District
- CAP-4. Project No. 2370, Pennsylvania Electric Co.
- CAP-5. Project No. 2882, Village of Saugerties, N.Y.
- CAP-6. Docket No. ER78-517, The Connecticut Light & Power Co.
- CAP-7. Docket No. ER81-292-000, Louisville Gas & Electric Co.
- CAP-8. Docket No. ER81-306-000, Ohio Edison Co.
- CAP-9. Docket No. ER78-409, Philadelphia Electric Co.

- CAP-10. Docket No. ER79-121 Utah Power & Light Co.
- CAP-11. Docket No. ER80-520 and EL80-8, Montaup Electric Co.
- CAP-12. Docket No. ER80-71, Toledo Edison Co.
- CAP-13. Docket No. ER80-327 and ER80-328, Georgia Power Co.
- CAP-14. Docket No. ES81-34-000, Consumers Power Co.
- CAP-15. Docket No. ES81-32-000, Consumers Power Co.

Miscellaneous Agenda—486th Meeting, April 15, 1981, Regular Meeting

- CAM-1. Docket No. RM81-3, annual report for electric utilities, licensees and others (class B and class B); Filings by Federal entities pursuant to § 141.1
- CAM-2. Docket No. RM79-52, interim procedures for shortages of energy and capacity under Section 206 of the Public Utility Regulatory Policies Act of 1978
- CAM-3. Docket No. QF80-28, Stieren Farms small power production and cogeneration facilities—qualifying status
- CAM-4. Docket No. QF81-13-000, EC&C, Inc.
- CAM-5. Docket No. QF80-22, Republic Geothermal, Inc.
- CAM-6. Docket No. RM81- , Revisions to regulations implementing Section 103 of the NCPA
- CAM-7. Docket No. RM79-76 (Louisiana—2), high-cost gas produced from tight formations
- CAM-8. Docket No. RM79-76 (Colorado—11), high-cost gas produced from tight formations
- CAM-9. Docket No. RM79-76 (Colorado—13), high-cost gas produced from tight formations
- CAM-10. Docket No. FR80-20, Boland Oil Co.; Docket No. RA80-61, Westlake Union Service, Inc.

Gas Agenda—486th Meeting, April 15, 1981 Regular meeting

- CAG-1. Docket Nos. RP80-95, TA80-1-16 (PGA80-2 and IPR80-2), TA80-2-16 (PGA80-3 and IPR80-3) and TA81-16-001 (PGA81-1 and IPR81-1), National Fuel Gas Supply Corporation
- CAG-2. Docket No. RI76-31, Tenneco Oil Co. (Operator), et al., (agent for Tema Oil Co.) and Ashland Oil Co.; Docket No. RI80-13, Amoco Production Co.
- CAG-3. Docket No. CR80-78, Mountain Fuel Supply Co.
- CAG-4. Docket No. CP80-140, Transcontinental Gas Pipe Line Corp.
- CAG-5. Docket No. CP79-444, Tennessee Gas Pipeline Co., a division of Tenneco Inc. and Columbia Gulf Transmission Co.
- CAG-6. Docket No. CP75-227, CP75-154 and CP80-587, Montana-Dakota Utilities, Co.; Docket No. CP75-57, Kansas-Nebraska Natural Gas Co., Inc.; Docket No. CP80-348, Northern Utilities, Inc.
- CAG-7. Docket No. CP76-231, Northern Natural Gas Co.

- CAG-8. Docket No. CP80-318, Columbia Gulf Transmission Co.
- CAG-9. Docket No. CP81-61-000, Northern Natural Gas Co., Division of Internorth, Inc.
- CAG-10. Docket No. CP80-309, Michigan Wisconsin Pipe Line Co.
- CAG-11. Docket No. CP81-191-000, Columbia Gas Transmission Corp.
- CAG-12. Docket No. CP81-29-000, Northern Natural Gas Co., division of Internorth, Inc.
- CAG-13. Docket No. CP81-20-000, Columbia Gas Transmission Corp. and Transcontinental Gas Pipe Line Corp.
- CAG-14. Docket No. CP79-23-002, Columbia Gas Transmission Corp.
- CAG-15. Docket No. CP80-503, Arkansas Louisiana Gas Co.
- CAG-16. Docket No. CP81-32-000, Florida Gas Transmission Co.
- CAG-17. Docket Nos. CP75-140, et al., Pacific Alaska LNG Co., et al.; Docket Nos. CP74-160, et al., Pacific Indonesia LNG Co., et al., Docket No. CI78-453, Pacific Lighting Gas Development Co. Docket No. CI78-452, Pacific Simco Partnership

Power Agenda—486th Meeting, April 15, 1981, Regular Meeting

I. Licensed Project Matters

- P-1. Project Nos. 67 and 2868, Southern California Edison Co.; Project No. 2904, Cities of Anaheim and Riverside, Calif.

II. Electric Rate Matters

- ER-1. Docket No. ER77-578, Kansas Gas & Electric Co.

Miscellaneous Agenda—486th Meeting, April 15, 1981, Regular Meeting

- M-1. Reserved
- M-2. Reserved
- M-3. Docket No. RM80-42, Tax normalization for certain items reflecting timing differences in the recognition of expenses of revenues for ratemaking and income tax purposes
- M-4. Docket No. RM81-17, definition of agricultural use in section 282.202(a) of the Commission's incremental pricing regulations
- M-5. Docket No. RM81- , rule adopting single-tier price ceiling for incrementally priced end users and eliminating establishment of 31 metropolitan regions
- M-6. Docket No. RM80-18, treatment under the incremental pricing program of natural gas used as boiler fuel to raise steam which forms and integral step in the manufacturing process for fertilizer
- M-7. Docket No. RM80-62, Section 206(d), exemption for mechanical cogeneration facilities from the incremental pricing provision of the Natural Gas Policy Act
- M-8. Docket No. RM80-75, interim rule amending section 282.202(a) of the Commission's Regulations under the Natural Gas Policy Act of 1978

- M-9. Docket No. RM81- , sales and transportation for pipelines and distributors
- M-10. Docket No. RM79-34, transportation certificates for natural gas for the displacement of fuel oil; Docket No. RM81-22, transportation of oil displacement gas by pipelines pursuant to blanket certificates of public convenience and necessity
- M-11. Docket No. GP80-2, Spradling Drilling Co.
- M-12. Docket No. GP81- , applications for determination under NCPA Section 108, J& Enterprises, Inc., Royal Oil & Gas #3 (540A), FERC No. JD80-13330, John Fenchak #1 (174A), FERC No. JD80-48004
- M-13. Docket No. GP80-33, Valero Interstate Gas Co. (formally South Texas Natural Gas Co.)
- M-14. Docket No. GP-19, Panhandle Eastern Pipeline Co.

Gas Agenda—486 Meeting, April 15, 1981, Regular Meeting

I. Pipeline Rate Matters

RP-1. Reserved

II. Producer Matters.

CI-1. Docket, No CI77-657, American Natural Gas Production Co., et al.

III. Pipeline Certificate Matters

- CP-1 Docket No. CP81-133-000, Southern Natural Gas Co.
- CP-2. Docket No. CP74-92, MIGC, Inc. (formally McCulloch Interstate Gas Corp.)
- CP-3. Docket No. CP78-124, Northern Border Pipeline Co., Docket No. CP81-18-000, Northern Natural Gas Co., a division of Internorth, Inc.

Kenneth F. Plumb,

Secretary.

[S-501-81 Filed 4-9-81: 9:14 am]

BILLING CODE 6450-25-M

2

NUCLEAR REGULATORY COMMISSION.

DATE: Week of April 13, 1981.

PLACE: Commissioners' Conference Room, 1717 H Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: Tuesday, April 14:

10 a.m.

1. Discussion of Policy, Planning and Program Guidance for fiscal year 1983-87

Wednesday, April 15:

10 a.m.

1. Discussion of Anticipated Transients Without Scram (tentative)

2 p.m.

1. Discussion of Revised Licensing Procedures (approximately 2 hours)

ADDITIONAL INFORMATION: The Briefing on Rulemaking to Upgrade the Emergency Preparedness of Certain Fuel Cycle and Major Materials Licenses scheduled for Tuesday, April 7 at 2:00 p.m. has been cancelled.

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: April 7, 1981.

Walter Magee,

Office of the Secretary.

[S-582-81 Filed 4-9-81: 2:40 pm]

BILLING CODE 7590-01-M

3

PAROLE COMMISSION.

National Commissioners (the Commissioners presently maintaining offices at Bethesda, Maryland, Headquarters)

TIME AND DATE: 9:30 a.m. Tuesday, April 14, 1981.

PLACE: Room 420-F, One North Park Building, 5550 Friendship Boulevard, Bethesda, Maryland 20015.

STATUS: Closed pursuant to a vote to be taken at the beginning of the meeting.
MATTERS TO BE CONSIDERED: Referrals from Regional Commissioners of approximately 5 cases in which inmates of federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

CONTACT PERSON FOR MORE

INFORMATION: Linda Wines Marble, Chief Case Analyst, National Appeals Board, United States Parole Commission (301) 492-5926.

[S-584-81 Filed 4-9-81: 3:39 pm]

BILLING CODE 4410-01-M

4

[Meeting No. 1,265]

TENNESSEE VALLEY AUTHORITY.

TIME AND DATE: 7 p.m. (CST), Thursday, April 16, 1981.

PLACE: Gibson County High School, Highway 45W, North of Trenton, Tennessee.

STATUS: Open.

ACTION ITEMS: (A) Project Authorization:

1. Project Authorization No. 3061.3—Amendment to project authorization for urea phosphate fertilizer.

2. Project Authorization No. 3556—Replace all lower sidewalls, corners, and hopper slope tubes in John Sevier Steam Plant, Units 1-4.

3. Project Authorization No. 3557—Raise fly-ash pond dike at Paradise Steam Plant.

4. Project Authorization No. 3561—Replacement of all tubes and renewable parts in Paradise Fossil Plant unit 3 condenser.

(B) Purchase Awards:

1. Req. No. 185093—Cupronickel condenser tubes for Paradise Fossil Plant.

2. Req. No. 827366—Induced draft fans for Paradise Fossil Plant Unit 3.

3. Rejection of bids received in response to Invitation No. 828363 for coal barge unloading equipment for Paradise Steam Plant.

4. Amendment to contract 79K61-824081 with Technology for Energy Corporation, Knoxville, Tennessee, for radiation monitoring systems for Hartsville, Phipps Bend, and Yellow Creek nuclear plants.

(C) Power Items:

1. Lease and amendatory agreement with Loudon, Tennessee, covering lease of TVA's Loudon Substation.

2. Funding authority under contract TV-37304A with American Nuclear Corporation for equipment and mine development for the proposed Peach Mining Project in Wyoming.

3. Resolution relating to title maintenance and acquisition of certain mineral and surface interests in connection with operation of TVA's uranium properties in Wyoming.

(D) Personnel Items:

*1. Change of status for Harold L. Ball from Assistant Power Plant Superintendent, Shawnee Steam Plant, to Power Plant Superintendent, Allen Steam Plant, Division of Fossil and Hydro Power, Office of Power, Memphis, Tennessee.

*2. Change of status for Buford B. Street from Assistant Power Plant Superintendent, to Power Plant Superintendent, John Sevier Steam Plant, Division of Fossil and Hydro Power, Office of Power, Rogersville, Tennessee.

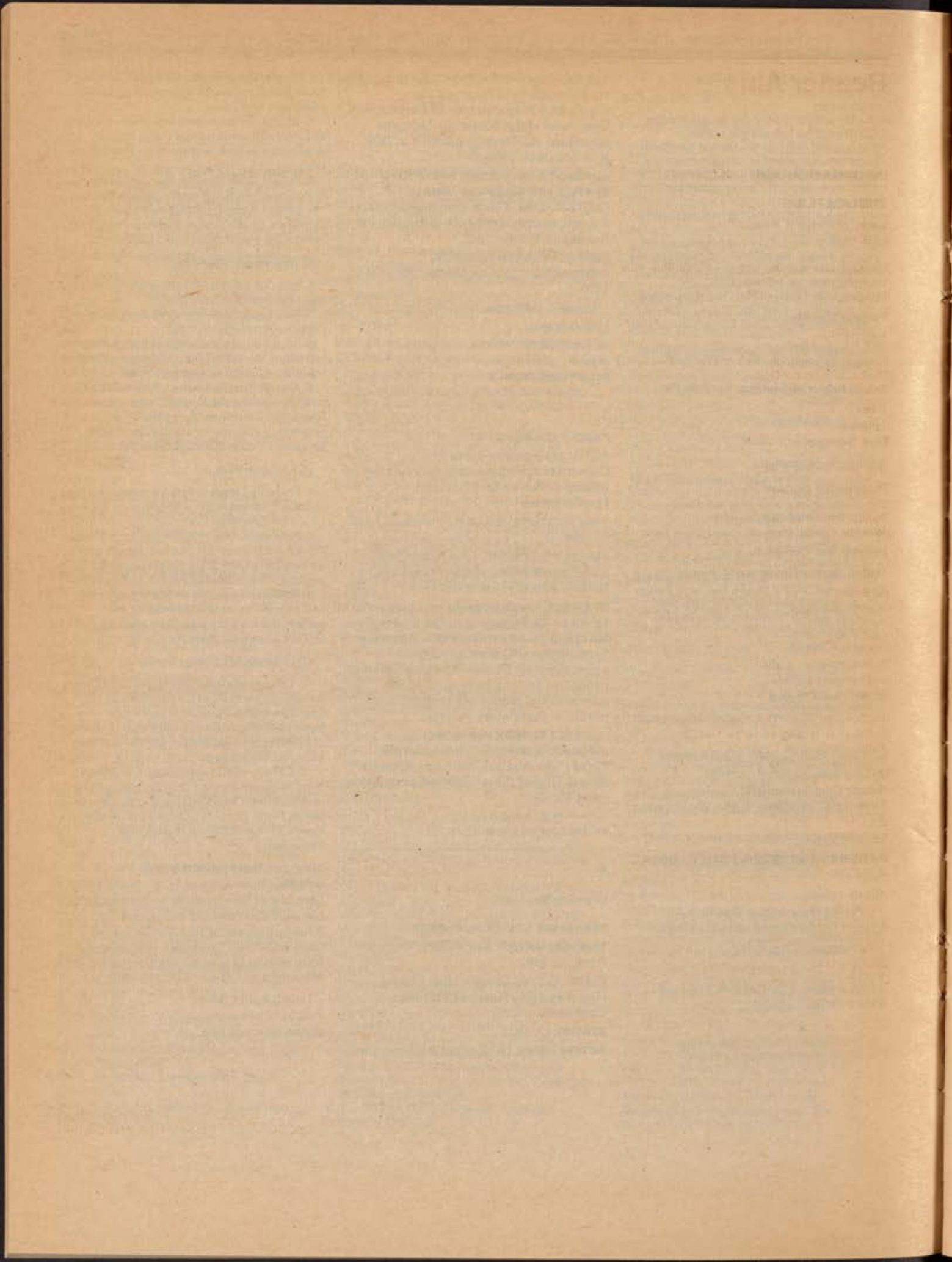
CONTACT PERSON FOR MORE

INFORMATION: Craven H. Crowell, Jr., Director of Information, or a member of his staff can respond to request for information about this meeting. Call (615) 632-3247, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245-0101.

Dated: April 9, 1981.

[S-583-81 Filed 4-9-81: 2:53 pm]

BILLING CODE 8120-01-M



Reader Aids

Federal Register

Vol. 46, No. 70

Monday, April 13, 1981

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419
General information, index, and finding aids	523-3517
Incorporation by reference	523-5227
Printing schedules and pricing information	523-4534
	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Public Inspection Desk	633-6930
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282
	523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

Privacy Act Compilation

	523-3517
--	----------

United States Government Manual

	523-5230
--	----------

SERVICES

Agency services	523-3408
Automation	523-3408
Dial-a-Reg	
Chicago, Ill.	312-663-0884
Los Angeles, Calif.	213-688-6694
Washington, D.C.	202-523-5022
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public briefings: "The Federal Register—What It Is and How To Use It"	523-5235
Public Inspection Desk	633-6930
Regulations Writing Seminar	523-5240
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5239

FEDERAL REGISTER PAGES AND DATES, APRIL

1981-1990	1
1991-2013	2
2013-2053	3
2053-2066	6
2066-2097	7
2097-2114	8
2114-2133	9
2133-2159	10
2159-2174	13

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
12303	21341

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
4830	20135
4831	21339
4832	21591
4833	21593

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

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

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

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

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

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

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

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

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

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

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

7 CFR

301	21143, 21148
907	19927, 21150
908	21150
910	20148, 21358
991	20667
1065	19813
1139	21151
1425	20149, 21595
1474	20151
1701	20152, 20153, 20667, 20668

Proposed Rules:

0	21016
982	19946, 21017
999	21017
1032	21183
1050	21183
1068	19946
1701	21367

8 CFR

238	20533
-----	-------

9 CFR

94	19817
----	-------

10 CFR

9	21356
50	21357
205	20508
210	20508
211	20508
212	20508
214	20508
220	20508

Proposed Rules:

2	20215
51	19946
71	21619
73	21619
376	20502

12 CFR

207	20977
213	20949
220	20977
221	20977
224	20977
226	20848
701	19927, 20154

Proposed Rules:

Ch. II	19824
1204	20155, 20558

13 CFR

Proposed Rules:	
122	19829

14 CFR

39	19932, 20533-20535, 21152-21154, 21595-21597
----	--

49 CFR

195.....	20556
512.....	21617
525.....	21617
537.....	21617
555.....	21617
571.....	21172, 21180
1033.....	19822, 19940, 20201
1100.....	20204
1109.....	20678
1139.....	21180
1201.....	20209
1206.....	21618

Proposed Rules:

Subtitle A.....	21184
Ch. I.....	20036, 21184
Ch. II.....	20036, 21184
Ch. III.....	20036, 21184
Ch. IV.....	20036, 21184
Ch. V.....	21184
Ch. VI.....	21184
172.....	21202
175.....	21202
395.....	21620
396.....	21620
571.....	20575, 21203, 21205, 21634
575.....	21203
583.....	19947
1043.....	19948
1056.....	21634
1084.....	19948

50 CFR

17.....	21208, 21209
215.....	20557
651.....	21365

Proposed Rules:

23.....	20713
611.....	20237, 21399
675.....	21399

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/FSOS		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 April 2, 1981; last cumulation listing for the 96th Congress (1980) January 7, 1981.

This is a continuing listing 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 202-275-3030].

S. 840 / Pub. L. 97-7 To continue in effect any authority provided under the Department of Justice Appropriation Authorization Act, Fiscal Year 1980, for a certain period (Apr. 9, 1981; 95 Stat. 9) Price: \$1.

S.J. Res. 61 / Pub. L. 97-8 To authorize and request the President to issue a proclamation designating April 9, 1981, as "African Refugee Relief Day" (Apr. 9, 1981; 95 Stat. 10) Price: \$1.