5-15-81
Vol. 46 No. 94
Pages 26759-27088

federal register

Friday
May 15, 1981

Highlights

26789 **Aliens** Labor/ETA extends comment period on proposed labor certification process for the permanent employment of aliens in the United States.

27070 **Grain Inspection** USDA/FGIS reduces fees for original inspection, official weighing, and supervision of weighing services. (Part IV of this issue)

27056 **Fishing** Commerce/NOAA establishes regulations to govern the taking of marine mammals incidental to Japanese high seas salmon fishing in the North Pacific Ocean, and in the U.S. Fishery Conservation Zone. (Part III of this issue)

26790 **Foods** HHS/FDA proposes to exempt unit containers of foods in multiunit or multicomponent retail package when inner units are properly labeled and do not constitute separate units for retail sale.

26765 **Pensions** PBGC amends regulations on valuation of Plan Benefits in Non-Multiemployer Plans.

26760 **Meat and Poultry Products** USDA/FSQS announces annual dollar limitations currently in effect for sales of meat and poultry products by retail stores, exempt from routine Federal inspection.

CONTINUED INSIDE



Highlights

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

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.

26789 **Securities** SEC extends comment period on proposed amendments to proxy rules and provisions relating to shareholder communications generally.

27014 **Minimum Wage** Labor/ESA specifies the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for described classes of labors and mechanics employed on construction projects. (Part II of this issue)

27074 **Social Security** HHS/Sec'y announces cost-of-living increase of 11.2 percent in benefits under Title II and XVI of the Social Security Act and in income limitations for beneficiaries under the Supplemental Security Income Program (Part V of this issue)

27074 **Veterans** VA amends regulations regarding increase in pension rates and income limitations. Need for this action results from Social Security cost-of-living increase. (Part V of this issue)

Privacy Act

26870 HHS/HCFA
26960 OPM

26980 **Sunshine Act Meetings**

Separate Parts of This Issue

27014 Part II, Labor/ESA
27056 Part III, Commerce/NOAA
27070 Part IV, USDA/FGIS
27074 Part V, HHS/VA

Contents

Federal Register
Vol. 46, No. 94
Friday, May 15, 1981

Agricultural Marketing Service
RULES
26759 Lemons grown in Ariz. and Calif.
PROPOSED RULES
26786 Prunes (dried) produced in Calif.

Agriculture Department
See Agricultural Marketing Service; Federal Grain Inspection Service; Food and Nutrition Service; Food Safety and Quality Service; Forest Service; Rural Electrification Administration.

Alcohol, Tobacco and Firearms Bureau
NOTICES
Authority delegations:
26977 Regional Regulatory Administrators et al.; Right to Financial Privacy Act of 1978 functions

Army Department
See also Engineers Corps.
NOTICES
Environmental statements; availability, etc.:
26807 Parks Reserve Training Area, Calif.; reacquisition or use of adjoining land formerly owned by Government

Arts and Humanities, National Foundation
NOTICES
Meetings:
26957 Humanities Panel

Blind and Other Severely Handicapped, Committee for Purchase from
NOTICES
26806 Procurement list, 1981; additions and deletions (2 documents)
26806 Procurement list, 1981; additions and deletions; correction

Census Bureau
NOTICES
Surveys, determinations, etc.:
26805 Company organizations; multiestablishment companies

Commerce Department
See Census Bureau; National Oceanic and Atmospheric Administration.

Commodity Futures Trading Commission
RULES
26761 Commodity pool operators and trading advisors; correction

Consumer Product Safety Commission
NOTICES
Complaints issued:
26806 John R. Lyman Co., Inc., et al.; prehearing conference

Defense Department
See Army Department; Engineers Corps.

Drug Enforcement Administration
NOTICES
Registration applications, etc.; controlled substances:
26945 Ganes Chemicals, Inc.
26945 M.D. Pharmaceutical, Inc.

Economic Regulatory Administration
NOTICES
Consent orders:
26812 Varn Petroleum Co.
Natural gas; fuel oil displacement certification applications:
26811 Long Island Lighting Co.
Powerplant and industrial fuel use; prohibition orders, exemption requests, etc.:
26810 ARCO Petroleum Products

Employment and Training Administration
PROPOSED RULES
26789 Alien permanent employment in U.S.; labor certification process; Canadian railway workers; extension of time
NOTICES
26945 Employment transfer and business competition determinations; financial assistance applications

Employment Standards Administration
NOTICES
27014 Minimum wages for Federal and federally-assisted construction; general wage determination decisions, modifications, and supersedeas decisions (Alaska, Ariz., Fla., Calif., Conn., Hawaii, Kans., Md., Ohio)

Energy Department
See also Economic Regulatory Administration; Federal Energy Regulatory Commission.
NOTICES
Environmental statements; availability, etc.:
26807 Uranium mill tailings site, inactive and vicinity properties, Canonsburg, Pa.; scoping meetings
International atomic energy agreements; civil uses; subsequent arrangements:
26810 Japan

Engineers Corps
PROPOSED RULES
26792 Permit regulations; hearings

Environmental Protection Agency
RULES
Air quality implementation plans; approval and promulgation; various States, etc.:
26767 Delaware
26768 Iowa; correction
26769 Missouri; correction

26769 North Carolina
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
26770 (E,Z)-3,13-Octadecadien-1-OL acetate and (Z,Z)-3,13-octadecadien-1-OL acetate
26771 Sodium diacetate
Pesticides; tolerances in animal feeds:
26764 Ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl) phosporamidate
Pesticides; tolerances in food:
26762 Bendiocarb
PROPOSED RULES
Air pollution control; new motor vehicles and engines:
26796 Nitrogen oxides emission standards, waiver; public hearing cancelled; correction
Air quality implementation plans; approval and promulgation; various States, etc.:
26793 New Jersey, Puerto Rico, and Virgin Islands
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
26796 Isophorone; correction
Water pollution control:
26796 State underground injection control program; Oklahoma Corporation Commission primacy application
NOTICES
Environmental statements; availability, etc.:
26861 Agency statements; review and comment
Meetings:
26863 Superfund Contracting Symposiums
Toxic and hazardous substances control:
26862 Premanufacture notices receipts

Federal Communications Commission
RULES
Radio services, special:
26780 Personal radio service; system licensing program in General Mobil Radio Service
PROPOSED RULES
Radio stations; table of assignments:
26798 California; extension of time
Satellite communications:
26798 Securities issuance authorization, borrowing of money, or assumption of obligations; termination of docket
NOTICES
Hearings, etc.:
26863 Northstar Communications et al.
26864 Mobilfone et al.

Federal Deposit Insurance Corporation
NOTICES
26980 Meetings; Sunshine Act (2 documents)

Federal Emergency Management Agency
RULES
Flood insurance; communities eligible for sale:
26772 Illinois et al.
26774 Maine et al.
Flood insurance; special hazard areas:
26775, 26776 California et al. (2 documents)
26777 Minnesota et al.
PROPOSED RULES
Flood elevation determinations:
26797 Connecticut
26798 New Jersey
26797 North Dakota

Federal Energy Regulatory Commission
NOTICES
Natural Gas Policy Act of 1978:
26814-26852 Jurisdictional agency determinations (5 documents)

Federal Grain Inspection Service
RULES
Grain standards:
27070 Inspection and weighing services, original; fee decrease

Federal Home Loan Bank Board
NOTICES
26980 Meetings; Sunshine Act

Federal Reserve System
NOTICES
Applications, etc.:
26865 BancIndependent Inc.
26864 Citizens Bancorporation
26865 Citizens State Financial Corp.
26864 Community Banks, Inc.
26865 Crown Bancshares, Inc.
26865 First Abilene Bankshares, Inc.
26866 First Broken Arrow Corp.
26865 First Bunker Hill Bancshares
26866 First Mabel BanCorporation, Inc.
26866 First Security Banshares, Inc.
26866 Grove Bancshares, Inc.
26866 Guaranty Bancorp
26867 Moore Financial Group Inc.
26867 Nortonville Bancshares, Inc.
26867 Wilber State Co.
Bank holding companies; proposed de novo nonbank activities:
26867 Chemical New York Corp.
26981 Meetings; Sunshine Act

Fish and Wildlife Service
NOTICES
26874 Endangered and threatened species permit applications (2 documents)

Food and Drug Administration
RULES
Animal drugs, feeds, and related products:
26762 Hexylcaine hydrochloride injection
26763 Naproxen for solution
26763 Oxytetracycline premix
PROPOSED RULES
Food labeling:
26790 Oleomargarine and margarine wrappers; multiunit and multicomponent food packages; exemption
NOTICES
Animal drugs, feeds, and related products:
26868 Cyclaine (hexylcaine hydrochloride); approval withdrawn
Food additives, petitions filed or withdrawn:
26868 American Feed Manufacturers Association, Inc.
26868 Dow Chemical Co.
Meetings:
26869 Advisory committees, panels, etc.
26869 Consumer information exchange (2 documents)

Food and Nutrition Service
RULES
Food distribution program:
26759 Consolidation and technical amendments; correction
26759 Donated foods; reduction in national average value of available foods or cash in lieu thereof, eligible recipients agencies, etc.; correction

Food Safety and Quality Service
RULES
Meat and poultry inspection, mandatory:
26760 Retail exemptions; sales to nonhousehold consumers; dollar limitation raises
PROPOSED RULES
26787 Gladiolus Corms (bulbs); grade standards; correction
26787 Nuts in shell, mixed; grade standards

Forest Service
NOTICES
Environmental statements; availability, etc.:
26805 Richland Creek Wilderness Study Area and RARE II Addition, Ark., hearing

Geological Survey
NOTICES
26876 Failure and Inventory Reporting System (FIRS); proposed revision

Health and Human Services Department
See also Food and Drug Administration; Health Care Financing Administration; National Institutes of Health; Public Health Service.
NOTICES
Organization, functions, and authority delegations:
26873 National Institutes of Health, National Cancer Institute
Social security benefits and supplemental security income:
27074 Cost-of-living increases

Health Care Financing Administration
NOTICES
26870 Privacy Act; systems of records

Indian Affairs Bureau
RULES
26765 Reservation acceleration program; rescission

Interior Department
See Fish and Wildlife Service; Geological Survey; Indian Affairs Bureau; Land Management Bureau.

International Trade Commission
NOTICES
Import investigations:
26943 Apparatus for continuous production of copper rod

Interstate Commerce Commission
RULES
Reports:
26781 Railroads; waybill analysis of transportation of property
PROPOSED RULES
Motor carriers:
26801 Duplicate operating rights under common control
26799 Duplicate operating rights under common control; policy statement
NOTICES
Motor carriers:
26929 Intercorporate hauling operations; intent to engage in
26937, 26938, 26940 Permanent authority applications (3 documents)
26930 Permanent authority applications, restriction removals
Railroad operation, acquisition, construction, etc.:
26938 Mt. Vernon Railway Co., Inc.
Railroad services abandonment:
26928 Baltimore & Ohio Railroad Co.
26928, 26929 Chesapeake & Ohio Railway Co. (2 documents)
Rerouting of traffic:
26940 Consolidated Rail Corp.

Justice Department
See also Drug Enforcement Administration.
NOTICES
Committees; establishment, renewals, terminations, etc.:
26944 Role of Courts Council
Meetings:
26945 Violent Crime, Attorney General's Task Force

Labor Department
See also Employment and Training Administration; Employment Standards Administration; Mine Safety and Health Administration; Pension and Welfare Benefit Programs Office.
PROPOSED RULES
26790 Regulatory agenda; correction
NOTICES
Adjustment assistance:
26947 Boonton Molding Co. et al.
26947 Cal Custom Accessories, Inc.
26947 Haspel Brothers, Inc.
26948 Markay Handbags, Inc.
26948 Millington Screw Products, Inc.
26948 National Mines Corp.
26949 VRN International
26949 Walter Dyer Leather, Inc.

Land Management Bureau
NOTICES
Coal unsuitability assessment report
26874 Deserado Logical Mining Unit, Colo.
Environmental statements; availability, etc.:
26874 California Desert District, Indio Resource Area; scoping meeting

Mine Safety and Health Administration
NOTICES
Petitions for mandatory safety standard modifications:
26946 ASARCO, Inc.
26946 Consolidation Coal Co.
26946 Occidental Oil Shale, Inc.

National Institutes of Health
NOTICES
Meetings:
26873 Cancer Institute, National; Scientific Counselors Board

26872 Cancer Institute, National; Scientific Counselors Board; location change

National Oceanic and Atmospheric Administration
RULES
Marine mammals:
27056 Commercial fishing operations; incidental taking affecting Japanese high seas salmon fishing in North Pacific Ocean and U.S. Fishery Conservation Zone (FCZ); permits, etc.
NOTICES
Meetings:
26806 Mid-Atlantic Fishery Management Council

National Science Foundation
NOTICES
Meetings:
26957 Minority Programs in Science Education Advisory Committee

Nuclear Regulatory Commission
NOTICES
Applications, etc.:
26959 South Carolina Electric & Gas Co. et al.
Environmental statements; availability, etc.:
26958 Detroit Edison Co.; Enrico Fermi Atomic Power Plant, Unit No. 2, Mich.
26959 Louisiana Power & Light Co.; Waterford Steam Electric Station, Unit 3, La.
Meetings:
26957, 26958 Reactor Safeguards Advisory Committee (3 documents)
26982 Meetings; Sunshine Act

Occupational Safety and Health Review Commission
NOTICES
26981 Meetings; Sunshine Act

Pension and Welfare Benefit Programs Office
NOTICES
Employee benefit plans; prohibited transaction exemptions:
26952 Gordon Food Service, Inc.
26949 Hastings Construction Co., Inc.
26950 International Harvester Co.
26951 Lovell's Profit Sharing Trust
26953 Semtner Companies, Inc.
26955 Truman Arnold Distributing Co., Inc.

Pension Benefit Guaranty Corporation
RULES
Plan benefits valuation:
26765 Non-multiemployer plans; additional rates

Personnel Management Office
NOTICES
Health benefits program, Federal employees:
26959 Group Health of El Paso, Inc.; plan terminated
26959 South County Health Care Plan; plan terminated
26960 Privacy Act; systems of records

Postal Service
PROPOSED RULES
Domestic Mail Manual:
26792 Unpaid and part-paid mail addressed to U.S. Government offices

Public Health Service
NOTICES
Meetings:
26873 Toxicology Program, National; Scientific Counselors Board

Rural Electrification Administration
NOTICES
Environmental statements; availability, etc.:
26805 Colorado-Ute Electric Association, Inc.

Securities and Exchange Commission
PROPOSED RULES
26789 Proxy rules and shareholder communications; disclosure requirements, etc.; extension of time
NOTICES
Hearings, etc.:
26961 Active Assets Government Securities Trust
26962 Active Assets Money Trust
26964 Active Assets Tax-Free Trust
26966 Anchor National Life Insurance Co. et al.
26969 Colonial Gas Energy System et al.
26971 Northeast Nuclear Energy Co.
26972 Philadelphia Life Insurance Co. et al.
Self-regulatory organizations; proposed rule changes:
26966 American Stock Exchange, Inc.
26969 Chicago Board Options Exchange, Inc.
26970 National Association of Securities Dealers, Inc.
26971 New York Stock Exchange, Inc.
26975 Philadelphia Depository Trust Co.
26975 Stock Clearing Corp. of Philadelphia
Self-regulatory organizations; unlisted trading privileges
26970 Midwest Stock Exchange, Inc.
26981 Meetings; Sunshine Act (2 documents)

Social Security Administration
NOTICES
Editorial note: For a document on cost-of-living increases for social security benefits and supplemental security income, see entry under Health and Human Services Department.

State Department
NOTICES
Authority delegations:
26976 Consular Affairs Bureau, Assistant Secretary of State, revocation of nonimmigrant visas
International conferences:
26975 Private-sector representatives on U.S. delegations; list

Treasury Department
See also Alcohol, Tobacco and Firearms Bureau.
NOTICES
Bonds, Treasury:
26976 2006–2011 series

Veterans Administration
RULES
Adjudication; pensions, compensation, dependency, etc.:
27074 Pension rates and income limitations; increase
NOTICES
Environmental statements; availability, etc.:
26978 Brooklyn, N.Y.: St. Albans Division, new laundry building

26978 St. Louis, Mo.; education addition to Building No. 2
Meetings:
26977 Cooperative Studies Evaluation Committee

MEETINGS ANNOUNCED IN THIS ISSUE

AGRICULTURE DEPARTMENT
Rural Electrification Administration—
26805 Colorado-Ute Electric Association, Inc., Pueblo, Colo., 6-16-81; Walsenburg, Colo., 6-17-81

COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration—
26806 Mid-Atlantic Fishery Management Council's, Scientific and Statistical Committee, Philadelphia, Pa. (open), 7-1-81

CONSUMER PRODUCT SAFETY COMMISSION
26806 John R. Lyman Company, Inc. and Edward S. Wright, an officer of the Corporation, Washington, D.C., 5-26-81

ENVIRONMENTAL PROTECTION AGENCY
26863 Superfund Contracting Symposiums, Atlanta, Ga., 5-27-81; Denver, Colo., 5-29-81

HEALTH AND HUMAN SERVICES DEPARTMENT
Food and Drug Administration—
26869 Consumer Exchange meeting, Detroit, Mich. (open), 6-2-81
26869 Consumer Exchange meeting, Pittsburgh, Pa. (open), 6-4-81
26869 Drug Abuse Advisory Committee, Rockville, Md. (open), 6-29-81
26869 Miscellaneous Internal Drug Products Panel, Rockville, Md. (open), 6-5-81
26869 Oncologic Drugs Advisory Committee, Rockville, Md. (open), 6-25-81
National Institutes of Health—
26873 Board of Scientific Counselors, Division of Resources, Centers, and Community Activities, Bethesda, Md. (open), 6-4 and 6-5-81
Public Health Service—
26873 National Toxicology Program Board of Scientific Counselors, Research Triangle Park, N.C. (open), 6-23-81

INTERIOR DEPARTMENT
Land Management Bureau—
26874 California Desert District, Thermal, Calif., 6-20-81

JUSTICE DEPARTMENT
26945 Attorney General's Task Force on Violent Crime, Los Angeles, Calif. (open), 6-2 and 6-3-81

NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES
26957 Humanities Panel, Washington, D.C. (closed), June meetings

NATIONAL SCIENCE FOUNDATION
26957 Minority Programs in Science Education Advisory Committee, Washington, D.C. (open), 5-28-81

NUCLEAR REGULATORY COMMISSION
26958 Reactor Safeguards Advisory Committee, Nuclear Safety Research Program Subcommittee, Washington, D.C. (partially open), 6-3-81
26958 Reactor Safeguards Advisory Committee, Reliability and Probabilistic Assessment Subcommittee, Washington, D.C. (partially open), 6-3-81

VETERANS ADMINISTRATION
26977 Cooperative Studies Evaluation Committee, Washington, D.C. (partially open), 7-9 and 7-10-81

CHANGED MEETINGS

HEALTH AND HUMAN SERVICES DEPARTMENT
National Institutes of Health—
26872 Board of Scientific Counselors, Division of Cancer Biology and Diagnosis, Bethesda, Md., 5-14, 5-15, and 5-16-81

NUCLEAR REGULATORY COMMISSION
26957 Reactor Safeguards Advisory Committee, Metal Components Subcommittee, Washington, D.C. (open), 5-19-81

HEARINGS

AGRICULTURE DEPARTMENT
Forest Service—
26805 Richland Creek Wilderness Study Area and Rare II Addition Hearing Announcement, Arkansas, 6-20-81

DEFENSE DEPARTMENT
Corps of Engineers, Department of Army—
26792 Proposed Nationwide Permits, Washington, D.C., 6-15-81; St. Paul, Minn., 6-17-81

ENVIRONMENTAL PROTECTION AGENCY
26796 Oklahoma Corp. Commission Underground Injection Control Primacy Application, Dallas, Tex., 6-15-81

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.

7 CFR
250 (2 documents)..... 26759
800..... 27070
910..... 26759
Proposed Rules:
993..... 26786
2851 (2 documents)..... 26787

9 CFR
303..... 26760
381..... 26760

17 CFR
4..... 26761
140..... 26761
Proposed Rules:
229..... 26789
240..... 26789

20 CFR
Proposed Rules:
Ch. I..... 26790
656..... 26789

21 CFR
193..... 26762
522 (2 documents)..... 26762, 26763
561..... 26764
588..... 26763
Proposed Rules:
1..... 26790
166..... 26790

25 CFR
5..... 26765

29 CFR
2610..... 26765

33 CFR
Proposed Rules:
320..... 26792
321..... 26792
322..... 26792
323..... 26792
324..... 26792
325..... 26792
326..... 26792
327..... 26792
328..... 26792
329..... 26792
330..... 26792

38 CFR
3..... 27074

39 CFR
Proposed Rules:
111..... 26792

40 CFR
52 (4 documents)..... 26767–26769
180 (2 documents)..... 26770, 26771

40 CFR
Proposed Rules:
52..... 26793
86..... 26796
123..... 26796
180..... 26796

44 CFR
64 (2 documents)..... 26772, 26774
65 (3 documents)..... 26775–26777
Proposed Rules:
67 (3 documents)..... 26797, 26798

47 CFR
95..... 26778
Proposed Rules:
25..... 26798
73..... 26798

49 CFR
1244..... 26781
Proposed Rules:
1132 (2 documents)..... 26799, 26801
1134 (2 documents)..... 26799, 26801

50 CFR
216..... 27056

Rules and Regulations

Federal Register
Vol. 46, No. 94
Friday, May 15, 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

Food and Nutrition Service

7 CFR Part 250

Food Distribution Program; Amendment 1 to Part 250; Correction

AGENCY: Food and Nutrition Service, USDA.

ACTION: Emergency final rule; correction and amendment.

SUMMARY: This docket corrects an emergency final rule on the food distribution program that appeared in the Federal Register of Friday, January 9, 1981 (46 CFR 2331–2332). This action is necessary to correct a typographical error in a date given in the rule, and to add an amendment inadvertently omitted.

FOR FURTHER INFORMATION CONTACT: Gwena Kay Tibbits, Chief, Program Monitoring and Policy Development Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447–8386.

The following correction and amendment are made in FR Doc. 81–402 appearing on pages 2331–2332 in the issue of January 9, 1981:

1. On page 2332 in the second column, in § 250.8(a), "January 1, 1980" is corrected to read "January 1, 1981".

2. On page 2332 in the second column, after amendment 3, which starts 5 lines down from the top of the page, a new amendment 4 is added, as follows:

* * * * *

4. In § 250.6(h), the phrase "the School Breakfast Program under Part 250 of this chapter," is removed.

Dated: April 30, 1981.

G. William Hoagland,

Administrator, Food and Nutrition Service.

[FR Doc. 81-14605 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-30-M

7 CFR Part 250

Food Distribution Program; Revision of Regulations; Correction

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule on the food distribution program that appeared in the Federal Register of Tuesday, December 16, 1980 (45 CFR 82894–82908). The action is necessary to correct typographical errors in citations and spelling.

FOR FURTHER INFORMATION CONTACT: Gwena Kay Tibbits, Chief, Program Monitoring and Policy Development Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447–8386.

The following corrections are made in FR Doc. 80–39086 appearing on pages 82894–82908 in the issue of December 16, 1980:

1. On page 82896 in § 250.1(b)(6) in the third column, twentieth line from the bottom of the page, the word "weighed" is corrected to read "weighted".

2. On page 82897 in column one, the second line of § 250.1(b)(10), the date "1874" is corrected to read "1974".

3. On page 82897 in the second column, in § 250.1(b)(11), "U.S.C. 612c" is corrected to read "7 U.S.C. 612c".

4. On page 82899 in § 250.3, first column, in the definition of "Distributing agencies", the word "distrubuting" is corrected to read "distributing".

5. On page 82900, in § 250.4(b)(4) in the third column, "reportrs" is corrected to read "reports".

6. On page 82904 in the third column, § 250.6(r), the fifth line from the botton, the word "fund" is corrected to read "food".

7. On page 82905 in column three, in § 250.8(b)(1), "section 4(a)" is corrected to read "section 416, section 32, section 709 and section 4(a)".

8. On page 82908 in column one, in § 250.13(g)(3)(iii)(B), "paragraph(f)(3)(i)" is corrected to read "paragraph (g)(3)(i)".

Dated: April 30, 1981.

G. William Hoagland,

Administrator, Food and Nutrition Service.

[FR Doc. 81-14606 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-30-M

Agricultural Marketing Service

7 CFR Part 910

[Lemon Reg. 305; Lemon Reg. 304, Amdt. 1]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action establishes the quantity of California-Arizona lemons that may be shipped to the fresh market during the period May 17–23, 1981, and increases the quantity of lemons that may be shipped during the period May 10–16, 1981. Such action is needed to provide for orderly marketing of fresh lemons for the periods specified due to the marketing situation confronting the lemon industry.

DATES: The regulation becomes effective May 17, 1981, and the amendment is effective for the period May 10–16, 1981.

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

SUPPLEMENTARY INFORMATION: *Findings.* This rule has been reviewed under USDA procedures and Executive Order 12291 and has been classified "not significant," and not a major rule. This regulation and amendment are issued under the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The action is based upon the recommendations and information submitted by the Lemon Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1980–81. The marketing policy was recommended by the committee following discussion at a public meeting on July 8, 1980. A regulatory impact anaylsis on the

marketing policy is available from William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975

The committee met again publicly on May 12, 1981 at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified weeks. The committee reports the demand for lemons continues good.

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

Forms required for operation under this part are subject to clearance by the Office of Management and Budget and are in the process of review. They shall not become effective until such time as clearance by the OMB has been obtained.

1. Section 910.605 is added as follows:

§ 910.605 Lemon Regulation 305.

The quantity of lemons grown in California and Arizona which may be handled during the period May 17, 1981, through May 23, 1981, is established at 320,000 cartons.

2. Section 910.604 Lemon Regulation 304 (45 FR 25596) is revised to read as follows:

§ 910.604 Lemon Regulation 304.

The quantity of lemons grown in California and Arizona which may be handled during the period May 10, 1981, through May 16, 1981, is established at 335,000 cartons.

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

Dated: May 14, 1981.

D. S. Kuryloski,

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

[FR Doc. 81-14900 Filed 5-14-81; 11:59 am]
BILLING CODE 7-?-M

Food Safety and Quality Service

9 CFR Parts 303 and 381

[Docket No. 81-014]

Federal Meat and Poultry Products Inspection; Exemptions for Retail Stores

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Notice of adjustment of dollar limitations.

SUMMARY: This notice announces that the annual dollar limitations currently in effect for sales of meat and poultry products by retail stores, exempt from routine Federal inspection, to nonhousehold consumers such as hotels, restaurants, and similar institutions have been adjusted upwards to conform with price increases for meat and poultry products as indicated by the Consumer Price Index. The adjustments raise the present dollar limitations to $27,800 per calendar year for meat products and to $22,200 per calendar year for poultry products.

EFFECTIVE DATE: May 15, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. John Prucha, Director, Slaughter Inspection Standards and Procedures Division, Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447–3219.

SUPPLEMENTARY INFORMATION:

Background

Federal inspection of meat and poultry products prepared for sale and distribution in commerce and in certain designated States is required by law and administered by the Food Safety and Quality Service (FSQS). However, section 301(c)(2) of the Federal Meat Inspection Act (21 U.S.C. 661(c)(2)) and section 5(c)(2) of the Poultry Products Inspection Act (21 U.S.C. 454(c)(2)) state that the general requirement of routine Federal inspection ". . . shall not apply to operations of types traditionally and usually conducted at retail stores . . . when conducted at any retail store . . . for sale in normal retail quantities . . . to consumers. . . ."

The Department has enacted extensive regulations to determine whether retail stores qualify for exemption from routine Federal inspection under these Acts (9 CFR 303.1(d) and 381.10(d)). Whether or not an establishment is deemed by the Agency to be an exempt retail establishment depends, in part, upon the level of its trade with nonhousehold consumers, such as hotels, restaurants and similar institutions. Accordingly, Federal meat and poultry products inspection regulations state in terms of dollars the maximum amount of meat and poultry products which may be sold to nonhousehold consumers if the establishment is to remain an exempt retail establishment. For meat products, the maximum amount has been set at $27,000 per calendar year. For poultry products, the amount has been set at $21,100 per calendar year.

The Federal meat and poultry products inspection regulations further provide that the dollar limitations on the sales of meat and poultry products by exempt retail stores to nonhousehold consumers will be automatically adjusted during the first quarter of each calendar year, whenever the Consumer Price Index, published by the Bureau of Labor Statistics, Department of Labor, indicates a change of at least $500, upward or downward (9 CFR 303.1(d)(2)(iii), and 381.10(d)(2)(iii), as amended on April 25, 1980 (45 FR 27919–27922)).

The Consumer Price Indexes for 1980 have been published by the Bureau of Labor Statistics, and, for that year, they indicate a price increase in meat products of 3 percent and in poultry products of 5 percent. As a percentage of the existing dollar limitations, a change in excess of $500 is indicated for both meat and poultry products. When rounded off to the nearest hundred, the price increases amount to $800 for meat products and $1,100 for poultry products.

§§ 303.1 and 381.10 [Amended]

Accordingly, pursuant to the regulations, FSQS has automatically raised the dollar amount of permitted sales of meat and poultry products to nonhousehold consumers by establishments desiring status as retail establishments exempt from Federal inspection requirements. The adjustments raise the dollar limitations on meat products specified in § 303.1(d)(2)(iii)(*b*) from $27,000 to $27,800 and on poultry products specified in § 381.10(d)(2)(iii)(b) from $21,100 to $22,200. These higher limitations are effective for the calendar year 1981.

Done at Washington, D.C., on May 5, 1981.

L. L. Gast,

Acting Administrator, Food Safety and Quality Service.

[FR Doc. 81-14789 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-DM-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 4 and 140

Revisions of Commodity Pool Operator and Commodity Trading Advisor Regulations; Delegation of Authority

Correction

In FR Doc 81-13985, published at page 26004, on Friday, May 8, 1981, make the following corrections:

(1) On page 26004, in the second column, in footnote 1, in the second line, "markets" should be corrected to read "Markets".

(2) In the third column, in the fourteenth line from the top "Advisors" should be corrected to read "Advisers".

(3) On page 26005, in the first column, in the first paragraph, in the third line "disclosure" should be corrected to read "Disclosure".

(4) In the first column, in paragraph "*A. General Provisions.*", in the fifth line "reports." should be corrected to read "Reports.".

(5) In the second column, in the fifth line "specified" should be corrected to read "specifies".

(6) On page 26006, in the second column, in the thirteenth line "is not" should be corrected to read "is no".

(7) Also in the second column, in the twenty-eighth line "principlas" should be corrected to read "principals".

(8) On page 26015, in the first column, in § 4.14(a), in the first line "person in" should be corrected to read "person is".

(9) In the second column, in § 4.21(a), in the eighth line, "before that" should be corrected to read "before the".

(10) On page 26018, in § 4.21(a)(17)(i) the Risk Disclosure Statement should read as follows:

RISK DISCLOSURE STATEMENT

YOU SHOULD CAREFULLY CONSIDER WHETHER YOUR FINANCIAL CONDITION PERMITS YOU TO PARTICIPATE IN A COMMODITY POOL. YOU MAY LOSE A SUBSTANTIAL PORTION OR EVEN ALL OF THE MONEY YOU PLACE IN THE POOL.

IN CONSIDERING WHETHER TO PARTICIPATE IN A COMMODITY POOL, YOU SHOULD BE AWARE THAT TRADING COMMODITY CONTRACTS CAN QUICKLY LEAD TO LARGE LOSSES AS WELL AS GAINS. SUCH TRADING LOSSES CAN SHARPLY REDUCE THE NET ASSET VALUE OF THE POOL AND CONSEQUENTLY THE VALUE OF YOUR INTEREST IN THE POOL. ALSO, MARKET CONDITIONS MAY MAKE IT DIFFICULT OR IMPOSSIBLE FOR THE POOL TO LIQUIDATE A POSITION.

IN SOME CASES, COMMODITY POOLS ARE SUBJECT TO SUBSTANTIAL CHARGES FOR MANAGEMENT, ADVISORY AND BROKERAGE FEES. IT MAY BE NECESSARY FOR THOSE POOLS THAT ARE SUBJECT TO THESE CHARGES TO MAKE SUBSTANTIAL TRADING PROFITS TO AVOID DEPLETION OR EXHAUSTION OF THEIR ASSETS. THIS DISCLOSURE DOCUMENT CONTAINS A COMPLETE DESCRIPTION OF EACH EXPENSE TO BE CHARGED THIS POOL.

THIS BRIEF STATEMENT CANNOT DISCLOSE ALL THE RISKS AND OTHER SIGNIFICANT ASPECTS OF PARTICIPATING IN A COMMODITY POOL. YOU SHOULD THEREFORE CAREFULLY STUDY THIS DISCLOSURE DOCUMENT AND COMMODITY TRADING BEFORE YOU DECIDE TO PARTICIPATE IN A COMMODITY POOL.

(11) On page 26018, in § 4.21(a)(17)(ii) the Risk Disclosure Statement should read as follows:

ALSO, BEFORE YOU DECIDE TO PARTICIPATE IN THIS POOL, YOU SHOULD NOTE THAT YOUR POTENTIAL LIABILITY AS A PARTICIPANT IN THIS POOL FOR TRADING LOSSES AND OTHER EXPENSES OF THE POOL IS NOT LIMITED TO THE AMOUNT OF YOUR CONTRIBUTION FOR THE PURCHASE OF AN INTEREST IN THE POOL AND ANY PROFITS EARNED THEREON. A COMPLETE DESCRIPTION OF THE LIABILITY OF A PARTICIPANT IN THIS POOL IS EXPLAINED MORE FULLY IN THIS DISCLOSURE DOCUMENT.

(12) On page 26018, in § 4.21(a)(18) the Cautionary Statement should read as follows:

"THE COMMODITY FUTURES TRADING COMMISSION HAS NOT PASSED UPON THE MERITS OF PARTICIPATING IN THIS POOL NOR HAS THE COMMISSION PASSED ON THE ADEQUACY OR ACCURACY OF THIS DISCLOSURE DOCUMENT."

(13) On page 26022, in § 4.31(a)(8)(i) the Risk Disclosure Statement should read as follows:

RISK DISCLOSURE STATEMENT

THE RISK OF LOSS IN TRADING COMMODITY CONTRACTS CAN BE SUBSTANTIAL. YOU SHOULD THEREFORE CAREFULLY CONSIDER WHETHER SUCH TRADING IS SUITABLE FOR YOU IN LIGHT OF YOUR FINANCIAL CONDITION. IN CONSIDERING WHETHER TO TRADE OR TO AUTHORIZE SOMEONE ELSE TO TRADE FOR YOU, YOU SHOULD BE AWARE OF THE FOLLOWING:

(1) YOU MAY SUSTAIN A TOTAL LOSS OF THE INITIAL MARGIN FUNDS AND ANY ADDITIONAL FUNDS THAT YOU DEPOSIT WITH YOUR BROKER TO ESTABLISH OR MAINTAIN A POSITION IN THE COMMODITY FUTURES MARKET. IF THE MARKET MOVES AGAINST YOUR POSITION, YOU MAY BE CALLED UPON BY YOUR BROKER TO DEPOSIT A SUBSTANTIAL AMOUNT OF ADDITIONAL MARGIN FUNDS, ON SHORT NOTICE, IN ORDER TO MAINTAIN YOUR POSITION. IF YOU DO NOT PROVIDE THE REQUIRED FUNDS WITHIN THE PRESCRIBED TIME, YOUR POSITION MAY BE LIQUIDATED AT A LOSS, AND YOU WILL BE LIABLE FOR ANY RESULTING DEFICIT IN YOUR ACCOUNT.

(2) UNDER CERTAIN MARKET CONDITIONS, YOU MAY FIND IT DIFFICULT OR IMPOSSIBLE TO LIQUIDATE A POSITION. THIS CAN OCCUR, FOR EXAMPLE, WHEN THE MARKET MAKES A "LIMIT MOVE."

(3) THE PLACEMENT OF CONTINGENT ORDERS BY YOU OR YOUR TRADING ADVISOR, SUCH AS A "STOP-LOSS" OR "STOP-LIMIT" ORDER, WILL NOT NECESSARILY LIMIT YOUR LOSSES TO THE INTENDED AMOUNTS, SINCE MARKET CONDITIONS MAY MAKE IT IMPOSSIBLE TO EXECUTE SUCH ORDERS.

(4) A "SPREAD" POSITION MAY NOT BE LESS RISKY THAN A SIMPLE "LONG" OR "SHORT" POSITION.

(5) THE HIGH DEGREE OF LEVERAGE THAT IS OFTEN OBTAINABLE IN FUTURES TRADING BECAUSE OF THE SMALL MARGIN REQUIREMENTS CAN WORK AGAINST YOU AS WELL AS FOR YOU. THE USE OF LEVERAGE CAN LEAD TO LARGE LOSSES AS WELL AS GAINS.

IN SOME CASES, MANAGED COMMODITY ACCOUNTS ARE SUBJECT TO SUBSTANTIAL CHARGES FOR MANAGEMENT AND ADVISORY FEES. IT MAY BE NECESSARY FOR THOSE ACCOUNTS

THAT ARE SUBJECT TO THESE CHARGES TO MAKE SUBSTANTIAL TRADING PROFITS TO AVOID DEPLETION OR EXHAUSTION OF THEIR ASSETS. THIS DISCLOSURE DOCUMENT CONTAINS A COMPLETE DESCRIPTION OF EACH FEE TO BE CHARGED TO YOUR ACCOUNT BY THE COMMODITY TRADING ADVISOR.

THIS BRIEF STATEMENT CANNOT DISCLOSE ALL THE RISKS AND OTHER SIGNIFICANT ASPECTS OF THE COMMODITY FUTURES MARKETS. YOU SHOULD THEREFORE CAREFULLY STUDY THIS DISCLOSURE DOCUMENT AND FUTURES TRADING BEFORE YOU TRADE.

(14) On page 26022, in § 4.31(a)(8)(ii) the Risk Disclosure Statement should read as follows:

THIS COMMODITY TRADING ADVISOR IS PROHIBITED BY LAW FROM ACCEPTING FUNDS IN THE TRADING ADVISOR'S NAME FROM A CLIENT FOR TRADING COMMODITY INTERESTS. YOU MUST PLACE ALL FUNDS FOR TRADING IN THIS TRADING PROGRAM DIRECTLY WITH A FUTURES COMMISSION MERCHANT.

(15) On page 26022, in § 4.31(a)(9) the Cautionary Statement should read as follows:

"THE COMMODITY FUTURES TRADING COMMISSION HAS NOT PASSED UPON THE MERITS OF PARTICIPATING IN THIS TRADING PROGRAM NOR HAS THE COMMISSION PASSED ON THE ADEQUACY OR ACCURACY OF THIS DISCLOSURE DOCUMENT."

BILLING CODE 1505-01-M

21 CFR Part 193

[FAP 8H5197/T65; PH-FRL-1827-8]

Tolerances for Pesticides in Food Administered by the Environmental Protection Agency; Bendiocarb

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule renews a food additive regulation related to the experimental use of the insecticide bendiocarb (2,2-dimethyl-1,3-benzodioxol-4-ol methyl carbamate) and its metabolites 2,2-dimethyl-1,3-benzodioxol-4-ol and *N*-hydroxymethyl bendiocarb in or on corn. The regulation was requested by Fisons Corp. This rule will permit the marketing of corn oil while further data is collected on the subject pesticide.

EFFECTIVE DATE: Effective on May 15, 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 published in the **Federal Register** of July 25, 1980 (45 FR 49542) that a temporary food additive regulation had been established for residues of the insecticide bendiocarb (2,2-dimethyl-1,3-benzodioxol-4-ol methyl carbamate) and its metabolites 2,2-dimethyl-1,3-benzodioxol-4-ol and *N*-hydroxymethyl bendiocarb in or on corn oil.

The metabolism of bendiocarb is adequately understood and an adequate analytical method (GLC system equipped with electron capture detector) is available for enforcement purposes. No actions are currently pending against the continued registration of bendiocarb nor are there any other relevant considerations involved in renewing this tolerance. The pesticide is considered useful for the purpose for which the tolerance is sought and it is concluded that the tolerance will protect the public health.

Any person adversely affected by this regulation may, on or before June 1, 1981, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St. SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed to be 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 region; 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.

Effective on: May 15, 1981.

(Sec. 409(c)(1), 72 Stat. 1786, 21 U.S.C. 348(c)(1))

Dated: April 22, 1981.

James M. Conlon,

Acting Deputy Assistant Administrator for Pesticide Programs.

Therefore, Subpart A of 21 CFR Part 193 is amended by revising § 193.152(c) to read as follows:

§ 193.152 2,2-dimethyl-1,3-benzodioxol-4-ol methyl carbamate.

* * * * *

(c) A tolerance of 0.1 part per million (ppm) is established for residues of the insecticide bendiocarb (2,2-dimethyl-1,3-benzodioxol-4-ol methyl carbamate) and its metabolites 2,2-dimethyl-1,3-benzodioxol-4-ol and *N*-hydroxymethyl bendiocarb in corn oil intended for food use resulting from the application of the insecticide to the raw agricultural commodity growing corn. Such residues may be present therein only as a result of the application of the insecticide to growing corn under an experimental use permit which expires January 27, 1982.

[FR Doc. 81-14717 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-32-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification

Hexylcaine Hydrochloride Injection

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is removing that portion of the animal drug regulations which reflects approval of a new animal drug application (NADA) providing for use of 1 and 5 percent hexylcaine hydrochloride injections as local anesthetics in cattle, horses, and dogs. The sponsor, Merck Sharp & Dohme

Research Laboratories, requested the withdrawal of approval.

EFFECTIVE DATE: Effective on May 25, 1981.

FOR FURTHER INFORMATION CONTACT: David N. Scarr, Bureau of Veterinary Medicine (HFV-214), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1846.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the **Federal Register**, approval of NADA 8-018 is withdrawn. This document amends the regulations by removing that section which reflects approval of this NADA.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.84), Part 522 is amended by removing § 522.1143 *Hexylcaine hydrochloride injection.*

Effective date. Effective on May 25, 1981.

(Sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e)).)

Dated: May 7, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81-14389 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

---

21 CFR Part 522

Naproxen for Solution; New Animal Drug Application

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Syntex Corp., providing for use of a lyophilized naproxen powder to prepare a sterile aqueous injectable used for horses for relief of inflammation and associated pain and lameness exhibited with myositis and other soft tissue diseases of the musculoskeletal system.

EFFECTIVE DATE: March 15, 1981.

FOR FURTHER INFORMATION CONTACT: Sandra K. Woods, Bureau of Veterinary Medicine (HFV-114), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: Syntex Corp., 3401 Hillview Ave., Palo Alto, CA 94304, filed a supplemental NADA (96-675) providing for use of a lyophilized naproxen powder to prepare a 10 percent sterile aqueous injectable solution for administration to horses for relief of inflammation and associated pain and lameness exhibited with myositis and other soft tissue diseases of the musculoskeletal system. Use of the product is identical to that of Syntex's approved injectable naproxen solution and naproxen oral granules (see 21 CFR 520.1468 and 522.1468). Bioequivalence between the approved injectable solution, the oral granules, and the new reconstituted injectable solution is established by a plasma blood level cross-over study. Approval of this reconstituted injectable does not change current use of the drug. The supplement is approved and the regulations amended to reflect the approval. Under the Bureau of Veterinary Medicine's supplemental approval policy (proposed 21 CFR 514.106(b)(2)) (see 42 FR 64367; December 23, 1977), this is a Category II supplemental approval which does not require reevaluation of the safety and effectiveness data in the original application.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The agency has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 522 is amended by redesignating existing § 522.1468 as § 522.1468a, and by adding new §§ 522.1468 and 522.1468b, to read as follows:

§ 522.1468 Naproxen injectable dosage forms.

§ 522.1468a Naproxen solution.

* * * * *

§ 522.1468b Naproxen for solution.

(a) *Specifications.* The drug is a lyophilized powder which is reconstituted with sterile water for injection to form a 10 percent sterile aqueous solution (100 milligrams per milliliter).

(b) *Sponsor.* See 000033 in § 510.600(c) of this chapter.

(c) *Conditions of use in horses.* (1) *Dosage.* Five milligrams per kilogram of body weight intravenously followed by maintenance oral therapy of 10 milligrams per kilogram of body weight twice daily for up to 14 consecutive days.

(2) *Indications for use.* For relief of inflammation and associated pain and lameness found with myositis and other soft tissue diseases of the musculoskeletal system.

(3) *Limitations.* Not for use in horses intended for food. Federal Law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. May 15, 1981.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)).)

Dated: May 6, 1981.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 81-14716 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

---

21 CFR Part 558

Oxytetracycline; New Animal Drug Application

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration amends the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Pfizer, Inc., providing for safe and effective use of a 100-gram-per-pound oxytetracycline premix for the manufacture of a 500-gram-per-ton medicated broiler feed used as an aid in the reduction of mortality due to air sacculitis caused by sensitive strains of *E. coli*.

EFFECTIVE DATE: May 15, 1981.

FOR FURTHER INFORMATION CONTACT: Adriano R. Gabuten, Bureau of Veterinary Medicine (HFV–149), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4913.

SUPPLEMENTARY INFORMATION: Pfizer, Inc., 235 E. 42d St., New York, NY 10017, filed a supplemental NADA (103–758) providing for safe and effective use of a 100-gram-per-pound oxytetracycline premix for the manufacture of a complete broiler feed containing 500 grams of oxytetracycline per ton to be used as an aid in the reduction of mortality due to air sacculitis caused by *E. coli* sensitive to oxytetracycline. Pfizer currently holds approval for use of 10- and 50-gram-per-pound oxytetracycline premixes for the manufacture of medicated feeds, also to be used for the treatment of this disease in broilers. This supplemental NADA provides for a new premix concentration and does not change the currently approved use of this drug. Accordingly, this approval will not result in an increased risk of exposure to levels of the drug in food. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this is a Category II supplemental approval which does not require reevaluation of the safety and effectiveness data in the original approval. This supplemental NADA is approved, and the regulations are amended to reflect this approval.

The agency has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.450 by revising paragraph (a) to read as follows:

§ 558.450 Oxytetracycline.

(a) *Approvals.* Premix levels equivalent to 10 and 50 grams per pound of oxytetracycline hydrochloride for use as in paragraph (e) of this section, and a premix level equivalent to 100 grams per pound of oxytetracycline hydrochloride for use as in paragraph (e)(1), table 1, item (v) of this section, granted to No. 000069 in § 510.600(c) of this chapter.

* * * * *

Effective date. May 15, 1981.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)).)

Dated: May 8, 1981.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 81-14715 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 561

[FAP 6H5145/T74; PH-FRL-1816-8]

Tolerances for Pesticides in Animal Feeds Administered by the Environmental Protection Agency; Ethyl 3-Methyl-4-(Methylthio)Phenyl (1-Methylethyl) Phosphoramidate

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation renews a feed additive regulation permitting the experimental use of the nematocide ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl)phosphoramidate and its cholinesterase-inhibiting metabolites in pineapple bran. This regulation was requested by the Pineapple Growers' Assoc. of Hawaii. This rule will permit the marketing of pineapple bran while further data are collected on the subject nematocide.

EFFECTIVE DATE: Effective on May 15, 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: Henry M. Jacoby, Product Manager (PM) 21, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 418, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703–557–7060).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the Federal Register of September 9, 1977 (42 FR 45304) that a regulation had been established permitting the experimental use of the nematocide ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl) phosphoramidate in pineapple bran resulting from the application of the nematocide to growing pineapples with a tolerance limitation of 10 parts per million (ppm). This regulation was requested by the Pineapple Growers' Association, 1902 Financial Plaza of the Pacific, Honolulu, HI 96813. The petition was submitted in conjunction with two experimental use permits that were issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, (92 Stat. 819; 7 U.S.C. 136).

The Pineapple Growers' Association has requested a renewal of the temporary feed additive to permit the continued marketing of pineapple bran while additional data are being obtained.

The scientific data reported and other relevant material have been evaluated, and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permits which are being renewed under FIFRA. Accordingly, the feed additive regulation is renewed as set forth below.

Any person adversely affected by this regulation may, on or before June 15, 1981, file written objections with the Hearing Clerk, EPA, Rm. M–3708 (A–110), 401 M St. SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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.

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

Effective date: May 15, 1981.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)))

Dated: April 17, 1981.

James M. Conlon,

Acting Deputy Assistant Administrator for Pesticide Programs.

Therefore, 21 CFR Part 561 is amended by revising § 561.232(a) as follows:

§ 561.232 Ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl) phosphoramidate.

(a) A tolerance of 10 parts per million is established for the combined residues of the nematocide ethyl 3-methyl-4-(methylthio)phenly (1-methylethyl) phosphoramidate and its cholinesterase-inhibiting metabolites in pineapple bran resulting from application of the nematocide in accordance with the provisions of an experimental use permit that expires August 31, 1985.

* * * * *

Appendix

[FAP 6H5145/T74]

Feed Additive Regulation

Certification under Regulatory Flexibility Act: Congress recently enacted the Regulatory Flexibility Act (Pub. L. 96-543, 94 Stat. 1164, 5 U.S.C. 601-612). The purpose of the Act is to assure that the Agency analyzes the effect of regulatory requirements on small businesses, government jurisdictions, and organizations (collectively referred to as "small entities"). The law requires that all "notice and comment" rulemaking both proposed and final, be accompanied by an initial or final regulatory flexibility analysis, or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a significant adverse impact on a substantial number of small entities.

Under Sec. 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended (21 U.S.C. 346a), the Agency is authorized to establish by regulation tolerance levels, or exemptions from the requirements for a tolerance, for pesticides resulting in residues on raw agricultural commodities. Under Sec. 409 of the same Act (21 U.S.C. 348), the Agency is authorized to issue regulations establishing permissible levels of residues of pesticides found as additives in processed food or feed. These tolerance and additive regulations are intended to protect the public while giving appropriate consideration to the production of an adequate, wholesome and economical food supply.

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 beneficial economic impacts on the producer, distributor, and professional applicator of the pesticide, all of whom benefit through sale of the pesticide. It also benefits 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.

This rule amends 21 CFR Part 561 by revising § 561.232(a) to extend the expiration date of the temporary tolerance to August 31, 1985. Without this extension, it would be illegal for Pineapple Growers' Association of Hawaii to market pineapple bran from pineapple treated with the nematocide, ethyl-3-methyl-4-(methylthio)phenyl(1-methylethyl) phosphoramidate. This rule removes the need to destroy rather than utilize the pineapple bran in channels of commerce.

Accordingly, I hereby certify that this proposed regulation would not, if promulgated, have a significant adverse 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. 81-14722 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-32-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 5

Reservation Acceleration Program

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Rescission of rule.

SUMMARY: The Bureau of Indian Affairs is rescinding the regulations governing the Reservation Acceleration Program, which established procedures by which Indian or Native Alaska communities could negotiate with the Bureau of Indian Affairs to restructure the Bureau's programs. The program was not successful in achieving its goals and was terminated in 1973.

EFFECTIVE DATE: This action takes effect on May 15, 1981.

FOR FURTHER INFORMATION CONTACT: David Etheridge, Attorney-Adviser, Office of the Solicitor, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-8526.

SUPPLEMENTARY INFORMATION: The authority of the Secretary of the Interior to rescind these regulations is contained in 43 U.S.C. 1457, 25 U.S.C. 2 and 9, 5 U.S.C. 301 and Reorganization Plan No. 3 of 1950 (64 Stat. 1262). The authority of the Secretary has been delegated to the Assistant Secretary—Indian Affairs in 209 DM 8.

The Reservation Acceleration Program was established in 1972 as a pilot project to give tribal leaders more involvement in deciding how BIA services are delivered to tribal members. The program was not successful in achieving its goals and was terminated in 1973. A number of legislative actions beginning with the Indian Self-Determination and Education Assistance Act of 1975, Pub. L. 93-638, have been more effective in achieving the goals of the Reservation Acceleration Program. Current proposals to provide block funding to tribes will also be much more effective in achieving those goals.

The primary author of this document is David Etheridge, Office of the Solicitor, Division of Indian Affairs, Department of the Interior.

It has been determined that rescission of this Part is not a major rule as that term is defined in Executive Order 12291 of February 17, 1981, 46 FR 13193, because it will have no economic impact on the public.

It has been determined that rescission of this Part will not have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, Pub. L. 96-354 and 43 CFR Part 14, 45 FR 85376.

The rule that is being rescinded has no impact on the public. For that reason an opportunity for public comment on this action is unnecessary. Because there is no impact on the public there is also no need to publish this document 30 days before its effective date. Accordingly, good cause exists to make this action effective immediately on May 15, 1981.

PART 5—RESERVATION ACCELERATION PROGRAM (RAP) [REMOVED]

Part 5 of Title 25 of the Code of Federal Regulations is removed.

Dated: April 23, 1981.

James F. Canan,

Acting Deputy Assistant Secretary, Indian Affairs.

[FR Doc. 81-14672 Filed 5-14-81; 8:45 am]

BILLING CODE 4310-02-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2610

Valuation of Plan Benefits in Nonmultiemployer Plans; Amendment Adopting Additional PBGC Rates

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This amendment to the regulation on Valuation of Plan Benefits in Non-Multiemployer Plans contains the increase rates and factors for the period beginning June 1, 1981. The interest rates and factors are to be used to value benefits provided under terminating non-multiemployer pension

plans covered by Title IV of the Employee Retirement Income Security Act of 1974, *as amended by* the Multiemployer Pension Plan Amendments Act of 1980 (the "Act").

The valuation of plan benefits is necessary because under section 4041 of the Act, the Pension Benefit Guaranty Corporation ("PBGC") and the plan administrator must determine whether a terminating pension plan has sufficient assets to pay all guaranteed benefits provided under the plan. If the assets are insufficient, the PBGC will pay the guaranteed benefits under the plan termination insurance program established under Title IV.

The interest rates and factors set forth in Appendix B to Part 2610 are adjusted periodically to reflect changes in financial and annuity markets. This amendment adopts the rates and factors applicable to plans that terminate on or after June 1, 1981, and enables the PBGC and plan administrators to value the benefits provided under those plans. These rates and factors will remain in effect until PBGC publishes a notice revising them.

This rule also changes the format of Appendix B to Part 2610 from narrative to tabular form. The change is intended to assist the public by presenting the interest rates and factors in a clearer, more graphic manner.

EFFECTIVE DATE: June 1, 1981.

FOR FURTHER INFORMATION CONTACT: Ms. Nina R. Hawes, Staff Attorney, Office of the General Counsel, Pension Benefit Guaranty Corporation, 2020 K Street, N.W., Washington, D.C. 20006, 202-254-3010.

SUPPLEMENTARY INFORMATION: On January 28, 1981, (46 FR 9492) the Pension Benefit Guaranty Corporation (the "PBGC") issued a final regulation establishing the methods for valuing plan benefits of terminating non-multiemployer plans covered under Title IV of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1001 *et seq.* (1976), *as amended by* the Multiemployer Pension Plan Amendments Act of 1980, Pub. L. No. 96-364, 94 Stat. 1208. That regulation contains a number of formulas for valuing different types of benefits. In addition, Appendix B to the regulation sets forth the various interest rates and factors that are to be used in the formulas. Because these rates and factors are intended to reflect current conditions in the financial and annuity markets, it is necessary to update the rates and factors periodically.

When first published, Appendix B contained interest rates and factors to be used to value benefits in plans that terminated on or after September 2, 1974, but before October 1, 1975. Subsequently, the PBGC adopted additional rates and factors for valuing benefits in plans that terminated on or after October 1, 1975, but before April 1, 1981. (29 CFR 2610 (1980), 45 FR 64907, 45 FR 75658, 45 FR 75209, 45 FR 82172, 46 FR 3510).

On March 13 and March 24, 1981, the PBGC published rates for plans that terminate on or after April 1, 1981 (46 FR 16685 and 46 FR 18312). Changes in the financial and annuity markets have necessitated a corresponding change in the rates used by the PBGC to value benefits. Accordingly, this notice changes the rates in Appendix B to add a set of interest rates and factors for plans that terminate on or after June 1, 1981. These rates and factors will remain in effect until such time as PBGC publishes another notice which changes the rates.

As a rule, the rates will be in effect for at least one month. If the rates are to be changed, PBGC will publish a notice in the **Federal Register**, normally by the 15th of the month prior to the month for which the new rates will be effective. If no change is to be made, no notice will be published, and the current rates will remain in effect until further notice.

The format of Appendix B is also changed by this document from a narrative form to a tabular form. The table displays all the previously-published sets of interest rates and factors with the time period for which each is effective. This will increase the readability of the rates and reduce the size of the Appendix.

Because the Multiemployer Pension Plan Amendments Act of 1980 established a new insurance program for multiemployer plans, we note that the rates and factors contained in Appendix B to Part 2610 are applicable to non-multiemployer plans only.

The PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This determination is based on the need to determine and issue new interest rates and factors promptly, so that the rates can reflect, as accurately as possible, current market conditions. The PBGC has found that the public interest is best served by issuing the rates and factors on a prospective basis so that plans may be able to calculate the value of plan benefits before submitting a notice of intent to terminate. Also, plans will be able to predict employer liability more accurately prior to plan termination. Moreover, because of the need to provide immediate guidance for the valuation of benefits under plans that will terminate on or after June 1, 1981, and because no adjustment by ongoing plans is required by this amendment, the PBGC finds that good cause exists for making the rates set forth in this amendment to the final regulation effective less than 30 days after publication.

The PBGC has determined that this is not a "major rule" under the criteria set forth in Executive Order 12291, February 17, 1981, (46 FR 13193) because it will not result in an annual effect on the economy of $100 million or more, a major increase in costs for consumers or individual industries, or significant adverse effects on employment, investment, productivity, innovation or competition.

In consideration of the foregoing, Part 2610 of Chapter XXVI, Title 29, Code of Federal Regulations, is hereby amended by revising Appendix B to read as follows:

Appendix B—Interest Rates and Quantities Used to Value Immediate and Deferred Annuities

In the table that follows, the immediate annuity rate is used to value immediate annuities, to compute the quantity "G_y" for deferred annuities and to value both portions of a refund annuity. An interest rate of 5% shall be used to value death benefits other than the decreasing term insurance portion of a refund annuity. For deferred annuities, k_1, k_2, k_3, n_1, and n_2 are defined in § 2610.45.

Rate set	For plans with a valuation date		Immediate annuity rate	Deferred annuities				
	On or after	Before		k_1	k_2	k_3	n_1	n_2
1	9-2-74	10-1-75	[1]8.00	1.0725	1.0575	1.0425	7	8
2	10-1-75	1-1-76	7.75	1.0725	1.0575	1.0425	7	7
3	1-1-76	3-1-76	8.00	1.0725	1.0525	1.0400	7	10
4	3-1-76	6-1-76	7.25	1.0700	1.0500	1.0400	7	10
5	6-1-76	9-1-76	7.25	1.0675	1.0475	1.0350	7	10
6	9-1-76	12-1-76	7.00	1.0600	1.0475	1.0350	8	10
7	12-1-76	3-1-77	7.00	1.0625	1.0475	1.0375	7	10
8	3-1-77	6-1-77	7.00	1.0600	1.0475	1.0350	8	10
9	6-1-77	12-1-77	6.75	1.0625	1.0450	1.0375	8	10
10	12-1-77	3-1-78	6.75	1.0625	1.0450	1.0375	8	10
11	3-1-78	6-1-78	7.00	1.0625	1.0475	1.0375	7	10
12	6-1-78	9-1-78	7.25	1.0675	1.0475	1.0350	7	10
13	9-1-78	3-1-79	7.25	1.0675	1.0475	1.0350	7	10

Rate set	For plans with a valuation date		Immediate annuity rate	Deferred annuities				
	On or after	Before		k_1	k_2	k_3	n_1	n_2
14	3-1-79	6-1-79	7.50	1.0675	1.0550	1.0400	7	8
15	6-1-79	9-1-79	7.50	1.0675	1.0550	1.0400	7	8
16	9-1-79	12-1-79	7.75	1.0700	1.0575	1.0400	7	8
17	12-1-79	3-1-80	8.50	1.0775	1.0650	1.0400	7	8
18	3-1-80	6-1-80	8.75	1.0800	1.0675	1.0400	7	8
19	6-1-80	9-1-80	8.75	1.0800	1.0675	1.0400	7	8
20	9-1-80	12-1-80	9.00	1.0825	1.0700	1.0400	7	8
21	12-1-80	1-1-81	9.25	1.0850	1.0725	1.0400	7	8
22	1-1-81	2-1-81	9.50	1.0875	1.0750	1.0400	7	8
23	2-1-81	4-1-81	9.75	1.0900	1.0775	1.0400	7	8
24	4-1-81	6-1-81	10.00	1.0925	1.0800	1.0400	7	8
25	6-1-81		10.25	1.0950	1.0825	1.0400	7	8

[1] Percent.

(Secs. 4002(b)(3), 4041(b), 4044, 4062(b)(1)(A), Pub. L. 93-406, 88 Stat. 1004, 1020, 1025-27, 1029, (1974) (29 U.S.C. 1302, 1341, 1344, 1362), as amended by Secs. 403(1), 403(d) and 402(a)(7), Pub. L. 96-364, 94 Stat. 1302, 1301, 1299 (1980).)

Issued at Washington, D.C., on this 30th day of April.

Robert E. Nagle,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 81-14341 Filed 5-14-81; 8:45 am]

BILLING CODE 7708-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-3-FRL 1813-6]

Approval and Promulgation of Implementation Plans; Approval of Revision; Delaware

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces the Administrator's approval of a revision to the State of Delaware's State Implementation Plan (SIP) which is intended to establish an Ambient Air Quality Monitoring Network under 40 CFR, Part 58 (State & Local Air Monitoring System or SLAMS).

The data will be used, for determining the status of attainment of National Ambient Air Quality Standards (NAAQS), as a basis for requiring control of source emissions of criteria pollutants, for determining and tracking air pollution episodes, for growth planning in urban areas, for determining the impact of area sources, and for reporting to the public the status of Delaware's air quality.

EFFECTIVE DATE: This action is effective on June 15, 1981.

ADDRESSES: Copies of the revision and associated support material are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Curtis Building, Tenth Floor, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, Attn: Patricia Sheridan

Delaware Department of Natural Resources, Tatnall Building, Dover, DE 19901, Attn: Robert French, Manager, of Air Resources

Public Information Reference Unit, Room 2922—EPA Library, U.S. Environmental Protection Agency, 401 M Street SW. (Waterside Mall), Washington, D.C. 20460

Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT: Patricia Sheridan, Air Programs Branch (3AH10), U.S. Environmental Protection Agency, Region III, Curtis Building, 6th & Walnut Streets, Philadelphia, Pennsylvania 19106, telephone (215) 597-8176.

SUPPLEMENTARY INFORMATION:

I. Background

On March 19, 1980, the State of Delaware submitted to the Regional Administrator, EPA Region III, a revision of the Delaware State Implementation Plan (SIP). This section of the SIP consists of provisions which meet the new requirements for monitoring air quality which are in 40 CFR 58.20 (Air Quality Surveillance: Plan Content). The air quality surveillance network which will be established, as provided in this SIP revision, will consist of the present network with certain modifications and additions. The provisions of this submittal are intended as a supplement to existing provisions and are not intended to revoke or suspend any previous submittals.

The network will measure ambient levels of "criteria pollutants" or those pollutants for which National Ambient Air Quality Standards (NAAQS) have been established by EPA. The process of network design was carried out as required by Appendix D of 40 CFR Part 58.

The network description will include the following for each station in the air quality surveillance network:

a. The SAROAD site identification form.

b. The identity of the monitoring method or analyzer.

c. The identity of any necessary method of sample analysis.

d. The sampling schedule.

e. The monitoring objective.

f. The spatial scale of representativeness.

Also, on file for public inspection will be the schedule for the following:

a. Locating and/or placing into operation any station which was not operating or located correctly on January 1, 1980.

b. Implementing quality assurance procedures for any station for which those procedures are not implemented by January 1, 1980.

c. Re-locating each station not sited according to the siting parameters of Appendix E to 40 CFR Part 58 by January 1, 1980.

Each station in the air quality surveillance network provided for by this SIP revision and described in the network description will be termed a State and Local Air Monitoring Station or a SLAMS. All stations in the State of Delaware's SLAMS network will be operated in accordance with the criteria established by Subpart B of 40 CFR Part 58.

Each SLAMS will be sited in accordance with the siting parameters contained in Appendix E to 40 CFR Part 58.

Each continuous analyzer in a SLAMS will be operated on a continuous basis and data gathered as hourly averages. Each manual method will be operated for a full 24-hour period at six-day intervals.

Reference or equivalent methods will be used in SLAMS as defined by EPA in 40 CFR Section 50.1, or will be a particulate sampler for which a site-specific relationship to the Hi-vol has been established at the site of the SLAMS.

The quality assurance procedures of Appendix A to 40 CFR Part 58 will be followed when operating the SLAMS network and processing air quality data.

The concept of episode monitoring involves daily monitoring in order to detect when ambient pollution levels reach concentrations corresponding to an air quality episode, and monitoring during episodes to maintain surveillance of the situation. The State of Delaware

will operate SLAMS for monitoring and declaring episodes for the criteria pollutants in the City of Wilmington. At least one episode station for each of the criteria pollutants will be operated in this location.

Each SLAMS that is designated as an episode monitoring station will be identified in the description of SLAMS network which is on file as described in the network description.

Data from all SLAMS for an entire calendar year will be summarized and submitted to EPA by July 1 of the following year. The values determined and reported will be those values indicated in Appendix F to 40 CFR Part 58. Other information as required by Appendix F will also be reported in the annual report.

The State of Delaware will operate monitoring stations other than those in the SLAMS Network. These other stations will be termed Special Purpose Monitoring Stations (SPM) and will be used to supplement the SLAMS monitoring. The SPM stations will be used for purposes such as determining areas where permanent SLAMS need to be located, determining the effect of point sources, research, and determining acceptable growth patterns.

Data from SPM stations may be used for SIP purposes such as support for control strategies, determination of attainment/nonattainment, or model validation. Such data will have been collected in accordance with the criteria established by Subpart B of 40 CFR Part 58.

Beginning March 1 of each year, the State of Delaware will review the air quality surveillance network to determine if there is a SLAMS in every location where there is a need for ambient air quality data or if all the stations in the SLAMS network are necessary. A report of the findings will be submitted to the EPA Regional Office by July 1 of each year along with a schedule to add stations to the SLAMS network, to relocate stations, or to eliminate stations as the case may be. The determination of the need to add, relocate or delete stations will be based on the network design criteria in Appendix D to 40 CFR Part 58 or references therein.

The site-specific SLAMS monitoring network description is not included in the SIP revision to allow for annual review and revision of the network without repeating the full SIP revision procedure.

II. Control Strategy Demonstration

This revision is an administrative change rather than a substantive change. Because the revision has no adverse impact on air quality, a modeling demonstration of attainment and maintenance of standards is not required.

III. Public Comments

No comments were received during the 30-day public comment period.

IV. EPA Evaluation

There are no policy issues involved with this revision other than the basis for the Administrator's approval; i.e., whether the revision submitted by the State of Delaware meets the criteria of Section 110(a)(2) of the Clean Air Act and 40 CFR 51.4, Public Hearings; 51.5, Submittal of Plans; preliminary review of plans; 51.6, Revisions; and 51.11, Legal Authority.

The revision submitted by the State of Delaware meets the criteria of Section 110(a)(2) of the Clean Air Act and 40 CFR Parts 51.4, 51.5, 51.6, and 51.11.

V. EPA Actions

In view of this evaluation, the Administrator approves the above-described revision to the State of Delaware's SIP, which is intended to establish an Ambient Air Quality Monitoring Network as required under 40 CFR, Part 58 (State & Local Air Monitoring System or SLAMS).

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

Pursuant to the provisions of 5 U.S.C. § 605(b) the Administrator has certified that SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities (46 Fed. Reg. 8709 (January 27, 1981)). The attached rule constitutes a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. Under Executive Order 12291, EPA also must judge whether a regulation is "major" and therefore subject to the requirement of a regulatory impact analysis. This rule is not "major" for the same reasons it would not have significant economic impact. This action only approves State actions, and imposes no new requirements of its own. Moreover, under the Clean Air Act, federal inquiry into the economic reasonableness of State SIP changes would serve no practical purpose and could well be improper.

This document has been sent to the Office of Management and Budget for review as required by Executive Order 12291.

(42 U.S.C. 7401–642)

Dated: May 7, 1981.

Walter C. Barber,

Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Delaware was approved by the Director of the Federal Register on July 1, 1980.

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

Subpart I—Delaware

In section 52.420 Identification of Plan, a new paragraph (c)(15) is added to read as follows:

§ 52.420 Identification of plan.

* * * * *

(c) The plan revision listed below was submitted on the date specified. * * *

(15) A revision submitted by the State of Delaware on March 19, 1980 which is intended to establish an Ambient Air Quality Monitoring Network.

[FR Doc. 81-14645 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-38-M

[A-7-1828-4]

Approval and Promulgation of Iowa State Implementation Plan for Lead

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking; correction.

SUMMARY: This notice corrects a legal citation contained in a final rulemaking which approved the Iowa State Implementation Plan for lead. The approval notice was published March 20, 1981 [46 FR 17778].

DATE: This correction is effective May 15, 1981.

FOR FURTHER INFORMATION CONTACT: Ken Greer at (816) 374–3791 or (FTS) 758–3791.

SUPPLEMENTARY INFORMATION: At the end of the March 20 rulemaking, statutory provisions were cited which allowed for the actions taken. The statement read: (Secs. 110 and 301(a) of the Clean Air Act as amended (45 U.S.C. 7410 and 7601(a))). The "45 U.S.C." should read "42 U.S.C."; this action corrects the statement to read: (Secs. 110 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7410 and 7601(a))).

Dated: May 6, 1981.

William W. Rice.

Acting Regional Administrator.

[FR Doc. 81-14719 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-3-FRL-1828-5]

Approval and Promulgation of Missouri State Implementation Plan for Lead

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking; correction.

SUMMARY: This notice corrects two dates contained in the Compliance Schedule table contained in a final rulemaking concerning the Missouri State Implementation Plan for Lead. The notice was published April 27, 1981 (46 FR 23412).

DATE: This correction is effective May 15, 1981.

FOR FURTHER INFORMATION CONTACT: Ken Greer at (816) 374-3791 or (FTS) 758-3791.

SUPPLEMENTARY INFORMATION: On page 23416 of the April 27, 1981 rulemaking, a Compliance Schedule table was published which outlined the final compliance dates for three sources of lead in Missouri. Two of those dates read: "42 months from final rulemaking date," and "48 months from final rulemaking date." Since the final rulemaking date is April 27, 1981, those dates should read: "October 27, 1984" for the St. Joe Lead Co., and "April 27, 1985" for the AMAX Lead Co. The date of December 31, 1980 for ASARCO, Inc. was printed correctly.

Dated: May 6, 1981.

William Rice,

Acting Regional Administrator.

Accordingly, the Environmental Protection Agency is correcting Title 40, Part 52, Subpart AA, section 52.1335(a) to read as follows:

§ 52.1335 Compliance schedules.

(a) * * *

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
St. Joe Lead Co.	Herculaneum, MO	§ 203.050.1(5) RSMO1978.	Aug. 15, 1980	Immediately	Oct. 27, 1984.
AMAX Lead Co.	Boss, MO	do	do	do	Apr. 27, 1985.
ASARCO, Inc.	Glover, MO	do	do	do	Dec. 31, 1980.

[FR Doc. 81-14718 Filed 5-14-81; 8:45 am]

BILLING CODE 1560-01-M

40 CFR Part 52

[A-4-FRL 1813-8]

Approval and Promulgation of Implementation Plans; North Carolina: Approval of Plan Revisions

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA withdraws its approval, as announced in the **Federal Register** of September 29, 1978 (43 FR 44842), of that portion of North Carolina regulation 2D.0527 relating to emissions of sulfuric acid mist. The Agency also approves revised opacity limits for existing kraft pulp mill recovery furnaces, relaxed opacity limits for new sources, and relaxed opacity limits for existing sources other than kraft pulp mill recovery furnaces.

DATE: These actions are effective June 15, 1981.

ADDRESSES: Copies of relevant materials may be examined during normal business hours at the following locations.

The Office of the Federal Register, 1100 L Street, N.W., Room 8401, Washington, D.C. 20408.

Public Information Reference Unit, Library Systems Branch, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

Air Programs Branch, Air and Hazardous Materials Division, EPA Region IV, 345 Courtland Street, N.E., 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 North Salisbury Street, Raleigh, North Carolina 27604.

FOR FURTHER INFORMATION CONTACT: Walter Bishop, EPA Region IV Air Programs Branch, 345 Courtland Street, N.E., Atlanta, Georgia 30308, 404/881-3286 (FTS 257-3286).

SUPPLEMENTARY INFORMATION: A. Sulfuric Acid Mist from Spodumene Ore Roasting. On September 29, 1978 (43 FR 44842), EPA announced its approval of new regulations which North Carolina had developed to limit emissions of sulfur dioxide and sulfuric acid mist from the roasting of spodumene ore, a process for extracting lithium. Since sulfuric acid mist is not regulated under Section 110 of the Clean Air Act (CAA), it was inappropriate for EPA to approve emission limits for this pollutant as part of the State implementation plan for the criteria pollutants. On January 29, 1979, EPA Region IV wrote the State to that effect, asking that consideration be given to the feasibility of rewriting the acid mist limit as a particulate limit. In a letter dated November 14, 1979, the State declined to revise the regulation. Accordingly, EPA proposed on August 28, 1980 (45 FR 57458) to withdraw its approval of North Carolina regulation 2D.0527, as set forth at 40 CFR § 52.1770(c) (19), as it applies to sulfuric acid mist. No comments were received in response to the proposal, which today is made final. This action in no way affects the enforceability of the acid mist limit by the State, nor does it imply any deficiency in the particulate control strategy for sources which process spodumene ore.

B. *Visible Emissions Limitations.* As originally written, Regulation 2D.0521, Control of Visible Emissions, provided that existing sources were to meet a 40% opacity limit immediately and achieve 20% by July 1, 1976; new sources were to meet a limit of 20% upon starting operation. In July 1976 the State submitted a revision deferring until April 1, 1977, the date by which existing sources were to meet the 20% limit; this change was approved by EPA on April 18, 1977 (42 FR 20132).

On March 22, 1977, the State submitted a revision eliminating the 20% limit for existing sources; this change was not announced in the **Federal Register** at the time because of problems with other revisions in the submittal. In response to concerns expressed by EPA, the State on June 2, 1980, submitted additional information in support of this revision. In EPA's view, it is important to consider that if a blanket 40% opacity limit was adequate to assure compliance by all types of existing sources regulated by mass emission limits before April 1, 1977, it is still adequate unless particulate mass emission limits have been made more stringent in the interim, and in fact, they have not. Accordingly, this revision is approved. One comment was received in response to the proposal notice of August 28, 1980 (45 FR 57458). In support of EPA's proposed action, Carolina Power and Light Company submitted preliminary opacity mass emission correlation data issuing from the current testing program required under a three-year variance from the particulate limits of the North

Carolina plan (See FR of August 20, 1980, at page 55422).

On April 19, 1978, the State submitted a revision in regulation 2D .0521 such that new (post-July 1, 1971) sources could obtain an exemption from the 20% limit, and emit at up to 40%, by making certain demonstrations; at the same time the State submitted a revision setting an opacity limit of 35%, with excess emissions exempted for five minutes of any hour or twenty minutes of any 24-hour period, for existing kraft pulp mill recovery furnaces. EPA approves the latter revision, which is basically consistent with 40 CFR 60.282, governing particulate emissions from new kraft pulp mills, and the opacity exemption for new sources. The revision for new sources is deficient in that it is inconsistent with the provisions of 40 CFR § 60.11(e)(3) concerning opacity testing, and limits source testing required of applicants for an exemption to a single test of three runs. However, North Carolina regulation .0524 provides that in the case of a new source subject to 40 CFR Part 60, the Federal regulations apply when there is a conflict with State regulations. No comments were submitted on these two revisions, which were also proposed for approval on August 28, 1980.

These actions are effective June 15, 1981.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this final action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit on or before July 14, 1981. 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.

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.

(Section 110 of the Clean Air Act (42 U.S.C. 7410))

Dated: May 7, 1981.

Walter C. Barber,

Acting Administrator.

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

Subpart II—North Carolina

In § 52.1770, paragraph (c) is amended by revising subparagraph (19) and by adding subparagraph (27), as follows:

§ 52.1770 Identification of plan.

* * * * *

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

* * *

(19) Regulations governing emissions of sulfur dioxide from the roasting of spodumene ore, submitted on February 14, 1978, by the North Carolina Department of Natural Resources and Community Development.

* * * * *

(27) Opacity limits for existing kraft pulp mill recovery furnaces (regulation 2D .0508(b)) and revised opacity limitations for other sources (revised regulation 2D .0521), submitted on March 22, 1977, and on April 19, 1978, by the North Carolina Department of Natural Resources and Community Development.

[FR Doc. 81-14671 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-38-M

---

40 CFR Part 180

[PP OF2315/R290; PH-FRL-1819-4]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; (E,Z)-3,13-Octadecadien-1-ol Acetate and (Z,Z)-3,13-Octadecadien-1-ol Acetate

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement of a tolerance for residues of (*E,Z*)-3,13-octadecadien-1-ol acetate and (*Z,Z*)-3,13-octadecadien-1-ol acetate on almond, apricot, cherry, nectarine, peach, plum, and prune trees. This regulation was requested by Conrel. This regulation eliminates the need to establish a maximum permissible level for residues of the peachtree borer pheromone containing the active ingredients (*E,Z*)-3,13-octadecadien-1-ol acetate and (*Z,Z*)-3,13-octadecadien-1-ol acetate.

EFFECTIVE DATE: Effective on May 15, 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: Franklin D. R. Gee, Product Manager (PM) 17, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 401, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7028).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of March 28, 1980 (45 FR 20544) that Conrel, an Albany International Co., 110 A St., Needham Heights, MA 02194, had filed a pesticide petition (OF2315) with EPA. This petition proposed that an exemption from a tolerance be established for residues of the biological insecticide (pheromone) (*E,Z*)-3,13-octadecadien-1-ol acetate and (*Z,Z*)-3,13-octadecadien-1-ol acetate when applied to almond, apricot, cherry, nectarine, and plum trees after harvest to disrupt the mating of the peachtree borer and the lesser peachtree borer. The petitioner subsequently amended the petition by adding prune and peach trees and deleting the pest lesser peachtree borer. No comments were received in response to this notice of filing.

The combination of active ingredients (*E,Z*)-3,13-octadecadien-1-ol acetate and (*Z,Z*)-3,13-octadecadien-1-ol acetate in this product is a sex-attractant pheromone which disrupts mating of the peachtree borer. The application rate is approximately 120 lures per acre, hung from trees. According to the applicant, the total amount of the active ingredient to be used per acre is about 2 grams.

The principle behind the control of peachtree borers is that this pheromone acts as a mating disruptant between the sexes of adult moths, thus interfering with the communication of the natural mating process. Fertile egg laying and subsequent larval infestations can be suppressed, thereby reducing borer damage to trees. Due to the small quantity of product being used, and its rather rapid dissipation into the environment, the acceptable daily intake (ADI) and maximum permissible intake (MPI) considerations are not relevent to this petition.

The agency is currently in the process of promulgating proposed guidelines for the registration of biorational pesticides (i.e., Biochemical and Microbial Pest Control Agents). These guidelines would establish the standards for testing and the requirements for data submission to

support the registration of biorational pesticides. The agency expects that the proposed guidelines will be published in the **Federal Register** in late summer of 1981.

The data submitted or referenced in the petition and other relevant material have been evaluated. The toxicological data considered in support of the exemption from the requirement of a tolerance included an acute oral toxicity study in rats, an acute dermal toxicity study in rabbits, an acute inhalation study in rats, a primary eye irritation study in rabbits, and a primary dermal irritation study in rabbits. No apparent adverse effects were observed in any of these studies. the toxicity data reviewed support the exemption of Nomate™ Borer-Gard from the requirement of a tolerance (OF2315). Therefore, it is concluded that the exemption from a requirement of a tolerance will protect the public health, and 40 CFR Part 180 is amended as set forth below.

Any person adversely affected by this regulation may, on or before June 15, 1981, file written objections with the Hearing Clerk, EPA, 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.

Effective date: May 15, 1981.

(Sec. 408(d)(2), 68 Stat. 512, (21 U.S.C. 346a(d)(2)))

Dated: April 24, 1981.

James M. Conlon,

Acting Deputy Assistant Administrator for Pesticide Programs.

Therefore, Subpart D of 40 CFR Part 180 is amended by adding § 180.1055 to read as follows:

§ 180.1055 (E,Z)-3,13-octadecadien-1-ol acetate and (Z,Z)-3,13-octadecadien-1-ol acetate; exemption from the requirement of a tolerance.

(*E,Z*)-3,13-octadecadien-1-ol acetate and (*Z,Z*)-3,13-octadecadien acetate are exempted from the requirement of a tolerance when applied to the growing crops or to the raw agricultural commodities almond, apricot, cherry, nectarine, peach, plum, and prune trees after harvest to disrupt mating of the peachtree borer.

[FR Doc. 81-14721 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-32-M

---

40 CFR Part 180

[PP OF2355/R311; PH-FRL-1828-1]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Sodium Diacetate

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement of a tolerance for residues of the fungicide sodium diacetate when used in postharvest application to certain raw agricultural commodities.

EFFECTIVE DATE: Effective on May 15, 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: Henry M. Jacoby, Product Manager (PM) 21, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 418, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-7060).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of May 30, 1980 (45 FR 36519) that Domain, Inc., P.O. Box 248, New Richmond, WI 54017 had filed a pesticide petition (PP OF2355) with the EPA. The petition proposed that 40 CFR Part 180 be amended by establishing an exemption from the requirement of a tolerance for residues of the fungicide sodium diacetate in or on alfalfa hay, barley grain, Bermuda grass hay, blue grass hay, brome grass hay, clover hay, corn grain, cowpea hay, fescue hay, lespedeza hay, lupines, oat grain, orchard grass hay, peanut hay, peavine hay, rye grass hay, sorghum grain, soybean hay, sudan grass hay, timothy hay, vetch hay, and wheat grain.

The intended use associated with this regulation was for postharvest application to high moisture hay and grains.

Sodium diacetate is a hydrated molecular complex composed of acetate and acetic acid; in aqueous solutions. This complex partially dissociates to form sodium, hydrogen, and acetate ions.

Acetic acid and acetates are present in plant and animal tissues in small but detectable amounts. They are normal metabolic intermediates that are produced by a number of microorganisms. A common and natural source is from fermentation of fruit juices by *Acetobacter*. The toxicity of sodium diacetate is low (oral LD_{50} of 5.6 g/kg) and its metabolism *in vitro* is well understood.

Sodium acetate has been identified as generally recognized as safe (GRAS) for human consumption (21 CFR 184.1754) when used as an antimicrobial agent, flavoring agent, or pH control agent. A corresponding animal feed regulation (21 CFR 582.6754) recognizes sodium diacetate as GRAS when used as a sequestrant (that regulation does not differentiate sequestrants that may also have antimicrobial properties). Existing regulations do not list sodium diacetate as GRAS specifically as a fungicide. However, sodium diacetate as well as acetic acid, have been used safely and without major adverse health effects in both human and animal foods.

On the basis of the data and information summarized above, the agency has determined that establishing an exemption from the requirement of a tolerance for residues of the fungicide sodium diacetate in postharvest application to high moisture alfalfa hay, barley grain, Bermuda grass hay, blue grass hay, brome grass hay, clover hay, corn grain, cowpea hay, fescue hay, lespedeza hay, lupines, oat grain, orchard grass hay, peanut hay, peavine hay, rye grass hay, sorghum grain, soybean hay, sudan grass hay, timothy hay, vetch hay, and wheat grain, will protect the public health. Therefore, the regulation is established as set forth below.

Any person adversely affected by this regulation may, on or before June 15, 1981, file written objections with the

Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St., SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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 consumer, 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.

Effective date: May 15, 1981.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

Dated: March 26, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

Therefore, Subpart D of 40 CFR Part 180 is amended by adding § 180.1058 to read as follows:

§ 180.1058 Sodium diacetate; exemption from the requirement of a tolerance.

Sodium diacetate, when used postharvest as a fungicide, is exempt from the requirement of a tolerance for residues in or on alfalfa hay, barley grain, Bermuda grass hay, blue grass hay, brome grass hay, clover hay, corn grain, cowpea hay, fescue hay, lespedeza hay, lupines, oat grain, orchard grass hay, peanut hay, peavine hay, sorghum grain, soybean hay, sudan grass hay, rye grass hay, timothy hay, vetch hay, and wheat grain.

[FR Doc. 81-14720 Filed 5-14-81; 9:45 am]

BILLING CODE 6560-32-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6035]

Suspension of Community Eligibility Under the National Flood Insurance Program

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities where the sale of flood insurance, as authorized under the National Flood Insurance Program (NFIP), will be suspended because of noncompliance with the flood plain management requirements of the program.

EFFECTIVE DATES: The third date ("Susp.") listed in the fifth column.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Johnson, National Flood Insurance Program (202) 755-5581 or EDS Toll Free Line 800-638-6620 for the Continental U.S. (except Maryland); 800-638-6831 for Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and 800-492-6605 for Maryland, Room 5270, 451 Seventh Street, SW., Washington, DC 20410.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted adequate flood plain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the fifth column, so that as of that date subsidized flood insurance is no longer available in the community.

In addition, the Federal Insurance Administrator has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), as amended, provides that no direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP, with respect to which a year has elapsed since identification of the community as having flood prone areas, as shown on the Office of Federal Insurance and Hazard Mitigation's initial flood insurance map of the community. This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

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

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

In each entry, a complete chronology of effective dates appears for each listed community.

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date certain Federal assistance no longer available in special flood hazard area
Illinois:					
Calhoun	Brussels, village of	170747B	June 30, 1980, emergency, Feb. 4, 1981, regular, May 19, 1981, suspended.	July 21, 1978	May 19, 1981.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date certain Federal assistance no longer available in special flood hazard area
Cook	Hoffman Estates, village of	170107B	Nov. 10, 1972, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Sept. 20, 1974 and Aug. 27, 1976.	Do.
Do	Justice, village of	170112B	Mar. 20, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Mar. 22, 1974 and Feb. 20, 1976.	Do.
Lake	Long Grove, village of	170360B	Feb. 3, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 5, 1974 and Aug. 27, 1976.	Do.
Cook and Du Page.	Roselle, village of	170216B	Mar. 2, 1973, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Sept. 7, 1973 and Aug. 8, 1975.	Do.
Indiana:					
Hamilton	Carmel, city of	180081C	Aug. 7, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Aug. 9, 1974, Mar. 5, 1976 and Mar. 10, 1978.	Do.
Tipton and Madison.	Elwood, city of	180152C	Mar. 19, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Dec. 28, 1973, Oct. 24, 1975 and Mar. 16, 1979.	Do.
Iowa:					
Humboldt	Humboldt, city of	190155B	Jan. 28, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 5, 1974 and Feb. 20 1976.	Do.
Louisiana:					
Assumption Parish.	Unincorporated areas	220017A	Apr. 20 1973, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 8, 1977	Do.
Terrebone Parish	Houma, city of	220220C	Apr. 30, 1973, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Nov. 28, 1973, Apr. 9, 1976 and Oct. 31, 1978.	Do.
Maine:					
Cumberland	Cumberland, town of	230162B	May 17, 1978, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Aug. 30, 1977	Do.
Oxford	Otisfield, town of	230203B	Jan. 29, 1976, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Jan. 31, 1975 and Apr. 2, 1976.	Do.
Cumberland	Standish, town of	230207B	Oct. 1, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 18, 1975 and Nov. 19, 1976.	Do.
Minnesota:					
Clay	Dilworth, city of	270060B	Mar. 20, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	May 17, 1974 and June 4, 1976.	Do.
Isanti	Unincorporated areas	270197A	Apr. 4, 1972, emergency, May 19, 1981, regular, May 19, 1981, suspended.		Do.
Hennepin	Minnetonka, city of	270173B	Apr. 9, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Aug. 23, 1974 and July 23, 1976.	Do.
Olmstead	Unincorporated areas	270626A	Apr. 17, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.		Do.
Stearns	Sauk Centre, city of	270459B	Apr. 16, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Mar. 8, 1974 and Oct. 31, 1975.	Do.
Sherburne	Unincorporated areas	270436C	May 16, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Nov. 29, 1974, Sept. 16, 1977 and July 20, 1979.	Do.
Missouri:					
St. Louis	Moline Acres, city of	290370B	Sept. 17, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	June 14, 1974 and Jan. 2, 1976.	Do.
Do	Wellston, city of	290595B	May 2, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Dec. 17, 1973 and June 18, 1976.	Do.
Do	Times Beach, city of	290396A	Sept. 13, 1973, emergency, Sept. 15, 1977, regular, May 19, 1981, suspended.		Do.
Montana:					
Carbon	Red Lodge, city of	300007B	June 30, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	May 24, 1974 and Nov. 14, 1975.	Do.
New Jersey:					
Morris	Boonton, town of	340335B	Apr. 7, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	May 28, 1974 and June 4, 1976.	Do.
Ocean	Berkeley, township of	340369B	July 2, 1971, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Aug. 2, 1974 and Aug. 13, 1976.	Do.
Morris	Morristown, town of	340352C	June 27, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Feb. 1, 1974, June 18, 1976 and Nov. 26, 1976.	Do.
Ocean	Ocean Gate, borough of	340384B	May 16, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	May 31, 1974 and June 3, 1977.	Do.
Monmouth	Red Bank, borough of	340321B	July 24, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Mar. 8, 1974 and Mar. 19, 1976.	Do.
Ohio:					
Lucas	White House, village of	390639B	Aug. 27, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Mar. 29, 1974 and Aug. 6, 1976.	Do.
Oklahoma:					
Oklahoma	Midwest City, city of	400405C	Jan. 16, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	June 3, 1977 and Mar. 7, 1978.	Do.
Pennsylvania:					
Northampton	Allen, township of	421928A	Mar. 1, 1977, emergency, May 19, 1981, regular, May 19, 1981, suspended.	May 21, 1976	Do.
Lancaster	Caernarvon, township of	421760A	Apr. 29, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Oct. 29, 1976	Do.
Do	Ephrata, township of	421208B	May 20, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Sept. 20, 1974 and July 23, 1976.	Do.
Erie	Mill Village, borough of	422417A	Feb. 18, 1976, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 11, 1975	Do.
Do	North East, township of	421988B	Oct. 29, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Sept. 20, 1974 and Sept. 24, 1976.	Do.
Allegheny	Rosslyn Farms, borough of	420069B	Feb. 7, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Jan. 16, 1974 and May 21, 1976.	Do.
Juniata	Thompsontown, borough of	420521B	July 7, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 12, 1974 and Mar. 5, 1976.	Do.
Lehigh	Upper Milford, township of	421815B	Oct. 10, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Nov. 1, 1974 and Nov. 14, 1975.	Do.
Erie	Washington, township of	421372C	June 5, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Oct. 18, 1974, Oct. 3, 1975 and June 2, 1978.	Do.
Lancaster	Wind Gap, borough of	420734B	Nov. 14, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	June 28, 1974 and June 4, 1976.	Do.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date certain Federal assistance no longer available in special flood hazard area
Erie	Wattsburg, borough of	420455B	Nov. 11, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Aug. 16, 1974 and Mar. 19, 1976.	Do.
Lancaster	West Earl, township of	420959B	Nov. 2, 1973, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 12, 1974 and Jan. 14, 1977.	Do.
Tennessee:					
Cheatham	Unincorporated areas	470026B	Sept. 27, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Sept. 9, 1977	Do.
Texas:					
Cass	Atlanta, city of	480117B	June 20, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	June 28, 1974 and June 4, 1976.	Do.
Brazos	Bryan, city of	480082B	May 2, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Mar. 15, 1974 and July 18, 1975.	Do.
Guadalupe	Cibolo, city of	480267B	Nov. 1, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Feb. 1, 1974 and Apr. 2, 1976	Do.
Gillespie	Fredericksburg, city of	480252B	June 22, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 12, 1974 and Dec. 26, 1975.	Do.
Utah:					
Weber	Plain City, city of	490217B	Feb. 7, 1978, emergency, May 19, 1981, regular, May 19, 1981, suspended.	June 3, 1977	Do.
Davis	South Weber, city of	490049C	Nov. 8, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	July 26, 1974, Apr. 2, 1976 and Sept. 12, 1978.	Do.
Weber	Uintah, city of	490192A	Apr. 30, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Oct. 29, 1976	Do.
Virginia:					
Franklin	Unincorporated areas	510061A	May 23, 1974, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Apr. 25, 1975	Do.
Washington:					
Clark	Ridgefield, city of	530298B	Jan. 21, 1976, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Dec. 24, 1976	Do.
Wisconsin:					
Pierce and St. Croix.	River Falls, city of	550330A	Mar. 30, 1972, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Oct. 12, 1973	Do.
Brown	Wrightstown, village of	550025A	Sept. 29, 1976, emergency, May 19, 1981, regular, May 19, 1981, suspended.	Aug. 22, 1975	Do.

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

Issued: April 24, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-14572 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6058]

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

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

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

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

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

FOR FURTHER INFORMATION CONTACT:

Mr. Gary Johnson, National Flood Insurance Program (202) 755–5581 or EDS Toll Free Line 800–638–6620 for Continental U.S. (except Maryland); 800–638–6831 for Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and 800–492–6605 for Maryland, Room 5270, 451 Seventh Street, SW., Washington, DC 20410.

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

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

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

The Catalog of Domestic Assistance Number for this program is 83.100

"Flood Insurance." This program is subject to procedures set out in OMB Circular A–95.

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Maine:				
Sagadahoc	Bowdoinham, town of	230119A	Apr. 16, 1981, emergency	Mar. 15, 1974 and Dec. 3, 1976.
Pennsylvania:				
York	East Hopewell, township of	422218A	Apr. 16, 1981, emergency, Apr. 16, 1981, regular	Dec. 27, 1974.
New York:				
Lewis	Constableville, village of	360360A	Apr. 22, 1981, emergency	Aug. 9, 1974 and May 28, 1976.
Pennsylvania:				
Luzerne	Foster, township of	421828A	Aug. 14, 1974, emergency; Apr. 1, 1981, regular; Apr. 1, 1981, suspended; Apr. 23, 1981, reinstated.	Nov. 15, 1974.
Arkansas:				
Phillips	Unincorporated areas	0501668	Apr. 28, 1981, emergency	Aug. 9, 1977 and Oct. 23, 1979.
New Jersey:				
Morris	Mine Hill, township of	340556A	do	Jan. 7, 1977.
Pennsylvania:				
Chester	East Pikeland, township of	4214836	Sept. 6, 1974, emergency; Mar. 16, 1981, regular; Mar. 16, 1981, suspended; Apr. 27, 1981, reinstated.	Sept. 6, 1974 and May 21, 1976.
Lancaster	West Cocalico, township of	421787B	Aug. 5, 1974, emergency; Apr. 15, 1981, regular; Apr. 15, 1981, suspended; Apr. 27, 1981, reinstated.	Sept. 13, 1974 and Aug. 6, 1976.
Missouri:				
Pike	Unincorporated areas	290266	Apr. 29, 1981, emergency	
New York:				
St. Lawrence	Hopkinton, town of	361179	do	Nov. 15, 1974.
Lewis	Lewis, city of	360666A	do	June 28, 1974 and July 9, 1976.
Michigan:				
Allegan	Laketown, township of	260253A	Nov. 27, 1973, emergency; June 4, 1980, regular; June 4, 1980, suspended; Apr. 29, 1981, reinstated.	Jan. 3, 1975.
Pennsylvania:				
Lancaster	Denver, borough of	4205466	Aug. 22, 1973, emergency; Apr. 15, 1981, regular; Apr. 15, 1981, suspended; Apr. 30, 1981, reinstated.	July 26, 1974 and Apr. 9, 1976.
Oregon:				
Marion	St. Paul, city of	410166	Apr. 30, 1981, emergency	Nov. 22, 1974.
Pennsylvania:				
Greene	Jackson, township of	421671A	do	June 4, 1976 and Dec. 20, 1974

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

Issued: May 6, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-14574 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 65

[Docket No. FEMA 6056]

Communities With No Special Hazard Areas for the National Flood Insurance Program

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: The Federal Insurance Administration, after consultation with local officials of the communities listed below, has determined, based upon analysis of existing conditions in the communities, that these communities would not be inundated by the 100-year flood. Therefore, the Administrator is converting the communities listed below to Regular Program of the National Flood Insurance Program (NFIP) without determining base flood elevations.

EFFECTIVE DATE: Date listed in fourth column of List of Communities with no Special Flood Hazards.

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: In these communities, there is no reason not to make full limits of coverage available. The entire community is now classified as zone C. In a zone C, insurance coverage is available on a voluntary basis at low actuarial nonsubsidized rates. For example, under the Emergency Program in which your community has been participating the rate for a one-story 1–4 family dwelling is $.25 per $100 per coverage. Under the Regular Program, to which your community has been converted, the equivalent rate is $.01 per $100 coverage. Contents insurance is also available under the Regular Program at low actuarial rates. For example, when all contents are located on the first floor of a residential structure, the premium rate is $.05 per $100 of coverage.

In addition to the less expensive rates, the maximum coverage available under the Regular Program is significantly greater than that available under the Emergency Program. For example, a single family residential dwelling now can be insured up to a maximum of $185,000 coverage for the structure and $60,000 coverage for contents.

Flood insurance policies for property located in the communities listed can be obtained from any licensed property

insurance agent or broker serving the eligible community.

The effective date of conversion to the Regular Program will not appear in the Code of Federal Regulations except for the page number of this entry in the **Federal Register.**

The entry reads as follows:

§ 65.8 List of communities with no special flood hazard areas.

State and county	Community name	Date of conversion to regular program
California, Stanislaus	City of Turlock	May 14, 1981.
Idaho, Jerome	City of Jerome	May 14, 1981.

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

Issued: May 1, 1981.

Richard W. Krimm,

Acting Administrator Federal Insurance Administration.

[FR Doc. 81-14583 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-08-M

44 CFR Part 65

[Docket No. FEMA 6057]

List of Withdrawal of Flood Insurance Maps Under the National Flood Insurance Program

AGENCY: Federal Insurance Administration.

ACTION: Final rule.

SUMMARY: This rule lists communities where Flood Insurance Rate Maps or Flood Hazard Boundary Maps published by the Federal Insurance Administration, have been temporarily withdrawn for administrative or technical reason. During that period that the map is withdrawn, the insurance purchase requirement of the National Flood Insurance Program is supended.

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

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program (202) 755–5585 or EDS Toll Free Line 800–638–6620 for Continental U.S. (except Maryland); 800–638–6831 for Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and 800–492–6605 for Maryland, Room 5150, 451 Seventh Street, SW., Washington, DC 20410.

SUPPLEMENTARY INFORMATION: The list includes the date that each map was withdrawn, and the effective date of its republication, if it has been republished. If a flood prone location is now being identified on another map, the community name for the effective map is shown.

The Flood Disaster Protection Act of 1973 (Pub. L. 93–234), as amended, requires, at Section 102, the purchase of flood insurance as a condition of Federal financial assistance if such assistance is:

(1) for acquisition and construction of buildings, and

(2) for buildings located in a special flood hazard area identified by the Director of Federal Emergency Management Agency.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction of buildings in these areas unless the community has entered the program. The denial of such financial assistance has no application outside of the identified special flood hazard areas of such flood-prone communities.

Prior to July 1, 1975, the statutory requirement for the purchase of flood insurance did not apply until and unless the community entered the program and the special flood hazard areas were identified by the issuance of a flood insurance map. However, after July 1, 1975, or one year after identification, whichever is later, the requirement applies to all communities in the United States that are identified as having special flood hazard areas within their community boundaries, so that, no such financial assistance can legally be provided for buildings in these areas unless the community has entered the program.

The insurance purchase requirement with respect to a particular community may be altered by the issuance or withdrawal of the Federal Insurance Administration's (FEMA) official Flood Insurance Rate Map (FIRM) or the Flood Hazard Boundary Map (FHBM). A FHBM is usually designated by the letter "E" following the community number and a FIRM by the letter "R" following the community number. If the FIA withdraws a FHBM for any reason the insurance purchase requirement is suspended during the period of withdrawal. However, if the community is in the Regular Program and only the FIRM is withdrawn but a FHBM remains in effect, then flood insurance is still required for properties located in the identified special flood hazard areas shown on the FHBM, but the maximum amount of insurance available for new applications or renewal is first layer coverage under the Emergency Program, since the community's Regular Program status is suspended while the map is withdrawn. (For definitions see 44 CFR Part 59 et. seq.).

As the purpose of this revision is the convenience of the public, notice and public procedure are unnecessary, and cause exists to make this amendment effective upon publication. Accordingly, Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations is amended as follows:

1. Present § 65.6 is revised to read as follows:

§ 65.6 Administrative withdrawal of maps.

(a) *Flood Hazard Boundary Maps (FHBM's).*

The following is a cumulative list of withdrawals pursuant to this Part:

40 FR 5149
40 FR 17015
40 FR 20798
40 FR 46102
40 FR 53579
40 FR 56672
41 FR 1478
41 FR 50990
41 FR 13352
41 FR 17726
42 FR 8895
42 FR 29433
42 FR 46226
42 FR 64076
43 FR 24019
44 FR 815
44 FR 6383
44 FR 18485
44 FR 25636
44 FR 34120
44 FR 52835
44 FR 57094
44 FR 12421
44 FR 26051
44 FR 31318
44 FR 34120
45 FR 49570
45 FR 52385
46 FR 13695
46 FR 20176
46 FR 26776

(b) *Flood Insurance Rate Maps (FIRM's)*

The following is a cumulative list of withdrawals pursuant to this Part:

40 FR 17015
41 FR 1478
42 FR 49811
42 FR 64076
43 FR 24019
44 FR 25636
44 FR 12421
45 FR 49570
45 FR 20176

2. The following additional entries (which will not appear in the Code of Federal Regulations) are made Pursuant to § 65.6:

FIA Map Rescissions

State, community name and No.	County	Hazard identification date	Rescission date	Reason
California:				
City of Turlock, 060392A (E)	Stanislaus	May 14, 1976	May 14, 1981	2
Idaho:				
City of Jerome, 160074A (E)	Jerome	Apr. 16, 1976	do	2
Michigan:				
City of Harbor Beach, 260570	Huron	Jan. 30, 1976	do	1
Huron Township, 260415	Huron	Nov. 5, 1976	do	1
Village of Port Austin, 260618	Huron	Jan. 30, 1976	do	1
City of Omer, 260622	Arenac	Oct. 28, 1977	do	1
Village of Ubly, 260334	Huron	Apr. 11, 1975	do	1
Virginia:				
City of Bloxom, 510256	Accomack	Feb. 11, 1977	do	1
City of Painter, 510285	Accomack	Feb 4, 1977	do	1
Texas:				
City of Lomax, 480303A	Harris	Jan. 13, 1981	do	4

KEY TO SYMBOLS:
E The community is participating in the Emergency Program. It will remain in the Emergency Program without a FHBM.
R The community is participating in the Regular Program.
1. The Community appealed its flood-prone designation and FIA determined the Community would not be inundated by a flood having a one-percent chance of occurrence in any given year.
2. FIA determined the Community would not be inundated by a flood having a one-percent chance of occurrence in any given year.
3. The Flood Hazard Boundary Map (FHBM) contained printing errors or was improperly distributed. A new FHBM will be prepared and distributed.
4. The community lacked land-use authority over the special flood hazard area.
5. The FHBM does not accurately reflect the Community's special flood hazard areas (i.e., sheet flow flooding, extremely inaccurate map, etc.). A new FHBM will be prepared and distributed.
6. The Flood Insurance Rate Map was rescinded because of inaccurate flood elevations contained on the map.
7. The Flood Insurance Rate Map was rescinded in order to re-evaluate the mudslide hazard in this Community.
8. The T&E or H&F Map was rescinded.
9. A revision of the FHBM within a reasonable period of time was not possible. A new FHBM will be prepared and distributed.
10. Miscellaneous.

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

Issued: May 6, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-14575 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-03-M

---

44 CFR Part 65

[Docket No. FEMA 6055]

List of Communities With Special Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities with areas of special flood, mudslide, or erosion hazards as authorized by the National Flood Insurance Program. The identification of such areas is to provide guidance to communities on the reduction of property losses by the adoption of appropriate flood plain management or other measures to minimize damage. It will enable communities to guide future construction, where practicable, away from locations which are threatened by flood or other hazards.

EFFECTIVE DATES: The effective date shown at the top right of the table or June 15, 1981, whichever is later.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 755–5585 or EDS Toll Free Line 800–638–6620 for Continental U.S. (except Maryland); 800–638–6831 for Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and 800–492–6605 for Maryland, Room 5150, 451 Seventh Street, SW., Washington, DC 20410.

SUPPLEMENTARY INFORMATION: The Flood Disaster Protection Act of 1973 (Pub. L. 93–234) requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply in respect to conventional mortgage loans by federally regulated, insured, supervised, or approved lending institutions.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the **Federal Register** or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the **Federal Register** or the effective date of the Flood Hazard Boundary Map, whichever is later.

This identification is made in accordance with Part 64 or Title 44 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001–4128)

Section 65.3 is amended by adding in alphabetical sequence a new entry to the table:

BILLING CODE 6718-03-M

§ 65.3 List of communities with special hazard areas (FHBMs in effect).

EFFECTIVE DATE: June 5, 1981

1 State	2 Ident. Number	3 Community Name County Name	4 Panels Printed (If and Suffix)	5 Inland/ Coastal	6 Hazard	7 60.3 Code	8 Program Status	9 Status of FHBM	9 Status of FIRM	10 Previous Map Dates FHBM	10 Previous Map Dates FIRM	11 Revision Code(s)	12 Rescission	13 Floodways Panels Printed	14 Location of Map Repository
MN	270652	Big Stone County (Unincorporated Area)	Index 0001A 0004A 0005A 0006A 0007A 0008A	I	FL	B	1	2	1	N/A	N/A	N/A	N/A	N/A	Mr. E. W. Trebil County Auditor County Auditor's Office Courthouse Ortonville, MN 56278 Phone: 612-839-2105
EFFECTIVE DATE: June 9, 1981															
ND	380100	City of Wahpeton Richland Co.	0001B	I	FL	B	1	3	1	1/16/76	N/A	8 9 10	N/A	N/A	Hon. Warren E. Shuett Mayor City Hall Wahpeton, ND 58075 (701) 642-8448
EFFECTIVE DATE: June 12, 1981															
OH	390443	Village of New Lexington (Perry Co.)	0001B	I	FL	B	1	3	1	5/17/74 4/ 9/76	N/A	9 10 16	N/A.	N/A	Douglas Shupe Village Administrator Municipal Building 125 South Main Street New Lexington, OH 43764 Phone: 614-342-1633
PA	421884	Township of Barrett (Monroe Co.)	Index 0001A 0002A 0003A 0004A	I	FL	B	1	3	1	11/15/74	N/A	9 10 16	N/A	N/A	Edward Price, Chairman Twp. Board of Supervisors Town of Barrett Cresco, PA 18326 Phone: 717-595-7938
WI	550162	City of Monroe (Green Co.)	0001B	I	FL	B	1	3	1	5/31/74 5/28/76	N/A	9 10 16	N/A	N/A	Clifford Rease, Mayor Box 200 City Hall Monroe, WI 53565 Phone: 608-325-4101

EFFECTIVE DATE: June 19, 1981

1 State	2 Ident. Number	3 Community Name County Name	4 Panels Printed (# and Suffix)	5 Inland/ Coastal	6 Hazard	7 60.3 Code	8 Program Status	9 Status of FHBM	9 Status of FIRM	10 Previous Map Dates FHBM	10 Previous Map Dates FIRM	11 Revision Code (#)	12 Rescission	13 Floodways Panels Printed	14 Location of Map Repository
MI	260342	Twp. of Au Train (Alger Co.)	Index 0001B 0002B 0003B	I	FL	B	4	3	1	3/25/77	N/A	9 10	N/A	N/A	Mr. Patrick Greg, Chairman Twp. Supervisors Route 1, Box 215 Chistmas, MI 49862 Phone: 906-387-3409
VA	510009	Alleghany Co. (Uninc. Area)	Index 0001A thru 0008A	I	FL	B	1	3	1	7/18/75	N/A	9 10 16	N/A	N/A	Randy Arno County Administrator P.O. Box 670 Covington, VA 24426 Phone: 703-962-4918
SC	450142	City of Marion Marion County	0005C	I	FL	B	1	3	1	6/21/74 12/10/76 6/27/80	N/A	9	N/A	N/A	Hon. T. Carroll Atkinson, Jr., Mayor City Hall 107 South Main St. Marion, SC 29571
EFFECTIVE DATE: June 23, 1981															
TX	480703	Jourdanton, City Atascosa Co.	0001A	I	FL	B	1	3	1	8/13/76	N/A	8 10	N/A	N/A	Hon. Thomas A. Lang Mayor 1220 Simmons Ave. Jourdanton, TX 78026 (512) 769-3026
EFFECEIVE DATE: June 26, 1981.															
NY	360178	City of Cortland Courtland Co.	0005B	I	FL	B	1	3	1	3/29/74 2/21/75	N/A	9	N/A	N/A	City Hall City of Cortland Court Street Cortland, N. Y. 13045

BILLING CODE 6718-03-C

COMMUNITY MAP ACTIONS

(Codes: Where no entry is necessary use N/A)

Column Code:

1. Two letter state designator.
2. FIA Community 6-digit identity number.
3. Community name: County(ies) name.
4. Four digit number and suffix of each FIRM or FHBM panel printed.
5. INL/Coast:
   I=Inland
   C=Coastal
6. Hazard:
   FL=Flood
   MS=Mudslide
   ER=Erosion
   NF=Non flood prone
   MF=Minimally flood prone
7. 60.3 Code:
   A=Special Hazard not defined, no elevation data (No FHBM)
   B=Special Hazard Designated, no elevation data (FHBM)
   C=Firm, No Floodway or Coastal High Hazard
   *D=Firm, Regulatory Floodway Designated
   *E=Firm, Coastal High Hazard
   *Dual entry is available.
8. Program Status:
   1=Emergency
   2=Regular
   3=Not participating, no map
   4=Not participating, with map
   5=Withdrew
   6=Suspended
9. FHBM Status:
   1=Never mapped
   2=Original
   3=Revised
   4=Rescinded
   5=Superceded by firm
9. FIRM Status:
   1=Never mapped
   2=Original
   3=Revised
   4=Rescinded
   5=All Zone C—No published firm
   6=All Zone A and C—No elevations determined
10. Dates of all previous Maps
11. Revision Codes:
   1. 1916 BFE (Base Flood Elevation) Decrease
   2. 1916 BFE Increase
   3. 1916 SFHA (Special Flood Hazard Area) Change
   4. Change of Zone Designation; revised FIRM
   5. Curvilinear
   6. 1914 Incorporation
   7. 1914 Discorporation
   8. 1914 Annexation
   9. SFHA Reduction
   10. Non-1916 SFHA Increase Without Numbered Zones
   11. Non-1916 SFHA Increase with Numbered Zones
   12. Drafting Correction: Printing Errors
   13. Suffix Change ONLY
   14. Change to Uniform Zone Designations (7/1/74)
   15. Revisions Withdrawn
   16. Refunds Possible
   17. Letter of Map Amendment (1916)
   18. Letter of Map Amendment (1916 without **Federal Register** publication)
   19. **Federal Register** Omission
   20. Attention. A previous may (or maps) has been rescinded or withdrawn for this community. This may have affected the sequence of suffixes.
   21. Miscellaneous
13. List of Numbered Floodway Panels Printed
14. Address of Community Map Repository

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

Issued: May 4, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-14576 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 95

Amendment of the Commission's Rules Concerning General Mobile Radio Service System Licensing

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission by this Order is editorially amending its General Mobile Radio Service system licensing procedures which, through oversight, placed an unnecessary burden on control stations.

EFFECTIVE DATE: June 4, 1981.

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

FOR FURTHER INFORMATION CONTACT: Terry C. Sutter, Private Radio Bureau, (202) 632–4964—Room 5218.

SUPPLEMENTARY INFORMATION:

In the matter of amending Part 95, concerning General Mobile Radio Service (GMRS System Licensing).

Order

Adopted: April 21, 1981.

Released: April 21, 1981.

1. On June 11, 1980 (45 FR 42623; June 25, 1980) the Commission adopted rules introducing system licensing procedures in GMRS. System licensing simplifies station identification and application filing by licensing a system of several inter-communicating stations under a single authorization.

2. Through an editorial oversight, the rules as adopted place an unnecessary requirement upon those control stations eligible for system licensing. Section 95.15(a)(8) limits such stations to only those transmitting with less than 5 watts ERP. This limitation should only apply in the area related to the Canadian Coordination Agreement.

3. This editorial oversight has been brought to our attention. Therefore, we are adopting this order to correct the oversight. Accordingly the Executive Director, acting under authority delegated to him by § 0.231(d) of the Commission's rules, orders that, effective June 4, 1981, Part 95 is amended as revised and set forth in the attached Appendix below.

(Secs. 2, 3, 4, 5, 301, 303, 307, 308, 309, 315, 317, 48 Stat., as amended, 1064, 1065, 1066, 1068, 1081, 1082, 1083, 1084, 1085, 1088, 1089; (47 U.S.C. 152, 153, 154, 155, 301, 303, 307, 308, 309, 315, 317))

Federal Communications Commission.

Richard D. Lichtwardt,

Executive Director.

Appendix

I. Part 95 of the Commission's rules is amended as follows:

§ 95.15 [Amended]

1. Section 95.15 is amended by revising paragraph (a)(8) to read as follows:

(a) * * *

(8) Application is made for a land mobile radio system (see § 95.17(e)). The application must:

(i) Be submitted on a single Form where the system includes no more than two land stations whose antenna heights exceed 6.1 meters (20 feet—§ 95.37(b)(2)). The system may include a mobile station. It may also include any number of fixed stations for control which:

(A) Transmit on the same frequency as the mobile station;

(B) Do not have antennas exceeding 6.1 meters in height; *and*

(C) Are located:

(*1*) South of Line A and West of Line C; *or*

(*2*) North of Line A and East of Line C and do not transmit with more than 5 watts ERP;

(ii) Include the following information:

(A) Number of fixed stations for control;

(B) Their transmitting frequency;

(C) Their emission type;

(D) Their highest power output;

(E) Each street address;

(F) Each control point street address;

(G) Geographical coordinates for:

(*1*) The one or two land stations, if any, whose antenna heights exceed 6.1 meters;

(2) fixed stations for control which will:

(i) Be located North of Line A or East of Line C; *and*

(ii) Transmit with more than 5 watts ERP.

* * * * *

[FR Doc. 81-14702 Filed 5-14-81; 8:45 am]

BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR 1244

[Ex Parte No. 385]

Waybill Analysis of Transportation of Property-Railroads

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: The Interstate Commerce Commission has modified its order requiring certain railroads to submit waybills used for the continuous study of rail carload terminations, previously known as the "One-Percent Waybill Sample." The Commission had proposed revision of this order at 45 FR 68973 (10-17-80). Certain suggestions from the interested public have been adopted. The revisions are minor but important. The sample required in the final rule shall be known as the "ICC Waybill Sample." The primary purpose of the modifications is to give railroads the option of reporting minimum essential traffic information by means of computer tapes in lieu of hard copy waybills. Rules governing the submission of hard copy waybills are also changed to clarify the procedures, to improve the reliability and timeliness of the study results, and to reduce some of the reporting requirements.

EFFECTIVE DATE: July 1, 1981.

FOR FURTHER INFORMATION CONTACT: Sidney Fine, Telephone: 202-275-0783.

SUPPLEMENTARY INFORMATION: Since 1946, the Interstate Commerce Commission has collected a continuous sample of carload waybills from railroads terminating shipments. The sample was designed to yield approximately one-percent of the total carloads terminated by railroads subject to the reporting rules. The sample is the only known source from which reasonably reliable and comprehensive information can be obtained on rail carload freight traffic flow and its characteristics. It is intended primarily to serve the needs of the Commission and the Department of Transportation, but it is also widely used to serve the traffic data needs of other Federal, State and local governments, the transportation industry, shippers, research organizations, universities and others. Under a Memorandum of Agreement, FR Doc. 70-9634, published July 25, 1970, the sample waybills submitted in response to the Commission's order are processed by the Department of Transportation.

The technical design of the waybill sample has remained essentially the same throughout its history. After considerable study, the Commission believes the time has come to revise the sampling process, taking advantage of improved statistical theory and the widespread usage of computers by railroads in their business processes, and to recognize that much railroad traffic moves in multiple car lots. The modifications should raise the quality of the sample study results and, at the same time, reduce the railroads' reporting costs and the Government's processing costs. The final rule sets forth two options for railroads subject to the order for selecting and submitting the waybill information: a respondent railroad may either furnish a computer tape which is acceptable to the Commission containing specified information from a sample of waybill records (computerized system) or submit authenticated copies of the front only of audited waybills (manual system).

The revised design will be a stratified sample with higher sampling rates for waybills from shipments with larger numbers of carloads. The decision to use stratified sampling for collecting the waybill data is based on the frequency distribution of the number of carloads per waybill for the year 1977. In 1977, only three percent of the waybills had more than two carloads per waybill, but these waybills represented thirty percent of the total carloads. The largest shipment in the sample had close to 400 carloads. In the past, these shipments have been under-represented in the sample. Since the largest shipments in the sample have a disproportionately large effect on estimates based on that sample, it is important that the large shipments be properly represented in the sample. Stratifying by carloads and sampling a higher percentage of the large shipments will ensure that these large shipments are properly represented in the waybill sample. This stratified sample design will result in improved (i.e., lower variance) estimates of traffic characteristics of the rail industry such as total freight tonnage, total revenue, and average revenue per car. The sample rates that will be used are shown in Table 1. A more detailed explanation of the sample design will be found in the documentation of the waybill sample which is in preparation and will be available to the public by June 1, 1981.

The Commission plans to evaluate the revised waybill sample to determine whether further improvements can be achieved through the use of different stratification schemes. We will also determine after further study if any minor revisions in the data collected are necessary.

Table 1.—*Sample Design*

For railroads using the manual system	
Carloads	Sampling rate
1 to 5	1 out of 100.
6 to 25	1 out of 10.
26 and over	1 out of 5.

For railroads using the computerized system	
Carloads	Sampling rate
1 to 2	1 out of 40.
3 to 15	1 out of 12.
16 to 60	1 out of 4.
61 to 100	1 out of 3.
101 and over	1 out of 2.

Railroads choosing to use the computerized system for reporting purposes will be required to conform to the standards developed and agreed to informally by staff of the Department of Transportation and the Interstate Commerce Commission and representatives of the Association of American Railroads' Revenue and Statistics Committees and the Cost Analysis Organization. These standards are contained in the *Procedures for Sampling Waybill Records by Computer* [Statement 81-1] which is available on request from: Office of Policy and Analysis, Interstate Commerce Commission, Washington, D.C. 20423, Attention: Sidney Fine.

Before using the computerized system of reporting, a railroad will be required to satisfy two tests designed to show that its sampling procedures are technically adequate and that the waybill information in its data file is valid. These tests are described in Statement 81-1. If accepted, the railroad may start participating in the computerized system at the beginning of any quarter of the year. Waybill tape input must be sent in a form which is compatible with the Commission's designated electronic data system. Railroads using the computerized system will be required to maintain the corresponding files of hard copy waybills for at least four years.

Railroads choosing the manual system shall submit copies of all waybills with

less than 6 carloads covering shipments terminating on its lines whose serial numbers are 1 or end in 01, all terminating waybills with 6 to 25 carloads whose serial numbers end in 1, and all terminating waybills with 26 or more carloads per waybill whose serial numbers end in 1 or 7.

The current requirement for submitting supplemental information on the type of rate in the Supplemental Statement is eliminated, as in the EM–5 system of reporting multiple car shipments. Also eliminated are the miscellaneous reports for certain multiple car traffic for origin to destination pairs generally called multiple car statements which are monthly or quarterly abstracts voluntarily used by several railroads.

The final rule changes the criterion for requiring railroads to report waybill data. In the past, railroads with annual revenue greater than $3,000,000 have been required to report. In the future, railroads will have to submit waybill information for a year if, in any of the three preceding years, it has terminated at least 4500 carloads or it has terminated at least 5% of the carloads in any one state. In order to determine the number of carloads terminated in each state, the Commission will require railroads not submitting waybill information to report annually the number of carloads terminated by state.

These rules define railroad subject to these reporting requirements as including railroads and terminal companies that handle terminating waybills for revenue billing or interline settlement for another railroad. Subject railroads shall submit the required waybill information for all of their rail subsidiaries. A reporting railroad may be an individual railroad or collectively a railroad and its operating rail subsidiaries reporting to the Commission on a consolidated basis.

The final rule, for the first time, defines a waybill so as to make clear that all documents or instruments used by railroads for disposition of freight, as the authority for moving shipments, as a basis for determining and setting freight charges, or for resolving interline settlements are included in this sample.

Sampled waybill information must be filed within 60 days from the end of the audit month (quarter, optional for certain railroads) with the Commission. Study waybills or waybill records returned to the railroads for correction or clarification shall be returned corrected to the specified contractor within 60 days of receipt.

A Notice of the Proposed Rulemaking (NPR) including the set of proposed regulations was served on all railroad carriers on October 7, 1980 and was published in the Federal Register on October 17, 1980. Although comments were received from only a small number of parties, significant views of both suppliers and users of the waybill data are represented.

The Association of American Railroads (AAR), on behalf of the railroad industry, endorses the improvement in sampling procedures for the waybill sample. The proposal permits a flexible transition period during which railroads may adopt the computerized system of reporting. The major railroads have made commitments which account for 65 percent of the freight revenue (1979). A benefit of the proposed manual sampling procedures, as compared to the existing EM–5 procedures for sampling multiple carload movements, is that less reporting effort will be expended for the majority of the multiple carload block sizes. Moreover, the AAR states that the planned use of the hardcopy waybill without a separately completed EM–5 document will reduce the reporting burden.

The AAR urges the Commission to safeguard the confidentiality of the submitted waybill data. The AAR states that the ICC has released waybill information at a very detailed level—a level which it feels is potentially damaging to its interests. The AAR urges the Commission to adopt and follow the confidentiality guidelines suggested in Ex Parte No. 356, *Confidentiality of Financial Data*, and Ex Parte No. 360, *Regulations for the Processing of FOIA Requests*. We do not feel that this is a proper place to address the issue of confidentiality since it is a subject of those other proceedings.

The Chicago and North Western Transportation Company (CNW) wishes to continue submitting data for iron ore handled at the Escanaba docks on special train reports on a quarterly basis. The CNW claims that there are no serialized documents accompanying these iron ore movements and thus it was given approval to report in summary form.

One of the main purposes of the new rule is to eliminate all the various forms of reporting multiple car movements that were permitted in the past, including multiple car statements covering monthly or quarterly abstracts such as the CNW special train reports and the multiple car reporting under the EM–5 sample plan. The new procedure eliminates the supplementary statement. It does require a standard sampling unit, the waybill as defined in the final rule. In light of the Commission's need for standard sampling units, we cannot grant CNW's request. It should be noted that the final rule requires all subject waybills to be serialized if not already containing a waybill number or a serial number.

CNW also requests that the proposed regulation be changed to set 90 days as a time limit for reporting on the manual system instead of the proposed 45 day limit. The prior waybill order, although having no formal deadline, required submission of waybills as soon as audit was completed. We have interpreted this to mean that the submission of waybills was to be within 60 days of the audit month. We have presented this interpretation on the transmittal forms to the reporting railroads for years and the railroads have generally conformed to this standard. Since the railroads are able to report waybill information within 60 days, a 90 day limit seems excessive. We will, however, extend the reporting deadline from the proposed 45 days after the end of the reporting period to 60 days.

Occasionally, waybill data may need correction. If these waybill data are returned to the submitting railroad for such correction, it is important that the waybill data should be corrected and resubmitted expeditiously. Accordingly, we have required in 49 CFR § 1244.4 that resubmittals must occur promptly but no later than 60 days after the railroad's receipt of the incorrect data.

The Atchison, Topeka, and Santa Fe Railway Company (Santa Fe) feels that the sample "sizes" are too high for the strata with the higher numbers of carloads per waybill. Santa Fe argues that as one advances into strata with the higher number of carloads per waybill the possibilities of different commodities, routes and other variables become more restricted. For example, Santa Fe states that its records representing over 60 carloads per waybill contain only 8 different commodities. The Santa Fe also argues that the sample is highly biased in favor of waybill data containing a higher number of carloads. Santa Fe asserts that under the computerized system over 50% of Santa Fe's carload traffic data contained in the sample would be drawn from waybills containing over 60 carloads.

The Santa Fe has confused the term "sample size" with "sample rate" when referring to the fraction of waybills drawn from a particular stratum. Sample size refers to the amount or number of sample units selected and sample rate refers to the percentage of waybills selected. The sample rates are high for the strata with larger numbers of carloads per waybill but the sample

sizes are relatively small. Applying the strata breakpoints for the manual system to the data from the 1977 ICC waybill sample, the stratum with 26 carloads per waybill and over had 0.4% (less than 1%) of the waybills and a sample rate of 1 out of 5. See table below:

Strata (carloads/waybill)	Percent of total (No. of waybills)	Sample rate
1-5	98.2	1 out of 100.
6-25	1.4	1 out of 10.
26 and over	.4	1 out of 5.

The sample rate is higher in the two strata with the higher number of carloads per waybill. There is a need for precision for important commodities such as coal and wheat which tend to move in large shipments. Compared to the EM-5 sample, which most of the Class I railroads including the Santa Fe presently use to report multiple car traffic (6 cars and over), the new manual system plan draws fewer waybills for the strata with the higher number of carloads per waybill. Similarly, there are fewer waybill records received under the computerized system for the strata with the higher number of carloads per waybill. For the computerized system, there would actually be no greater burden for railroads to report 100% of their traffic for their entire waybill file.

The Santa Fe has a specific concern about whether the manual sample can be treated as a random sample. The procedure is similar to the systematic sampling procedure that was instituted in 1947. There has been no evidence since that time of any significant bias due to the use of this procedure. When railroads have selected the waybill sample properly covering all their traffic, the comparisons between totals from the waybill sample data and similar data reported on the railroads' Quarterly Commodity Statistics have shown no bias.

However, we have added a statement to 49 CFR § 1244.3 maintaining the Commission's option to assign random starts for railroads on the manual system in case of any evidence of significant bias. In the absence of such evidence, we will continue to use the basic serial selection procedure as shown in § 1244.3 because of its simplicity.

The Santa Fe asserts that accurate estimates cannot be obtained from the manual plan unless the actual sampling rate (number of waybills sampled divided by total number of waybills) for each stratum is supplied by each railroad. The actual sampling rate within each stratum will not be 1%, 10% and 20% but will be a random quantity which may be somewhat above or below the intended rate. We agree that we could improve the accuracy of study by obtaining the total counts for each stratum for the manual sample railroad. The final rule includes a requirement for railroads on the manual system to provide total waybill counts for each stratum for each reporting period.

The Commission rejects Santa Fe's plea "to defer implementation of the rules pending resolution of the usage and confidentiality questions and testing of the 1980 data being submitted by volunteer railroads." We have answered Santa Fe's objections and because of the present need of the Commission to obtain a more accurate and better controlled sample we shall not defer its implementation.

The Apalachicola Northern Railroad requests that it be exempt from having to furnish "01" terminated waybills on its line. This railroad states that its number of terminations, which was 10,212 carloads in 1979, is extremely small.

We deny the Apalachicola Northern Railroad's request. If we release one railroad because of its small contribution to the waybill sample we would have to release all others with the same claim. However, in total this loss in traffic would be significant. We have established in this rule a minimum size for independent railroads that are required to report for the waybill sample: railroads terminating 4,500 or more, or 5% of the line-haul cars terminating for any state in a year.

There were two comments received from federal agencies: the U.S. Department of Transportation (DOT) and the Bureau of Labor Statistics (BLS), U.S. Department of Labor.

DOT generally supports the methods for selecting and submitting waybill information and believes the proposed changes will improve the reliability of the data and reduce the administrative burden on the carriers. However, DOT recommends two changes in the final rule.

Under the prior rule (49 CFR 1244) a railroad must file the required waybill data if it has annual operating revenues of $3 million or more. Instead of relying on revenues, the final rule uses the number of terminating carloads as a reporting threshold: a railroad must submit sample waybills if, in any of the past three years, that railroad terminated 4,500 carloads or 5% of the carloads in a particular state. This change will relieve the burden for the very small independent railroads. DOT feels the 4,500 carload minimum may not provide sufficient information for DOT to adequately carry out its statutory functions involving rail restructuring, safety, and financial assistance.

DOT recommends that the minimum terminating carloads threshold for reporting be reduced from 4,500 to 3,000 annually. DOT claims it needs waybill data showing relevant movements at the county level. DOT's analysis of 1979 waybill data shows that the reduced threshold would include four more railroads. DOT lists a total of seven railroads it feels should be included. Our records show that at least four of these railroads would be included as part of the expanded definition of railroads (sec. 1244.2(c)), since they are subsidiaries of other reporting carriers. We believe the threshold in the final rule together with the revised definition of a subject railroad should be sufficient for ICC and DOT use.

BLS uses the waybill data for producing the Railroad Freight Rate Index (Index) which we have used in certain decisions. BLS requires ICC's waybill sample to be resampled and needs to have the hard copies to obtain supplementary information. Specifically, the BLS requested the following information or items:

1) For transit waybills, identification of inbound and outbound waybills and assurance that all the inbound billing references are retained.

2) Identification of all accessorial charges as to type and quantity.

3) Total revenue by two and four digit STCC.

4) Requirement that railroads maintain hard copy waybills for a sufficient period to allow special studies such as the one required for the Index.

5) Access to hard copy waybills and any applicable inbound billing references during the periodic resampling of the pricing frame for the Index.

We support the BLS data needs in regard to the Index. We will order special studies when such studies will produce data needed by the Commission, providing it is neither an unreasonable burden to the railroads nor a near impossible task to perform. For example, representatives of railroads claim that they cannot identify inbound transit waybills. We therefore cannot, at this time, grant the BLS request for identification of inbound transit waybills because the reporting burden would be too large. However, we have added the requirement that the transit (outbound) waybills shall include the inbound reference (§ 1244.5(a)). Also, the identification of the transit (outbound) waybill which was available for the prior study will be obtained for

the revised waybill sample. This meets BLS's other needs expressed in Item 1. The third item on the BLS list is available from the Quarterly Commodity Statistics reports filed by the railroads.

In response to the needs of the BLS indicated in Item 4, as well as those of others users, we have included (sec. 1244.5) a requirement that the subject railroads retain the hard copy waybills for four years. Also, we have included a notice to the public (sec. 1244.6) that the subject railroads may be required to prepare hard copy waybills for special studies. We will call for special studies to provide the data for the first (partial), second, and fifth items (above) as requested by BLS for the updating of the Index. We understand that the number of waybills required for updating the Index is but several hundred. The updating is performed about every five years and is unlikely to pose an unreasonable burden on the railroads.

There were replies from three non-government users: the Fertilizer Institute, the Western Coal Traffic League, and the Southern Electric System which includes Alabama Power Company, Georgia Power Company, Gulf Power Company and Southern Company Services, Inc.

The Fertilizer Institute believes that two provisions should be added to the final rule. Any railroad submitting computer tapes instead of hard copy waybills should be required to preserve the underlying hard copy waybills for a period of five years from the date of submission. Additionally the Commission should guarantee public access to the waybill sample under fixed procedures and provide for access by the public to the underlying hard copies where necessary to test the accuracy of the sample.

We are requiring the railroads using the computerized system to maintain the underlying hard copies for a period of four years instead of five as requested.

At present, we have a formal procedure for release of data providing the confidentiality of shipper data is protected. For analyses of the waybill data, the individual waybill records may be released to the care of an agent who pledges to protect the confidentiality of the data. The final user may only receive the agreed upon aggregate data. Shipper data is legally protected under Title 49 U.S.C. 11910.

The Southern Electric System (SES) and the Western Coal Traffic League (WCTL) urge the Commission to further refine the waybill sample with respect to coal movements. SES and WCTL request that the final rules include a procedure which delineates the movements separately into single-car, multiple-car, trainload and unit train movements. This would create a more accurate traffic base. SES and WCTL argue that such a delineation of the traffic base would assist the Commission, the railroads, and the shippers in developing the cost data required under the Staggers Rail Act of 1980.

We believe such data would be valuable and useful. However, the railroads claim it is not possible at this time to obtain such data. For the present, we suggest that the railroads supply lists of such movements and we (ICC/DOT) will attempt to match up such lists with the comparable sample waybill moves. The future derivation of the suggested delineations is a matter of high priority which will aid fulfillment of our statutory obligations.

SES further urges the Commission to issue a notice to the public that the Commission may require hard copy waybills for special studies. Such a notice has been included in this decision.

It does not appear that these regulations will significantly affect either the quality of the human environment or conservation of energy resources or that it will adversely affect small businesses.

Accordingly, we adopt the final rules 49 CFR Part 1244 Waybill Analysis of the Transportation of Property Railroads as set forth in the Appendix to this notice.

Authority: 49 U.S.C. 11144, 49 U.S.C. 10709

Dated: April 29, 1981.

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

Agatha L. Mergenovich,

Secretary.

Appendix

PART 1244—WAYBILL ANALYSIS OF TRANSPORTATION OF PROPERTY—RAILROADS, IS REVISED TO READ AS FOLLOWS:

Sec.

1244.1 Definitions
1244.2 Applicability
1244.3 Sampling of Waybills
1244.4 Date of Filing
1244.5 Retention of Files
1244.6 Special Studies
1244.7 Analysis of Waybill Data

Authority: 49 U.S.C. 11144, 49 U.S.C. 10709

§ 1244.1 Definitions.

(a) Railroad—an individual railroad or terminal company subject to the Interstate Commerce Act and every receiver, trustee, executor, administrator or assignee of any such railroad. If a railroad and its railroad subsidiaries report to the Commission on a consolidated basis, they would collectively be considered as a "railroad".

(b) A railroad subsidiary—a railroad owned or controlled by another railroad.

(c) A waybill, which may be referred to by other names such as mine tickets, is the document or instrument prepared from the bill of lading contract or shipper's instructions as to the disposition of the freight, and used by the railroad(s) involved as the authority to move the shipment and as the basis for determining the freight charges and interline settlements.

§ 1244.2 Applicability.

(a) Effective July 1, 1981 and thereafter, unless otherwise ordered, each railroad as defined in Sec. 1244.1 above is required to file waybill sample information for all line-haul revenue waybills terminated on its lines if it terminates at least 4,500 revenue carloads in any of the three preceding years, or if it terminates at least 5% of the revenue carloads terminating in any state in any of the three preceding years. A railroad required to file waybill sample information under this section shall herein be referred to as "subject railroad."

(b) Waybill terminations shall include all line-haul revenue movements terminating for waybilling purposes on the subject railroad's line whether the lading is destined for the terminating station as denoted on the waybill or the shipment is being rebilled or forwarded to the ultimate destination by another railroad or another mode of transportation (e.g., lake cargo, inbound transit, or other rebilled movements).

(c) Each subject railroad shall also file the required waybill sample information for all of its railroad subsidiaries.

(d) Each subject railroad shall also file the required waybill sample information for any other railroad for which it performs revenue billing and/or interline settlements under special agreement.

(e) The surviving corporate entity of railroads (subject to the Interstate Commerce Act) who have merged or reorganized shall be required to report waybill sample information if its predecessor railroad or any of its predecessor railroads were required to report under this section.

(f) In order to determine the number of carloads terminated in each state, railroads not otherwise submitting waybill information must report annually the number of carloads terminated by state for the last calendar year. These reports shall be submitted by March 1 of the year following the report year.

(g) *Transition*—This final rule will apply to all subject waybills which are in the subject railroad's audit month of July 1981 and all audit months thereafter. The former rule will continue to apply to all subject waybills for the prior audit months up to and including June 1981.

§ 1244.3 Sampling of waybills.

(a) Subject railroads shall file waybill sample information in one of the following two ways.

(1) Authenticated copies of the front only of a sample of audited revenue waybills—the manual system [§ 1244.3(b)].

(2) A computer tape containing specified information from a sample of waybills—the computerized system [§ 1244.3(c)].

(b) *The Manual System.*

(1) The sample of subject waybills shall be as follows:

(i) All waybills with less than 6 carloads per waybill whose serial numbers are 1 or end in 01,

(ii) All waybills with 6 to 25 carloads per waybill whose serial numbers end in 1; and,

(iii) All waybills with 26 or more carloads per waybill whose serial numbers end in 1 or 7.

(2) The expected sampling rates for the manual system are as follows:

Numbers of carloads on waybill	Expected sample rate
1 to 5	1/100
6 to 25	1/10
26 and over	1/5

(3) Upon giving the subject roads 60 days notice, the Commission may require random serial number endings in lieu of the respective endings shown in § 1244.3(b). These random serial number endings would have the expected sample rates shown in § 1244.3(b)(2).

(4) If the subject waybills have no waybill numbers or serial numbers, or have seriously flawed waybill or serial numbers, then the subject railroad should serialize those documents in blocks of 1,000 or blocks of multiples of 1,000 (e.g., 1, 2, . . . 1,000; 1, 2, . . .) and use these constructed serial numbers for selection purposes.

(c) *The Computerized System*

(1) The tape shall be required to conform to the standards and format specified in Statement No. 81–1, *Procedure for Sampling Waybill Records by Computer,* issued by the Interstate Commerce Commission, which may be revised from time to time.

(2) The sampling rates for the computerized system are as follows:

Number of carloads on waybill	Sample rate
1 to 2	1/40
3 to 15	1/12
16 to 60	1/4
61 to 100	1/3
101 and over	1/2

(d) *Controls and Annual Counts*

(1) Each subject railroad shall maintain a control procedure to ensure complete and accurate reporting for the waybill sampling. All pertinent waybill data shall be included on hard copy waybill submissions including inbound references for transit waybills. All such pertinent waybill data shall be legible.

(2) All subject railroads shall maintain a record of the number of line-haul revenue carloads that terminated on their line in a calendar year and shall furnish this number when requested by the Commission.

(3) All subject railroads using the manual system of reporting shall furnish the Commission annually, in accordance with the instructions on the Transmittal Form OPAD–2, the total counts of line-haul revenue waybills terminated in each reporting period for the following three categories:

(i) Waybills with less than 6 carloads per waybill;

(ii) Waybills with 6 to 25 carloads per waybill; and,

(iii) Waybills with 26 or more carloads per waybill.

(4) All subject railroads on the computerized system of reporting shall furnish the Commission the control counts and tape specification information as required by the Statement No. 81–1.

(5) Certification by a responsible officer of the subject railroad as to the completeness and accuracy of sample shall be made once a year in accordance with the instructions on the Transmittal Forms OPAD–1 or OPAD–2.

§ 1244.4 Date of filing.

(a) The reporting period for which subject railroads submit waybill sample information shall be the audit (accounting) month except as specified below:

(1) Subject railroads using the computerized system may submit waybill sample information quarterly as specified in Statement 81–1.

(2) Subject railroad using the manual system may submit waybill sample information quarterly if it submits fewer than 1,000 waybills per year.

(b) Waybill sample information shall be forwarded no later than 60 days from the end of the reporting period to the Commission.

(c) When the submitted waybill sample information is returned to the submitting railroad for correction, that railroad shall resubmit corrected data to the Commission promptly but no later than 60 days after its receipt.

(d) Transmittal Forms

(1) Subject railroads using the manual system of reporting shall complete the Transmittal Form OPAD–2, to accompany each waybill sample submission.

(2) Subject railroads using the computerized system of reporting shall complete the Transmittal Form OPAD–1, to accompany each waybill tape submission.

§ 1244.5 Retention of files.

(a) Subject railroads which submit waybill sample data by the computerized system instead of the manual system shall retain the underlying hard copy waybills or facsimilies capable of producing legible copies, which shall be complete including inbound references for transit waybills, for a minimum period of four years.

(b) This file of retained waybills shall be maintained in such a manner that the railroads on the computerized system may readily retrieve waybill copies using the waybill identifier code as shown on the submitted computerized waybill record.

§ 1244.6 Special studies.

(a) Although routine submission of hard copy waybills is eliminated when a railroad reports under the computerized system, the Commission may order that railroad to submit hard copies of the underlying waybills for special studies.

(b) The Commission may order the subject railroads to supply additional data for submitted waybill copies or records for special studies.

§ 1244.7 Analysis of waybill data.

Users of the waybill sample when presenting waybill analysis before the Commission shall ensure that the appropriate weighting factors are applied to account for the stratified sampling. See Statement 81–1 for guidelines for weighting waybill data and for computing sampling errors.

(49 U.S.C. 11144 and 10709)

[FR Doc. 81-13367 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register
Vol. 46, No. 94
Friday, May 15, 1981

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 993

Dried Prunes Produced in California; Proposed Changes in Certain Specifications

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would change the size range for Extra large, Large, and Medium nomenclature size categories shown on consumer packages of dried prunes. It would also eliminate the nomenclature size category: Small, Breakfast, or Petite, although handlers could continue to use that designation so long as the label also contains a numerical size category falling within the size range of 85 to 100 prunes per pound. The proposal is intended to provide prune handlers more flexibility in packing the wide range of prune sizes produced each year, and is authorized by the Federal marketing order regulating the handling of California dried prunes.

DATE: Written comments to this proposal must be received by June 15, 1981. Proposed effective date: August 1, 1981.

ADDRESSES: Written comments should be submitted in duplicate to the Hearing Clerk, Room 1077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions will be available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: J. S. Miller, Chief, Specialty Crops Branch, Fruit and Vegetable Division, Washington, D.C. (202) 477-5697.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA Procedures and Executive Order 12291 and has been classified "not significant" and not a major rule.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because it would result in only minimal costs being incurred by the regulated 12 handlers.

Forms required for operation under this part are subject to clearance by the Office of Management and Budget and are in the process of review.

The proposal under consideration pertains to changes in §§ 993.515 (b) and (c) and 993.517 of Subpart—Pack Specification as to Size (7 CFR 993.501-993.518). This subpart is issued under the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of California dried prunes. The marketing agreement and order are collectively referred to as the "order". The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal is based on a unanimous recommendation of the Prune Administrative Committee and is authorized by § 993.50 of the order.

The pack specification prescribes commercially recognized size categories for the packing of prunes in consumer packages, including nomenclature size categories. These nomenclature size categories are listed in § 993.515(b) as follows: (1) Extra large; (2) Large; (3) Medium; and (4) Small, Breakfast, or Petite. These size categories are defined in § 993.515(c) in terms of the count of prunes per pound as follows:

(1) "Extra large" means any size count which falls within the range of 36 to 43 prunes, inclusive, per pound;

(2) "Large" means any size count which falls within the range of 43 to 53 prunes, inclusive, per pound;

(3) "Medium" means any size count which falls within the range of 53 to 67 prunes, inclusive, per pound; and

(4) "Small", "Breakfast" or "Petite" means any size count which falls within the range of 67 to 85 prunes, inclusive, per pound:

Under the proposal, the nomenclature designation Small, Breakfast, or Petite and its definition would be deleted and size ranges for the remaining three nomenclature designations would be changed as follows:

(1) "Extra large" means any size count which falls within the range of 25 to 40 prunes, inclusive, per pound;

(2) "Large" means any size count which falls within the range of 40 to 60 prunes, inclusive, per pound; and

(3) "Medium" means any size count which falls within the range of 60 to 85 prunes, inclusive, per pound.

The Committee considers the current pack specifications too restrictive and believes that the proposed size ranges will afford handlers greater flexibility in packaging, marketing, and utilizing the wide range of sizes produced each year. The proposed changes would benefit the prune industry while having no adverse effect on the quality or size of prunes the consumer receives.

Under the proposal, handlers could continue to use the Small, Breakfast, or Petite nomenclature designation on their consumer packages so long as the label also contains a numerical size category falling within the size range of 85 to 100 prunes per pound.

Section 993.517 specifies labeling and identification requirements for consumer packages of prunes and requires, among other things, that prunes in a lot where the maximum size count is less than 36 be marked clearly by the handler in terms of applicable numerical designation prescribed in § 993.515(a). The size count of 36 is currently at the lower end of the range of the Extra large size category. Since the proposal would change that limit to 25, the size count of 36 in § 993.517 should be changed to 25 as a conforming change.

Therefore, the proposal is to amend the Subpart—Pack Specification as to Size (7 CFR 993.501-993.518) as follows:

1. Paragraphs (b) and (c) of § 993.515 should be revised to read as follows:

Subpart—Pack Specification as to Size

§ 993.515 Size categories.

* * * * *

(b) *Nomenclature designations.* Each of the following is a nomenclature size category:

(1) Extra large;

(2) Large; and

(3) Medium.

(c) *Nomenclature designations defined.* As used in paragraph (b) of this section:

(1) "Extra large" means any size count which falls within the range of 25 to 40 prunes, inclusive, per pound;

(2) "Large" means any size count which falls within the range of 40 to 60 prunes, inclusive, per pound; and

(3) "Medium" means any size count which falls within the range of 60 to 85 prunes, inclusive, per pound.

* * * * *

§ 993.517 [Amended]

2. The last sentence of § 993.517 is amended by changing the number "36" to "25". As amended, that sentence reads, in part: "Prunes in any lot of which the maximum size count is less than 25 shall be clearly marked by the handler in terms of the applicable numerical designation prescribed in § 993.515(a);".

Dated: May 12, 1981.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 81-14741 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-02-M

Food Safety and Quality Service

7 CFR Part 2851

[Docket No. 79-752P]

United States Standards for Grades of Gladiolus Corms (Bulbs)[1]

Corrections

In FR Doc. 81-12733 appearing on page 23751 in the issue of Tuesday, April 28, 1981, make the following changes:

(1) On page 23752, third column, § 2851.4240, fifth line, delete "the" and insert "a".

(2) On page 23753, in table I at the top, in the second column opposite "Jumbo", "1 13/16" should have read "1 13/16"; in Table II, the first line of the first column should read:

"A. Total defects

included in "A"

(3) On page 23753, second column, § 2851.4246, paragraph (j), third line, "any" should read "an".

BILLING CODE 1505-01-M

---

7 CFR Part 2851

[Docket No. 81-019P]

U.S. Standards for Grades of Mixed Nuts in the Shell [1]

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would revise the voluntary U.S. Standards for Grades of Mixed Nuts in the Shell. This action is being taken at the request of the major mixed nut packaging firms, users of USDA's voluntary continuous inspection program. The proposed revision would provide grade standards in line with current industry practices and provide consumers with an improved product.

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

ADDRESS: Written comments should be sent to: Regulations Coordination Division, Attn: Annie Johnson, Food Safety and Quality Service, U.S. Department of Agriculture, Room 2637, South Building, Washington, DC 20250. (For additional information on "Comments," see Supplementary Information.)

FOR FURTHER INFORMATION CONTACT: Michael A. Canon, Fresh Products Branch, Fruit and Vegetable Quality Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-2093.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

L. L. Gast, Acting Administrator, Food Safety and Quality Service, has made an initial determination that this proposed rule is not a major rule under Executive Order 12291. No substantial new costs are being imposed on the affected industry. The proposal represents an adjustment of a single nut size requirement to enhance current industry marketing capabilities. Consequently, it will not result in an annual effect on the economy of $100 million or more; a major increase in cost or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Effect on Small Entities

L. L. Gast, Acting Administrator, Food Safety and Quality Service, has determined this proposed rule would not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act, P.L. 96-354 (5 U.S.C. 601), because this reflects current marketing practices.

Comments

Interested persons are invited to submit written comments concerning this proposal. Comments must be sent in duplicate to the Regulations Coordination Division and should bear a reference to the date and page number of this issue of the **Federal Register.** All comments submitted pursuant to this notice will be made available for public inspection in the Regulations Coordination Division during regular business hours (7 CFR 1.27 [b]).

Background

These standards establish size, quality, and mix requirements for in-shell pecans, filberts, walnuts, almonds, and Brazil nuts. The size and quality requirements listed in the standards for mixed nuts are explained in the U.S. standards for each type of nut.

The three major mixed nut packaging firms, packaging approximately 70 percent of the mixed nuts marketed domestically, have formally requested that the U.S. Standards for Grades of Mixed Nuts in the Shell be revised to change the minimum size requirement of Brazil nuts from Large (7/64 inches in diameter) to Medium (5/64 inch in diameter) in the U.S. Extra Fancy grade.

According to representatives of the major mixed nut packers, larger size Brazil nuts are less consistent in quality than medium size and are generally in short supply. The Manaus area of Brazil produces most of the larger size Brazil nuts. Quality in the larger nuts varies widely and incidences of aflatoxin contamination from Aspergillus mold have been more frequent than in the same size nuts produced in the Belen area of Brazil. The Belen area does not produce the volume of large size Brazil nuts that mixed nut packers require.

The three firms requesting revision of the U.S. standards are under contract to use USDA continuous inspection during product packaging. Users of the voluntary continuous inspection program may legally label consumer-size film bags of mixed nuts with a USDA grade shield and/or the statement "Packed under continuous USDA inspection." Inspectors are present during packaging, and quality is continously monitored. Users of the service pay a fee covering the cost of inspection. Advertising by these firms highlights the quality assurance of a grade labeled product.

Tree nuts in the shell are difficult for consumers to select with an assurance of wholesomeness. The nut shell effectively conceals the kernel quality in practically all cases.

The Agricultural Marketing Act of 1946 requires that the Department, in cooperation with industry, keep the requirements of the voluntary grade standards in-line with current industry

[1] Compliance with the provisions of these standards shall not excuse failure to comply with provisions of applicable Federal or State laws.

cultural and marketing practices. Although this proposed revision would provide consumers with a smaller size nut, the consistently higher quality of the medium size nuts would benefit consumers.

Revision of these U.S. standards would bring about changes in grade nomenclature that would conform with the Uniform Grade Nomenclature Policy effective 1976. The policy states that upon revision, amendment, or development the uniform grade names (U.S. Fancy, U.S. No. 1, U.S. No. 2, and U.S. No. 3) will be used in U.S. standards for fresh fruits, vegetables, and tree nuts. Consumer packages of mixed nuts are often labeled with the grade, particularly by firms packaging under the USDA continuous inspection program.

The present and proposed grades for mixed nuts are:

Present nomenclature	Proposed nomenclature
U.S. Extra Fancy	U.S. Fancy.
U.S. Fancy	U.S. No. 1.
U.S. Commercial/U.S. Select	U.S. No. 2.

In addition to these changes, the quality requirements for pecans in the shell in the U.S. Commercial/U.S. Select grades of mixed nuts would be updated to reflect the revision of the U.S. Standards for Grades of Pecans in the Shell, effective in 1976. The present and proposed tolerances for internal quality are as follows:

Present	Proposed
75 percent U.S. No. 1 quality with not more than 10 percent seriously damaged kernels, including therein not more than 6 percent which are rancid, moldy, decayed, or injured by insects.	75 percent U.S. No. 1 quality with not more than 10 percent seriously damaged kernels, including therein not more than 7 percent which are rancid, moldy, decayed, or injured by insects, including not more than one-half of 1 percent live insects inside the shell.

Therefore it is proposed to amend Subpart—United States Standards for Grades of Mixed Nuts in the Shell (7 CFR 2851.3520–2851.3523) to read as follows:

General

Sec.
2851.3520 General.

Grades

2851.3521 U.S. Fancy.
2851.3522 U.S. No. 1.
2851.3523 U.S. No. 2.

General

§ 2851.3520 General.

Any lot of mixed nuts in the shell which is classified as meeting the requirements of a U.S. grade for mixed nuts in the shell is required to conform to the applicable mixture, sizes, and grades set forth in one of the following grades. Each species of nut shall be graded individually in accordance with U.S. standards currently in effect for that species. The percentages in the mixture shall be determined on the basis of weight, and each species must conform to the miniumum and maximum percentages specified in the mixture as set forth in § 2851.3521–2851.3523. A composite sample shall be drawn to determine mixture, size, and grade. When any species in a lot fails to meet the applicable requirements as to mixture, size, or grade prescribed for a particular U.S. grade for mixed nuts in the shell, the entire lot fails to meet the requirements of such U.S. grade.

Grades

§ 2851.3521 U.S. Fancy.

Nut species	Allowable mixture: Minimum percent	Allowable mixture: Maximum percent	Minimum size	Minimum grade
Almonds	10	40	28/64 inch (11.1 mm)	U.S. No. 1.
Brazils	10	40	Medium	U.S. No. 1.
Filberts	10	40	Long type varieties 44/64 inch (17.5 mm)—Round type varieties 49/64 inch (19.4 mm).	U.S. No. 1.
Pecans	10	40	Extra Large	U.S. No. 1.
Walnuts	10	40	Large	U.S. No. 1.

§ 2851.3522 U.S. No. 1.

Nut species	Allowable mixture: Minimum percent	Allowable mixture: Maximum percent	Minimum size	Minimum grade
Almonds	10	40	28/64 inch (11.1 mm)	U.S. No. 1.
Brazils	10	40	Medium	U.S. No. 1.
Filberts	10	40	Long type varieties 44/64 inch (17.5 mm)—Round type varieties 49/64 inch (19.4 mm).	U.S. No. 1.
Pecans	10	40	Large	U.S. No. 1.
Walnuts	10	40	Medium	U.S. No. 1.

§ 2851.3523 U.S. No. 2

Nut species	Allowable mixture: Minimum percent	Allowable mixture: Maximum percent	Minimum size	Minimum grade
Almonds	5	40	28/64 inch (11.1 mm)	U.S. No. 1.
Brazils	5	40	Medium	U.S. No. 1.
Filberts	5	40	Long type varieties 34/64 inch (13.5 mm)—Round type varieties 45/64 inch (17.9 mm).	U.S. No. 1.
Pecans	5	40	Medium	(a) External quality: U.S. No. 1. (b) Internal quality: 75 percent U.S. No. 1 quality with not more than 10 percent seriously damaged kernels, including therein not not more than 7 percent which are rancid, moldy, decayed, or injured by insects, including not more than one-half of one percent live insects inside the shell.
Walnuts	5	40	Baby	(a) External quality: 85 percent U.S. No. 1 quality.

Nut species	Allowable mixture: Minimum percent	Allowable mixture: Maximum percent	Minimum size	Minimum grade
				(b) Internal quality: 85 percent U.S. No. 1 quality, except that the lot need only meet the requirements for U.S. No. 2 grade for kernel color; with not more than 8 percent seriously damaged kernels, including therein not more than 5 percent which are damaged by insects.

(Agricultural Marketing Act of 1946, secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624).

Done at Washington, D.C., on: April 30, 1981.

L. L. Gast,

Acting Administrator, Food Safety and Quality Service.

[FR Doc. 81-14735 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-DM-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 229 and 240

[Release No. 34-17780, File No. S7-871]

Proposed Amendments to Proxy Rules and Provisions Relating to Shareholder Communications Generally

AGENCY: Securities and Exchange Commission.

ACTION: Prososed rule; extension of time for comment.

SUMMARY: The Securities and Exchange Commission announced today that it has extended the date by which comments must be submitted on the release entitled "Proposed Amendments to Proxy Rules and Provisions Relating to Shareholder Communications Generally," which was issued on February 5, 1981 (46 FR 12011, February 12, 1981). Originally, the comment period for this release was scheduled to end on May 15, 1981. The Commission has received requests that the comment period be extended and believes that an extension will be beneficial because it will result in the receipt of additional useful comments.

DATE: Comments must be received on or before September 1, 1981.

ADDRESSES: Comments should be submitted in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Comment letters should refer to File No. S7-871. All comments received will be available for public inspection and copying in the Commission's Public Reference Room, 1100 L Street NW., Washington, D.C. 20549.

FOR FURTHER INFORMATION CONTACT: Stephen W. Hamilton (202) 272-2589, Division of Corporation Finance, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: In Release No. 34-17517 [46 FR 12011], issued on February 5, 1981, the Commission requested comments on proposed amendments to certain proxy rules and provisions relating to shareholder communications generally. In order to receive the benefit of the comments of the greatest number of interested persons, and in view of the requests received by the Commission for additional time in which to comment, the Commission has extended the comment period for the release by 109 days, until September 1, 1981. In this regard, the attention of interested parties is directed to the Commission's "Rules of Practice" (17 CFR 201.27, 201.28) and "Informal and Other Procedures" (17 CFR 202.6), which provide that the Commission may, in its discretion, accept and include in the public record written comments filed with the Commission after the closing date.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14713 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 656

Labor Certification Process for the Permanent Employment of Aliens in the United States; Certification of Canadian Railway Workers

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: This notice extends the time for filing comments on proposed rulemaking to amend the regulations relating to certification of immigrant aliens for permanent employment in the United States (46 FR 3910). The proposed amendment would add to the Schedule A precertification list certain Canadian railway workers who have qualified for employment through seniority rights under a collective bargaining agreement. As a result of the publication of this proposed amendment, several commenters have questioned whether or not the incident of the proposed rule will affect Canadian railway workers more than American railway workers, and have indicated that an extension of the comment period is in order. The comment period is being extended in order to provide sufficient time for all interested parties to prepare and submit comments on the proposed rulemaking.

DATE: Comments may be submitted by July 14, 1981.

ADDRESS: Send written comments to: Mr. David O. Williams, Administrator, United States Employment Service, Employment and Training Administration, United States Department of Labor, Suite 8000, Patrick Henry Building, 601 D Street NW., Washington, D.C. 20213.

FOR FURTHER INFORMATION CONTACT: Mr. Aaron Bodin, Chief, Division of Labor Certifications, Telephone: 202-376-6295.

SUPPLEMENTARY INFORMATION: On January 16, 1981, a notice of proposed rulemaking was published in the **Federal Register** (46 FR 3910) to amend the regulations at 20 CFR 656 to add to the Schedule A precertification list certain Canadian railway workers who will be employed with the same international corporation or organization with which they were employed in the United States or Canada for one continuous year. Canadian immigration authorities may issue an employment authorization

(similar to a labor certification) to a non-Canadian if the employment of that person would result in reciprocal treatment of Canadian citizens in other countries. Thus, the issuance of Schedule A United States permanent alien labor certifications to Canadian workers in such an occupational category would result in reciprocal employment opportunities for similar situations for U.S. workers in Canada.

The proposed amendment to add Canadian railway workers to 20 CFR Part 656 has generated considerably more controversy than anticipated. The vast majority of the comments object to the proposed rule. These comments originate largely in Maine and stem from the fact that in 1974 the Canadian Pacific Railroad purchased several miles of track in New England. Therefore, the Department has decided to extend the comment period to allow more time for other interested parties to be heard and to learn more about local situations further west along the border.

Signed at Washington, D.C. this 6th day of May, 1981.

Raymond J. Donovan,

Secretary of Labor.

[FR Doc. 81-14714 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-30-M

Office of the Secretary

20 CFR Ch. I

Semiannual Regulatory Agenda; Correction

AGENCY: Department of Labor.

ACTION: Semiannual agenda of regulations selected for review or development; correction.

SUMMARY: This document makes a correction in the Department of Labor's Semiannual Regulatory Agenda which appeared at page 23884 in the **Federal Register** of Tuesday, April 28, 1981 (46 FR 23884). This action is necessary to delete an entry which was erroneously included in that agenda.

FOR FURTHER INFORMATION CONTACT: Seth D. Zinman, Associate Solicitor for Legislation and Legal Counsel, Office of the Solicitor, Department of Labor, 200 Constitution Avenue, N.W., Room N2428, Washington, D.C. 20210, 202-523-8201.

The following correction is made in FR Doc. 81-12662 appearing on page 23884 in the issue of April 28, 1981:

1. On page 23885, column three, the index listing for entry "29. ESA—Claims for Compensation under the Federal Employees Compensation Act, as amended." in category V of the agenda is removed.

2. On page 23898, column two, entry number 29, entitled "29. **ESA—20 CFR 10 et seq.—Claims for Compensation under the Federal Employees' Compensation Act, as amended**" is removed from the agenda.

Signed this 12th day of May 1981 at Washington, D.C.

Raymond J. Donovan,

Secretary of Labor.

[FR Doc. 81-14724 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-23-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 1, 166

[Docket No. 79P-0402]

Multiunit and Multicomponent Food Packages; Proposed Exemption From Required Label Statements

AGENCY: Food and Drug Administration.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) proposes to exempt wrappers on subdivisions of oleomargarine and margarine in a multiunit retail food package from the requirement that the name and place of business of the manufacturer, packer, or distributor be declared on the label. FDA also proposes to exempt unit containers of other foods in a multiunit or multicomponent retail package when the inner units are otherwise properly labeled and they do not constitute separate units for retail sale.

DATES: Written comments on or before July 14, 1981. Proposed effective date of the final regulation based on this proposal is the date of publication of the final regulation in the **Federal Register.**

ADDRESS: Written comments to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA-305), Food and Drug Administration, room 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Howard N. Pippin, Bureau of Foods (HFF-312), Food and Drug Administration, 200 C St., SW., Washington, D.C. 20204, 202-245-3092.

SUPPLEMENTARY INFORMATION: The National Association of Margarine Manufacturers (NAMM) submitted to FDA a petition, dated October 15, 1979, in which it requested that wrappers on subdivisions of margarine be exempted from the requirement of declaring the name and place of business of the manufacturer, packer, or distributor on the label, when the subdivisions contained within the retail package do not constitute separate units for retail sale and the wrappers are otherwise properly labeled. The petitioner asserts that it is inappropriate to consider the wrappers on subdivisions of margarine as "labels" because the word "margarine" or "oleomargarine" appearing on the wrapper is mandated by the Margarine Act of 1950. Therefore, the petitioner contends, FDA should require only the name of the food to appear on the wrapper in accordance with the requirements mandated by section 407(b)(4) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 347(b)(4)).

Section 407 of the act states that "The requirement of this subsection shall be in addition to and not in lieu of any of the other requirements of this Act." Therefore, it was not Congress' intention that FDA be restricted to the labeling requirements of section 407(b)(4) of the act. FDA interprets section 407(b)(4) of the act to mean that the wrappers in which each part of the contents of the package is contained and on which bears the word "oleomargarine" or "margarine" are "labels" within the meaning of section 201(k) of the act (21 U.S.C. 321(k)). Thus, FDA can require the same information required to appear on the label of a retail package to be declared on the wrappers of subdivisions within the package. However, FDA has established certain exemptions from these labeling requirements for margarine. Section 166.40(i) (21 CFR 166.40(i)) provides that the wrappers on the subdivisions of margarine contained within the package sold at retail may be exempted from the requirement of section 403(g)(2), (i)(2), and (k) of the act regarding label declaration of ingredients when the subdivisions are securely enclosed within and are not intended to be separated from the retail package under conditions of retail sale and are labeled with the following statements: the word "oleomargarine" or "margarine", a statement of the quantity of contents, the name and place of business of the manufacturer, packer, or distributor and the specific statement "This Unit Not Labeled for Retail Sale".

In support of its petition, NAMM argues that the requirement to label both the wrapper of the subdivision and the retail package, with the name and place of business of the manufacturer, packer, or distributor, results in costly duplication of information, and the removal of this requirement will be

consistent with Executive Order 12044, "Improving Government Regulations". This order was issued in an effort to ensure that regulations do not impose unnecessary burdens. NAMM also argues that the removal of the subject requirement will be consistent with FDA's stated goal under "Operation Common Sense" to remove burdensome, nonproductive requirements.

FDA has considered the petition and agrees that an exemption from the label requirement for a declaration of the name and place of business of the manufacturer, packer, or distributor is appropriate when the wrappers are otherwise properly labeled, the subdivision does not constitute a separate unit for retail sale, and the outside of the retail package is properly labeled. However, certain language contained in § 166.40(i), which clearly states the labeling requirements for the wrappers, was omitted from the text of the exemption requested by the petitioner. The text of the exemption as requested by the petitioner might be construed as having the effect of exempting the wrappers from all labeling requirements, except the word "oleomargarine" or "margarine", and the statement, "This Unit Not Labeled For Retail Sale". The petitioner did not submit evidence to support such a blanket exemption. FDA has therefore modified the petitioner's suggested language to provide an exemption from the requirement to declare the name and place of business of the manufacturer, packer, or distributor, but to maintain the existing lanuage in § 166.40(i), which clearly states the labeling requirements for the wrappers.

This proposed exemption should also apply to other foods packaged in a like manner, including foods in multicomponent retail packages and other multiunit retail packages. Accordingly, FDA proposes in § 1.24 (21 CFR 1.24) to exempt unit containers in multiunit or multicomponent retail food packages from the requirement for a label declaration of the name and place of business of the manufacturer, package, or distributor, when the outside of the retail package is properly labeled and the unit containers do not constitute separate units for retail sale.

In accordance with advice given by FDA previously (40 FR 57452; December 10, 1975), the term wrapper as it is used in section 407(b)(4) of the act means the usual paper or foil wrapper in use at the time section 407(b)(4) was enacted, and not a tub or other container. Accordingly, an individual inner-unit tub of margarine, not sold individually, may be devoid of any written, printed, or graphic matter since it is not a "wrapper." However, written, printed, or graphic matter on such a tub would be label within the meaning of section 201(k) of the act, and thus, the presence of any written, printed, or graphic matter would require the tub to bear all mandatory labeling under the act, subject to the exemption of this proposal and any existing applicable regulations. In accordance with this advice and the intent of this proposal, individual inner-unit tubs of margarine as well as other products would be entitled to the exemption of the proposed § 1.24(a)(14); whereas margarine wrappers would be entitled to the exemption proposed in § 166.40.

The agency has determined pursuant to 21 CFR 25.24(d)(13) (proposed December 11, 1979; 44 FR 71742) that this proposed action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

In accordance with Executive Order 12291, the economic effects of this proposal have been carefully analyzed, and it has been determined that the proposed rule is not a major rule as defined by that order. The basis for this determination is that, for foods packaged in multi-unit containers that do not constitute separate units for retail sale, this rulemaking removes an existing mandatory requirement that the name and address of the manufacturers be declared on the unit package label. Manufacturers will therefore be able to use up existing labels, and they will be able to omit the existing mandatory information from new labels. No increase in manufacturers' labeling costs in therefore expected.

In accordance with the Regulatory Flexibility Act 1980 (Pub. L. 96-354), this certifies that the proposed rulemaking would not adversely impact on small entities, including small businesses. The agency has determined that because the effect of this proposed regulation is to exempt unit containers in multi-unit or multi-component retail food packages from certain labeling requirements, thus reducing labeling costs, no adverse small business economic impact will result from this action.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201, 403, 407, and 701, 52 Stat. 1040-1042 as amended 1047-1048, 1055-1056 as amended, 64 Stat. 20 (21 U.S.C. 321, 343, 347, 371)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), it is proposed that Chapter I of Title 21 of the Code of Federal Regulations be amended as follows:

1. In Part 1 by revising § 1.24(a)(14) to read as follows:

§ 1.24 Exemption from required label statements.

* * * * *

(a) * * *

(14) The unit containers in a multiunit or multicomponent retail food package shall be exempt from compliance with the requirements of section 403(e)(1), (g)(2), (i) (2), and (k) of the act with respect to the requirements for label declaration of the name and place of business of the manufacturer, packer, or distributor and label declaration of ingredients when (i) the multiunit or multicomponent retail food package labeling meets all the requirements of this part; (ii) the unit containers are securely enclosed within and not intended to be separated from the retail package under conditions of retail sale; and (iii) each unit container is labeled with the statement "This Unit Not Labeled For Retail Sale" in type size not less than one-sixteenth inch in height, and each multiunit or multicomponent package principal display panel is labeled with the statement "Inner Units Not Labeled For Retail Sale" in type size not smaller than the minimum type size required for the declaration of net quantity of contents by § 101.105 of the chapter.

* * * * *

2. In Part 166 by revising § 166.40(i) to read as follows:

§ 166.40 Labeling of margarine.

* * * * *

(i) The wrappers on the subdivisions of oleomargarine or margarine contained within the package sold at retail are labels within the meaning of section 201(k) and shall contain all of the label information required by sections 403 and 407 of the Federal Food, Drug, and Cosmetic Act, just as in the case of 1-pound cartons, except that wrappers on the subdivisions contained within the retail package shall be exempt from compliance with the requirements of section 403(e)(1), (g)(2), (i)(2), and (k) of the act with respect to the requirements for label declaration of the name and place of business of the manufacturer, packer, or distributor and label declaration of ingredients when (1) the subdivisions are securely enclosed within and are not intended to be separated from the retail package under conditions of retail sale; (2) the wrappers on the subdivisions are labeled with the statement "This Unit Not Labeled For Retail Sale" in type size

not less than one-sixteenth inch in height; and (3) each multiunit package principal display panel is labeled with the statement "Inner Units Not Labeled For Retail Sale" in type size not smaller than the minimum size required for the declaration of net quantity of contents by § 101.105 of this chapter.

* * * * *

Interested persons may, on or before July 14, 1981, submit to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, written comments regarding this proposal. Four copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 22, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81–14478 Filed 05–14–81; 8:45 am]

BILLING CODE 4110–03–M

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Parts 320 through 330

Proposed Nationwide Permits for Certain Water Activities; Hearing

AGENCY: Corps of Engineers, Department of the Army, DOD.

ACTION: Notice of public hearings.

SUMMARY: On September 19, 1980, (45 FR 62732) the Corps of Engineers published proposed rulemaking to amend permit regulations for controlling certain activities in waters of the United States (33 CFR Parts 320–330). As a result of comments received on the proposed rules, public hearings will be held on the nationwide permits contained in that proposal (33 CFR Part 330). The hearings will be held in Washington, D.C., and St. Paul, Minnesota, and are open to the public. Comments may be submitted in person at the hearings or in writing to the Office of the Chief of Engineers at the address given below. The hearing record will remain open until June 30, 1981. The legal authority for these hearings is Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).

DATE: The hearing in Washington, D.C., will be held from 1:00 p.m. to 4:30 p.m. on June 15, 1981. The hearing in St. Paul, Minnesota, will be held from 2:00 p.m. to 5:00 p.m. and from 7:00 p.m. to 10:00 p.m. on June 17, 1981.

ADDRESS: The hearing in Washington, D.C., will be held at the National Guard Auditorium, 1 Massachusetts Avenue, NW. The meeting in St. Paul, Minnesota, will be held in the Minnesota West Ballroom, Lower Level, Radisson Hotel, 11 E. Kellogg Boulevard.

FOR FURTHER INFORMATION CONTACT: Mr. Barnard Goode or Mr. Morgan Rees, Regulatory Functions Branch, Construction-Operations Division, Directorate of Civil Works, Office of the Chief of Engineers, ATTN: DAEN–CWO–N, Washington, D.C. 20314, (202) 272–0200.

SUPPLEMENTARY INFORMATION: Procedures. The hearings will be transcribed. Persons desiring to testify at the hearings are requested to limit their statements to 15 minutes. Filing of a written statement at the time of giving the oral statement would be helpful and facilitate the job of the court reporter. Persons wishing to speak at the hearings need only fill out a card that will be available at the entrance to the hearing rooms. Advance requests to speak may be mailed to the address given under "For further information contact."

When we published the proposed rules in September 1980, we solicited comments on existing and proposed nationwide permits and asked for suggestions for potential additional nationwide permits. The Corps believes one of the suggested new nationwide permits is worthy of further consideration. This would be a permit for placement of concrete into tightly sealed forms or cells within waters of the United States. This would address the circumstances where poured concrete used as a structural member would require a Section 404 permit whereas a structural member made of steel or wood but serving the same purpose as the concrete does not require a 404 permit. The concrete structure itself would continue to require a permit under Section 10 of the River and Harbor Act of 1899 if in navigable waters of the United States.

A number of other additional nationwide permits were suggested, but the Corps believes the interest in these would be sufficient to justify separate rulemaking procedures in the future.

We received many comments requesting an increase in the 5 cu. yds. of discharge and dredging allowed under proposed nationwide permits 18 and 19. Most commenters urged that we increase the volume limitation well beyond these limits, but others urged deletion of these permits altogether. We are considering increasing the volume limitation from 5 cu. yds. to 10 cu. yds. We believe that even this doubling of the volume limitation combined with the conditions of 33 CFR 330.5(b) truly represent minor activities. We would rely on the discretionary authority provisions of 33 CFR 330.7 to cover unusual circumstances where the discharge or dredging may have more than minor impacts.

The Corps requests any comments on the suggested additional nationwide permit for concrete and on the suggested change to permit nos. 18 and 19. Comments may be presented at the hearings or submitted in writing by June 30, 1981.

Dated: May 8, 1981.

John J. Quinn, Jr.,

Deputy Executive Director, Engineer Staff.

[FR Doc. 81–14489 Filed 5–14–81; 8:45 am]

BILLING CODE 3710–92–M

POSTAL SERVICE

39 CFR Part 111

Unpaid and Part-Paid Mail Addressed to U.S. Government Offices

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: This proposal would change postal regulations governing the handling of unpaid and part-paid mail addressed to U.S. Government offices. At the present time, such mail is delivered without payment of postage due at the time of delivery. The agency that received the mail should reimburse the Postal Service through the Official Mail reimbursement procedures. Under this proposal, U.S. Government addressees would be given the same option that is available to other mailers, *i.e.*, either to pay any postage due on part-paid mail at the time of delivery, or to refuse acceptance of such mail. Unpaid mail would be returned to the sender for postage. We believe that this proposal will provide the most accurate and effective procedure to reimburse the Postal Service for part-paid and unpaid mail sent to Government agencies.

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

ADDRESS: Written comments should be mailed or delivered to the Director, Office of Mail Classification, Rates and Classification Department, Room 1640, 475 L'Enfant Plaza West, SW., Washington, D.C. 20260. Copies of all

written comments will be available for inspection and photocopying between 9:00 a.m. and 4:00 p.m., Monday through Friday, in Room 1640 at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. George E. Thomas, (202) 245–4512.

SUPPLEMENTARY INFORMATION: In the past, it has been Postal Service policy to deliver unpaid and part-paid mail when addressed to Federal Government agencies and to rely on the agency for reimbursement for the postage due on all such mail.

The Postal Service now believes that this policy should be changed. The statutory provisions which govern reimbursement to the Postal Service for matter sent as penalty and franked mail (39 U.S.C. 3206 and 3216) do not cover ordinary, non-penalty and non-franked mail sent by the general public to a federal government addressee. Nor do they recognize and address the problem of identifying and collecting postage on short-paid official metered mail. Furthermore, since unpaid and part-paid mail is intermingled with the large volumes of fully paid incoming mail that many agencies receive, inaccurate postage due computations and revenue loss for the Postal Service are unavoidable.

This proposed change would simply delete the special provisions in section 146.4 of the Domestic Mail Manual dealing with postage due mail for government agencies. Proposed section 146.4 would retain only the unrelated provisions dealing with situations where stamps are lost off mail and with registered mail. The deletions would have the effect of placing postage due mail to government agencies under the standard rules of Part 146 for the handling of postage due mail. These are, with certain exceptions; (1) postage must be fully prepaid on all mail at the time of mailing; (2) mail deposited without prepayment of sufficient postage will be delivered to the addressee subject to payment of deficient postage, or if refused, returned to the sender or otherwise disposed of; and (3) mail deposited without any postage affixed will be returned to the sender without any attempt to deliver.

The proposal secures greater uniformity of administration. It also furthers the Postal Service's revenue protection program by eliminating a situation in which some mailers might avoid payment for mail services received, and where the Postal Service might not be otherwise paid.

In conjunction with this proposal, the Postal Service also intends to (1) revise the language of section 146.41 to more accurately explain that mail which appears to have had an adhesive stamp affixed will be handled as if postage had been paid at the lowest applicable rate increment and (2) delete the special provisions that relate to postage due mail addressed to postmasters, regional offices of the Postal Service and postal inspectors.

As a result of these proposed changes, present section 146.45 will be renumbered as 146.42.

Although exempt from the requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comment on the following proposed revisions of the Domestic Mail Manual, which is incorporated by reference in the **Federal Register**. See 39 CFR 111.1

PART 146—PREPAYMENT AND POSTAGE DUE

Revise 146.4 to read as follows:

146.4 When Not Collected

.41 Stamps Lost Off Mail. When it is apparent from the impression of a canceling stamp that a postage stamp has been wholly or partially lost, the piece will be handled as if postage had been paid at the lowest applicable rate increment.

.42 Registered Mail. Registered mail, except that endorsed to show that it was registered in transit, will be delivered without collection of postage due. Postage due will be collected on matter registered at other than the mailing office.

An appropriate amendment to 39 CFR 111.3 to reflect these changes will be published if this proposal is adopted.

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

W. Allen Sanders,

Associate General Counsel, General Law and Administration.

[FR Doc. 81-14723 Filed 5-14-81; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-2-FRL-1820-2]

Approval and Promulgation of Implementation Plans; Identification of State Regulatory Provisions, New Jersey, Puerto Rico, and the Virgin Islands

AGENCY: Environmental Protection Agency.

ACTION: Proposed rulemaking.

SUMMARY: The purpose of this notice is to propose promulgation of three new sections in that part of the Code of Federal Regulations dealing with the State Implementation Plans for New Jersey, Puerto Rico and the Virgin Islands. These sections are intended to serve the purpose of identifying state regulatory provisions which have been approved by the Environmental Protection Agency as part of the State Implementation Plans for these three areas.

DATES: comments must be submitted by June 15, 1981.

ADDRESS: All comments should be addressed to: Richard T. Dewling, Acting Regional Administrator, U.S. Environmental Protection Agency, 26 Federal Plaza, New York, New York 10278.

FOR FURTHER INFORMATION CONTACT: William S. Baker, Chief, Air Programs Branch, U.S. Environmental Protection Agency, 26 Federal Plaza, New York, New York 10278, (212) 264–2517.

SUPPLEMENTARY INFORMATION: Under the provisions of the Clean Air Act states are required to develop plans for the attainment and maintenance of national ambient air quality standards. Such plans, called State Implementation Plans (SIPs), are submitted to the Environmental Protection Agency (EPA) for approval and, once approved through federal rulemaking, become federally enforceable. The Clean Air Act also provides for the revision of SIPs as necessary. Revisions must also be submitted to and approved by EPA.

Originally SIPs were submitted by the State of New Jersey, the Commonwealth of Puerto Rico and the Territory of the Virgin Islands on January 26, 1972, January 31, 1972 and January 31, 1972, respectively. Since that time, these plans have undergone numerous revisions.

Each SIP and SIP revision submitted by these states is identified in an "Identification of plan" section of Title 40, *Code of Federal Regulations*, Part 52 (40 CFR 52).[1] However, this section contains only a general description of the material submitted and does not provide detailed information on specific SIP provisions. Neither does this section indicate whether a particular state submittal has been approved, partially approved or disapproved by EPA, although this fact is generally indicated in other sections of 40 CFR 52. In other words, the "Identification of plan" sections provide a chronological listing

[1] Subpart FF, § 52.1570 for New Jersey; Subpart BBB, § 52.2720 for Puerto Rico; Subpart CCC, § 52.2770 for the Virgin Islands.

of SIPs and SIP revisions submitted to EPA, but do not indicate the current requirements of the applicable SIPs.

Moreover, this general problem is compounded with regard to those parts of the SIPs dealing with state regulatory provisions. This is because modifications or revocations of state regulations carried out as a matter of state law are not reflected as a part of the applicable SIP until EPA has approved the change as a SIP revision. The fact that "old" state regulatory provisions may survive as applicable SIP requirements, even after the state has acted to amend or revoke such provisions, can be a potential source of confusion. Differing state and SIP requirements can also result when EPA approves a portion of a "new" regulatory provision, but disapproves another portion. EPA disapproval can lead to EPA promulgation of a substitute SIP provision or it can lead to the prior version of the state regulatory provision remaining as a part of the applicable SIP. The existence within an applicable plan of "old" and "new" portions of a state regulation may also occur if a new state regulatory provision submitted as a SIP revision only partially replaces an "old" provision. All of these factors have led to some uncertainty and confusion on the part of the regulated community and even the states.

In order to ameliorate this situation, EPA is proposing to add a new section to Subparts FF, BBB and CCC of 40 CFR 52. These sections are intended to provide a clear identification of the state regulatory provisions in New Jersey, Puerto Rico and the Virgin Islands which have been approved by EPA as a part of each applicable SIP. If today's proposal is ultimately promulgated, these sections will be updated as necessary so as to always provide an accurate, complete listing of the specific state regulation, or part thereof, which is a part of the SIP.

The listings which EPA proposes to promulgate are as follows:

Subpart FF—New Jersey

Applicable regulation and title	State effective date	Comments
Subchapter 1, "General Provisions"	5/1/56	
Subchapter 2, "Control and Prohibition of Open Burning"	12/29/75	
Subchapter 3, "Control and Prohibition of Smoke From Combustion of Fuel"	1/16/72	
Subchapter 4, "Control and Prohibition of Solid Particles From Combustion of Fuel"	3/27/72	
Subchapter 5, "Prohibition of Air Pollution"	1/1/61	
Subchapter 6, "Control and Prohibition of Particles From Manufacturing Processes" (except 6.6).	5/23/77	Section 6.5, "Variances" is not approved (40 CFR 52.1570(c)(20) and 52.1604(a)). Any State-issued variances must be formally incorporated as SIP revisions if EPA is to be bound to their provisions (40 CFR 52.1604(a)).
Subchapter 7, "Sulfur"	3/1/67	
Subchapter 8, "Permits and Certificates"	6/1/76	
Subchapter 9, "Sulfur in Fuels"	6/4/79	
Subchapter 10, "Sulfur in Coal"	9/5/78	Notification of "coal conversions" must be provided to EPA (40 CFR 52.1601(b)).
Subchapter 11, "Incinerators"	8/15/66	
Subchapter 12, "Prevention and Control of Air Pollution Emergencies"	3/27/72	
Subchapter 13, "Ambient Air Quality Standards"	3/5/73	
Subchapter 14, "Control and Prohibition of Smoke From Diesel-Powered Motor Vehicles".	1/18/71	
Subchapter 15, "Control and Prohibition of Air Pollution From Light-Duty Gasoline-Fueled Motor Vehicles".	7/5/72	
Subchapter 16, "Control and Prohibition of Air Pollution by Volatile Organic Substances" (with provisions as noted).	12/17/79	Emission limitations adopted by the State under and complying with §§ 16.6(c)(4) and 16.6(c)(5) become applicable if transmitted to EPA. Variances adopted by the State pursuant to §§ 16.9 and 16.10 become applicable only if approved by EPA as SIP revisions (40 CFR 52.1562(d), published at 46 FR 20551 on April 6, 1981).
Subchapter 16, "Control and Prohibition of Air Pollution by Volatile Organic Substances"/Section 16.3 (except as noted).	3/1/76	Section 16.3 disapproved insofar as it relates to gasoline transfer in the New Jersey-New York-Connecticut and Metropolitan Philadelphia Air Quality Control Regions (40 CFR 52.1582(c)). Provisions of federally promulgated regulations (40 CFR 52.1595 and 52.1599) are applicable to these areas, while provisions of the 3/1/76 version of § 16.3 are applicable to the other areas (Northeast Pennsylvania-Upper Delaware Valley and New Jersey Intrastate Air Quality Control Regions). These provisions remain applicable as interim requirements insofar as they are not inconsistent with provisions of the 12/17/79 version of Subchapter 16.
Subchapter 18, "Control and Prohibition of Air Pollution From New or Altered Sources Affecting Ambient Air Quality in Nonattainment Areas (Emission Offset Rule)" (except as noted regarding §§ 18.1 and 18.2(e)(1)).	9/8/80	The definitions of "significant emission increase," in § 18.1, and § 18.2(e)(1) are disapproved. Federally promulgated regulations (40 CFR 52.1578(c), published at 46 FR 21994 on April 15, 1981) are applicable.

Subpart BBB—Puerto Rico

Applicable regulation and title[1]	State adoption date	Comments
Rule 101, "Title"	6/27/80	
Rule 102, "Definitions"	6/27/80	
Rule 103, "Source Monitoring, Record Keeping, Reporting, Sampling and Testing Methods".	6/27/80	
Rule 104, "Emission Data Available to Public Presentation" (except as noted)	6/27/80	A previously identified version of this regulation (Section 2.4 of the 1972 version of the "Puerto Rico Regulation for the Control of Atmospheric Pollution") was disapproved insofar as it could, under some circumstances, prohibit disclosure of emisson data to the public (40 CFR 52.2725(a)). A federally promulgated regulation (40 CFR 52.2725(b)) remains applicable.
Rule 105, "Malfunctions"	6/27/80	
Rule 106, "Test Methods"	6/27/80	
Rule 107, "Air Pollution Emergencies"	6/27/80	
Rule 108, "Air Pollution Control Equipment"	6/27/80	
Rule 110, "Revision of Applicable Rules and Regulations"	6/27/80	
Rule 111, "Applications, Hearings, Public Notice"	6/27/80	
Rule 112, "Notice of Violation"	6/27/80	
Rule 113, "Closure of a Source"	6/27/80	
Rule 114, "Compulsory and Optional Hearing"	6/27/80	
Rule 115, "Punishment "	6/27/80	
Rule 116, "Public Nuisance"	6/27/80	
Rule 117, "Overlapping or Contradictory Provisions,"	6/27/80	

Subpart BBB—Puerto Rico—Continued

Applicable regulation and title[1]	State adoption date	Comments
Rule 118, "Segregation and Combination of Emissions"	6/27/80	
Rule 119, "Derogation"	6/27/80	
Rule 120, "Separability Clause"	6/27/80	
Rule 121, "Effectiveness"	6/27/80	
Rule 201, "Location Approval"	6/27/80	
Rule 202, "Air Quality Impact Analysis"	6/27/80	
Rule 203, "Permit to Construct a Source"	6/27/80	
Rule 204, "Permit to Operate"	6/27/80	
Rule 205, "Compliance Plan for Existing Sources"	6/27/80	
Rule 206, "Exemptions"	6/27/80	
Rule 207, "Continuing Responsibility for Compliance"	6/27/80	
Rule 208, "Agricultural Burning Authorized"	6/27/80	
Rule 209, "Modification of Allowed Percentage of Sulfur in Fuels"	6/27/60	
Rule 301, "Variances Authorized"	6/27/80	
Rule 302, "Emergency Variances"	6/27/80	
Rule 401, "Generic Prohibitions"	6/27/80	
Rule 402, "Open Burning"	6/27/80	
Rule 403, "Visible Emissions"	6/27/80	
Rule 404, "Fugitive Dust"	6/27/80	
Rule 405, "Incineration"	6/27/80	
Rule 406, "Fuel Burning Equipment"	6/27/80	
Rule 407, "Process Sources"	6/27/80	
Rule 408, "Asphaltic Concrete Batching Plants"	6/27/80	
Rule 409, "Non-Process Sources"	6/27/80	
Article 5, "Control of Sulfur Compound Emissions"/Appendices A and B (except as noted).	12/30/74	Section H of Appendix A is disapproved insofar as it permits increases in stack heights (40 CFR 52.2731(d)). Applicable sulfur content limitations are set out in Appendix B, as submitted on January 3, 1975, except for the Puerto Rico Water Resources Authority (now named Puerto Rico Electic Power Authority) Aguirre Complex, Bristol Meyers (Barceloneta), Abbott (Barceloneta), Pfizer (Barceloneta), Merck and Company (Barceloneta), Union Carbide (Barceloneta), Upjohn (Barceloneta), and Central Guanica (Aguada), for which Appendix B sulfur limitations are disapproved (40 CFR 52.2731(b)). The sulfur content limitation for PREPA Aguirre Complex is Federally promulgated at 40 CFR 52.2731(c). The other disapproved sulfur content limitations are replaced by the limitations contained in the 1972 version of the "Puerto Rico Regulation for Control of Atmospheric Pollution," Article 6 as submitted to EPA on January 31, 1972 (see below) 40 CFR 52.2731(b)).
Article 5, "Control of Sulfur Compound Emissions"/Section 6.1	1/72	Applicable to Abbott (Barceloneta), Bristol Meyers (Barceloneta), Pfizer (Barceloneta), Union Carbide (Barceloneta), Upjohn (Barceloneta), Central Guanica (Aguada), Merck and Company (Barceloneta).
Rule 410, "Maximum Sulfur Content of Fuels"	6/27/80	
Rule 411, "Hydrogen Sulfide"	6/27/80	
Rule 412, "Sulfur Dioxide Emissions"	6/27/80	
Rule 413, "Sulfuric Acid Plants"	6/27/80	
Rule 414, "Sulfur Recovery Plants"	6/27/80	
Rule 415, "Non-Ferrous Smelters"	6/27/80	
Rule 416, "Sulfite Pulp Mills"	6/27/80	
Rule 417, "Storage of Volatile Organic Compounds"	6/27/80	
Rule 418, "Waste Gas Disposal"	6/27/80	
Rule 419, "Organic Solvents"	6/27/80	
Rule 420, "Objectionable Odors"	6/27/80	
Rule 421, "Increments of Progress"	6/27/80	
Rule 422, "Air Pollution Control Equipment"	6/27/80	
Rule 501, "Permit Fees"	6/27/80	
Rule 502, "Excess Emission Fees"	6/27/80	
Rule 503, "Test Fees"	6/27/80	
Rule 504, "Modification"	6/27/80	

[1] To the extent that any regulatory provision includes "discretionary authority," its implementation does *not* bind EPA unless formally submitted as a SIP revision (40 CFR 52.2732, published at 45 FR 72655 on November 3, 1980). EPA has proposed deleting this statement (46 FR 12761, February 18, 1981).

Subpart CCC—Virgin Islands

Applicable regulation and title	Submission date	Comments
Section 204-20, "Definition of Terms"	1/31/72	
Section 204.21, "Regulation to Control Open Burning"	1/31/72	
Section 204-22, "Regulations to Control Emissions of Visible Air Contaminants".	1/31/72	
Section 204-23, "Regulations Governing Emissions of Particulate Matter"	1/31/72	
Section 204-24, "Storage of Petroleum of Other Volatile Products	1/31/72	
Section 204-25, "Preventing Particulate Matter from Becoming Air-Borne"	1/31/72	
Section 204-26, "Sulfur Compounds Emissions Control" (except as noted for St. Croix regarding Subsection (a)(2)).	6/3/76	Subsection 204-26(a)(2) is not approved as it applies to sources on St. Croix; with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant. Applicable sulfur content limitations for sources on St. Croix, except the Christiansted Power Plant, are set out in the version of Subsection 204-26(a)(2) submitted to EPA on January 31, 1972 (See below) (40 CFR 52.2780(b)).
Section 204-26, "Sulfur Compounds Emissions Control"/Subsection (a)(2)	1/31/72	Applicable to sources on St. Croix, with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant.
Section 204-27, "Air Pollution Nuisances Prohibited"	1/31/72	
Section 204-28, "Internal Combustion Engine Limits"	1/31/72	
Section 204-29, "Upset, Breakdown or Scheduled Maintenance"	1/31/72	
Section 204-30, "Circumvention	1/31/72	
Section 204-31, "Duty to Report Discontinuance or Dismantlement"	1/31/72	
Section 204-32, "Variance Clauses"	1/31/72	
Section 206-20, "Permits Required"	1/31/71	
Section 206-21, "Transfer"	1/31/72	
Section 206-22, "Applications"	1,31/72	
Section 206-23, "Cancellation of Applications"	1/31/72	
Section 206-24, "Provision of Sampling and Testing Facilities"	1/31/72	

Subpart CCC—Virgin Islands—Continued

Applicable regulation and title	Submission date	Comments
Section 206-25, "Standards for Granting Applications"	1/31/72	
Section 206-26, "Conditional Approval"	8/17/72	
Section 206-27, "Denial of Applications"	1/31/72	
Section 206-28, "Further Information"	1/31/72	
Section 206-29, "Appeals"	1/31/72	
Section 206-30, "Review of New Sources and Modifications" (excluding Subsection 206-30(f)(6))	2/12/74	Subsection 206-30(f)(6) is disapproved since sources of minor significance are not identified in Section 206-30. A federally promulgated regulation (40 CFR 52.2775(g)), correcting this deficiency and a public participation deficiency, is applicable.
Section 206-31, "Review of New or Modified Indirect Sources"	2/12/74	

This notice is issued pursuant to requirements of Section 110 of the Clean Air Act, as amended, to advise the public that comments on this action may be submited. The comments should address whether or not this action should be undertaken and the contents of the potential promulgation.

Comments received by June 15, 1981, will be considered in EPA's final decision. All comments received will be available for inspection at the Region II Office of EPA at 26 Federal Plaza, Room 1005, New York, New York 10278.

Pursuant to the provisions of 5 U.S.C. 605(b) I hereby certify that the attached rule will not, if promulgated, have a significant economic impact on a substantial number of small entities, since it imposes no 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 serves to clearly identify state regulations which have been approved by EPA as part of the SIPs for New Jersey, Puerto Rico and the Virgin Islands. This proposed action by EPA does not entail any change to the approval status of any SIP provision nor a promulgation of any substantive SIP provision. The listing is merely a compilation, in a more clearly identifiable and easily referenced form, of state regulatory provisions which are part of the applicable SIPs as a result of prior EPA rulemaking action. This listing should assist the public, the regulated community, the states, and EPA in identifying applicable plan requirements. This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

(Secs. 110, 172 and 301 of the Clean Air Act, as amended (42 U.S.C. 7410, 7502 and 7601))

Herbert Barrack,

Acting Regional Administrator, Environmental Protection Agency.

[FR Doc. 81-14772 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 86

[EW-FRL-1787-1]

Motor Vehicle Pollution Control; Waiver of Oxides of Nitrogen Emission Standards; Cancellation of Public Hearing

Correction

FR Doc. 81-8998 was published on page 18348 in the issue of Tuesday, March 24, 1981. It cancelled a public hearing. It was incorrectly classified as a notice document and should have appeared in the Proposed Rules section of the **Federal Register.**

BILLING CODE 1505-01-M

40 CFR Part 180

[OPP 300039A; PH-FRL-1822-1]

Isophorone; Proposed Exemption From the Requirement of a Tolerance; Correction

In FR Doc. 81-13932, published on page 25659, on Friday, May 8, 1981, in the third column in the second line "OPP 200039A" should be corrected to read "OPP 300039A".

BILLING CODE 1505-01-M

40 CFR Part 123

[W-6-FRL 1827-5]

Oklahoma Corporation Commission, Underground Injection Control, Primacy Application

AGENCY: Environmental Protection Agency.

ACTION: Notice of public comment period and of public hearing.

SUMMARY: The purpose of this notice is to announce that: (1) the Environmental Protection Agency has received a complete application from the Oklahoma Corporation Commission requesting Primary Enforcement Responsibility for the Underground Injection Control program; (2) the application is available for inspection and copying; (3) public comments are requested; and (4) a public hearing will be held.

This notice is required by the Safe Drinking Water Act as a part of the response to the States complying with the statutory requirement that there be an Underground Injection Control program in designated States.

The proposed comment period and public hearing will provide EPA the breadth of information and public opinion necessary to approve, disapprove, or approve in part the application from the Oklahoma Corporation Commission to regulate oil and gas related injection wells.

DATES: Requests to present oral testimony should be filed by June 8, 1981; Public Hearing will be held on June 15, 1981, 10:00 a.m.–5:30 p.m. and 7:00 p.m.–10:00 p.m. Comments must be received by June 22, 1981.

ADDRESSES: Comments and requests to testify may be mailed to Julie Coston, Ground Water Protection Section, Environmental Protection Agency, Region 6, 1201 Elm Street, Dallas, Texas, 75270. Copies of the application and pertinent material are available between 8:30 a.m. and 4:00 p.m., Monday through Friday at the following locations:

Environmental Protection Agency, Region 6, Library, 28th Floor, 1201 Elm Street, Dallas, Texas 75270, (212) 767-7341.

Oklahoma Corporation Commission, Underground Injection Control Unit, Jim Thorpe Office Building, Oklahoma City, Oklahoma 73105, (405) 521-2500.

The Hearing will be held in the Sequoyah Auditorium, State Capitol Complex, Oklahoma City, Oklahoma.

FOR FURTHER INFORMATION CONTACT: Julie Coston, Ground Water Protection Section, Environmental Protection Agency, Region 6, 1201 Elm Street, Dallas, Texas 75270, (214) 767-2774. Comments should also be sent to this address.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-14747 Filed 5-14-81; 8:45 am]

BILLING CODE 6560-38-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA 6050]

National Flood Insurance Program, Proposed Stream Channel Relabeling and Relocation and Flood Boundary Modifications for the Town of Southbury, Conn.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed stream channel relabeling and relocation and flood boundary modifications described below.

The proposed stream channel relabeling and relocation and flood boundary modifications will be the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

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

ADDRESSES: Map and other information showing the detailed outlines of the flood-prone areas and the proposed stream channel relabeling and relocation and flood boundary modifications are available for review at the Town Office.

Send comments to: Mr. Michael J. Kenney, First Selectman, Town of Southbury, 501 Main Street, Southbury, Connecticut 06488.

FOR FURTHER INFORMATION CONTACT:
Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, S.W., Washington, D.C., 20410, (202) 755–6570 or toll free line, (800) 424–8872 or (800) 424–8873.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed stream channel relabeling and relocation and flood boundary modifications (100-year flood) for the Town of Southbury, Connecticut in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Developing Act of 1968) (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a) (presently appearing at its former Section, 24 CFR 1917.4(a)).

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

The proposed zone designation for the selected location is:

Source of flooding	Location	Zone
Bullet Hill Brook	East of Cedar Lane Road; west of Interstate 84; south of Old Waterbury Road and north of Poverty Road.	A

(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 23, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81–14578 Filed 5–14–81; 8:45 am]

BILLING CODE 6718–03–M

44 CFR Part 67

[Docket No. FEMA–6051]

National Flood Insurance Program Proposed Base Flood Elevations and Zone Designations for the City of Hazen, Mercer County, N. Dak.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations and zone designations as described below.

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

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

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations and zone designations are available for review at the Office of the City Auditor, 201 Second Avenue, N.E., Hazen, North Dakota.

Send comments to: The Honorable Melvin P. Beckler, Mayor, City of Hazen, P.O. Box 717, Hazen, North Dakota 58545.

FOR FURTHER INFORMATION CONTACT:
Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation & Engineering Office, National Flood Insurance Program, 451 Seventh Street, S.W., Washington, DC 20410, (202) 755–6570, (in Alaska and Hawaii toll free (800) 424–9080).

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed base flood elevations and zone designations for the City of Hazen, North Dakota, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968, Public Law 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67.

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

Due to the completion of the Hazen Dike/Highway Bypass Project, the

proposed base flood elevations and zone designations are as follows:

Source of flooding	Location	Elevation in feet (NGVD)	Zone designation
Antelope Creek	At Easternmost extraterritorial limits.	1,732	Zone A7.
	Just downstream of Fourth Avenue East.	1,741	Zone A6.
	Just upstream of Third Avenue West.	1,747	Zone A6.
	Just upstream of the Burlington Northern Railroad.	1,755	Zone A6.

Also, the proposed change in zone designation of the area protected by the Hazen Dike/Highway Bypass Project is from Zone A99 to Zone C.

(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 28, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14579 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA 6054]

National Flood Insurance Program, Proposed Changes to the Boundaries of the Zones of the Base Flood for the Township of Rochelle Park, N.J.

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed changes to the boundaries of the zones of the flood having a one-percent chance of occurrence in any given year (base flood) described below.

The proposed changes in zone boundaries will be the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

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

ADDRESS: Map and other information showing the detailed outlines of the floodprone areas and the proposed changes in zone boundaries are available for review at the Mayor's Office.

Send comments to: The Honorable William Schneider, Mayor, Township of Rochelle Park, 24 Chestnut Avenue, Rochelle Park, New Jersey 07660.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert G. Chappell, P.E., Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street, S.W., Washington, D.C. 20410, (202) 755–6570.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed changes in zone boundaries (100-year flood) for the Township of Rochelle Park, New Jersey in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a) (presently appearing at its former Section, 24 CFR 1917.4(a)).

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

The proposed 100-year flood boundary changes for selected locations are:

Source of flooding	Location
Saddle River	Vicinity of Howard Avenue.

(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: May 1, 1981.

Robert G. Chappell,

Acting Assistant Administrator, Federal Insurance Administration.

[FR Doc. 81-14580 Filed 5-14-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[Docket No. 19770]

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

Correction

FR Doc. 81–9250 was published on page 18720 in the issue of Thursday, March 26, 1981. It terminated a rulemaking proceeding in Docket No. 19770. It was incorrectly classified as a rule document and should have appeared in the Proposed Rules section of the **Federal Register.**

BILLING CODE 1505-01-M

47 CFR Part 73

[BC Docket No. 81-153; RM-3720]

FM Broadcast Stations in Fort Bragg and Mendocino, California; Order Extending Time for Filing Comments and Reply Comments

AGENCY: Federal Communications Commission.

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

SUMMARY: Action taken herein extends the time for filing comments in BC Docket No. 81–153 (RM–3720), concerning a proposal to assign FM Channel 249A to Fort Bragg, California, in response to an extension request filed by Stephen M. Ryan. Ryan states that additional time is necessary to enable him to evaluate his position, to confer with consulting engineers regarding the technical aspects of the proposal, and to give consideration to submitting a counterproposal.

DATES: Comments must be filed on or before May 20, 1981, and reply comments on or before June 5, 1981.

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

FOR FURTHER INFORMATION CONTACT:

Mark N. Lipp, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), table of assignments, FM

Broadcast Stations. (Fort Bragg and Mendocino, California); Order extending time for filing comments and reply comments (see also 46 FR 17810, March 20, 1981).

Adopted: May 6, 1981.

Released: May 8, 1981.

By the Chief, Policy and Rules Division:

1. On March 16, 1981, The Commission issued a *Notice of Proposed Rule Making* proposing to assign Channel 249A to Fort Bragg, and to reassign Channel 224A from that community to Mendocino, California, to reflect its actual usage there, in response to a petition filed by Fort Bragg Broadcasting Co. The date for filing comments expired on May 4, 1981, and the date for filing reply comments is presently May 25, 1981.

2. On May 1, 1981,[1] counsel for Stephen M. Ryan ("Ryan"), licensee of FM Station KMFB-FM (Channel 224A), operating at Mendocino, California, filed a request for an extension of time to and including May 20, 1981, in which to file comments herein. Counsel states that the petition was not served on Ryan, and after such proposal was noted, sufficient time to properly respond had lapsed. Therefore, Ryan requests an extension to enable him to evaluate his position, to confer with consulting engineers regarding the technical aspects of the proposal, and to give consideration to submitting a counterproposal.

3. Section 1.46(b) of the Commission's Rules states that extension requests must be filed seven days in advance of the filing deadline. However, since the Commission feels it would be in the public interest to have this material available to it in arriving at a decision in this proceeding, and petitioner will have the opportunity to respond in reply comments, we will grant the additional time.

4. Accordingly, it is ordered, that the dates for filing comments and reply comments in BC Docket No. 81-153 (RM-3720) are extended to and including May 20, and June 5, 1981, respectively.

5. This action is taken pursuant to authority contained 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. 81-14752 Filed 5-14-81; 8:45 am]

BILLING CODE 6712-01-M

[1] The motion for extension was received by the Commission May 4, 1981, and because of the late-filing, we were unable to act on this request before the expiration of the date for filing comments.

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1132 and 1134

[Ex Parte No. MC-152]

Policy Statement Regarding Duplicate Operating Rights

AGENCY: Interstate Commerce Commission.

ACTION: Proposed policy statement.

SUMMARY: In light of the regulatory changes brought about by the Motor Carrier Act of 1980, the Commission proposes to change its policy of denying property motor carrier operating rights applications merely because they would result in commonly controlled carriers holding duplicating authority. For the same reason, *a fortiori*, the Commission also intends to permit individual carriers to hold duplicating operating authority. The past policy would continue to apply to motor carriers of passengers.

DATE: Comments are due June 15, 1981.

ADDRESS: Send an original and, if possible, 15 copies of comments to: Ex Parte No. MC-152, Room 5416, Office of Proceedings, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Karl Morell, (202) 275-7953; Edward E. Guthrie, (202) 275-7691.

SUPPLEMENTARY INFORMATION: Duplicate operating rights have been a matter of concern to the Commission since the beginning of motor carrier regulation. The Commission has often found that the creation, preservation, or extension of duplicate operations by separate motor carriers under common control, which operations, except for the fact of common control, would be competitive, is not consistent with the public interest. See *Greyhound Lines, Inc., Ext.—Special Operations*, 115 M.C.C. 82 (1972); *Ocean Drive Tours—Purchase—Carll*, 97 M.C.C. 20 (1964); and *Brown—Purchase—Brown*, 39 M.C.C. 373 (1943).

In *Control or Consolidation of Motor Carriers*, 109 M.C.C. 448 (1970), the Commission adopted specific rules for control applications filed under 49 U.S.C. 11343, which essentially codified the substantial body of case precedent that had been accumulated over the years on the issue of commonly controlled carriers holding duplicate operating rights. See 49 CFR 1134.51. These regulations, however, by their very terms, apply only to control applications and, therefore, do not technically govern motor carrier licensing applications. Nevertheless, the Commission, as a matter of policy, has generally not granted licensing applications where they would result in commonly controlled carriers holding duplicative operating rights. The reasons advanced by the Commission over the years for the policy have frequently been similar to those underlying the control regulations.

This general policy, however, has never been applied as a rigid rule barring all duplications. Rather, in a number of cases the Commission has granted duplicating authority to commonly controlled carriers where minor duplications existed or where special circumstances, such as where authorizing duplicating authority helped balance the commonly controlled carriers' operations, appeared to warrant waiving the policy.[1]

In the past, the issue of duplicate operating rights held by carriers under common control arose primarily in the context of control application proceedings. With the advent of eased entry and the attendant grants of broader motor carrier operating authority, however, this issue is arising more frequently in property, motor carrier licensing proceedings. Therefore, we believe it is time to reexamine our longstanding policy of generally not granting duplicating authority to commonly controlled carriers in motor carrier licensing proceedings in light of the regulatory changes brought about by the Motor Carrier Act of 1980. Since the Motor Carrier Act of 1980 does not appreciably apply to passenger carriers, and since passenger legislation is still in its formative stage, our proposed action will be limited to property carriers.

The policy of not granting duplicating authority to commonly controlled carriers in licensing proceedings was developed in adjudicative proceedings and the issue has been handled on a case-by-case basis. Therefore, it would be proper for the Commission to reexamine this matter in an appropiate adjudication. However, because of our decision to reexamine the control regulations in Ex Parte No. MC-79 (Sub-No. 1), *Control of Duplicate Operating Rights*, and because of the similarity of

[1] Even under the control regulations the Commission can approve duplicate operating rights under common control where "cogent and acceptable" reasons exist. See 49 CFR 1134.51(3).

the issues, we are issuing this notice of proposed policy statement so that we can consider these related matters simultaneously.

The policy of not granting duplicating authority to commonly controlled carriers has its origins in the Commission's early policy pronouncements dealing with the problem of corporate simplification. During the early period of motor carrier regulation, the Commission developed the so-called corporate simplification policy to discourage the creation or maintenance of separate carriers under common control. Although occasionally applications for common control were denied in the interest of corporate simplification, usually the Commission would approve such applications but admonish the parties to seek corporate simplification by merger of the commonly controlled companies. Similarly, where duplicate operating rights would result from proposed acquisitions of control, the Commission advanced the same reasons for their merger as for corporate simplification; namely, that such practices were uneconomical, wasteful, undesirable, and that they unnecessarily complicate regulation. See *Temple—Control—Bluebird Coach Lines, Inc.*, 36 M.C.C. 583 (1941); *Younger Bros., Inc.—Purchase—Commercial Bonded*, 25 M.C.C. 137 (1939); and *Buffalo & Erie Coach Corp.—Merger*, 15 M.C.C. 797 (1939).

In *Roush—Control—Southern California Freight Lines*, 80 M.C.C. 573 (1959), the Commission decided that the requirement respecting corporate simplification was ineffective and, for practical reasons, essentially abandoned it. An examination of the structure of today's motor carrier industry indicates the existence of innumerable holding companies controlling one or more motor carriers. While there are various reasons for the practice of creating or maintaining separate corporate entities, the argument often advanced in support of the practice is that such arrangements provide certain tax advantages. Clearly, the Commission is not prepared to restructure the corporate organization of the motor carrier industry, and we believe there no longer are any persuasive policy reasons for prohibiting motor carriers from structuring their corporate arrangements in, what they perceive to be, the most efficient manner.

Beginning with *Florman—Control—Automobile Convoy Co.*, 35 M.C.C. 521 (1940), the Commission advanced a new rationale for not granting duplicating authority to commonly controlled carriers. There the Commission found that the maintenance of such duplicate operations affords opportunity for unfair competition and for unjust discrimination and preferences between shippers and consignees as to rates and practices. It was reasoned that the two commonly controlled carriers could presumably have two sets of rates for the same service, thus arguably permitting discriminatory treatment of similarly situated shippers. It was believed that the evils inherent in such a situation differ only in degree from those which would be present if a single carrier were authorized to conduct dual operations as a common and contract carrier.

The objective of the 1935 Act was to promote orderly growth through regulated entry controls and price stability mechanisms. Each regulated carrier was, more or less, the "chosen instrument" for the provision of service in its authorized area. Uniform prices were perceived as a virtue. In such circumstances, there was justification for refusing to confer duplicating authority in order to ensure that a carrier offer its service to all shippers on an equal basis.

The Motor Carrier Act of 1980, however, has significantly changed the historic regulatory framework to place greater emphasis on market competition as the principal regulatory device. Where the 1935 Act fostered uniform rates and service, carriers are now encouraged to offer a variety of price and service options to meet the differing shipping needs. See section 4 of the Motor Carrier Act of 1980, setting forth a new National Transportation Policy for motor carrier regulation. Differences in price—which historically have been the main target of the duplicating authority policy—are no longer viewed as an evil. Indeed, the contrary is true. The Commission's regulatory approach under the Motor Carrier Act of 1980 is no longer to ensure uniform prices.

There is also far less need for concern about possible discrimination in a more competitive environment. When only one, or a handful of carriers, was available to serve the public in a given area, it could exercise considerable power and prefer one customer over another. Discrimination is far less likely in a more competitive environment where the failure to offer the proper blend of price and service by one carrier can easily be remedied through the prompt entry of a second carrier and the offer of more competitive rates.

Also, Congress has recognized that the maintenance of separate categories of authority for individual carriers is no longer necessary to ensure against discrimination. As a result of Section 10(b)(1) of the Motor Carrier Act of 1980, carriers are now permitted to offer different types of services and rates to the same shipper by the removal of the prohibition against dual operations. In truth, Congress merely codified that which the Commission had already accomplished administratively. In Ex Parte No. 55 (Sub-No. 27), *Dual Operations* (not printed), decided March 24, 1978, the Commission rejected the arguments that the holding of common and contract carrier authority by the same carrier would result in widespread abuses and unfair practices, such as soliciting or granting preferential rate treatment. Similarly, the Commission recently overturned a line of past decisions which denied operating authority to a carrier because of common control between the carrier and a shipper. See *Atlantic Coast Exp., Inc., Ext.—East Coast Ports*, 132 M.C.C. 184 (1980). Accordingly, if a single carrier (or a carrier and shipper) is permitted to act in such a dual capacity, then we see no justifiable reason for continuing a policy which prevents two separately operated, but commonly controlled, carriers from engaging in duplicate operations merely because of the potential for certain discriminatory practices. Mere possibilities or opportunities for discriminatory practices should not preclude carriers from providing needed service to the shipping public. If abuses should develop in the future, they could be addressed with other regulatory tools. But in the absence of a realistic demonstration of harm to the public, we believe that such denials of authority are unwarranted. Cf. *Atlantic Coast Exp., supra; Dual Operations, supra; Toto Purchasing & Supply Co., Inc.*, 128 M.C.C. 873 (1978); and *Delaware Express Co.* v. *Milford Express, Inc.*, 126 M.C.C. 462 (1977).

A final rationale advanced by the Commission for not granting duplicating authority to commonly controlled carriers was the concern that grants of valuable motor carrier rights can be used improperly for personal gain through their sale rather than for their true purpose, which is to enable the holder of such rights to provide necessary services for the shipping public. See *Hawaiian Packing & Crating Co., Ltd., Com. Car. Appl.*, 120 M.C.C. 404 (1974). It was determined, in this regard, that a person controlling two or more carriers holding duplicate rights would be in a position to reap benefits from the sale of one carrier without sacrificing an essential portion of his authority (which he retains through the

other carrier). It was found that such a situation also could have a substantial adverse impact on other carriers by creating additional competitors in the market served by the commonly controlled carriers.

We believe that the concern over "trafficking" in operating rights is largely a thing of the past. There are various factors that influence a carrier's decision to purchase rather than apply for operating authority, not the least important of which is the perceived difficulty in obtaining direct authority from the Commission. The Motor Carrier Act of 1980 has made it significantly easier for new trucking companies to enter the regulated motor carrier industry and for existing comnpanies to expand their operations. Accordingly, the value of operating rights has diminished substantially. Congress is obviously aware of this situation, since two identical bills have been introduced in the House and Senate (H.R. 1964 and S. 702, respectively), which would allow motor carriers to write off for tax purposes the value of their operating authority lost as a result of the Motor Carrier Act of 1980. In introducing the legislation, Senator Baucus explained that:

> [t]here virtually is no dispute that the operating rights of motor carriers have lost nearly all their value * * * [because of] the relaxed federal procedure for entry and motor carrier service. 127 CONG. REC. S2141 (daily ed. March 12, 1981).

In these circumstances, we can find no remaining incentive for carriers reaping large profits from the sale of duplicating rights. Therefore, we believe that this concern generally is no longer a valid impediment to the granting of duplicating authority to commonly controlled carriers. If it should develop that certain commonly controlled carriers are attempting to abuse the licensing process by trafficking in their duplicating rights, this problem could be redressed on an individual basis through various means, including the imposition of a nonseverability clause.

In view of these considerations, we find that the various rationales supporting the Commission's past policy against commonly controlled carriers holding duplicating authority simply are no longer valid with respect to motor carriers of property in light of the recent changes in the regulation of the motor carrier industry and the competitive atmosphere in which motor carriers operate today. Commonly controlled carriers may perform different services and a public need may well exist for the services of both carriers in a particular market. We do not believe that the public should be deprived of needed transportation services because of theoretical possibilities for discriminatory or other objectionable practices, particularly when the risks of such potential abuses appear to be exceedingly small. Also, carriers should be able to arrange their corporate structures in a manner management deems to be the most efficient, economical, and productive. Accordingly, we are proposing to change our general past practice of denying applications for property motor carrier operating authority merely because they would result in commonly controlled carriers holding duplicating authority.

In this same regard, *a fortiori*, we no longer believe it to be objectionable for individual motor carriers property to hold duplicating authority. Therefore, we see no need to continue the policy of requiring carriers, that are granted authority which duplicates one or more of their outstanding authorities, to submit for cancellation the outstanding duplicated authorities as a condition to the issuances of the new authority. We do not intend to address here, however, the issue of whether carriers will be permitted to sell such duplicative authority. That issue may be resolved in individual adjudications or in another rulemaking proceeding.

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

Comments, however, are invited on all issues in this notice.

This notice is issued pursuant to 49 U.S.C. 10101, 10922, and 10923, and 5 U.S.C. 553.

Decided: April 29, 1981.

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

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14770 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

---

49 CFR Part 1132 and 1134

[Ex Parte MC 79 (Sub-1)][1]

Control of Duplicate Operating Rights

Decided: April 29, 1981.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: In light of changes caused by the Motor Carrier Act of 1980 (Pub. L. No. 96-296, 94 Stat. 793) the Commission proposes to amend the regulations at 49 CFR 1132.3(c) and 1134.51 to remove the prohibition against motor property carriers holding duplicate operating rights under common control. The regulations would continue to apply to motor carriers of passengers. Simultaneously with this notice, the Commission is issuing a policy statement in Ex Parte No. MC-152, *Policy Statement Regarding Duplicate Operating Rights Under Common Control*, that it no longer will follow the past general practice of denying motor property carriers operating rights applications merely because they would result in commonly controlled carriers holding duplicate operating rights.

DATE: Comments should be filed on or before June 15, 1981.

ADDRESS: Send an original and 6 copies, if possible, of comments to: Section of Finance, Room 5417, Office of Proceedings, Interstate Commerce Commission, 12th Street and Constitution Ave. NW., Washington, DC 20423.

Comments should refer to Ex Parte No. MC-79 (Sub-No. 1).

FOR FURTHER INFORMATION CONTACT: Ellen D. Hanson (202) 275-7245 or J. Carol Brooks (202) 275-7888.

SUPPLEMENTARY INFORMATION:

Background

Common control of two motor carriers whose combined annual gross operating revenues exceed $2 million requires our approval under 49 U.S.C. 11343. Under our regulations at 49 CFR 1134.51 we will approve a transaction under section 11343 which would result in the control or management in a common interest of two or more such motor carriers holding duplicate operating rights only if the applicants: (1) request cancellation of the duplicate rights; (2) submit a plan and timetable to eliminate the duplications at the earliest practicable date, so that only one of the commonly controlled motor carriers will hold the duplicating authority; or (3) show "cogent and acceptable" reasons why duplicate rights under common control should be permitted to continue. If the duplications are allowed to continue, the certificates involved are conditioned against severance from common ownership by sale or otherwise. 49 CFR 1134.51(a)(3).

Under 49 U.S.C. 10926, and the regulations at 49 CFR Part 1132, transfers of operating authority also require our approval. The regulations in

[1] This proceeding incorporates proposed changes in the regulations promulgated in Ex Parte No. MC-79, *Control of Consolidation of Motor Carriers*, 109 M.C.C. 448 (1970) and Ex Parte No. MC-111, *Transfer of Motor Carrier Operating Rights*, 127 M.C.C. 508 (1979).

49 CFR 1132 state that we will not approve a transfer or lease of operating rights to a person who controls, is controlled by, or is under common control with, another person who holds operating rights which materially duplicate those to be transferred.

In certain cases, we have allowed commonly controlled motor carriers to hold duplicate rights where the duplications were viewed as *de minimis*, where the carriers could show that they would perform different services, or where special circumstances, such as tax advantages, warranted it. Where these special circumstances justified the holding of duplicate rights, our approval permitted the duplications to continue temporarily.

In light of the changes brought about by the Motor Carrier Act of 1980 (Pub. L. No. 96–296, 94 Stat. 793), we believe our historic policy concerning duplicating authority under common control must be reexamined. Since the 1980 Act applies to motor property carriers and not to motor carriers of passengers, our discussion and proposed action is limited to motor property carriers.

Historic Reasons for the Present Policy

Historically, four reasons have been advanced for prohibiting the control of duplicate operating rights. First, was the perceived possibility of unfair competition and unjust discrimination and preferences between shippers and consignees as to rates and practices. Because commonly controlled carriers could have varying rates for the same service, they arguably would be in a position to discriminate in their treatment of similarly situated shippers. It was believed that the possible evils inherent in such a situation differ only in degree from those which would be present if a single carrier were authorized to conduct dual operations as a common and contract carrier. See *Florman-Control-Automobile Convoy Co.*, 35 M.C.C. 521, 524 (1940).

A second concern was the possible adverse effect on competition which might arise if commonly controlled carriers were able to sell one right while retaining another to perform identical operations. This was based on the belief that commonly controlled carriers holding duplicate rights compete in theory only. Therefore, if they were permitted to sell duplicating rights, an additional competitor could be created without regard to the public convenience and necessity. See *Hawaiian Packing & Crating Co., Ltd., Com. Car. Appl.*, 120 M.C.C. 404, 409 (1974); *Cooper-Jarrett, Inc.-Pur-Pac. Intermountain Exp.*, 116 M.C.C. 894, 899 (1975).

Third, we have often viewed with concern the fact that grants of "valuable" motor carrier operating rights could be improperly used for personal gain through their sale as a commodity rather than for their true purpose of providing necessary services to the shipping public. See the *Hawaiian Case, supra*, at 408–409, and cases cited therein. The duplicating rights prohibition was intended to curtail such "trafficking" in rights.

Lastly, in the early days of regulation, we were greatly concerned about the promotion of corporate simplification. The maintenance of duplicative rights under common control, like the maintenance of separate entities under common control, was viewed as undesirable, because it was deemed inefficient, uneconomical, confusing to the public, and inimical to efficient regulation. See for example, *Hoover M. Exp. Co., Inc.-Purchase-Hoover Truck Co., Inc.*, 25 M.C.C. 719, 721 (1939); *Potashnick Truck Serv., Inc.-Control-Bryant Truck Lines*, 5 M.C.C. 723, 732–33 (1938).

Discussion of Historic Reasons

Opportunity for Price Discrimination. The Motor Carrier Act of 1935 brought under rate and entry regulation a relatively infant industry of many small firms. The objective of the 1935 Act was to promote orderly growth through entry controls and enforced price stability. Each regulated carrier was, more or less, a "chosen instrument" for the provision of service in its authorized area. Uniform prices were perceived as a virtue. In such circumstances, the refusal to confer duplicating authority was to ensure that a carrier offered its service to all shippers on an equal basis.

The Motor Carrier Act of 1980, however, reflects a significantly changed regulatory perspective placing greater emphasis on competition and potential competition. The 1980 Act makes it easier for new trucking companies to enter the market and existing companies to expand their operations; it requires us to frame grants of authority in broader terms and to eliminate unduly narrow commodity and geographic descriptions. See Section 6 of the Act, 49 U.S.C. 10922(h)(1); H.R. Rep. No. 96–1069, 96th Cong. 2d Sess., 12–18; *Art Paper Transfer, Inc., Ext-Commod., In End-Dump Vehicles*, 132 M.C.C. 84, 92–95 (1980).

Furthermore, our regulatory approach under the 1980 Act is no longer to ensure uniform prices. In a more competitive environment, differences in price are no longer viewed as an evil. Indeed, the contrary is true. Where the 1935 Act fostered uniform rates and service, the 1980 Act encourages carriers to offer a variety of price and service options to meet differing shipping needs. See 49 U.S.C. 10101(a)(7).

In the current regulatory environment, there is far less need for concern about possible undesirable discrimination in price. When only one, or a handful of carriers, was available to serve the public in a given area, an individual carrier was likely to possess considerable market power, allowing it to prefer one customer over another. Discrimination is far less likely in a more competitive environment where the failure to offer the proper blend of price and service options by one carrier can easily be remedied through the prompt entry of another carrier offering more competitive rates and services.

In recognition of this, Congress has eliminated the prohibition against motor carriers of property holding dual (both common and contract) authority, a practice formerly condemned as having the same potential for discriminatory conduct alleged to exist when duplicate rights are commonly controlled. See Section 10 of the 1980 Act.

Congress essentially codified what we had already accomplished administratively. In *Ex Parte No. 55 (Sub-No. 27) Dual Operations* (not printed), decided March 24, 1978, we discussed and rejected the arguments that holding of common and contract authority by the same carrier or commonly controlled carriers would result in widespread abuses and unfair practices, such as soliciting or granting preferential rate treatment. We concluded that dual operations would no longer be an obstacle to approval of an application for operating rights unless a specific showing was made in a particular case that rate or service discrimination was likely. This policy shift was made applicable to motor acquisition applications as well. See *Southwest Equipment Rental, Inc.-Pur.-Interstate*, 127 M.C.C. 223 (1978). In No. MC–151873, *Pride Cargo Carriers, Inc., Common Carrier Application* (not printed), decided February 20, 1981, we stated:

> As a result of the passage of the Motor Carrier Act of 1980, carriers are now permitted to offer different types of services and rates to the same shipper by the removal of the prohibition against dual operations. 49 U.S.C. 10930(a). If a single carrier is permitted to act in such a dual capacity without regard to the possible discriminatory results, then we cannot find that the allegations of the mere discriminatory potential of two separate, but commonly controlled, carriers, which appear to be offering differing types of services and rates, would constitute reason enough to deny the application outright.

Similarly, we recently overturned a line of past decisions which denied operating authority to carriers because of common control between the carrier and a shipper. See *Atlantic Coast Exp., Inc., Ext.-East Coast Ports.* 132 M.C.C. 184 (1980). In so doing, we concluded that our past policy of denying applications for operating authority because of "theoretical possibilities or opportunities" for discriminatory practices erected artificial barriers to shippers obtaining service from carriers when the risks of potential abuses were exceedingly small. If a single carrier is permitted to act in such a dual capacity, then we do not believe that the mere holding of duplicate operating rights by commonly controlled carriers should be prohibited.

We need not prohibit the holding of duplicating authorities under common control to prevent abuses in this area. Our statutory powers under 49 U.S.C. 10741 enable us to protect the public and carriers from unreasonable price and service discrimination and other unfair or destructive competitive practices.

Potential Competitive Effects. In the Motor Carrier Act of 1980, Congress plainly stated its intention to promote competition and efficient transportation in order to meet the needs of shippers and allow the most productive use of equipment and energy resources. See 49 U.S.C. 10101(a). Congress specifically rejected the historic approach of emphasizing the protection of existing carriers and approved our more recent emphasis on the benefits of competition between carriers. 49 U.S.C. 10922(b) and H.R. Rep., *supra*, at 13–15. The interests of the public in having more competitive and efficient transportation service are now paramount.

In granting the separate operating authorities, we have already found that the operations would serve a useful public purpose, responsive to a public demand or need. See 49 U.S.C. 10922(b)(1)(B).[2] The fact of common control between carriers does not necessarily mean that there is no longer a public need for each separate operation. To the contrary, there may well be a need for continuation of the two services. Carriers under common control often operate completely independently of their affiliates, provide different types of services, and compete independently for business. In a more competitive environment, we need be less concerned about inefficient operations since marketplace forces will generally assure that carriers structure their operations in the most efficient manner. Prohibiting motor property carriers from holding duplicate operating rights simply to avoid the possibility of creating "new" competitive service, if and when those carriers sell their authorities, conflicts with the objectives of the Motor Carrier Act to promote efficient and competitive motor carrier operations.[3]

Trafficking. The concern over "trafficking" in certificates is also no longer a persuasive reason for retaining the present restrictions on motor property carriers holding duplicate authorities. The concept emerged in an era when operating rights were franchises with considerably more economic value than they have in the current regulatory environment. The ability to reap large profits from the sale of duplicate rights has diminished substantially, if not vanished. In fact, the motor carrier industry has asked Congress to grant substantial tax write-offs for losses caused by operating rights becoming "virtually worthless" through enactment of the 1980 Act.

Despite the relaxed statutory standards for obtaining operating authority under our application procedures, carriers may in some situations perfer to purchase operating authority. A purchase may be a quicker way of obtaining authority, particularly for "small carrier" transfers handled under the procedures at 49 CFR Part 1132. In addition, the purchase of existing facilities, equipment, customer lists and general goodwill of an ongoing operation, allows the buyers to avoid many of the risks and problems of penetrating a new market. We see no reason to discourage trucking companies from selecting this method of entering new markets.

The last two concerns "competitive effects" and "trafficking" arise when commonly controlled carriers holding duplicate rights attempt to sell them. Even if we eliminate the prohibitions of our present regulations at 49 CFR 1132.3(c) and 1134.51 as to motor property carriers, we still retain statutory authority to review a sale of duplicate operating rights and to disapprove it if we find it would be contrary to the public interest.

Corporate Simplification. The issue of corporate simplification in this context has ceased to be a serious concern. For example, in No. MC–F–13995, *U.S. Truck Lines, Inc. of Delaware—Control—Mercury Freight,* (not printed), decided April 8, 1980, in allowing the involved carriers to retain duplicate rights under common control, we stated:

> An examination of the structure of the motor carrier industry indicates the existence of innumberable holding companies controlling one or more motor carriers. This phenomenon occurs for various reasons, not the least important of which are tax considerations. We are not prepared to restructure the corporate organization of the motor carrier industry on an *ad hoc* basis.

Although we still favor corporate simplification, we no longer, as a rule, require the merger of the separate entities nor deny applications on that basis. See, for example, *Ryder System, Inc.—Control—Complete Auto Transit,* 109 M.C.C. 275 (1969); *Lease Plan International Corp.—Control—National,* 93 M.C.C. 203 (1963); No. MC–F–14370, *ANR Freight System, Inc.—Control—Neuendorf Transportation Company* (not printed), decided December 30, 1980.

Related Proceeding. The regulations at 49 CFR 1132.3(c) and 1134.51 do not apply to motor carrier licensing applications. However, as a matter of policy, we have generally not granted licensing applications where they would result in commonly controlled carriers holding duplicative operating rights. In accordance with the conclusions reached here, we are issuing a policy statement in Ex Parte No. MC–152, *Policy Statement Regarding Duplicate Operating Rights Under Common Control,* that we will no longer deny motor porperty carriers operating rights applications merely because they would result in the common holding of duplicate authorities.

Conclusion

We have concluded that the rationale supporting the Commission's policy against commonly controlled carriers holding duplicating authority is no longer valid in light of the recent changes in the regulation of the motor carrier industry and the competitive atmosphere in which motor carriers operate today. Therefore, we propose to amend the regulations at 49 CFR 1134.51 and 49 CFR 1132.3(c) so that they no longer apply to motor carriers of property. They will continue to apply to motor carriers of passengers as they have in the past.

We believe that our proposed action would be consistent with the policy of the 1980 Act to rely more on marketplace forces rather than government regulation to achieve the

[2] Under the statutory criteria in effect before the Motor Carrier Act of 1980 was enacted, a motor property carrier was required to show that its proposed operation "is or will be required by the present or future public convenience and necessity." This still applies as to motor passenger carriers. See 49 U.S.C. 10922(a).

[3] Generally, the sale of duplicating rights held under common control has been viewed as "an objectionable split" of authority. We are now reexamining this and other types of "splits" which we have found undesirable in the past and will address these issues in a later proceeding.

goals of the national transportation policy. It would also speed up the processing of cases involving the holding of duplicative rights under common control, and eliminate paperwork and artificial regulatory barriers to the motor carrier industry.

Energy, Environmental, and Other Considerations

This decision does not appear to affect significantly the quality of the human environment or energy consumption, and would have a positive impact on small businesses.

Comments, however, are invited on all issues in this notice.

Proposed Revision

We propose to revise the regulations at 49 CFR 1132.3(c) and 49 CFR 1134.51, to make them applicable only to motor carriers of passengers. They would no longer apply to motor property carriers.

This notice of proposed rulemaking is issued under the authority contained in 49 U.S.C. 10321, 10926, 11343–11344, and 5 U.S.C. 553 and 559.

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

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14760 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

Notices

Federal Register
Vol. 46, No. 94
Friday, May 15, 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

Richland Creek Wilderness Study Area and Rare II Addition Hearing Announcement; Public Hearing

Notice is hereby given that a public hearing will be held on a proposal for the future management of the Richland Creek Wilderness Study Area and RARE II Addition which is comprised of approximately 12,175 acres within the Ozark National Forest, Newton and Searcy Counties in the State of Arkansas. The hearing will begin at 10:00 a.m. on June 20, 1981, in the W. O. Young Student Union Building at Arkansas Tech University.

A brochure containing a map and information about the proposal may be obtained from the Forest Supervisor, Ozark National Forest, P.O. Box 1008, Main & Fargo Streets, Russellville, Arkansas 72801.

Individuals and organizations may express their views by appearing at this hearing or by submitting written comments to the Forest Supervisor at the above address for inclusion in the official record. Comments must be received by July 20 in order to be included in the official record.

Dated: May 8, 1981.

R. Max Peterson,

Chief, Forest Service.

[FR Doc. 81-14611 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-11-M

Rural Electrification Administration

Colorado-Ute Electric Association, Inc.; Intent To Prepare a Draft Environmental Impact Statement and Hold Public Scoping Meetings

Notice is hereby given that the Rural Electrification Administration (REA), if lead agency, intends to prepare a Draft Environmental Impact Statement (EIS) in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), in connection with financing assistance to Colorado-Ute Electric Association, Inc., (Colorado-Ute) P.O. Box 1149, Montrose, Colorado 81401. Notice is also given that public scoping meetings will be held concerning the proposed project.

The EIS will address a proposed 230 or 345 kV transmission line and associated facilities in southern Colorado from Pueblo, Colorado, to Walsenburg, Colorado. Interested persons are invited to submit comments which may be helpful to REA in the preparation of a Draft EIS. Comments should be sent to the Director, Power Supply Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Public scoping meetings will also be held on June 16, 1981, at the Two-thirds Conference Room, Sangre de Cristo Arts and Conference Center, 210 North Santa Fe, Pueblo, Colorado, at 8:00 p.m., and on June 17, 1981, at the District Court Room, Huerfano County Court House, 401 Main Street, Walsenburg, Colorado, at 8:00 p.m. These public scoping meetings, to be chaired by representatives of REA, will be held in order to receive public input and comments. Issues to be discussed include, but are not limited to: (a) need for the project, (b) determination of project scope and identification of significant environmental issues, (c) elimination of issues which are not significant from detailed study, and (d) identification of environmentally sensitive areas and/or other potential transmission corridor alternatives. The public will be invited to critique specific alternative transmission corridors identified by Colorado-Ute, as well as propose potential non-site specific alternatives, including no action. A record will be made of the meetings and comments made will be addressed in the Draft EIS.

REA encourages the general public to attend these public information meetings and provide their input. Any person or group which desires to place its comments, questions or recommendations in writing, may do so either at the meetings or by submitting them to REA. Comments may be sent to the Rural Electrification Administration, at the address given above. Requests for additional information or questions concerning the meetings may also be directed to Colorado-Ute at its address given above.

Financing assistance to Colorado-Ute will be subject to REA's arrival at a satisfactory conclusion with respect to environmental effects. Final action will be taken only after compliance with EIS procedures required by NEPA.

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

Dated at Washington, D.C., this 11th day of May 1981.

Joe S. Zoller,

Acting Administrator, Rural Electrification Administration.

[FR Doc. 81-14612 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-15-M

DEPARTMENT OF COMMERCE

Bureau of the Census

Number of Employees, Payrolls, Geographic Location, Current Status, and Kind of Business for the Establishments of Multiestablishment Companies; Determination for Surveys

In conformity with Title 13, United States Code, sections 182, 224, and 225 and due notice of consideration having been published on March 13, 1981 (46 FR 16697), I have determined that a 1981 Company Organization Survey is needed to update company and establishment changes to the multiestablishment companies in the Standard Statistical Establishment List. The survey, which has been conducted for many years, is designed to collect information on the number of employees, payrolls, geographic location, current status, and kind of business for the establishments of multiestablishment companies. The data will have significant application to the needs of the public and to governmental agencies and are not publicly available from nongovernmental or governmental sources.

Report forms will be furnished to firms included in the survey and additional copies of the form are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed that a survey be conducted for the purpose of collecting these data.

Dated: May 11, 1981.

Daniel B. Levine,

Acting Director, Bureau of the Census.

[FR Doc. 81-14613 Filed 5-14-81; 8:45 am]

BILLING CODE 3510-07-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 (Pub. L. 94-265), has established a Scientific and Statistical Committee which will meet to discuss the Bluefish Fishery Management Plan as well as other fishery related matters. The agenda may be rearranged or changed depending upon progress of the same.

DATES: The public meeting will convene on Wednesday, July 1, 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 Inn, 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: May 12, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-14738 Filed 5-14-81; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1981; Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to Procurement List.

SUMMARY: This action adds to Procurement List 1981 a service to be provided by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: May 15, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher (703) 557-1145.

SUPPLEMENTARY INFORMATION: On February 13, 1981, the Committee for Purchase from the Blind and Other Severely Handicapped published a notice (46 FR 12225) of proposed addition to Procurement List 1981, November 12, 1980 (45 FR 74836).

After consideration of the relevant matter presented, the Committee has determined that the service listed below is suitable for procurement by the Federal Government under 14 U.S.C. 46-48c, 85 Stat. 77.

Accordingly, the following service hereby added to Procurement List 1981:

SIC 7369

Commissary Shelf Stocking and Custodial Service
Mountain Home Air Force Base, Idaho

C. W. Fletcher,

Executive Director.

[FR Doc. 81-14618 Filed 5-14-81; 8:45 am]

BILLING CODE 6820-23-M

Procurement List 1981; Correction of Deletion

In FR Doc. 81-13895, published on April 8, 1981 (46 FR 25678), the name of the military resale commodity, Item No. 969, is corrected to read Cover, Ironing Board, Teflon-Coated.

C. W. Fletcher,

Executive Director.

[FR Doc. 81-14619 Filed 5-14-81; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1981; Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped

ACTION: Proposed Additions to Procurement List.

SUMMARY: The Committee has received proposals to add to Procurement List 1981 commodities to be produced by and services to be provided by workshops for the blind and other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: June 17, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher (703) 557-1145

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed action.

If the Committee approves the proposed additions, all entities of the Federal Government will be required to procure the commodities and services listed below from workships for the blind or other severely handicapped.

It is proposed to add the following commodities and services to Procurement List 1981, November 12, 1980 (45 FR 74836):

CLASS 8415

Pad, Helmet, Flight Deck, Crewman's
8415-00-178-6831
8415-00-178-6830

SIC 7349

Janitorial/Custodial
Sacmet Office (Building 2001B)
Air Recovery and Rescue Squadron (Building 2036)
Fairchild Air Force Base
Spokane, Washington

Janitorial Services

Air Traffic Control Tower Building and Adjacent TRACON Building including connecting enclosed walkway, Spokane International Airport.
Felts Field, Spokane, Washington for the following Buildings:
Air Traffic Control Tower, Flight Service Station, General Aviation District Office.

SIC 7369

Commissary Shelf Stocking and Custodial Service, Lackland Air Force Base, San Antonio, Texas.

C. W. Fletcher,

Executive Director.

[FR Doc. 81-14620 Filed 5-14-81; 8:45 am]

BILLING CODE 6820-33-M

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 81-3]

John R. Lyman Company, Inc., and Edward S. Wright, an Officer of the Corporation; Prehearing Conference

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of Prehearing Conference.

DATE: This notice announces a prehearing conference in the matter of John R. Lyman Co., Inc., and Edward S. Wright, an officer of the corporation, on May 26, 1981, at 9:30 a.m.

ADDRESS: The prehearing conference will be held in the third floor hearing room, 1111 18th St. NW., Washington, DC.

FOR ADDITIONAL INFORMATION CONTACT: Sheldon D. Butts, Deputy Secretary, Office of the Secretary, Consumer

Product Safety Commission, Suite 300, 1111 18th St. NW., Washington, DC 20207, telephone (202) 634–7700.

Dated: May 13, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

In the matter of John R. Lyman Company, Inc., a Corporation, and Edward S. Wright, as an Officer of the Corporation; prehearing conference.

On March 20, 1981, the Commission issued a Complaint, with attached list and summary of documentary evidence, charging that the respondents in the above-entitled proceeding purchased approximately 21,183 pounds of children's sleepwear garments, being approximately 75,000 individual garments, which had been treated with 2,3-dibromopropyl phosphate, known as "TRIS", a flame-retardant chemical considered toxic within the meaning of 15 U.S.C. Section 1267(g), under an agreement to process the goods by washing and cutting them and to sell them only as industrial wiping rags; that approximately 5,442 pounds of these garments were cut, some of which had been washed and some not; that respondents informed the Commission in writing that it had cut up all of said garments; that respondents destroyed about 7,608 pounds of said garments under the supervision of the Commission; that respondents sold approximately 8,143 pounds of said garments, being approximately 25,000 individual garments or more, in interstate commerce; and, that respondents knowingly failed to inform the Commission upon obtaining information that a consumer product distributed in commerce contained a defect which could create a substantial product hazard, in violation of Section 15 (a) and (b) of the CPSA, 15 U.S.C. Section 2068(a) (3) and (4). The following relief is sought: To determine that a civil penalty, not to exceed $2,000 for each violation up to a maximum of $500,000 for each related series of violations, should be assessed against the respondents or either of them, pursuant to Section 20 of the CPSA, 15 U.S.C. Section 2069, with such other additional relief as the interests of justice might require, together with costs and disbursements.

Respondents filed a Motion for Extension of Time, dated April 10, 1981, and an Answer, dated April 24, 1981, admitting, denying, averring and reserving as to the various allegations of the Complaint, and specifying ten affirmative defenses.

Issue having been joined, a prehearing conference, pursuant to Section 1025.21 of the Commission's Rules of Practice for Adjudicative Proceedings, 16 CFR, Section 1025.21 will be held on the 26th day of May, 1981, at 9:30 a.m. local time at the Consumer Product Safety Commission, 1111 18th Street, N.W., Third Floor Hearing Room, Washington, D.C.

Any person desiring to participate in the forthcoming hearing should file a petition for leave to intervene in accordance with Section 1025.17 of the Commission's Rules of Practice for Adjudicative Proceedings, 16 CFR, § 1025.17.

Walter J. Alprin,

Administrative Law Judge.

[FR Doc. 81-14767 Filed 5-14-81; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of Army

Draft Environmental Impact Statement

SUBJECT: Intent to Prepare a Draft Environmental Document for the Reacquisition or Use of Land Formerly Owned by the Government Adjoining Parks Reserve Training Area (PRFTA), Alameda County, California, by the US Army.

SUMMARY: Headquarters, Sixth US Army, requires acquisition of additional land which essentially consists of a parcel that was formerly a part of Camp Parks and was transferred in an excessing action to the East Bay Regional Park District in 1973. The additional area would be used for training military personnel in plotting a course through unmarked territory, advancing in groups by foot to designated areas, and operating military vehicles up to 5-tons trucks over various terrains. Increased military readiness requirements for the Reserve components can be achieved only by the most effective use of Reserve components training time. The proposed action is necessary of provide San Francisco Bay area Reserve components with the adequate close-in training area needed to achieve the level of readiness required for national defense.

Alternatives:

No action.

Reacquire less than 445 acres.

Joint use of the land by the East Bay Regional Park District and the US Army

Scoping Process:

The environmental document will be prepared by the Sixth US Army. To allow identification of the significant issues and to facilitate communications between the project proponent and interested agencies and other parties during the preliminary phase, the Army will coordinate the environmental review process with the affected Government agencies and the general public. All interested parties are invited to participate in the scoping process by contacting the address indicated in the paragraph below.

Significant Issues: To date, the significant issues which have been identified and which will be analyzed in the environmental document include: (1) Loss of recreational opportunities; (2) Acquisition of additional 4.6 acres by East Bay Regional Park District for access to the 445 acre parcel; and (3) Potential effects on siltation and water quality, noise levels, waste, hazardous and toxic substances, energy resources, wildlife, and wildlife habitat.

The Army will hold a scoping meeting on 5 June 1981, beginning at 1:00 p.m. The location is Camp Parks, Building 332, Pleasanton, California. The scoping meeting is not intended to be a formal public hearing but rather a working session when information relating to potential environmental impacts can be gathered and evaluated.

Questions concerning the proposed action can be answered by Alex Maciejewicz, Facilities Engineering, Presidio of San Francisco, San Francisco, California 94129, (415) 561–3159.

Dated: May 11, 1981.

Lewis D. Walker,

Deputy for Environment, Safety and Occupational Health OASA (IL&FM).

[FR Doc. 81-14632 Filed 5-14-81; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF ENERGY

Inactive Uranium Mill Tailings Site and Vicinity Properties In and Near Canonsburg, Pa.; Compliance With the National Environmental Policy Act; Intent To Prepare an Environmental Impact Statement and Conduct Public Scoping Meetings for Remedial Actions

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 the inactive uranium mill tailings site and vicinity properties in and near Canonsburg, Pennsylvania.

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 Canonsburg Industrial Park site and vicinity properties (including the Burrell Township site) in and near Canonsburg, Pennsylvania. 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 may be submitted by mail or presented at scoping meetings which will be held in Canonsburg, Pennsylvania, and Blairsville, Pennsylvania, on June 3, 1981, and in the Hanover Township area, Pennsylvania, on June 4, 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 Canonsburg site."

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 SW., Washington, D.C. 20585, (202) 252–4600.

DATES: Written comments postmarked by June 18, 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 Canonsburg and Blairsville, Pennsylvania, on June 3, 1981 and in the Hanover Township area, Pennsylvania, on June 4, 1981. Requests to speak at these meetings should be received by Mr. R. H. Campbell at the address above by May 28, 1981.

Background Information:

The Canonsburg site is approximately 20 miles southwest of Pittsburgh, Pennsylvania, and is located in the Borough of Canonsburg, Washington County, Pennsylvania. The site was originally operated as a radium extraction plant by the Standard Chemical Company from 1911 to 1922. Later, the Vitro Corporation of America acquired the property and processed the onsite tailings to extract radium and uranium salts. From 1942 until 1957, the Vitro Corporation of America was under contract to the Federal Government to recover uranium from ore and scrap. For the next nine years, the site was used only for storage under an Atomic Energy Commission contract. Since 1967, the property has been owned by the Canon Development Company and is called the Canonsburg Industrial Park. The various buildings on the 19-acre site are leased to tenant companies for light industries.

Processing of radioactive residues, scrap, and other material at the Canonsburg site by the Vitro Corporation of America, and later storage of radioactive materials at the site eventually led to contamination of the soil. The buildings at the Canonsburg site were either built over or adjacent to contaminated soil, and as a consequence also are contaminated. In addition, some contaminated soil was carried offsite and used locally as fill on properties in the vicinity of the Canonsburg site. During the period of October 1956 through January 1957, 12,000 tons of radioactive material was shipped by rail from the Canonsburg site to the Burrell Township site (also called the Pennsylvania Railroad Landfill site). This site is located about a mile east of the town of Blairsville in Indiana County, Pennsylvania, north of the Conemaugh River and south of the mainline tracks of ConRail.

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 required the DOE to carry out remedial action at each site in cooperation with other Federal agencies and with the states and 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 the 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 "cooperating agency" as defined by the Council on Environmental Quality regulations implementing NEPA (40 CFR 1508.5). By participating in this manner the need for NRC to duplicate the DOE efforts in a separate NRC prepared EIS for the licensing of the permanent disposal site for the residual radioactive material removed from the Canonsburg site 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. The EPA has issued proposed standards governing the cleanup and disposal of inactive uranium processing sites, including the Canonsburg site, and intends to issue final standards by late 1981.

In accordance with Public Law 95–604, the DOE has designated 25 sites for remedial action. One of them is the Canonsburg Industrial Park at Canonsburg, Pennsylvania. The DOE has made preliminary engineering assessments of the site and of possible remedial actions. The Commonwealth of Pennsylvania has investigated several locations in which the tailings might safely be disposed of permanently and has recommended two of them for analysis by the DOE in the draft EIS.

A document describing the preliminary assessments of the Canonsburg site is the "Remedial Action Concept Paper for the Uranium Mill Tailings site at Canonsburg, Pennsylvania," issued in draft form by the Uranium Mill Tailings Remedial Action Project Office of the DOE Albuquerque Operations Office, Albuquerque, New Mexico 87115.

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 on the Canonsburg site will be selected, probably in 1982. The remedial action could then begin in early 1983 and be completed during 1985, subject to the

appropriation of sufficient funds by the Congress and by the Commonwealth of Pennsylvania 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.

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 disposal sites, 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.

Alternative 1: No Action

This option consists of performing no remedial action, i.e., allowing the present situation to continue with no corrective action.

Alternative 2: Stabilization in Place

This alternative consists of decontaminating vicinity properties contaminated with tailings by consolidating all offsite contaminated materials at the Canon Development Company property after that property is acquired by the Commonwealth of Pennsylvania. The contaminated material at the Burrell Township site also would be accumulated at the Canonsburg site. All tailings and contaminated materials would then be stabilized at the site, including the emplacement of cover material to reduce the radon flux to the prescribed EPA limit.

Alternative 3: Decontamination of the Canonsburg Site and Transfer of the Tailings to a New Disposal Site

This alternative involves selecting a disposal site other than Canonsburg. All contaminated materials, soils, and building materials at vicinity properties (including the Burrell Township site) and at the Canonsburg site would be transported to a new disposal site that could be one of the locations discussed in options 3A or 3B below.

In 1980 the Commonwealth of Pennsylvania conducted an extensive study of the investigated potential disposal sites in Washington County for the tailings at Canonsburg. The Commonwealth nominated seven specific areas to be considered by the DOE as potential tailings-disposal sites. In giving these nominations to the DOE, the Pennsylvania staff said that two of the sites appeared to be better than the other five. A subsequent evaluation by a DOE contractor has confirmed this opinion; therefore, only these two sites appear as suboptions below. Nevertheless, all seven sites will be discussed in the EIS to the extent that final evaluation warrants. The Burrell Township site will also be evaluated as a potential disposal site in the EIS since it already has received a great deal of contaminated material from the Canonsburg site.

Option 3A: Disposal Site at Dinsmore

This option would involve the acquisition of the Dinsmore site by the Commonwealth of Pennsylvania as well as the removal to that site of all tailings and contaminated material from the Canonsburg site, the Burrell Township site, and other vicinity properties. A pit would be excavated and a liner system installed in it, if necessary. The tailings would be placed on the liner, and a soil cover would be placed on top of them to reduce the radon flux to the prescribed EPA limit.

The Dinsmore site is about 18 miles northwest of Canonsburg and 65 miles west of Burrell Township.

Option 3B: Disposal at Ash Dump Site

This option would involve the acquisition of the Ash Dump site by the Commonwealth of Pennsylvania as well as the removal to that site of all the tailings and contaminated materials from Canonsburg, Burrell Township, and other vicinity properties. A pit would be excavated and a liner system installed in it, if necessary. The tailings would be placed on the liner, and a soil cover would be placed on top of them to reduce the radon flux to the prescribed EPA limit.

The Ash Dump site is about 18 northwest of Canonsburg and 65 miles west of Burrell Township.

Comments and Scoping Meetings

The DOE invites all interested parties to submit written comments or suggestions on the draft EIS and to attend the 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 the 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 Canonsburg and Blairsville, Pennsylvania, on June 3, 1981, and in the Hanover Township area, Pennsylvania, on June 4, 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 "Canonsburg scoping meeting", "Blairsville scoping meeting", or "Hanover Township scoping meeting" on the envelopes. They should notify the DOE of their desire to speak before May 28, 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 June 18, 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, 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 SW., 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 SW., Washington, D.C. 20585.
Canonsburg Library, 68 East Pike Street, Canonsburg, Pennsylvania 15317.
Chartiers-Houston Community Library, 730 West Grant Street, Houston, Pennsylvania 15317.
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 11th day of May 1981.

For the United States Department of Energy.

Barton R. House,

Acting Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness.

[FR Doc. 81-14708 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Office of Assistant Secretary for International Affairs

International Atomic Energy Agreements; Civil Uses; Proposed Subsequent Arrangement Between United States and Japan

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 United States and Japan (Atomic Energy, Cooperation for Civil Uses).

The subsequent arrangement to be carried out under the above mentioned agreement involves the extension of an agreement executed between the United States and Japan for the reprocessing of up to 99 tons of U.S.-supplied fuel at the Tokai reprocessing facility. The original agreement which was signed on September 12, 1977, was to cover a two-year period, i.e., until September 12, 1979. Since that time, both Government agreed to extend the period three times to June 1, 1981 and to increase the amount of spent fuel to be reprocessed by 50 tonnes over and above the original 99 tonnes.

The proposed subsequent arrangement would extend the agreement through October 31, 1981, on the shared understanding that both Government will endeavor to reach a long-term resolution of the subject matters of the subsequent arrangement by that date.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take place effective no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Dated: May 12, 1981.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 81-14707 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

[Docket No. ERA-FC-81-009; OFC Case No. 55027-3095-01, 02, 03-12]

Powerplant and Industrial Fuel Uses; Philadelphia Refinery

AGENCY: Economic Regulatory Administration.

ACTION: Notice of Acceptance of Petition for Exemption Pursuant to the Final Rule Implementing the Powerplant and Industrial Fuel Use Act of 1978.

SUMMARY: On March 18, 1981, ARCO Petroleum Products (ARCO) filed a petition with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) for an order permanently exempting three major fuel burning installations (MFBI's) from the provisions of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.*, (FUA or the Act), which prohibit the use of petroleum and natural gas as a primary energy source in new MFBI's. The procedure for petitioning, and criteria for exemptions from the prohibitions of FUA are contained in 10 CFR Parts 501 and 503.

The MFBI's for which the petition is filed are three new field-erected boilers (identified as Boiler House Units Nos. 1, 2, and 3), to be installed at the Philadelphia Refinery, Philadelphia, Pennsylvania. Each boiler has a design heat input rate of 320 million BTU's per hour with a steam generating capacity of 225,000 pounds per hour. The ratio of primary energy sources proposed to be used in the new boilers is 75 percent on-site produced refinery waste gas and 25 percent refinery fuel oil. ARCO has requested a permanent exemption under 10 CFR 503.32 based upon a lack of alternate fuel supply at a cost which does not substantially exceed the cost of using imported petroleum as a primary energy source in the unit. Subsequent to the filing of the petition, ARCO on March 20, 1981, filed a request for an alternate fuels determination pursuant to 10 CFR 500.2, seeking to have ERA determine the refinery waste gas produced at ARCO's Philadelphia Refinery to be an alternate fuel.

FUA section 202(a) imposes statutory prohibitions against the use of natural gas and petroleum as a primary energy source in new MFBI's which consist of a boiler. ERA's decision in this matter will determine whether ARCO will be granted a permanent exemption from these prohibitions for Boiler House Unit Nos. 1, 2, and 3.

ARCO initially filed its petition for permanent exemption with ERA on December 29, 1980. ERA determined that the petition was incomplete and, pursuant to 10 CFR 501.3(f), notified ARCO of the deficiencies by letter dated January 19, 1981, allowing the company 90 days from that date to cure the defects in the petition. On March 18, 1981, ARCO submitted a revised petition which has been determined to be complete in accordance with 10 CFR 501.3(d). A summary of the petition is provided in the SUPPLEMENTARY INFORMATION section below.

On March 20, 1981, ARCO formally requested ERA to make an alternate fuel determination pursuant to 10 CFR 500.2 (Definitions of "alternate fuel", "petroleum" with regard to the refinery waste gas produced at the Philadelphia Refinery and planned to be used as a fuel in Boiler House Units Nos. 1, 2, and 3. A fuel is an alternate fuel if shown to be commercially unmarketable by reason of either quality or quantity. If ERA determines that the refinery waste gas produced by ARCO at the Philadelphia Refinery is an alternate fuel under the criteria set forth in 10 CFR 500.2, ARCO's planned use of the refinery waste gas in a mixture with 25 percent fuel oil in Boiler House Units Nos. 1, 2, and 3, would appear to qualify each of the units for the permanent fuels mixture exemption provided in 10 CFR 503.38(d). In the event such a determination is made ERA, with the petitioner's approval, will redesignate ARCO's petition as a petition for a fuels mixture exemtpion in accorance with 10 CFR 501.67. If redesignation occurs, a notice of such action will be published in the **Federal Register.**

As provided for in sections 701 (c) and (d) of FUA and 10 CFR 501.31 and 501.33, interested persons are invited to submit written comments in regard to this matter, and any interested person may submit a written request that ERA convene a public hearing.

DATES: Written comments are due on or before June 29, 1981. A request for public hearing must also be made within this same 45 day period.

ADDRESS: Fifteen copies of written comments or a request for a public hearing shall be submitted to: Economic Regulatory Administration, Case Control Unit, Box 4629, Room 3214, 2000 M Street NW., Washington, D.C. 20461.

Docket Number ERA–FC–81–009, should be printed clearly on the outside of the envelope and the document contained therein.

FOR FURTHER INFORMATION CONTACT:

Jack Vandenberg (Office of Public Information), Economic Regulatory Administration, Department of Energy, 2000 M Street, NW., Room B–110, Washington, D.C. 20461, Phone: (202) 653–4055

Edward J. Peters, Acting Chief, New MFBI Branch, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, 2000 M Street NW., Room 3128, Washington, D.C. 20461, Phone: (202) 653–4226

Douglas F. Mitchell, Office of General Counsel, Department of Energy, 1000 Independence Avenue SW., Room 6B–178, Washington, D.C. 20585, Phone: (202) 252–2967

Terri L. Hamrick, Case Manager, Office of Fuels Conversion, Economic Regulatory Administration, 2000 M Street NW., Room 3128, Washington, D.C. 20461, Phone: (202) 653–4478

SUPPLEMENTARY INFORMATION: ERA published in the **Federal Register** a final rule implementing the provisions of Title II of FUA on June 6, 1980 (45 FR 38276). The procedure for petitioning and criteria for exemptions from FUA's prohibitions also were published on that date (45 FR 38302). A final rule implementing the methodology for calculating the cost of using alternate fuels under FUA was published on December 24, 1980, and became effective January 23, 1981 (45 FR 84967). The Act prohibits the use of natural gas and petroleum as a primary energy source in certain new MFBI's unless an exemption for such use has been granted by ERA.

The three new MFBI's for which the permanent cost exemptions are requested are field-erected boilers, each having a design heat input rate of 320 million Btu's per hour and a steam generating capacity of 225,000 pounds per hour. The proposed primary energy source for the new boilers is an on-site produced refinery waste gas (75%) and refinery fuel oil (25%). Such fuels are considered petroleum products under the definition of "petroleum" contained in 10 CFR 500.2 unless an alternate fuel determination is made by ERA pursuant to 10 CFR 500.2 (definitions of "alternate fuel" and "petroleum").

In addressing the eligibility and evidentiary requirements for this exemption, which are contained in 10 CFR 503.32, ARCO states that it has investigated the cost of using the following alternate fuels:

—A slurry of coal suspended in a liquid fuel (commercial coal-oil mixture)
—Coal, with 10 percent petroleum needed for operational reliability
—Petroleum coke, with 15 percent petroleum needed for operational reliability
—Municipal solid waste, with 15 percent petroleum needed for operational reliability

In accordance with 10 CFR 503.4 *et seq.*, ARCO addressed the remaining general requirements for this exemption by including in its petition information pertaining to present and future conservation measures taken at the site, petroleum and natural gas consumption at the site, and an environmental impact analysis of each fuel scenario proposed in the detailed cost test calculations.

ERA hereby gives notice that ARCO's revised petition for a permanent exemption for each of its Boiler House Units No. 1, 2 and 3 has been determined to be complete as filed and is accepted. ERA retains the right to request additional information from ARCO at any time during the pendency of these proceedings where necessitated by circumstances or procedural requirements. As set forth in 10 CFR 501.3(d), the acceptance of the petition by ERA does not constitute a determination that ARCO is entitled to the exemptions requested.

The public file, containing documents on these proceedings and supporting materials, is available for inspection upon request at:

ERA, Room B–110, 2000 M Street, NW., Washington, D.C., Monday–Friday, 8:00 am–4:30 pm

Issued in Washington, D.C. on May 7, 1981.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 81–14709 Filed 5–14–81; 8:45 am]

BILLING CODE 6450–01–M

[ERA Docket No. 81–CERT–007]

Long Island Lighting Co.; Recertification of Eligible Use of Natural Gas To Displace Fuel Oil

On March 30, 1981, Long Island Lighting Company (LILCO), 250 Old Country Road, Mineola, New York 11501, filed an application with the Administrator of the Economic Regulatory Administration (ERA) pursuant to 10 CFR Part 595 for recertification of an eligible use of up to 50,000 dekatherms (approximately

50,000 Mcf) of natural gas per day to displace approximately 105,000 barrels of residual fuel oil (1.5 percent sulfur) and 1,000 barrels of No. 2 fuel oil (0.3 percent sulfur) at the E. F. Barrett Plant and 25,000 barrels of residual fuel oil (1.0 percent sulfur) at the Glenwood Plant during the period May 13, 1981, to May 31, 1981. The eligible seller of the natural gas is Equitable Gas Company (Equitable) and the gas will be transported by Texas Eastern Transmission Corporation. Notice of that application was published in the **Federal Register** (46 FR 23526, April 27, 1981) and an opportunity for public comment was provided for a period of ten (10) calendar days from the date of publication. No comments were received.

On May 13, 1980, LILCO received the original certification (ERA Docket No. 80–CERT–016) of an eligible use of natural gas purchased from Equitable for a period of one year expiring on May 12, 1981. The gas was to be used at three of its electric generating plants in New York: the E. F. Barrett Electric Plant in Island Park; the Glenwood Electric Plant in Glenwood Landing; and the Far Rockaway Plant in Far Rockaway. The Far Rockaway Plant has since been placed in a standby status by LILCO and was not included in LILCO's application for recertification.

The ERA has carefully reviewed LILCO's application for recertification in accordance with 10 CFR Part 595 and the policy considerations expressed in the Final Rulemaking Regarding Procedures for Certification of the Use of Natural Gas to Displace Fuel Oil (44 FR 47920, August 16, 1979). The ERA has determined the LILCO's application satisfies the criteria enumerated in 10 CFR Part 595, and, therefore, has granted the recertification and transmitted that recertification to the Federal Energy Regulatory Commission. More detailed information including a copy of the application, transmittal letter, and the actual recertification are available for public inspection at the Division of Natural Gas Docket Room, Room 7108, RG–55, 2000 M Street NW., Washington, D.C. 20461, from 8:30 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., May 8, 1981.

F. Scott Bush,

Assistant Administrator, Office of Regulatory Policy, Economic Regulatory Administration.

[FR Doc. 81-14710 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Varn Petroleum Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATES: Effective date: April 23, 1981.

COMMENTS BY: June 15, 1981.

ADDRESS: Send comments to: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, (214) 767–7745.

SUPPLEMENTARY INFORMATION: On April 23, 1981, the Office of Enforcement of the ERA executed a Consent Order with Varn Petroleum Company (VARN) of Corpus Christi, Texas. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and interest, may be made effective upon its execution. Because the DOE and VARN, wish to expeditiously resolve this matter as agreed, the DOE has determined that it is in the public interest to make the Consent Order effective as of the date of its execution by the DOE and VARN.

I. The Consent Order

VARN, with its office located in Corpus Christi, Texas, is a firm engaged in crude oil production, and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of audit of crude oil sales, the Office of Enforcement, ERA, and VARN, entered into a Consent Order, the significant terms of which are as follows:

1. The initial audit period was from September 1, 1973 through December 31, 1977. This period was extended through January 27, 1981, in order to resolve any additional overcharges that might have occurred subsequent to the original audit period.

2. In this Consent Order, VARN agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified above, the sum of $150,000.00 on or before June 7, 1981.

3. Refunded overcharges will be in the form of a certified check made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

4. The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

5. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. *Other Comments:* The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling (214) 767–7745.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Consent Order." We will consider all comments we receive by 4:30 p.m., local time, on June 15, 1981. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 8th day of May 1981.

Wayne I. Tucker,

District Manager for Enforcement, Southwest District, Economic Regulatory Administration.

[FR Doc. 81-14711 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Volume 421]

Notice of Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 8, 1981.

					FIELD NAME	AREA	PURCHASER
*****	******	******	***	*********	**********	****	**********
KANSAS CORPORATION COMMISSION							
-HINKLE OIL COMPANY				RECEIVED: 04/17/81 JA: KS			
[illegible]	[illegible]	[illegible]	[illegible]	MORTON #1	MORTON SE SE SE NW SEC 1	9.9	CITIES SERVICE GAS C
NORTH DAKOTA GEOLOGICAL SURVEY							
-PETROLEUM CORP OF AMERICA				RECEIVED: 04/17/81 JA: ND			
[illegible]	[illegible]	[illegible]	[illegible]	[illegible] LOWE	LITTLE MISSOURI	0.0	MONTANA DAKOTA UTILI
[illegible]	[illegible]	[illegible]	[illegible]	[illegible] CHISMAN	LITTLE MISSOURI	0.0	MONTANA DAKOTA UTILI
[illegible]	[illegible]	[illegible]	[illegible]	[illegible] CARPENTER	LITTLE MISSOURI	0.0	MONTANA DAKOTA UTILI
[illegible]	[illegible]	[illegible]	[illegible]	[illegible] STATE	LITTLE MISSOURI	0.0	MONTANA DAKOTA UTILI
[illegible]	[illegible]	[illegible]	[illegible]	[illegible] OSTROW	LITTLE MISSOURI	0.0	MONTANA DAKOTA UTILI
OKLAHOMA CORPORATION COMMISSION							
-ANDOVER OIL COMPANY				RECEIVED: 04/17/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	ADAMS PARK #7-1		185.0	DELHI GAS PIPELINE C
-ANDOVER OIL COMPANY				RECEIVED: 04/20/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	CLOUSE #5-4		185.0	DELHI GAS PIPELINE C
[illegible]	[illegible]	[illegible]	[illegible]	CLOUSE #5-4		185.0	DELHI GAS PIPELINE C
-ARAPAHO PETROLEUM INCORPORATED				RECEIVED: 04/20/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	ROGERS 1-31	SOONER TREND	0.0	GRACE PETROLEUM CORP
[illegible]	[illegible]	[illegible]	[illegible]	LITSCHKE 1-36	SOONER TREND	0.0	PANHANDLE EASTERN PI
-ARCO OIL AND GAS COMPANY				RECEIVED: 04/17/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	A K COX #1	PUTNAM	73.0	MOBIL OIL CORP
[illegible]	[illegible]	[illegible]	[illegible]	FOUTS UNIT #2	MCCLANE-LAVERNE	36.5	MICHIGAN WISCONSIN P
[illegible]	[illegible]	[illegible]	[illegible]	E L FULLEN UNIT #2	BREWER SOUTH	365.0	ARKANSAS LOUISIANA G
-B & H EXPLORATION CO				RECEIVED: 04/20/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	HANLEY A		5.0	A G SYSTEMS INC
[illegible]	[illegible]	[illegible]	[illegible]	HAYES A		10.0	A G SYSTEMS INC
-BARUCH-FOSTER CORP				RECEIVED: 04/20/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	MCCLAREN #1	RAVENDALE	180.0	CITIES SERVICE GAS C
[illegible]	[illegible]	[illegible]	[illegible]	COLEMAN #1	RAVENDALE	180.0	CITIES SERVICE GAS C
[illegible]	[illegible]	[illegible]	[illegible]	STATE OF OKLAHOMA C-1	RAVENDALE	180.0	CITIES SERVICE GAS C
-BOB L LOFTIS				RECEIVED: 04/20/81 JA: OK			
[illegible]	[illegible]	[illegible]	[illegible]	LOFTIS & LOFTIS NO 1	GREASY CREEK	87.6	WELLHEAD ENTERPRISES
-CHASE EXPLORATION CORP				RECEIVED: 04/17/81 JA: OK			
*[illegible]	[illegible]	[illegible]	[illegible]	[illegible] #2-22		3.1	CITIES SERVICE GAS C
*[illegible]	[illegible]	[illegible]	[illegible]	[illegible] #1-19		5.0	CITIES SERVICE GAS C
*[illegible]	[illegible]	[illegible]	[illegible]	[illegible] #1-21		5.6	CITIES SERVICE GAS C
*[illegible]	[illegible]	[illegible]	[illegible]	[illegible] #2-21		17.0	CITIES SERVICE GAS C

-CHASE EXPLORATION CORP				RECEIVED: 04/20/81 JA: OK			
*8126218	08500	3507121201	103	LESEMAN #2-4		3.3	CITIES SERVICE GAS C
-DEMINEX US OIL COMPANY				RECEIVED: 04/17/81 JA: OK			
8126169	06291	3511921124	103	VAN HUSKIRK NO 1	ORLANDO SE	100.0	AMINOIL U S A INC
-DON D MONTGOMERY JR				RECEIVED: 04/20/81 JA: OK			
8126237	8405	3500721540	103	NIELSON #1-16	MOCANE	0.0	
-DOUBLE DIAMOND INC				RECEIVED: 04/20/81 JA: OK			
8126243	8260	3502720389	103	BLACKWOOD TRUSTEES	N W NORMAN	180.0	SUN GAS CO
-ECC OIL CO				RECEIVED: 04/17/81 JA: OK			
8126195	07947	3514721584	103	LORIAUX #2 NW NW NE 29-25N-14E	OGLESBY GAS FIELD	38.9	OKAN GAS CO
-ENNEX PRODUCTION COMPANY				RECEIVED: 04/20/81 JA: OK			
8126249	08390	3513722231	102	BAPTIST FOUNDATION NO 2	SOUTH BRAY	120.0	NATURAL GAS PIPELINE
8126249	08390	3513722231	103	BAPTIST FOUNDATION NO 2	SOUTH BRAY	120.0	NATURAL GAS PIPELINE
-EXCO OIL INC				RECEIVED: 04/17/81 JA: OK			
8126192	8376	3507121951	103	DELMAR TIEMANN #1	S PECKHAM	30.0	CITIES SERVICE CO
8126193	08377	3507121948	103	STATE SCHOOL LAND #1	S PECKHAM	30.0	CITIES SERVICE CO
-GALLO INC				RECEIVED: 04/17/81 JA: OK			
8126162	8170	3510720695	103	CARSON #1 107-62161	S E WELEETKA	42.0	TRANSOK PIPELINE CO
8126161	8169	3510720746	103	CARSON 2 107-62162	S E WELEETKA	56.0	TRANSOKE PIPELINE CO
8126165	8168	3510720825	103	CRAWLEY #1 107-58170	SOUTH EAST WELEETKA	154.0	TRANSOK PIPELINE CO
8126191	08173	3510720658	103	CRAWLEY #2 107-59255	S E WELEETKA	140.0	TRANSOK PIPELINE CO
8126164	8172	3506321089	103	CRAWLEY #3 063-60865	S E WELEETKA	86.0	TRANSOK PIPELINE CO
8126163	8171	3506321022	103	CRAWLEY B 063-60869	S E WELEETKA	56.0	TRANSOK PIPELINE CO
-GETTY OIL COMPANY				RECEIVED: 04/20/81 JA: OK			
8126233	8397	3513921312	103	TEXAS FEED LOT #1	NORTHEAST GUYMON	0.7	CITIES SERVICE P L C
-GRAY OPERATING COMPANY				RECEIVED: 04/20/81 JA: OK			
8126246	8393	3501900000	108	CASEY #1	TATUMS FIELD	794.0	MOBIL OIL CORP
8126245	8394	3501900000	108	CASEY #2	TATUMS	794.0	MOBIL OIL CORP
-HADSON OHIO OIL COMPANY				RECEIVED: 04/17/81 JA: OK			
8126156	8156	3506120376	102	BALLARD 1-6	KINTA	167.0	ARKANSAS LOUISIANA G
8126159	8141	3506120356	102	BALLARD 1-6	KINTA	167.0	ARKANSAS LOUISIANA G
8126175	8262	3506120376	102	POWELL 1-1	KINTA	75.0	ARKANSAS LOUISIANA G
8126175	8262	3506120376	103	POWELL 1-1	KINTA	75.0	ARKANSAS LOUISIANA G
-HANOVER MANAGEMENT CO				RECEIVED: 04/20/81 JA: OK			
8126235	8399	3504520756	103	GUY NO 1-18		65.4	PRODUCERS GAS CO
8126236	08400	3504520820	103	MILLER #1-17		365.0	PRODUCERS GAS CO
-HARPER OIL COMPANY				RECEIVED: 04/20/81 JA: OK			
8126206	7992	3504721424	103	#ROLL #1	NE ENID	44.0	CHAMPLIN PETROLEUM C
-HILL RESOURCES INC				RECEIVED: 04/20/81 JA: OK			
8126234	08398	3507322663	103	OHERN 25-2	SOONER TREND	84.0	OKLAHOMA GAS & ELECT
-HOLLY ENERGY INC				RECEIVED: 04/20/81 JA: OK			
8126218	08528	3501121838	103	FOX NO 1		200.0	ARKANSAS LOUISIANA G
-J L THOMAS ENGINEERING INC				RECEIVED: 04/20/81 JA: OK			
8126222	08551	3508321369	103	ACTON #1	WEST MULHALL	150.0	EASON OIL CO
-KETAL OIL PRODUCING CO				RECEIVED: 04/20/81 JA: OK			
8126217	08527	3504720344	103	RANCH NO 2	WEST BARNES	190.0	
-L & T OIL & GAS INC				RECEIVED: 04/20/81 JA: OK			
8126227	8365	3507322719	103	HANLEY 17 NO 1	SOONER TREND	110.0	CITIES SERVICE CO
8126224	8364	3507322695	103	SPARK 15 NO 4	SOONER TREND	110.0	CONTINENTAL OIL CO
-LADD PETROLEUM CORPORATION				RECEIVED: 04/20/81 JA: OK			
8126244	08245	3504700000	108	EHRING NO 1	ENID NORTHEAST	7.1	CITIES SERVICE GAS C
8126212	08245	3504700000	108	FIVE FIVE MAYS #1 NO 1	ENID NORTHEAST	11.5	CITIES SERVICE GAS C

8126227	8383	3508930000	105	LAW #2 (MISS)			
8126210	8242	3504700000	108	ROGERS NO 1			
8126208	08241	3507900000	108	SATTERFIELD NO 1			
8126209	8238	3504700000	108	SERRAD NO 1			
8126204	8237	3504700000	108	TEEMLEY NO 1			
8126211	8244	3504700000	108	WILSON 2 NO 1			
-LAGUNA PETROLEUM CO				RECEIVED: 04/17/81 JA: OK			
8126170	08287	3500320754	103	HAWKINS NO 1-25A			
8126150	8347	3501721489	102	LAFLORE NO 1			
8126171	08287	3501721562	103	WITTROCK NO 1			
-MAY PETROLEUM INC				RECEIVED: 04/17/81 JA: OK			
8126162	08325	3500721888	103	NEILEN #3 (OTC UNASSIGNED)			
-MAY PETROLEUM INC				RECEIVED: 04/20/81 JA: OK			
8126242	08314	3500721828	103	BAPEY #1			
-MORGAN & STEINERT INC				RECEIVED: 04/20/81 JA: OK			
*8126254	8373	3504722314	103	EAST FORK #1			
-MUSTANG PRODUCTION CO.				RECEIVED: 04/20/81 JA: OK			
8126220	08357	3503920329	103	ROSS #1-33			
8126252	08356	3501721559	103	PETTIGREW #1-32			
-NATIONAL OIL COMPANY				RECEIVED: 04/20/81 JA: OK			
8126215	7797	3507920342	103	DUGAN #079-60597			
8126231	08402	3502720414	103	JENKINS #027-63265			
-NRM PETROLEUM CORPORATION				RECEIVED: 04/20/81 JA: OK			
8126236	8379	3500721867	103	NELLIE #1			
-PORTS OF CALL OIL CO				RECEIVED: 04/17/81 JA: OK			
8126168	8306	3501721560	103	SHEPHERD 2-1			
-PORTS OF CALL OIL CO				RECEIVED: 04/20/81 JA: OK			
8126215	8329	3501721615	103	WOODS BROTHERS 4-6			
-RALPH E PLOTNER OIL & GAS INVEST IN				RECEIVED: 04/20/81 JA: OK			
8126221	8354	3501721698	103	BAUSTERT NO 1			
8126241	08355	3501721655	103	CHARLOTTE ANN NO 1			
-RED EAGLE OIL CO				RECEIVED: 04/17/81 JA: OK			
*8126180	08348	3509321310	103	HAROLD NO 1			
-RED EAGLE OIL CO				RECEIVED: 04/20/81 JA: OK			
*8126213	8346	3509321833	103	DAVID NO 1			
8126214	8347	3509321853	103	ELLSWORTH NO 1			
-RICKS EXPLORATION CO				RECEIVED: 04/17/81 JA: OK			
8126194	7194	3509321884	103	COMPS 31A			
-RICKS EXPLORATION CO				RECEIVED: 04/20/81 JA: OK			
8126247	8372	3501520923	102	FRANK #1-25			
8126247	8372	3501520923	103	FRANK #1-25			
-SAKET PETROLEUM CORP				RECEIVED: 04/20/81 JA: OK			
8126229	08411	3511123344	103	LEE #2			
8126228	08412	3511122265	103	LEE #3			
-SAMSON RESOURCES COMPANY				RECEIVED: 04/20/81 JA: OK			
8126226	08296	3513520073	102	TAYLOR NO 2-21-SPIRO			
8126226	08296	3513520073	103	TAYLOR NO 2-21-SPIRO			
-SULLIVAN AND CO				RECEIVED: 04/17/81 JA: OK			
8126197	08368	3508121010	103	J INGRAM #3			
-TEXACO INC				RECEIVED: 04/17/81 JA: OK			
8126196	8376	3501721749	103	ANNA MOUSER EST WELL NO 2			
-TEXACO INC				RECEIVED: 04/20/81 JA: OK			

FIELD NAME	PROD	PURCHASER
RINGWOOD	10.0	OKLAHOMA NATURAL GAS
ENID NORTHEAST	12.2	CITIES SERVICE GAS C
CEDARS	0.0	ARKANSAS LOUISIANA G
ENID NORTHEAST	0.0	CITIES SERVICE GAS C
ENID NORTHEAST	12.2	CITIES SERVICE GAS C
ENID NORTHEAST	8.3	CITIES SERVICE GAS C
	43.0	AMINOIL USA INC
	91.0	PHILLIPS PETROLEUM C
	82.0	PHILLIPS PETROLEUM C
S W COMO	73.0	PHILLIPS PETROLEUM C
MOCANE-LAVERNE	109.0	PANHANDLE EASTERN PI
SOONER TREND	110.0	EXXON CO USA
CUSTER CITY	200.0	TRANSOK PIPELINE CO
SOUTH GEARY	300.0	ONG WESTERN INC
WILDCAT	365.0	ARKANSAS LOUISIANA G
NW NORMAN	1332.3	SUN-GAS CO
UNALLOCATED	0.0	KANSAS NEBRASKA NATU
RICHLAND	33.0	DELHI GAS PIPELINE C
S W YUKON	297.0	DORIC PETROLEUM INC
SOUTH OKARCHE	72.0	PHILLIPS PETROLEUM C
YUKON	540.0	PHILLIPS PETROLEUM C
NW FAIRVIEW	73.0	OKLAHOMA NATURAL GAS
NW FAIRVIEW	75.0	PANHANDLE EASTERN PI
NW FAIRVIEW	75.0	OKLAHOMA NATURAL GAS
CEDAR SPRINGS	40.0	DELHI GAS PIPELINE C
WATONGA TREND	800.0	DELHI GAS PIPELINE C
WATONGA TREND	800.0	DELHI GAS PIPELINE C
WEST MORRIS	0.0	PHILLIPS PETROLEUM C
WEST MORRIS	0.0	PHILLIPS PETROLEUM C
KINTA	210.0	ARKANSAS LOUISIANA G
KINTA	210.0	ARKANSAS LOUISIANA G
SOUTHWEST PRAIRIE GEM	18.0	SUN OIL CO
YUKON N	50.0	CONOCO INC

8126225	08371	3508520402	103	TIPPIT TRUST WELL NO 1	ENVILLE SW	12.0	CIMARRON TRANSMISSIO
-TEXAS INTERNATIONAL PET CORP				RECEIVED: 04/17/81 JA: OK			
8126198	08345	3509321254	103	GORDON DIERKSON #1	AMES AREA	126.0	PHILLIPS PETROLEUM C
-TEXAS OIL & GAS CORP				RECEIVED: 04/17/81 JA: OK			
8126172	08117	3512120736	103	WOODY #1	S E BLOCKER	168.0	
-TOWER OIL AND GAS COMPANY INC				RECEIVED: 04/17/81 JA: OK			
8126167	8344	3507322328	103	JANZEN #1	SOONER TREND	54.8	PHILLIPS PETROLEUM C
-UNIT OPERATIONS				RECEIVED: 04/20/81 JA: OK			
8126253	8375	3504722139	103	CRANE #2-1	N E ENID	110.0	CHAMPLIN PETROLEUM C
-W C PAYNE				RECEIVED: 04/17/81 JA: OK			
8126184	08333	3508300000	108	BATCHELOR NO 1	SOONER TREND	0.0	CONOCO INC
8126183	08335	3508300000	108	CORNFORTH NO 1	SOONER TREND	0.0	CONOCO INC
8126185	08336	3508300000	108	CROOK NO 1	SOONER TREND	0.0	CONOCO INC
8126186	8337	3508300000	108	DESMOND NO 1	SOONER TREND	0.0	CONOCO INC
8126165	8340	3508300000	108	EATON NO 1	SOONER TREND	0.0	CONOCO INC
8126181	08332	3508300000	108	ENDECOTT NO 1	SOONER TREND	0.0	CONOCO INC
8126187	8339	3508300000	108	ESTELLE NO 1	SOONER TREND	0.0	CONOCO INC
8126174	08341	3507300000	108	HOFFMAN NO 1	SOONER TREND	0.0	CONOCO INC
-W C PAYNE				RECEIVED: 04/20/81 JA: OK			
8126255	08331	3508300000	108	JAMES NO 1	SOONER TREND	0.0	CONOCO INC

****

WEST VIRGINIA DEPARTMENT OF MINES

****

-ASHLAND EXPLORATION INC				RECEIVED: 04/20/81 JA: WV			
8126261		4708100342	108	KANAWHA VALLEY BANK #3	PAINT CREEK	7.0	COLUMBIA GAS TRANSMI
-CONSOLIDATED GAS SUPPLY CORPORATION				RECEIVED: 04/20/81 JA: WV			
8126209		4704102179	108	BENNETT-HALL 12447	WEST VIRGINIA OTHER A857	10.0	GENERAL SYSTEM PURCH
8126263		4700501266	102	BOONE CO-COAL CORP 12369	W VA OTHER A85772	6.0	GENERAL SYSTEM PURCH
8126264		4701701895	102	D C STOUT 12477	W VA OTHER A85772	20.0	GENERAL SYSTEM PURCH
8126266		4704900325	102	ERNEST E MOORE 12409	W VA OTHER A85772	24.0	GENERAL SYSTEM PURCH
8126262		4700100854	102	GEORGE E MARTIN 12357	W VA OTHER A85772	10.0	GENERAL SYSTEM PURCH
8126294		4704102181	108	JOHN A SUTTON 12449	WEST VIRGINIA OTHER A857	19.0	GENERAL SYSTEM PURCH
8126268		4710900796	102	LASH LITZ BEASLEY 12362	PINEVILLE FIELD AREA A59	143.0	GENERAL SYSTEM PURCH
8126267		4710900772	102	LOUP CREEK COLLIERY CO 12329	PINEVILLE FIELD AREA A59	51.0	GENERAL SYSTEM PURCH
8126265		4703702089	102	MAE GASTON 12602	W VA OTHER A85772	24.0	GENERAL SYSTEM PURCH
-JAMES F SCOTT				RECEIVED: 04/20/81 JA: WV			
8126256		4703702209	108	A S LONG (S- 285)	UNION DISTRICT	12.0	CONSOLIDATED GAS SUP
8126259		4704102684	108	AMANDA DUTCHER S-274	HACKERS CREEK	6.0	CONSOLIDATED GAS SUP
8126257		4704102569	108	HUNTER TENNETT #2 (S-271)	HACKERS CREEK	16.0	CONSOLIDATED GAS SUP
8126258		4704102566	108	J H BAILEY (S-272)	HACKERS CREEK DISTRICT	7.0	CONSOLIDATED GAS SUP
8126260		4704102729	106	J J PARKS (S-279)	HACKERS CREEK DISTRICT	12.0	CONSOLIDATED GAS SUP
8126295		4703302152	106	TERRY HAGGERTY S-281	EAGLE DISTRICT	6.0	CONSOLIDATED GAS SUP
-PENNZOIL COMPANY				RECEIVED: 04/20/81 JA: WV			
8126311		4708701795	108	A W SUMMERS #21	WALTON	2.1	
8126309		4708701848	108	A W SUMMERS #22	WALTON	2.1	
8126335		4706100516	108	ALBERT TENNANT #1	CLAY	2.4	
8126334		4706100517	108	ALBERT TENNANT #3	CLAY	2.4	
8126333		4706100518	108	ALPHA TENNANT #1	CLAY	2.4	
8126332		4706100520	108	AMANDA TENNANT #1	CLAY	0.0	
8126249		4708701230	108	C C HIVELY #31	WALTON	2.1	
8126347		4708701903	108	CORA M PARKS #8	HARPER	2.1	
8126319		4708700560	108	DAVID LARCH #14	WALTON	2.1	

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	FIELD NAME	PROD	PURCHASER
8126283		4708701983	108		DAVID LARCH #20	WALTON	2.1	
8126286		4708701982	108		E J TAYLOR #2	HARPER	2.1	
8126286		4708702538	108		E L FLEMING #2	REEDY	0.1	
8126288		4708702627	108		E LEWIS #17	WALTON	2.0	
8126289		4708702635	108		E LEWIS #15	WALTON	2.0	
8126290		4708702611	108		E LEWIS #19	WALTON	2.0	
8126291		4708702612	108		E LEWIS #20	WALTON	2.0	
8126292		4708702613	108		E LEWIS #21	WALTON	2.0	
8126300		4708702737	108		E LEWIS #26	WALTON	2.0	
8126287		4708702604	108		E LEWIS #8	WALTON	2.0	
8126324		4708702219	108		E T MCVEY #2	REEDY	0.1	
8126331		4706100529	108		EZRA TENNANT #2	CLAY	2.4	
8126302		4706100547	108		FOX HEIRS #3	BATTELLE	2.4	
8126282		4708702648	108		H M LYNCH #3	WALTON	2.0	
8126270		4708702650	108		H M LYNCH #5	WALTON	2.0	
8126271		4708702651	108		H M LYNCH #6	WALTON	2.0	
8126317		4708701409	108		H M LYNCH #9	WALTON	2.0	
8126323		4708700294	108		H W ALLEN #2	REEDY	0.1	
8126338		4706100458	108		HAUGHT & WALKER #25		2.4	
8126340		4706100445	108		HAUGHT & WALKER #4	BATTELLE	2.4	
8126339		4706100456	108		HAUGHT & WALKER #5		2.4	
8126310		4706701775	108		ISAAC DONOHOE #17	WALTON	2.1	
8126301		4708700660	108		J A COON #14	WALTON	2.1	
8126281		4708702681	108		J L LOONEY #1	WALTON	2.1	
8126322		4708700427	108		J L LOONEY #11	WALTON	2.0	
8126320		4708700439	108		J L LOONEY #12	WALTON	2.0	
8126279		4708702627	108		J L LOONEY #2	WALTON	2.1	
8126293		4708702620	108		J L LOONEY #2	WALTON	2.0	
8126280		4708702625	108		J L LOONEY #3	WALTON	2.1	
8126276		4708702622	108		J L LOONEY #4	WALTON	2.0	
8126277		4708702624	108		J L LOONEY #6	WALTON	2.0	
8126278		4708702625	108		J L LOONEY #7	WALTON	2.0	
8126272		4708702652	108		J W LYNCH #1	WALTON	2.1	
8126273		4708702653	108		J W LYNCH #3	WALTON	2.1	
8126274		4708702654	108		J W LYNCH #4	WALTON	2.1	
8126275		4708702657	108		J W LYNCH #5	WALTON	2.1	
8126328		4706100433	108		J W WRIGHT #1	CLAY	2.4	
8126325		4706100443	108		J W WRIGHT #14	CLAY	2.4	
8126327		4706100440	108		J W WRIGHT #9	CLAY	2.4	
8126318		4706100598	108		JAMES EDDY #7	CLAY	2.4	
8126312		4708701737	108		JAMES H HARLESS #3	WALTON	3.4	
8126305		4708701957	108		JAMES H HARLESS #6	WALTON	2.1	
8126303		4706100583	108		JURETTA EDDY #2	BATTELLE	2.4	
8126308		4708701902	108		LAURA HUNT #3	HARPER	2.1	
8126321		4708700434	108		M A LYNCH #14	WALTON	2.1	
8126330		4706100523	108		MALINDA TENNANT #3	CLAY	2.1	
8126284		4708702531	108		MARY FIELDS #2	HARPER	2.1	
8126336		4706100505	108		MOORE & EDDY #4	CLAY	2.4	
8126329		4706100527	108		N A TENNANT #8	CLAY	2.4	
8126326		4706100521	108		NANCY TENNANT #4	CLAY	2.4	
8126296		4708701313	108		NANNIE SUMMERS #1	WALTON	0.3	
8126297		4708701324	108		NANNIE SUMMERS #2	WALTON	0.3	
8126298		4708701321	108		NANNIE SUMMERS #3	WALTON	0.3	

8126314		4708701415	108	NANNIE SUMMERS #4	WALTON	0.3	
8126316		4708701411	108	NANNIE SUMMERS #5	WALTON	0.3	
8126315		4708701412	108	NANNIE SUMMERS #6	WALTON	0.3	
8126304		4708701406	108	S W SWINEY #8	WALTON	2.1	
8126337		4706100560	108	REBECCA LEMLEY #3	BATTELLE	0.0	
8126313		4708701574	108	S P SHAVER #3	WALTON	2.1	
8126285		4708702532	108	WM FIELDS #1	HARPER	0.0	

****

** U.S. GEOLOGICAL SURVEY - ALBUQUERQUE,NM

****

-SUPERIOR OIL CO RECEIVED: 04/20/81 JA: NM 4

8126344	NM-6036-A1	3004531000	108	O HUERFANITO #6-11	BASIN DAKOTA	2.0	NORTHWEST PIPELINE C

****

** DEPARTMENT OF ENERGY

****

-NAVAL PETROLEUM RESERVES IN CALIFOR RECEIVED: 04/17/81 JA: CA 9

8126342		0402900000	102	525 - #516	NAVAL PETROLEUM RESERVES	164.0	CHEVRON USA INC
8126341		0402900000	103	78 - #337	NAVAL PETROLEUM RESERVES	110.0	CHEVRON USA INC

OTHER PURCHASERS

8126176	CHASE GATHERING SYSTEMS INC
8126177	CHASE GATHERING SYSTEMS INC
8126178	CHASE GATHERING SYSTEMS INC
8126179	CHASE GATHERING SYSTEMS INC
8126180	PIONEER GAS PRODUCTS COMPANY
8126213	UNION TEXAS PETROLEUM CORPORATION
8126216	CHASE GATHERING SYSTEMS INC
8126254	ONG WESTERN INC TULSA OKLA

BILLING CODE 6450-01-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 (*) preceeding 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 within fifteen (15) days after the date of publication of this notice in the Federal **Register.**

Please reference the FERC Control Number (JD No.) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14633 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

JD NO	DET	API NO	SEC TWN RGE	WELL NAME	FIELD NAME	PROD	PURCHASER
LOUISIANA OFFICE OF CONSERVATION							
-EXXON CORPORATION				RECEIVED: 04/22/81 JA: LA			
8126567	80-4151	1705721703	102	S L 1480 NO 26	LAKE RACCOURCI	180.0	COLUMBIA GAS TRANS C
8126566	80-4152	1705721703	102	S L 1480 NO 26-D	LAKE RACCOURCI	1400.0	COLUMBIA GAS TRANS C
-RIO BRAVO OIL CO INC				RECEIVED: 04/22/81 JA: LA			
8126565	80-4067	1701920813	102	MARY P LAVOI ET AL #1	SOUTH BELL CITY	365.0	TEXAS GAS TRANSMISSI
-WESTALL OIL & GAS CO				RECEIVED: 04/22/81 JA: LA			
8126568	80-4027	1705100004	102	S/L 2914 WELL NO 4	W LAKE PONTCHARTRAIN BLK	300.0	SHELL OIL CO
OKLAHOMA CORPORATION COMMISSION							
-BERRY PETROLEUM CORP				RECEIVED: 04/22/81 JA: OK			
8126573	06726	3507322300	103	STATE #36-16-6-1	SOONER TREND	0.0	CONOCO INC
-CHAMPLIN PETROLEUM COMPANY				RECEIVED: 04/22/81 JA: OK			
8126587	07184	3500300000	108	R W TYNER NO 1	E CHANEY DELL	6.0	CHAMPLIN PETROLEUM C
8126585	07421	3500320723	103	V J MILACEK NO 2	EAST CHANEY DELL	42.9	CHAMPLIN PETROLEUM C
-ENSERCH EXPLORATION INC				RECEIVED: 04/22/81 JA: OK			
8126570	07104	3512920070	108	LEAH WYLIE NO 1	N CRAWFORD	6.0	DELHI GAS PIPELINE C
8126569	07121	3512920088	108	LEAH WYLIE NO 2	N CRAWFORD	3.0	DELHI GAS PIPELINE C
-GRAY OPERATING COMPANY				RECEIVED: 04/22/81 JA: OK			
8126579	8395	3501900000	108	CASEY #3	TATUMS FIELD	7.9	MOBIL OIL CORP
8126574	8396	3501900000	108	CASEY #4	TATUMS FIELD	7.9	MOBIL OIL CORP
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 04/22/81 JA: OK			
8126577	07789	3513900000	108	CARR #1	GUYMON HUGOTON	18.0	PANHANDLE EASTERN PI
8126576	07643	3513900000	108	HITCH B NO 1	GUYMON HUGOTON	14.0	PANHANDLE EASTERN PI
8126578	07790	3513900000	108	HITCH J #2	GUYMON HUGOTON	18.8	PANHANDLE EASTERN PI
8126581	07638	3513900000	108	HITCHLAND #1	GUYMON HUGOTON	20.0	PANHANDLE EASTERN PI
8126580	07637	3513900000	108	JAKE #1	GUYMON HUGOTON	21.0	PANHANDLE EASTERN PI
8126582	07639	3513900000	108	NAVE NO 1	GUYMON HUGOTON	21.0	PANHANDLE EASTERN PI
8126584	07640	3513900000	108	OLLIE #1	GUYMON HUGOTON	21.5	PANHANDLE EASTERN PI
8126586	07642	3513900000	108	PAL #1	GUYMON HUGOTON	19.2	MICHIGAN WISCONSIN P
8126583	07620	3513900000	108	RUDER #1	GUYMON HUGOTON-DOLOMITE	21.5	PANHANDLE EASTERN PI
-SAKET PETROLEUM CORP				RECEIVED: 04/22/81 JA: OK			
8126575	08413	3511121934	103	LEE #1	WEST MORRIS	0.0	PHILLIPS PETROLEUM C
-SAMEDAN OIL CORPORATION				RECEIVED: 04/22/81 JA: OK			
8126572	8454	3501721488	102	M MEYER #1-13		360.0	DELHI GAS PIPELINE C
-SOUTHPORT EXPLORATION INC				RECEIVED: 04/22/81 JA: OK			
8126571	08414	3505121004	103	NICHOLS ROYALTY NO 1		730.0	
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES							
-APPALACHIAN EXPLORATION & DEVEL INC				RECEIVED: 04/24/81 JA: PA			

8126850	6677	3703920856	102	ALLAN HART #4	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126852	6679	3703920831	102	DONALD HOLSTEN #2	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126851	6678	3703920832	102	DONALD L HOLSTEN #1	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126853	6680	3703920820	102	FRANK AND MARIE LAUSH #1	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126854	6681	3703920852	102	JOHN & ROSE PODUSZLO #2	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126855	6682	3703920828	102	MARILYN RAINEY #1	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126848	6675	3703920835	102	P & C CORTELYOU #1	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
8126849	6676	3703920836	102	WILLIAM CUMMINGS #1	FAIRFIELD	50.0	TENNESSEE GAS PIPELI
-ARROWHEAD GAS PRODUCERS INC				RECEIVED: 04/24/81 JA: PA			
8126843	6704	3712328445	102	M YODER #2	SUGAR GROVE	60.0	COLUMBIA GAS TRANSMI
-BISSETT CONSTRUCTION OIL & GAS				RECEIVED: 04/24/81 JA: PA			
8126844	6685	3705920065	108	J M COOPER WELL L-2421	SPRINGHILL TOWNSHIP	2.7	COLUMBIA GAS TRANSMI
8126845	6684	3705920060	108	JACOB ISIMINGER L-3174	SPRINGHILL TOWNSHIP	2.4	COLUMBIA GAS TRANSMI
8126846	6687	3705920063	108	JACOB ISIMINGER WELL L-1818	SPRINGHILL TOWNSHIP	3.0	COLUMBIA GAS TRANSMI
8126847	6688	3705920068	108	JOHN & MARY ISIMINGER L-3173	SPRINGHILL TOWNSHIP	2.0	COLUMBIA GAS TRANSMI
-CONSOLIDATED GAS SUPPLY CORPORATION				RECEIVED: 04/24/81 JA: PA			
8126861	5151	3703320840	108	JAMES M MITCHELL ESTATE WN-1718	IRISH RUN 348275	7.0	GENERAL SYSTEM PURCH
8126859	4811	3706521436	108	JOSEPH MALONE WN-1599	SOLDIER RUN 664915	20.0	GENERAL SYSTEM PURCH
8126860	4814	3706521560	108	KURT ROBBINS WN-1674	BIG RUN 063423	19.0	GENERAL SYSTEM PURCH
8126856	4797	3706322027	108	LINDSEY COAL CO #2 WN-1278	BIG RUN 063423	20.0	GENERAL SYSTEM PURCH
8126858	4802	3706521278	108	ROBERT M HANAK WN-1511	BIG RUN 063423	21.0	GENERAL SYSTEM PURCH
8126857	4799	3703320529	108	WILLIAM EARR WN-1315	SALEM 625030	18.0	GENERAL SYSTEM PURCH
-DORAN & ASSOCIATES INC				RECEIVED: 04/24/81 JA: PA			
8126863	5260	3706521773	108	H E KNABB #2 K-L-161	UPPER DEVONIAN SANDS	20.0	CONSOLIDATED GAS SUP
8126862	6669	3706324967	103	R & P COAL CO #2 K-R-8	UPPER DEVONIAN SANDS	30.0	COLUMBIA GAS TRANSMI
-KALTSAS OIL CO				RECEIVED: 04/24/81 JA: PA			
8126864	6692	3704920810	103	LLOYD SCHWAB #1 SN E-1	GREENFIELD	18.3	COLUMBIA GAS TRANSMI
8126865	6695	3704920812	103	WEBSTER HALLORAN SN E3	VENANGO	25.6	COLUMBIA GAS TRANSMI
-MITCHELL ENERGY CORPORATION				RECEIVED: 04/24/81 JA: PA			
8126867	6701	3703920864	103	EGLI #1-69	UNNAMED-MEDINA AND WHIRL	45.0	
8126866	6700	3703920905	103	WESTFALL #1-67	UNNAMED-MEDINA & WHIRLPO	45.0	COLUMBIA GAS TRANSMI
-PETROLEUM DEVELOPMENT CORP				RECEIVED: 04/24/81 JA: PA			
8126870	6708	3712521189	103	CHARLOTTE MURRAY #2	CANONSBURG	0.0	COLUMBIA GAS TRANSMI
8126871	6709	3712521191	103	ELMER DUNN #1	CANONSBURG	0.0	COLUMBIA GAS TRANSMI
8126872	6710	3712521274	103	GEORGE FLEEMER #1	CANONSBURG	0.0	COLUMBIA GAS TRANSMI
-QUAKER STATE OIL REFINING CORP				RECEIVED: 04/24/81 JA: PA			
8126874	6517	3705322887	103	MCCOY - SMALLWOOD #4G	QUEEN POOL	2.5	QUAKER STATE OIL REF
8126875	6518	3705322888	103	MCCOY - SMALLWOOD #5G	QUEEN POOL	2.5	QUAKER STATE OIL REF
8126877	6520	3705322889	103	MCCOY - SMALLWOOD #6G	QUEEN POOL	2.5	QUAKER STATE OIL REF
8126876	6519	3705322890	103	MCCOY - SMALLWOOD #7G	QUEEN POOL	2.5	QUAKER STATE OIL REF
8126873	6516	3705322885	103	POSEY FIELD (LITTLE HICKORY) #1G	QUEEN POOL	2.5	QUAKER STATE OIL REF
-THE MUTUAL OIL & GAS COMPANY				RECEIVED: 04/24/81 JA: PA			
8126869	6672	3704921187	102	KOSIENSKI #3-A	MCKEAN	50.0	COLUMBIA GAS TRANSMI
8126868	6636	3704921093	102	PAVKOV #2	MCKEAN	35.0	COLUMBIA GAS TRANSMI
-UNION DRILLING INC				RECEIVED: 04/24/81 JA: PA			
8126879	6671	3704921175	102	FERDINAND C PLILEY #1 0649	WATERFORD TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
8126878	6651	3704921233	102	GEORGE & WANDA BALLOG #1 0697	UNION TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
**********							
TEXAS RAILROAD COMMISSION							
**********							
-ADOBE OIL & GAS CORPORATION				RECEIVED: 04/24/81 JA: TX			
8126836	32723	4244530851	103	MULROW NO 1 WELL	PRENTICE (6700)	20.0	AMOCO PRODUCTION CO

JD NO	DP NO	API NO	RRC	WELL NAME	FIELD NAME	PROD	PURCHASER
-AKERS AND FULTZ INC				RECEIVED: 04/24/81 JA: TX			
8126671	36104	4223700000	103	ROY CHERRYHOMES F 10 #18694	MARINA MAG (CONGLOMERATE	61.0	CITIES SERVICE GAS C
-ALLIED PRODUCTION CORP				RECEIVED: 04/24/81 JA: TX			
8126616	21007	4220100000	103	IVON LEE III NO 2	TOMBALL (950) FIELD	73.0	COLTEXO CORP
8126617	21008	4220100000	103	IVON LEE III NO 3	TOMBALL (950) FIELD	0.0	COLTEXO CORP
8126618	21010	4220100000	103	TINERELLA GAS UNIT NO 1-A	TOMBALL (MIOCENE 2700) F	0.0	COLTEXO CORP
-AMERICAN QUASAR PETROLEUM CO				RECEIVED: 04/24/81 JA: TX			
8126667	29110	4243532227	107	SHURLEY RANCH WELL #1-4	SEC 4 RUSK TRANSP CO SUR	10.0	EL PASO NATURAL GAS
8126668	29111	4243532251	107	SHURLEY RANCH WELL 1-3	SEC 3 RUSK TRANSP CO SUR	73.0	EL PASO NATURAL GAS
8126666	29109	4243532264	107	SHURLEY RANCH WELL 1-35	SEC 35 A-757 TT RR CO SU	40.0	EL PASO NATURAL GAS
-AMMEX PETROLEUM CORP				RECEIVED: 04/24/81 JA: TX			
8126602	19332	4205100000	102	HARVEY W SMITH NO 1 - RRC #12337	GIDDINGS (AUSTIN CHALK)	48.0	CLAJON GAS CO
8126602	19332	4205100000	103	HARVEY W SMITH NO 1 - RRC #12337	GIDDINGS (AUSTIN CHALK)	48.0	CLAJON GAS CO
8126603	19333	4205100000	102	HARVEY W SMITH NO 2 - RRC #12337	GIDDINGS (AUSTIN CHALK)	253.0	CLAJON GAS CO
8126603	19333	4205100000	103	HARVEY W SMITH NO 2 - RRC #12337	GIDDINGS (AUSTIN CHALK)	253.0	CLAJON GAS CO
-AMOCO PRODUCTION CO				RECEIVED: 04/24/81 JA: TX			
8126794	32560	4216730793	103	E KER CADE A R/A A #285	HIGH ISLAND	5.0	JOHN W MECOM
8126793	32559	4216730789	103	E KER CADE A R/A A WELL NO 284	HIGH ISLAND	2.0	WINNIE PIPELINE CO
8126796	32562	4213533414	103	ELLIOTT F COWDEN A #142	COWDEN SOUTH (CANYON 879	20.1	PIONEER NATURAL GAS
8126679	31822	4200332426	103	FULLERTON SAN ANDRES UNIT #50	FULLERTON SAN ANDRES	11.3	AMOCO PRODUCTION CO
8126680	31823	4200332440	103	FULLERTON SAN ANDRES UNIT #51	FULLERTON SAN ANDRES	11.0	AMOCO PRODUCTION CO
8126681	31831	4200332428	103	FULLERTON SAN ANDRES UNIT #53	FULLERTON SAN ANDRES	12.4	AMOCO PRODUCTION CO
8126682	31833	4200332444	103	FULLERTON SAN ANDRES UNIT #64	FULLERTON SAN ANDRES	9.9	AMOCO PRODUCTION CO
8126789	32545	4239330760	103	LIPS RANCH B NO 24	HANSFORD/LOWER MORROW	328.0	TRANSWESTERN PIPELIN
8126797	32563	4200332406	103	MIDLAND FARMS AW #2	FASKEN (PENN)	47.5	PIONEER NATURAL GAS
8126795	32561	4221933034	103	MONTGOMERY DAVIES B #2	LEVELLAND	15.3	AMOCO PRODUCTION CO
8126632	22751	4213533231	103	NORTH COWDEN UNIT #1062	COWDEN NORTH	1.1	PIONEER NATURAL GAS
8126792	32558	4232131017	103	OLD OCEAN UNIT WELL NO 231	OLD OCEAN/ARMSTRONG/	10.7	AMOCO GAS CO
8126694	32286	4235730996	103	R P ROBERTS NO 13	HORIZON (CLEVELAND)	7.3	PHILLIPS PETROLEUM C
-ARCO OIL AND GAS COMPANY				RECEIVED: 04/24/81 JA: TX			
8126812	32646	4200332459	103	EMMA COWDEN (24739) #89	EMMA	10.0	EL PASO NATURAL GAS
-ARDEN OIL CORP				RECEIVED: 04/24/81 JA: TX			
8126653	25817	4238300000	108	HUGHES ESTATE NO 1	SPRABERRY TREND AREA	2.4	EL PASO NATURAL GAS
-ART MACHIN & ASSOCIATES INC				RECEIVED: 04/24/81 JA: TX			
8126670	29262	4240130867	107	L PIPES NO 1 WELL	POD (COTTON VALLEY)	365.0	UNITED GAS PIPE LINE
-BENNETT PRODUCTION CORP				RECEIVED: 04/24/81 JA: TX			
*8126662	27132	4223700000	108	ED FOREMAN	DEWEBER (CONGL)	0.0	CITIES SERVICE OIL C
-BRIDWELL OIL CO				RECEIVED: 04/24/81 JA: TX			
8126611	20819	4223732473	103	JOE P SHOWN NO 1	LUNA-MAG	100.0	LONE STAR GAS CO
-CHAMPLIN EXPLORATION INC				RECEIVED: 04/24/81 JA: TX			
8126788	32538	4205131035	103	BARNETT #4	GIDDINGS (AUSTIN CHALK)	200.0	CLAJON GAS CO
8126787	32537	4205309400	103	BARNETT #5	GIDDINGS (AUSTIN CHALK)	180.0	CLAJON GAS CO
-CHAMPLIN PETROLEUM COMPANY				RECEIVED: 04/24/81 JA: TX			
8126627	21333	4236530927	103	CARTHAGE GAS UNIT NO 10-4	CARTHAGE (COTTON VALLEY)	17.8	TENNESSEE GAS PIPELI
8126627	21333	4236530927	107	CARTHAGE GAS UNIT NO 10-4	CARTHAGE (COTTON VALLEY)	17.8	TENNESSEE GAS PIPELI
8126641	24095	4217331051	102	I W TERRY A NO 1	CONGER SW	460.6	NORTHERN NATURAL GAS
8126641	24095	4217331051	103	I W TERRY A NO 1	CONGER SW	460.6	NORTHERN NATURAL GAS
8126631	22711	4217331043	102	I W TERRY A NO 2	CONGER SW (PENN)	60.0	NORTHERN NATURAL GAS
8126631	22711	4217331043	103	I W TERRY A NO 2	CONGER SW (PENN)	60.0	NORTHERN NATURAL GAS
-CHARLES A BIRD				RECEIVED: 04/24/81 JA: TX			
8126734	32444	4238331727	103	F A HIRL ESTATE D NO 1 WELL -#08694	CALVIN (DEAN)	73.0	EL PASO NATURAL GAS
-CHARLES L WALKER				RECEIVED: 04/24/81 JA: TX			

DT AG	DT PT	API NO	RRC F	WELL NAME	FIELD NAME	PROD	PURCHASER
*8126786	32533	4200332392	102	FISHER 3 #5	BLOCK A-34 (SAN ANDRES)	8.6	PHILLIPS PETROLEUM C
*8126786	32533	4200332392	103	FISHER 3 #5	BLOCK A-34 (SAN ANDRES)	8.6	PHILLIPS PETROLEUM C
*8126785	32532	4200332477	102	UNDERWOOD A #2	BLOCK A-34 (SAN ANDRES)	18.7	PHILLIPS PETROLEUM C
*8126785	32532	4200332477	103	UNDERWOOD A #2	BLOCK A-34 (SAN ANDRES)	18.7	PHILLIPS PETROLEUM C
-CHEVRON U S A INC				RECEIVED: 04/24/81 JA: TX			
8126696	32289	4200331939	103	COLUMBUS GRAY 15 #20	FUHRMAN-MASCHO	9.7	PHILLIPS PETROLEUM C
8126695	32298	4200331937	103	COLUMBUS GRAY 21 NO 17	FUHRMAN-MASCHO	11.3	PHILLIPS PETROLEUM C
8126703	32389	4249531178	103	LOVETT-SINCLAIR A NO 3	KEYSTONE (HOLT)	324.0	TRANSWESTERN PIPELIN
8126707	32394	4249531109	103	W E BAIRD 13-71C	KEYSTONE (CLEARFORK)	61.0	TRANSWESTERN PIPELIN
8126708	32395	4249531150	103	W E BAIRD 13-72C	KEYSTONE (CLEARFORK)	96.7	TRANSWESTERN PIPELIN
8126709	32396	4249531151	103	W E BAIRD 13-73C	KEYSTONE (CLEARFORK)	89.8	TRANSWESTERN PIPELIN
8126710	32397	4249531152	103	W E BAIRD 13-74C	KEYSTONE (CLEARFORK)	21.5	TRANSWESTERN PIPELIN
8126704	32390	4233531655	103	W L FOSTER NO 1-61	IATAN EAST (HOWARD)	2.2	GETTY OIL CO
8126705	32391	4233532101	103	W L FOSTER NO 1-62	IATAN EAST (HOWARD)	2.6	GETTY OIL CO
8126706	32392	4233531654	103	W L FOSTER NO 1-63	IATAN EAST (HOWARD)	4.4	GETTY OIL CO
-CHRISTIE ENERGY CO INC				RECEIVED: 04/24/81 JA: TX			
8126626	21076	4213332139	102	JAMES M TARPLEY NO 1 86633	ALBERTA (CONGLOMERATE UP	290.0	CHRISTIE GAS TRANSMI
-COLUMBIA GAS DEVELOPMENT CORP				RECEIVED: 04/24/81 JA: TX			
8126834	32705	4285131237	102	MARION J FILIPPONE FEE NO 4	GIDDINGS (AUSTIN CHALK)	107.0	FERGUSON CROSSING PI
-CONOCO INC				RECEIVED: 04/24/81 JA: TX			
8126594	05440	4217900000	108	CARRIE WRIGHT NO 2	GRAY WHEELER	1.2	PHILLIPS PETROLEUM C
8126719	032419	4210900000	103	RAMSEY-22-#R ID #24217	FORD WEST	17.2	EL PASO NATURAL GAS
-COQUINA OIL CORPORATION				RECEIVED: 04/24/81 JA: TX			
8126673	31612	4246131580	103	HALFF #1-X	SPRAYBERRY (TREND AREA)	22.0	UNION OF TEXAS PETRO
-CORPUS CHRISTI OIL AND GAS CO				RECEIVED: 04/24/81 JA: TX			
8126669	29142	4270330054	102	NO 1 STATE TRACT 485-L SW/4	EL GORDO (MIOCENE)	0.0	HOUSTON PIPE LINE CO
8126687	32002	4260330124	102	STATE TRACT 830-S WELL # 1 UPPER	CLEAR (MIOCENE 6200) FIE	0.0	CHANNEL INDUSTRIES G
-DELTA DRILLING CO				RECEIVED: 04/24/81 JA: TX			
8126640	24034	4241300000	103	JACKSON #3	ELDORADO (CANYON)	48.0	NORTHERN NATURAL GAS
8126652	25794	4241300000	103	KEENEY #2	ELDORADO (CANYON)	164.0	NORTHERN NATURAL GAS
8126652	25794	4241300000	107	KEENEY #2	ELDORADO (CANYON)	164.0	NORTHERN NATURAL GAS
-DINERO OIL CO				RECEIVED: 04/24/81 JA: TX			
8126693	32262	4235500000	108	PURL A #1	AGUA DULCE (6020)	0.0	VALERO TRANSMISSION
-E BRUCE STREET JR				RECEIVED: 04/24/81 JA: TX			
8126691	32171	4223700000	108	H C GILMORE A 1 51125	FINIS SOUTHWEST (CONGL 4	10.0	SOUTHWESTERN GAS PIP
8126692	32172	4250300000	108	J H MANTZ 1-C 22858	FINIS SOUTHWEST (CONGL 4	10.0	SOUTHWESTERN GAS PIP
-E G DURRETT				RECEIVED: 04/24/81 JA: TX			
8126639	23711	4238331212	103	UNIVERSITY 13 NO 1-E	BARNHART	6.4	NORTHERN NATURAL GAS
-ENSERCH EXPLORATION INC				RECEIVED: 04/24/81 JA: TX			
8126779	32516	4221300000	108	E S LEWIS NO 1	OPELIKA	11.0	LONE STAR GAS CO
*8126650	25561	4216130576	103	FRED R EPPES NO 1	FREESTONE	320.0	TEXAS UTILITIES FUEL
8126780	32517	4221300000	108	J H LEWIS B NO 2-T	OPELIKA	6.0	LONE STAR GAS CO
8126784	32521	4221300000	108	LACO OIL CO NO 1	OPELIKA	3.0	LONE STAR GAS CO
8126783	32520	4221300000	108	LACO OIL COMPANY NO 2	OPELIKA	4.0	LONE STAR GAS CO
8126782	32519	4221300000	108	MAUD SAYLORS D NO 5	OPELIKA	2.0	LONE STAR GAS CO
8126778	32515	4221300000	108	MAUD SAYLORS E NO 6	OPELIKA	3.0	LONE STAR GAS CO
8126781	32518	4221300000	108	MAYFIELD COMPANY NO 3	OPELIKA	9.0	LONE STAR GAS CO
8126775	32512	4221300000	108	T WILSON NO 2	OPELIKA	5.0	LONE STAR GAS CO
8126777	32514	4221300000	108	W O VENABLE NO 2	OPELIKA	6.0	LONE STAR GAS CO
8126776	32513	4221300000	108	W O VENABLE NO 3	OPELIKA	14.0	LONE STAR GAS CO
-EXXON CORPORATION				RECEIVED: 04/24/81 JA: TX			
8126840	32757	4237133257	103	FORT STOCKTON UNIT #217	FT STOCKTON (YATES LOWER	27.0	NUECES CO

8126839	32756	4237133255	103	FT STOCKTON UNIT #1318	FT STOCKTON (YATES LOWER	7.0	NUECES CO
8126841	32758	4200332354	103	FULLERTON CLEARFORK UNIT #2325	FULLERTON	11.0	PHILLIPS PETROLEUM C
8126842	32759	4200332325	103	FULLERTON CLEARFORK UNIT #2611	FULLERTON	12.0	PHILLIPS PETROLEUM C
8126838	32755	4200332522	103	FULLERTON CLEARFORK UNIT #425	FULLERTON	5.0	PHILLIPS PETROLEUM C
8126837	32754	4200332353	103	FULLERTON CLEARFORK UNIT #525	FULLERTON	21.0	PHILLIPS PETROLEUM C
*8126604	19722	4224531239	103	LOVELL LAKE FRIO I GAS UNIT #35	LOVELL LAKE (FRIO 1)	855.8	ARMCO STEEL CORP
8126686	31937	4246100000	108	MCELROY RANCH 135 #42	WILSHIRE (DEVONIAN)	14.8	EL PASO NATURAL GAS
8126716	32414	4200332352	103	MEANS/SAN ANDRES/UNIT #6410	MEANS	23.0	PHILLIPS PETROLEUM C
8126717	32415	4200332524	103	MEANS/SAN ANDRES/UNIT #970	MEANS	5.0	PHILLIPS PETROLEUM C
*8126633	22898	4242330357	103	OVERTON GAS UNIT 20 #1	OVERTON (HAYNESVILLE)	400.0	ARMCO STEEL CORP
8126715	32412	4216531828	103	ROBERTSON/CLEARFORK/UNIT #116	ROBERTSON N (CLEARFORK 7	26.0	PHILLIPS PETROLEUM C
8126714	32411	4216531733	103	ROBERTSON/CLEARFORK/UNIT #3702	ROBERTSON N (CLEARFORK 7	8.0	PHILLIPS PETROLEUM C
-FRANK CASS				RECEIVED: 04/24/81 JA: TX			
8126722	32426	4238300000	108	O F ROYD 42 RRC NO 06033	CALVIN (DEAN)	15.5	EL PASO NATURAL GAS
*8126721	32425	4238300000	108	SADIE WEDDELL 19 NO 1 RRC NO 05989	CALVIN (DEAN)	13.0	EL PASO NATURAL GAS
-GEODYNAMICS OIL & GAS				RECEIVED: 04/24/81 JA: TX			
8126741	32459	4205130687	102	PATTERSON B #2	STONE CITY (AUSTIN CHALK	58.0	CLAJON GAS CO
-GEORGE D WEATHERSTON				RECEIVED: 04/24/81 JA: TX			
8126790	32548	4204700000	108	MESTENA OIL & GAS #C-2 70394	ALTA MESA 1100 ALTA MESA	12.0	TENNESSEE GAS PIPELI
-GETTY OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
8126605	19870	4250131767	102	J H RESHEARS #1-D	BRAHANEY DEVONIAN	0.0	SHELL OIL CO
8126612	20850	4217330980	102	L S MCDOWELL ESTATE #1	DEADWOOD WEST (STRAWN)	110.0	EL PASO NATURAL GAS
-GULF OIL CORPORATION				RECEIVED: 04/24/81 JA: TX			
8126713	32410	4238931155	103	C H STRAIN NO 17	WAHA NORTH (DELAWARE SAN	53.0	TRANSWESTERN PIPELIN
8126718	32417	4247532107	103	HUTCHINGS STOCK ASSN WELL NO 1100	WAGON WHEEL (PENN)	28.0	CABOT CORP
-GULFSTREAM PETROLEUM CORP				RECEIVED: 04/24/81 JA: TX			
8126661	27109	4217531363	102	DESMOND P PEREIRA NO 3	DIAL (PETTUS 4240)	0.0	UNITED GAS PIPE LINE
-HNG OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
8126803	32586	4241330857	103	BACON 68-1 (86405)	SAWYER/CANYON/	13.1	INTRATEX GAS CO
8126803	32586	4241330857	107	BACON 68-1 (86405)	SAWYER/CANYON/	13.1	INTRATEX GAS CO
8126826	32693	4243532243	103	ESPY 57-4 (85654)	SAWYER/CANYON/	86.9	INTRATEX GAS CO
8126826	32693	4243532243	107	ESPY 57-4 (85654)	SAWYER/CANYON/	86.9	INTRATEX GAS CO
8126805	32588	4243532299	103	FAWCETT 130-4 (88372)	SAWYER/CANYON/	84.0	INTRATEX GAS CO
8126805	32588	4243532299	107	FAWCETT 130-4 (88372)	SAWYER/CANYON/	84.0	INTRATEX GAS CO
8126833	32702	4243532292	103	FIELDS 52-3 (89063)	SAWYER/CANYON/	219.0	INTRATEX GAS CO
8126833	32702	4243532292	107	FIELDS 52-3 (89063)	SAWYER/CANYON/	219.0	INTRATEX GAS CO
8126828	32696	4243532383	103	KELLY 102-3 (90304)	SAWYER/CANYON/	36.5	INTRATEX GAS CO
8126828	32696	4243532383	107	KELLY 102-3 (90304)	SAWYER/CANYON/	36.5	INTRATEX GAS CO
8126830	32698	4243532395	103	KELLY 35-2 (90305)	SAWYER/CANYON/	164.3	INTRATEX GAS CO
8126830	32698	4243532395	107	KELLY 35-2 (90305)	SAWYER/CANYON/	164.3	INTRATEX GAS CO
8126827	32694	4241330843	103	MEADOR 65-4 (86172)	SAWYER/CANYON/	22.3	INTRATEX GAS CO
8126827	32694	4241330843	107	MEADOR 65-4 (86172)	SAWYER/CANYON/	22.3	INTRATEX GAS CO
8126804	32587	4241330850	103	MITTEL 64-4 (86406)	SAWYER/CANYON/	16.4	INTRATEX GAS CO
8126804	32587	4241330850	107	MITTEL 64-4 (86406)	SAWYER/CANYON/	16.4	INTRATEX GAS CO
8126801	32583	4243532279	103	SHURLEY 111-4 (86364)	SAWYER/CANYON/	146.0	INTRATEX GAS CO
8126801	32583	4243532279	107	SHURLEY 111-4 (86364)	SAWYER/CANYON/	146.0	INTRATEX GAS CO
8126832	32700	4243532394	103	SHURLEY 148-2 (90820)	SAWYER/CANYON/	273.8	INTRATEX GAS CO
8126832	32700	4243532394	107	SHURLEY 148-2 (90820)	SAWYER/CANYON/	273.8	INTRATEX GAS CO
8126806	32589	4243532404	103	SHURLEY 166-2 (91033)	SAWYER/CANYON/	91.3	INTRATEX GAS CO
8126806	32589	4243532404	107	SHURLEY 166-2 (91033)	SAWYER/CANYON/	91.3	INTRATEX GAS CO
8126802	32584	4243532265	103	SHURLEY 95-4 (86173)	SAWYER/CANYON/	28.5	INTRATEX GAS CO
8126802	32584	4243532265	107	SHURLEY 95-4 (86173)	SAWYER/CANYON/	28.5	INTRATEX GAS CO

JR NO	JA KT	API NO	SEC D	WELL NAME	FIELD NAME	PROD	PURCHASER
8126825	32691	4243532273	103	SHURLEY 96-4 (87571)	SAWYER/CANYON/	42.7	INTRATEX GAS CO
8126825	32691	4243532273	107	SHURLEY 96-4 (87571)	SAWYER/CANYON/	42.7	INTRATEX GAS CO
8126609	28360	4249531070	103	UNIVERSITY 21-3 #3	APOLLO (FUSSELMAN)	754.0	INTRATEX GAS CO
8126609	28360	4249531070	107	UNIVERSITY 21-3 #3	APOLLO (FUSSELMAN)	754.0	INTRATEX GAS CO
8126829	32697	4243532380	103	VANDERSTUCKEN 53-3 (90824)	SAWYER/CANYON/	262.8	INTRATEX GAS CO
8126829	32697	4243532380	107	VANDERSTUCKEN 53-3 (90824)	SAWYER/CANYON/	262.8	INTRATEX GAS CO
8126831	32699	4243532388	103	VANDERSTUCKEN 53-4 (90819)	SAWYER/CANYON/	29.2	INTRATEX GAS CO
8126831	32699	4243532388	107	VANDERSTUCKEN 53-4 (90819)	SAWYER/CANYON/	29.2	INTRATEX GAS CO
-HUMBLE EXPLORATION CO INC				RECEIVED: 04/24/81 JA: TX			
8126607	19918	4228700000	102	ARNOLD KOCUREK #1 -11831	GIDDINGS	118.0	PHILLIPS PETROLEUM
8126607	19918	4228700000	103	ARNOLD KOCUREK #1 -11831	GIDDINGS	118.0	PHILLIPS PETROLEUM
8126608	19919	4228730362	102	JEAN #1 - 12304	GIDDINGS	7.3	PHILLIPS PETROLEUM
8126608	19919	4228730362	103	JEAN #1 - 12304	GIDDINGS	7.3	PHILLIPS PETROLEUM
8126606	19914	4228700000	102	PAT HOLLOWAY #1 - 11848	GIDDINGS	354.0	PHILLIPS PETROLEUM
8126606	19914	4228700000	103	PAT HOLLOWAY #1 - 11848	GIDDINGS	354.0	PHILLIPS PETROLEUM
8126629	22295	4228730375	102	SYLVIA #1 WELL - 12019	GIDDINGS	48.9	PHILLIPS PETROLEUM
8126629	22295	4228730375	103	SYLVIA #1 WELL - 12019	GIDDINGS	48.9	PHILLIPS PETROLEUM
-HUNT OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
8126648	25155	4246131505	102	V T AMACKER 77 #1	AMACKER-TIPPETT SW (9100	100.0	EL PASO NATURAL GAS
-INDEPENDENT EXPLORATION CO				RECEIVED: 04/24/81 JA: TX			
8126615	21002	4236731614	102	HARRISON #2 83573	BUCKNER (STRAWN)	54.8	JAMES P DUNIGAN INC
8126614	21001	4236731623	102	WHITEHEAD #3 83620	BUCKNER (STRAWN)	36.5	JAMES P DUNIGAN INC
-J M HUBER CORPORATION				RECEIVED: 04/24/81 JA: TX			
8126743	32461	4234100000	108	FULLER NO 1	PANHANDLE	85.0	COLORADO INTERSTATE
8126747	32467	4234100000	108	FULLER NO 10	PANHANDLE	85.0	COLORADO INTERSTATE
8126744	32462	4234100000	108	FULLER NO 2	PANHANDLE	85.0	COLORADO INTERSTATE
8126745	32463	4234100000	108	FULLER NO 5	PANHANDLE	85.0	COLORADO INTERSTATE
8126746	32464	4234100000	108	FULLER NO 6	PANHANDLE	85.0	COLORADO INTERSTATE
8126749	32470	4223330942	103	PERRY NO 15	PANHANDLE	32.9	COLORADO INTERSTATE
8126750	32471	4223330941	103	READ NO 19	PANHANDLE	43.8	COLORADO INTERSTATE
8126720	32424	4223330940	103	READ NO 20	PANHANDLE	32.9	COLORADO INTERSTATE
8126752	32474	4234100000	108	RUSSELL NO 1	PANHANDLE	135.0	COLORADO INTERSTATE
8126758	32480	4234100000	108	RUSSELL NO 10	PANHANDLE	135.0	COLORADO INTERSTATE
8126759	32481	4234100000	108	RUSSELL NO 11	PANHANDLE	135.0	COLORADO INTERSTATE
8126760	32482	4234100000	108	RUSSELL NO 12	PANHANDLE	135.0	COLORADO INTERSTATE
8126761	32483	4234100000	108	RUSSELL NO 13	PANHANDLE	135.0	COLORADO INTERSTATE
8126762	32484	4234100000	108	RUSSELL NO 15	PANHANDLE	135.0	COLORADO INTERSTATE
8126763	32485	4234100000	108	RUSSELL NO 16	PANHANDLE	135.0	COLORADO INTERSTATE
8126764	32486	4234100000	108	RUSSELL NO 17	PANHANDLE	135.0	COLORADO INTERSTATE
8126765	32487	4234100000	108	RUSSELL NO 18	PANHANDLE	135.0	COLORADO INTERSTATE
8126766	32488	4234100000	108	RUSSELL NO 19	PANHANDLE	135.0	COLORADO INTERSTATE
8126753	32475	4234100000	108	RUSSELL NO 2	PANHANDLE	135.0	COLORADO INTERSTATE
8126754	32476	4234100000	108	RUSSELL NO 4	PANHANDLE	135.0	COLORADO INTERSTATE
8126755	32477	4234100000	108	RUSSELL NO 7	PANHANDLE	135.0	COLORADO INTERSTATE
8126756	32478	4234100000	108	RUSSELL NO 8	PANHANDLE	135.0	COLORADO INTERSTATE
8126757	32479	4234100000	108	RUSSELL NO 9	PANHANDLE	135.0	COLORADO INTERSTATE
8126748	32469	4223330943	103	SOUTH HERRING NO 156	PANHANDLE	42.7	COLORADO INTERSTATE
8126751	32472	4223330946	103	SOUTH HERRING NO 157	PANHANDLE	43.8	COLORADO INTERSTATE
8126593	05246	4223300000	108	STATE A NO 12	PANHANDLE	0.7	PHILLIPS PETROLEUM C
-JOE D DAVIS				RECEIVED: 04/24/81 JA: TX			
8126656	26526	4216100000	108	DAGGETT UNIT 15711	TEAGUE WEST - RODESSA	1.5	LONE STAR GAS CO
-JONES CO				RECEIVED: 04/24/81 JA: TX			
8126683	31851	4242932622	102	ROY CORBETT #2 (16666)	CORBETT (CONGL) FIELD	19.0	SOUTHWESTERN GAS PIP

-KERR-MCGEE CORPORATION				RECEIVED: 04/24/81 JA: TX			
8126732	32442	4223330803	103	COCKRELL NO 25	PANHANDLE (HUTCHINSON)	15.0	GETTY OIL CO
8126731	32441	4223330814	103	COCKRELL NO 27	PANHANDLE (HUTCHINSON)	13.0	GETTY OIL CO
8126723	32432	4223330815	103	COCKRELL NO 28	PANHANDLE (HUTCHINSON)	14.0	GETTY OIL CO
8126643	24795	4221131173	102	L L JONES WELL NO 1	ALLISON PARKS	702.0	EL PASO NATURAL GAS
8126725	32454	4223330776	103	PITTS NO 104	PANHANDLE (HUTCHINSON)	11.0	GETTY OIL CO
8126724	32433	4223330805	103	PITTS NO 106	PANHANDLE (HUTCHINSON)	51.0	GETTY OIL CO
8126726	32435	4223330806	103	PITTS NO 107	PANHANDLE (HUTCHINSON)	23.0	GETTY OIL CO
8126736	32449	4223330845	103	PITTS NO 108	PANHANDLE (HUTCHINSON)	32.0	GETTY OIL CO
8126727	32436	4223330832	103	PITTS NO 109	PANHANDLE (HUTCHINSON)	22.0	GETTY OIL CO
8126735	32446	4223330833	103	PITTS NO 110	PANHANDLE (HUTCHINSON)	19.0	GETTY OIL CO
8126729	32438	4223330834	103	PITTS NO 111	PANHANDLE (HUTCHINSON)	23.0	GETTY OIL CO
8126728	32437	4223330835	103	PITTS NO 112	PANHANDLE (HUTCHINSON)	18.0	GETTY OIL CO
8126738	32451	4223330844	103	PITTS NO 114	PANHANDLE (HUTCHINSON)	11.0	GETTY OIL CO
8126730	32439	4223330837	103	PITTS NO 115	PANHANDLE (HUTCHINSON)	20.0	GETTY OIL CO
8126737	32450	4223330839	103	PITTS NO 117	PANHANDLE (HUTCHINSON)	43.0	GETTY OIL CO
8126739	32452	4223330840	103	PITTS NO 118	PANHANDLE (HUTCHINSON)	41.0	GETTY OIL CO
-LEWIS ENERGY CORP				RECEIVED: 04/24/81 JA: TX			
*8126654	26646	4224931160	102	JORDAN NO 1-T	LA GLORIA FIELD	1000.0	TRANSCONTINENTAL GAS
-MARSHALL EXPLORATION INC				RECEIVED: 04/24/81 JA: TX			
8126657	26617	4220330715	103	STROUD #1	ELYSIAN N (COTTON VALLEY	700.0	UNITED GAS PIPELINE
8126657	26617	4220330715	107	STROUD #1	ELYSIAN N (COTTON VALLEY	700.0	UNITED GAS PIPELINE
8126658	26618	4220330688	103	WILL CRAWFORD #1	ELYSIAN N (COTTON VALLEY	360.0	UNITED GAS PIPELINE
8126658	26618	4220330688	107	WILL CRAWFORD #1	ELYSIAN N (COTTON VALLEY	360.0	UNITED GAS PIPELINE
-MARSHALL R YOUNG OIL CO				RECEIVED: 04/24/81 JA: TX			
8126598	16703	4243532191	102	SCHWIENING NO 1	WILDCAT	365.0	
-MCGOLDRICK OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
8126659	26783	4240130941	102	HUDSON GAS UNIT #1	CYRIL(COTTON VALLEY)	1500.0	UNITED GAS PIPE LINE
8126659	26783	4240130941	107	HUDSON GAS UNIT #1	CYRIL(COTTON VALLEY)	1500.0	UNITED GAS PIPE LINE
-MCMAHON-BULLINGTON DRLG CO				RECEIVED: 04/24/81 JA: TX			
8126678	31728	4236300000	108	CLAYTON #6 59450	PALO PINTO COUNTY (GAS)	10.0	TEXAS UTILITIES FUEL
8126677	31724	4236300000	108	RHODES B - 3 59200	J V T (CONGL 4250)	2.0	TEXAS UTILITIES FUEL
8126676	31723	4236300000	108	RHODES B - 5 64705	PALO PINTO CO (GAS)	14.0	TEXAS UTILITIES FUEL
-MEWBOURNE OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
8126835	32722	4235731067	103	HARDY #6 RRD ID NO 04617	BULER NORTH	13.0	TRANSWESTERN PIPELIN
-MILTON CARPENTER				RECEIVED: 04/24/81 JA: TX			
8126642	24607	4217900000	108	CARPENTER (69546) #A-1	PANHANDLE GRAY COUNTY	8.0	TRANSWESTERN PIPELIN
-MOBIL PRDG TEXAS & NEW MEXICO INC				RECEIVED: 04/24/81 JA: TX			
8126767	32502	4235330875	102	J D MADDOX NO 1	WHITE HAT NW (ELLENBURGE	87.6	UNION TEXAS PETROLEU
8126697	32382	4221933110	103	MAPLE WILSON NO 92	SLAUGHTER	73.0	AMOCO PRODUCTION CO
8126698	32383	4221933111	103	MAPLE WILSON NO 93	SLAUGHTER	150.4	AMOCO PRODUCTION CO
8126699	32384	4221933112	103	MAPLE WILSON NO 98	SLAUGHTER	10.6	AMOCO PRODUCTION CO
8126700	32385	4221933113	103	MAPLE WILSON NO 99	SLAUGHTER	31.8	AMOCO PRODUCTION CO
8126742	32460	4237100000	108	MITCHELL NO 1	HOKIT/ELLENBURGER	15.3	INTRATEX GAS CO
-MOODY ENERGY CO				RECEIVED: 04/24/81 JA: TX			
8126690	32145	4221131281	103	GRACIE-121 NO 1 WELL ID NO 91400	HUMPHREYS (DOUGLAS)	0.0	DIAMOND SHAMROCK CGR
-NATURAL ENERGY PRODUCTION CO				RECEIVED: 04/24/81 JA: TX			
8126630	22455	4249730000	103	MCNEELY #1 (83233)	BOONSVILLE (BEND CONGL G	477.0	NATURAL GAS PIPELINE
-NICHOLAS PETROLEUM				RECEIVED: 04/24/81 JA: TX			
8126600	17468	4205932267	103	BRASHEAR WELL #3B-ID83017	NICHOLAS (DUFFER)	76.0	ODESSA NATURAL CORP
-PANHANDLE PRODUCING COMPANY				RECEIVED: 04/24/81 JA: TX			
8126748	32455	4233300000	108	ALAMOSA-SANFORD #1 (23772)	PANHANDLE WEST	24.0	COLORADO INTERSTATE

JD SY	JA PNT	API NO	STC	WELL NAME	FIELD NAME	PROD	PURCHASER
R126711	32398	4223300000	108	ALAMOSA-SANFORD #4 (23775)	PANHANDLE WEST	20.0	COLORADO INTERSTATE
R126712	32399	4223300000	108	GREAT PLAINS SANFORD 1-RC (27109)	PANHANDLE WEST (RED CAVE	13.0	COLORADO INTERSTATE
-PETROLEUM TECHNICAL SERVICES CO				RECEIVED: 04/24/81 JA: TX			
R126733	32443	4246131555	103	DORA ROBERTS NO 1	SPRABERRY (TREND AREA)	10.4	PHILLIPS PETROLEUM C
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 04/24/81 JA: TX			
R126807	32620	4219700000	108	CONLEY A #5	CONLEY	0.5	SHELL OIL CO
R126689	32071	4246103064	108	N PEMBROOK S #38-03	PEMBROOK (NORTH)	1.9	NORTHERN NATURAL GAS
-PHOENIX RESOURCES COMPANY				RECEIVED: 04/24/81 JA: TX			
R126701	32387	4223500000	103	SUGGS 57 #3	HOWDA (CLEAR FORK)	0.0	NORTHERN NATURAL GAS
-PLACID OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
R126675	31678	4236531035	107	PAUL P ROGERS WELL NO 2	CARTHAGE (C V)	112.0	UNITED GAS PIPE LINE
-R L BURNS CORP				RECEIVED: 04/24/81 JA: TX			
R126800	32569	4243531159	108	MAYER 17 NO 2-A	SAWYER (CANYON) FIELD	19.2	VALERO TRANSMISSION
R126799	32567	4243530781	108	MAYER 15 NO 1	SAWYER (CANYON) FIELD	0.0	VALERO TRANSMISSION
R126798	32566	4247931957	108	MIDDLETON 25 NO 2	SEGUNDO (OLMOS) FIELD	14.8	LONE STAR GAS CO
-R LACY INC				RECEIVED: 04/24/81 JA: TX			
R126685	31928	4236531171	102	BURNETT UNIT 7 WELL NO 16 91273	CARTHAGE (TRAVIS PEAK LO	208.0	ARKANSAS LOUISIANA G
R126684	31927	4230531157	102	FROST-GILLASPY WELL NO 2 RRC# 90843	CARTHAGE (TRAVIS PEAK LO	304.0	DELHI GAS PIPELINE C
-REMUDA OIL & GAS CO				RECEIVED: 04/24/81 JA: TX			
R126808	32625	4241330801	103	TISDALE A NO 1 08239	TILLERY (UPPER CANYON)	14.4	PRODUCERS GAS CO
-SAGE ENERGY CO				RECEIVED: 04/24/81 JA: TX			
R126809	32640	4214930737	102	MARTINEZ #1 RRC 13495	GIDDINGS (AUSTIN CHALK)	60.0	FALCON GAS CO
R126810	32642	4214930716	102	PLUM O RRC #13642	GIDDINGS (AUSTIN CHALK)	66.0	FALCON GAS CO
-SAXON OIL COMPANY				RECEIVED: 04/24/81 JA: TX			
R126601	17464	4238331392	103	TURNER F #4	SPRABERRY (TREND AREA)	18.0	NORTHERN NATURAL GAS
R126660	27056	4238331624	103	WATKINS NO 1	SPRABERRY (TREND AREA)	28.5	PHILLIPS PETROLEUM C
-SIGMOR CORP				RECEIVED: 04/24/81 JA: TX			
R126791	32553	4208300000	103	LAMAR TURNER #6	BETLIN (FRY)	154.0	BRADY TEXAS MUNICIPA
-SIMS OIL CO INC				RECEIVED: 04/24/81 JA: TX			
R126644	24814	4219500094	108	ANNIE GROVES WELL #1	HANSFORD (LOWER MORROW)	11.0	NORTHERN NATURAL GAS
-SOUTHWESTERN GAS EXPLORATION				RECEIVED: 04/24/81 JA: TX			
R126635	23240	4236335939	103	C C MCCLURE #7	PALO PINTO CO REGULAR (G	92.6	SOUTHWESTERN GAS PIP
R126636	23267	4223732506	103	FERRELL-RICHARDS #3	JACKSBORO SOUTHEAST (520	211.3	SOUTHWESTERN GAS PIP
R126634	23141	4223732140	103	M E FERRELL #1	JACKSBORO S E (5720)	83.3	SOUTHWESTERN GAS PIP
-SPINDLETOP OIL & GAS CO				RECEIVED: 04/24/81 JA: TX			
R126619	21026	4236731767	103	HUGHES #1-C	RENO (CONGL)	40.0	LONE STAR GAS CO
R126610	20450	4236731438	103	MIDDLETON #2-C (81352)	COLEEN (MARBLE FALLS)	51.0	LONE STAR GAS CO
R126620	21043	4236731636	103	NOLA #1-C	RENO (CONGL)	10.0	LONE STAR GAS CO
R126621	21044	4236731636	103	NOLA #1-T	RENO (CONGL)	40.0	LONE STAR GAS CO
R126624	21047	4236731829	103	ROSE #1-C	SPRINGTOWN (5500)	10.0	LONE STAR GAS CO
R126625	21048	4236731829	103	ROSE #1-T	SPRINGTOWN (5700)	125.0	LONE STAR GAS CO
R126622	21045	4236731537	103	STEVENS #1-C	MALES (4650)	10.0	LONE STAR GAS CO
R126623	21046	4236731537	103	STEVENS #1-T	DOSS (4500)	10.0	LONE STAR GAS CO
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/24/81 JA: TX			
R126814	32658	4249500000	108	A E WHEELER -A- #1	WHEELER	1.0	SHELL OIL CO
R126819	32665	4242700000	108	AGUSTIN OLIVARES NO 5	SUN (D-I-A)	2.0	TRANSCONTINENTAL GAS
R126822	32670	4242700000	108	DEE DAVENPORT STATE NO 2T	RINCON NORTH (4240)	4.0	
R126597	11168	4223700000	108	DURHAM GAS UNIT C #1	BOONSVILLE BEND CONGLOME	4.0	LONE STAR GAS CO
R126818	32664	4242700000	108	GEORGE H SPEER STATE B NO 11	SUN (D-I-B)	21.0	
R126820	32667	4208100000	108	JAMESON REEF UNIT #10-1	JAMESON	0.1	LONE STAR GAS CO
R126817	32663	4208100000	108	JAMESON REEF UNIT #10-9	JAMESON	0.1	LONE STAR GAS CO
R126647	25136	4208100000	108	JAMESON STRAWN SAND UNIT NO 11-22	JAMESON (STRAWN)	7.0	LONE STAR GAS CO

JOB NO	DATE	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8126821	32668	4213500000	108		PAUL MOSS UNIT NO 40	COWDEN SOUTH	0.7	ODESSA NATURAL CORP
8126595	06478	4249730560	103		PETE ERWIN UNIT NO 2	BOONSVILLE	200.0	NATURAL GAS PIPELINE
8126816	32660	4249500000	108		R A WHEELER #1	WHEELER	0.4	SHELL OIL CO
8126823	32671	4219931456	108		SUN FEE LOT 13 NO 1	SARATOGA (WEST)	21.0	UNITED TEXAS TRANSMI
8126674	31658	4213500000	108		TXL -C- NO 3	LAWSON (SAN ANDRES)	1.7	PHILLIPS PETROLEUM C
8126815	32659	4230100000	108		W D JOHNSON -38- #2	GRICE	4.8	PHILLIPS PETROLEUM C
-TAURUS OIL CORP					RECEIVED: 04/24/81 JA: TX			
8126663	27368	4214330404	108		FOSS #1 RRC #82149	MORGAN MILLS (MARBLE FAL	6.6	NORTHERN GAS PRODUCT
-TENNECO OIL COMPANY					RECEIVED: 04/24/81 JA: TX			
8126664	27890	4217930702	103		COMBS 21A	PANHANDLE GRAY COUNTY	1.2	PHILLIPS PETROLEUM C
-TEXACO INC					RECEIVED: 04/24/81 JA: TX			
8126651	25698	4213131473	102		DCRC NCT-29 WELL #7	BRELUM (CHERNOSKY W)	348.0	TENNESSEE GAS PIPELI
-TEXAS INTERNATIONAL PET CORP					RECEIVED: 04/24/81 JA: TX			
8126811	32645	4205131038	102		HAMBLEN #1	GIDDINGS	0.0	CLAJON GAS CO
8126646	24961	4205130704	102		JOHN L HUGG #2	GIDDINGS	144.0	CLAJON GAS CO
8126637	23554	4205130602	102		LAMB #1	GIDDINGS	144.0	CLAJON GAS CO
8126645	24960	4205130711	102		LAMB #2	GIDDINGS FIELD	144.0	CLAJON GAS CO
8126638	23555	4205130577	102		WEICHERT UNIT NO 1	GIDDINGS	144.0	CLAJON GAS CO
-TEXAS OIL & GAS CORP					RECEIVED: 04/24/81 JA: TX			
8126655	26468	4208903112	102		MATTHEWS F #1	LISSIE (3900)	75.0	UNITED GAS PIPELINE
*8126665	28400	4216130563	107		THOMAS #1	PERSONVILLE NE (COTTON V	500.0	LONE STAR GAS CO
-THOMAS D COFFMAN INC					RECEIVED: 04/24/81 JA: TX			
8126824	32684	4214930823	102		SCHAFFER UNIT NO 1 101181	GIDDINGS (AUSTIN CHALK)	131.0	SOUTH CEN-TEX GAS CO
-TODD & SANDERS INC					RECEIVED: 04/24/81 JA: TX			
8126599	16936	4249500000	108		MCCUTCHEN LS WELL #16-U RRC #20156	KERMIT (YATES)	14.0	CABOT CORP
-TOM F MARSH INC					RECEIVED: 04/24/81 JA: TX			
8126672	31465	4237132823	107		GOMEZ-EATON GAS UNIT WELL #1	GOMEZ (FUSSELMAN)	1058.0	LONE STAR GAS CO
-TRAVELERS OIL CO					RECEIVED: 04/24/81 JA: TX			
8126773	32508	4217900000	108		CARPENTER B #1 84009	EAST PANHANDLE	11.0	TRANSWESTERN PIPELIN
8126772	32507	4217900000	108		CARPENTER C #1 84008	EAST PANHANDLE	8.0	TRANSWESTERN PIPELIN
8126769	32504	4217900000	108		CARPENTER D #1 87330	EAST PANHANDLE	4.0	TRANSWESTERN PIPELIN
8126774	32510	4217900000	108		CHAPMAN #1 84213	PANHANDLE GRAY COUNTY	2.0	TRANSWESTERN PIPELIN
8126768	32503	4217900000	108		CHAPMAN #5 84213	PANHANDLE GRAY COUNTY	2.0	TRANSWESTERN PIPELIN
8126770	32505	4217900000	108		JEFFRIES #1 84301	PANHANDLE GRAY COUNTY	1.0	TRANSWESTERN PIPELIN
8126771	32506	4217900000	108		NORTHFORK #2 84007	EAST PANHANDLE	3.0	TRANSWESTERN PIPELIN
-U E THORNE					RECEIVED: 04/24/81 JA: TX			
8126702	32388	4244700000	108		L C ATKINSON B #1 ID NO 18431	PARROTT-ATKINSON (CANYON	7.4	ALLIANCE GAS CORP
-UNION TEXAS PETROLEUM					RECEIVED: 04/24/81 JA: TX			
8126613	20877	4207931132	103		NW SLAUGHTER UNIT NO 80	SLAUGHTER LEAGUE 58	1.0	AMOCO PRODUCTION CO
-W L BRUCE OPERATOR					RECEIVED: 04/24/81 JA: TX			
8126649	25374	4234100000	108		RESER #6 RRC#03709	PANHANDLE FIELD	0.0	PHILLIPS PET CO
-WALLACE OIL & GAS INC					RECEIVED: 04/24/81 JA: TX			
8126628	22034	4219530711	103		COLLARD #1	COLLARD (4880)	720.0	PANHANDLE EASTERN
-WARREN PETR CO A DIV OF GULF OIL CO					RECEIVED: 04/24/81 JA: TX			
8126589	04760	4210331525	103		W N WADDELL ET AL #1092	SAND HILLS (MCKNIGHT)	24.0	EL PASO NATURAL GAS
8126591	04764	4210331527	103		W N WADDELL ET AL #1093	SAND HILLS (MCKNIGHT)	9.0	EL PASO NATURAL GAS
8126590	04762	4210331528	103		W N WADDELL ET AL #1094	SAND HILLS (MCKNIGHT)	18.0	EL PASO NATURAL GAS
8126596	09287	4210332007	103		W N WADDELL ET AL #1111	SAND HILLS (MCKNIGHT)	51.0	EL PASO NATURAL GAS
8126592	04800	4210331523	103		W N WADDELL ET AL NO 1089	SAND HILLS (MCKNIGHT)	9.0	EL PASO NATURAL GAS
-WESSELY ENERGY CORPORATION					RECEIVED: 04/24/81 JA: TX			
8126688	32037	4216130629	103		FREEMAN NO 1	NORTH REED (COTTON VALLE	365.0	LONE STAR GAS CO
8126688	32037	4216130629	107		FREEMAN NO 1	NORTH REED (COTTON VALLE	365.0	LONE STAR GAS CO

VOLUME 425 PAGE 010

JD PP	JD PPT	FIELD	PROD WELL NAME	FIELD NAME	PROD	PURCHASER
-WILLIAMS PETROLEUM CO			RECEIVED: 04/24/81 JA: TX			
8126813	32648	4236300000 103	NO 3 LANDAR	B R A (CONGLOMERATE)	280.0	TEXAS UTILITIES FUEL
WEST VIRGINIA DEPARTMENT OF MINES						
-SPARTAN GAS COMPANY			RECEIVED: 03/24/80 JA: WV			
8126588		4710900804 108	POCAHONTAS LAND CORPORATION 1-S-186	BARKERS RIDGE	18.0	CONSOLIDATED GAS SUP

OTHER PURCHASERS

8126684 HOUSTON LIGHTING & POWER CO
8126653 HOUSTON LIGHTING & POWER CO
8126650 DELHI GAS P L CORP
8126654 NATURAL GAS P L CO OF AMER
8126663 TEXAS UTILITIES FUEL CO
8126665 DELHI GAS PL CORP
8126721 UNION TEXAS PETROLEUM CO
8126785 EL PASO NATURAL GAS CO
8126786 EL PASO NATURAL GAS CO

BILLING CODE 6450-01-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 within fifteen (15) days after the date of publication of this notice in the **Federal Register.**

Please reference the FERC Control Number (JD No.) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14634 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 8, 1981.

JA NO	DET NO	WELL ID	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
				MISSISSIPPI OIL & GAS BOARD			
-FLORIDA GAS EXPLORATION COMPANY				RECEIVED: 04/22/81 JA: MS			
8126564	76-80-217	2313120008	102	INTERNATIONAL PAPER COMPANY 5-6	BLACK CREEK FIELD	0.0	FLORIDA GAS TRANSMIS
-INEXCO OIL COMPANY				RECEIVED: 04/22/81 JA: MS			
8126560	14-81-434	2307720036	107	JAMES GEORGE NO 3	MONTICELLO	240.0	SOUTHERN NATURAL GAS
8126561	15-81-434	2307720041	107	WHITE GEORGE NO 1 WELL	MONTICELLO	419.0	SOUTHERN NATURAL GAS
-JONES-O'BRIEN INCORPORATED				RECEIVED: 04/22/81 JA: MS			
8126563	12-81-440	2306520157	107	AMOCO-SABINE 26-16 WELL NO 1	OAKVALE FIELD	1100.0	TRANSCONTINENTAL GAS
-MARATHON OIL COMPANY				RECEIVED: 04/22/81 JA: MS			
8126562	13-81-53	2303500000	108	UNIT SE-31 #2-T	MAXIE	0.8	UNITED GAS PIPE LINE
				WEST VIRGINIA DEPARTMENT OF MINES			
-DENNIS D BLAUSER				RECEIVED: 04/21/81 JA: WV			
8126456		4702122386	108	MARY DAVIDSON #2	DEKALB	4.8	CONSOLIDATED GAS COR
-EARL STEWART				RECEIVED: 04/21/81 JA: WV			
8126455		4708503544	108	FLANAGAN #1A	HUGHES RIVER	1.0	CONSOLIDATED GAS SUP
8126453		4708503525	108	IRELAND #7 B	TURTLE RUN	0.5	COLUMBIA GAS TRANSMI
8126454		4708503534	108	SNODGRASS #2	TURTLE RUN	1.5	COLUMBIA GAS TRANSMI
8126452		4708503523	108	W P IRELAND 7 A	TURTLE RUN	0.5	COLUMBIA GAS TRANSMI
-M C OIL & GAS CO INC				RECEIVED: 04/21/81 JA: WV			
8126351		4708523754	108	J WILLIS H-549	MURPHY DISTRICT	21.1	CONSOLIDATED GAS SUP
8126352		4708523755	108	J WILLIS H-550	MURPHY DISTRICT	21.1	CONSOLIDATED GAS SUP
8126353		4708523764	108	J WILLIS H-555	MURPHY DISTRICT	21.1	CONSOLIDATED GAS SUP
8126354		4708523765	108	J WILLIS H-556	MURPHY DISTRICT	21.1	CONSOLIDATED GAS SUP
8126355		4708524127	108	J WILLIS H-656	MURPHY DISTRICT	40.0	CONSOLIDATED GAS SUP
8126356		4708524128	108	J WILLIS H-657	MURPHY DISTRICT	12.0	CONSOLIDATED GAS SUP
-PENNZOIL COMPANY				RECEIVED: 04/21/81 JA: WV			
8126392		4710500766	108	A B WILSON #10	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126393		4710500767	108	A B WILSON #11	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126450		4710500768	108	A B WILSON #12	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126394		4710500769	108	A B WILSON #13	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126449		4710500771	108	A B WILSON #15	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126378		4710500772	108	A B WILSON #16	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126379		4710500773	108	A B WILSON #18	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126391		4710500765	108	A B WILSON #9	BURNING SPRINGS	0.0	CONSOLIDATED GAS SUP
8126389		4708703090	108	A W SUMMERS #10	WALTON	2.1	
8126419		4709500573	108	AGNES GOHRELL #2	ELLSWORTH	0.1	
8126406		4709500516	108	ANDREW SECKMAN #12	MCELROY	0.0	
8126408		4709500514	108	ANDREW SECKMAN #5	MCELROY	0.0	
8126407		4709500515	108	ANDREW SECKMAN #9	MCELROY	0.0	
8126402		4709500530	108	B F HAWKINS 100A #3	ELLSWORTH	0.1	

8126431		4709500531	108	B F HAWKINS 100A #4	ELLSWORTH		0.1	
8126404		4709500527	108	B F HAWKINS 100A #7	ELLSWORTH		0.1	
8126403		4709500529	108	B F HAWKINS 50A #11	ELLSWORTH		0.1	
8126437		4702103162	108	B F WEAVER #2	DEKALB		0.0	CONSOLIDATED GAS SUP
8126377		4709500542	108	B J ASH #1	MCELROY		0.0	
8126451		4708703108	108	C C HIVELY #1	WALTON		2.1	
8126445		4708703099	108	C C HIVELY #22	WALTON		2.1	
8126447		4708703106	108	C C HIVELY #3	WALTON		2.1	
8126433		4702103349	108	C W GOFF #2	DEKALB		0.0	CONSOLIDATED GAS SUP
8126435		4702100509	108	C W GOFF #9	DEKALB		0.0	CONSOLIDATED GAS SUP
8126376		4709500550	108	CONAWAY HEIRS #1	MCELROY		0.0	
8126395		4708703059	108	CORA MARKS #6	HARPER		2.1	
8126467		4708703147	108	D T CUMMINS #2	WALTON		2.1	
8126398		4708703082	108	D T CUMMINS #3	WALTON		2.1	
8126417		4708703155	108	DAVID LARCH #11	HARPER		2.1	
8126464		4708703153	108	DAVID LARCH #13	HARPER		2.1	
8126416		4708703159	108	DAVID LARCH #6	HARPER		0.0	
8126411		4708703363	108	E LEWIS #1	WALTON		2.0	
8126414		4708703168	108	E LEWIS #14	WALTON		2.0	
8126385		4710500780	108	E M WILSON #10	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126386		4710500781	108	E M WILSON #11	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126387		4710500783	108	E M WILSON #13	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126380		4710500775	108	E M WILSON #4	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126381		4710500776	108	E M WILSON #5	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126382		4710500777	108	E M WILSON #6	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126383		4710500778	108	E M WILSON #8	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126384		4710500779	108	E M WILSON #9	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126438		4702103191	108	EUGUEN WEAVER #2	DEKALB		0.0	CONSOLIDATED GAS SUP
8126424		4702103265	108	F E AMOS #7	DEKALB		0.0	CONSOLIDATED GAS SUP
8126426		4702103309	108	FRENCH HARDMAN #7	DEKALB		0.0	CONSOLIDATED GAS SUP
8126448		4708703107	108	HUBBARD SUMMERS #4	WALTON		2.1	
8126427		4702103314	108	I N HARDMAN #4	DEKALB		0.0	CONSOLIDATED GAS SUP
8126428		4702103315	108	IN HARDMAN #5	DEKALB		0.0	CONSOLIDATED GAS SUP
8126413		4708703189	108	ISAAC DONOHOE #14	WALTON		2.1	
8126446		4708703103	108	ISAAC DONOHOE #4	WALTON		2.1	
8126396		4708703069	108	J H HIVELY #3	WALTON		2.1	
8126415		4708703161	108	J H HIVELY #9	WALTON		2.1	
8126461		4708703151	108	J H RIVELY #7	WALTON		2.1	
8126420		4709500579	108	J K HILL #4	ELLSWORTH		0.1	
8126423		4709500580	108	J K HILL #5	ELLSWORTH		0.1	
8126459		4708702702	108	J M ROBINSON #5	WALTON		2.1	
8126400		4709500540	108	J T A HAWKINS #12	ELLSWORTH		0.1	
8126399		4709500537	108	J T A HAWKINS #3	ELLSWORTH		0.1	
8126460		4708702658	108	J W LYNCH #9	WALTON		2.1	
8126375		4709500555	108	JAMES EDDY #2	ELLSWORTH		0.1	
8126374		4709500557	108	JAMES EDDY #5	ELLSWORTH		0.1	
8126466		4708703139	108	JAMES HARLESS #2	WALTON		2.5	
8126418		4708703157	108	JAMES SUMMERS #1	HARPER		2.1	
8126405		4709500522	108	JAMES WOOD (HARRIS) #4	ELLSWORTH		0.1	
8126421		4709500612	108	JOEL TUTTLE #7	ELLSWORTH		0.1	
8126463		4708703124	108	JOHN H SUMMERS #6	WALTON		2.1	
8126425		4702103294	108	LAFAYETTE HARDEN #5	DEKALB		0.0	CONSOLIDATED GAS SUP

JD SEQ	JA ACT	API NO	FRC T	WELL NAME	FIELD NAME	PROD		PURCHASER
8126444		4708703094	108	LAURA HUNT #1	HARPER		2.1	
8126432		4702103348	108	LEE GAINER #3	DEKALB		0.0	CONSOLIDATED GAS SUP
8126457		4708702740	108	LUCINDA SHAFFER #5	WALTON		2.1	
8126410		4708703365	108	LUCINDA SHAFFER #6	WALTON		2.1	
8126397		4708703074	108	MARSHALL LAPCH #4	WALTON		2.1	
8126458		4708702708	108	MR SINNETT #3	WALTON		2.1	
8126388		4710500788	108	N J DAWSON #4	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126370		4710500789	108	N J DAWSON #5	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126364		4710500812	108	N W HAUGHT #10	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126365		4710500813	108	N W HAUGHT #13	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126366		4710500814	108	N W HAUGHT #14	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126367		4710500815	108	N W HAUGHT #15	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126368		4710500816	108	N W HAUGHT #16	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126369		4710500817	108	N W HAUGHT #17	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126345		4710500818	108	N W HAUGHT #18	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126346		4710500819	108	N W HAUGHT #20	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126347		4710500820	108	N W HAUGHT #22	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126348		4710500821	108	N W HAUGHT #23	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126350		4710500823	108	N W HAUGHT #26	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126363		4710500808	108	N W HAUGHT #4	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126349		4710500822	108	N W HAUGHT #24	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126412		4708703300	108	NANNIE HUNT #1	ELK		2.1	
8126440		4702103246	108	P L WEAVER #10	DEKALB		0.0	CONSOLIDATED GAS SUP
8126439		4702103243	108	R L WEAVER #7	DEKALB		0.0	CONSOLIDATED GAS SUP
8126441		4702103254	108	ROBERT WEBB #1	DEKALB		0.0	CONSOLIDATED GAS SUP
8126442		4702103255	108	ROBERT WEBB #2	DEKALB		0.0	CONSOLIDATED GAS SUP
8126434		4702103256	108	ROBERT WEBB #3	DEKALB		0.0	CONSOLIDATED GAS SUP
8126422		4709500586	108	S A JOY #2	ELLSWORTH		0.1	
8126429		4702103318	108	S M HARDMAN #1	DEKALB		0.0	CONSOLIDATED GAS SUP
8126430		4702103320	108	S M HARDMAN #4	DEKALB		0.0	CONSOLIDATED GAS SUP
8126436		4702100569	108	S M HARDMAN #6	DEKALB		0.0	CONSOLIDATED GAS SUP
8126431		4702103321	108	S M HARDMAN #5	DEKALB		0.0	CONSOLIDATED GAS SUP
8126409		4709500512	108	SCHOOL LOT #1	ELLSWORTH		0.0	
8126390		4708703086	108	W H SLEATH #10	HARPER		2.1	
8126465		4708703137	108	W H SLEATH #2	HARPER		2.1	
8126443		4708703093	108	W H SLEATH #5	HARPER		2.1	
8126462		4708703150	108	W L TAYLOR #4	WALTON		2.1	
8126373		4709500567	108	WILLIAM FERRELL #5	ELLSWORTH		0.1	
8126361		4710500796	108	WM DAWSON #10	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126362		4710500797	108	WM DAWSON #11	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126371		4710500791	108	WM DAWSON #5	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126372		4710500792	108	WM DAWSON #6	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126359		4710500793	108	WM DAWSON #7	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
8126360		4710500795	108	WM DAWSON #9	BURNING SPRINGS		0.0	CONSOLIDATED GAS SUP
-RALPH KIRTLEY		RECEIVED: 04/21/81 JA: WV						
8126358		4701100271	106	ALESHIRE #1	CITY OF HUNTINGTON		13.3	DEVON CORP
8126357		4701100261	108	SHAWKEY #1	CITY OF HUNTINGTON		15.2	DEVON CORP
**********								
** U.S. GEOLOGICAL SURVEY - ALBUQUERQUE,NM								
**********								
-ALAN J ANTWEIL		RECEIVED: 04/21/81 JA: NM 4						
8126473	NM-1134-80	3001522175	102	RIO COM #1	MORROW		0.0	EL PASO NATURAL GAS

JD NO	JA INT	API NO	SEC	D WELL NAME	FIELD NAME	PROD	PURCHASER
-AMOCO PRODUCTION CO				RECEIVED: 04/21/81 JA: NM 4			
8126539	NM-0212-81	3004524113	103	DAVIDSON GAS COM F NO 1E	BASIN DAKOTA	59.0	SOUTHERN UNION GATHE
8126512	NM-0171-81	3004524363	103	ELLIOTT GAS COM R NO 1E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8126535	NM 0203-81	3004524485	103	FRED FEASEL J NO 1E	BASIN DAKOTA	59.0	SOUTHERN UNION GATHE
8126511	NM-0170-81	3004524290	103	GALLEGOS CANYON UNIT NO 151E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8126542	NM-0215-81	3003922307	103	JICARILLA TRIBAL 363 NO 1	LINDRITH - GALLUP	29.0	EL PASO NATURAL GAS
8126544	NM-0217-81	3003922307	103	JICARILLA TRIBAL 363 NO 1	LINDRITH-DAKOTA WEST	29.0	EL PASO NATURAL GAS
8126513	NM-0172-81	3004524166	103	JOHNSON GAS COM E NO 1E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8126536	NM 0206-81	3004524235	103	MARTIN GAS COM E NO 1E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8126518	NM-0179-81	3004524017	103	PAN AM FEDERAL C NO 1E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8126537	NM 0207-81	3004524339	103	SHANE GAS COM A NO 1	BLANCO PICTURED CLIFFS	50.0	EL PASO NATURAL GAS
8126543	NM-0216-81	3004922442	103	VALENCIA CANYON UT NO 45	BLANCO MESA VERDE	78.0	EL PASO NATURAL GAS
-ANADARKO PRODUCTION COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126531	NM 0196-81	3001522685	103	TRAVIS FEDERAL D NO 18	LOCO HILLS	6.0	PHILLIPS PETROLEUM C
-BTA OIL PRODUCERS				RECEIVED: 04/21/81 JA: NM 4			
8126521	NM 0163-81	3002527207	103	7406 JV-S LEA 21 #4-Y	TANSILL-YATES (COMANCHE	36.7	EL PASO NATURAL GAS
8126499	NM-0156-81	3002527043	103	7406 JV-S LEA 21 #8	TANSILL-YATES (COMANCHE-	36.7	EL PASO NATURAL GAS
-CAULKINS OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126477	NM-1739-80-A	3003922326	103	BREECH C 248 E	OTERO CHACRA	30.0	GAS CO OF NEW MEXICO
8126478	NM-1739-80-B	3003922326	103	BREECH C 248 E	BLANCO MESA VERDE	30.0	GAS CO OF NEW MEXICO
8126479	NM-1743-80-A	3003921534	103	BREECH D 346	OTERO CHACRA-BLANCO MESA	13.0	GAS CO OF NEW MEXICO
8126480	NM-1743-80-B	3003921534	103	BREECH D 346	OTERO CHACRA-BLANCO MESA	13.0	GAS CO OF NEW MEXICO
8126481	NM-1743-80-C	3003921534	103	BREECH D 346	BASIN DAKOTA	13.0	GAS CO OF NEW MEXICO
-CONOCO INC				RECEIVED: 04/21/81 JA: NM 4			
8126505	NM-0163-81	3002526941	103	BRITT B NO 27	NMFU - WEIR DRINKARD	22.6	WARREN PETROLEUM CO
8126468	NM-4691-79	3003920648	108	CONOCO 29-4 NO 4	EAST SAN JUAN - CHOZA ME	14.5	NORTHWEST PIPELINE C
8126471	NM-0955-80	3002526670	103	HAWK B-3 NO 24	NEW MEXICO FEDERAL UNIT	80.8	GETTY OIL CO
8126506	NM-0164-81	3002526841	103	WARREN UNIT NO 78	NMFU - BLINEBRY OIL & GA	0.0	WARREN PETROLEUM CO
8126476	NM-1596-80-A	3002526842	103	WARREN UNIT NO 81	NMFU - BLINEBRY OIL & GA	0.4	WARREN PETROLEUM CO
-COQUINA OIL CORPORATION				RECEIVED: 04/21/81 JA: NM 4			
8126538	NM-0209-81	3001523472	102	NATHAN COMM FEDERAL #1	(DUBLIN RANCH MORROW)	0.0	EL PASO NATURAL GAS
-DEPCO INC				RECEIVED: 04/21/81 JA: NM 4			
8126472	NM-1121-80	3004524268	103	MUDGE A #11	WEST KUTZ P C	1.7	GAS CO OF NEW MEXICO
-DOME PETROLEUM CORP				RECEIVED: 04/21/81 JA: NM 4			
8126527	NM-0184-81	3004330464	102	DOME FEDERAL 19-22-6 #1	RUSTY CHACRA	131.0	SOUTHWEST GAS CORP
8126525	NM-0188-81	3004320482	102	DOME FEDERAL 20-22-6 #2	RUSTY CHACRA	383.1	SOUTHWEST GAS CORP
8126523	NM-0186-81	3004320486	102	DOME FEDERAL 20-22-6 #3	RUSTY CHACRA	251.1	SOUTHWEST GAS CORP
8126524	NM-0187-81	3004320408	102	DOME NAVAJO 20-22-7 #1	RUSTY CHACRA	57.7	SOUTHWEST GAS CORP
-DUGAN PRODUCTION CORP				RECEIVED: 04/21/81 JA: NM 4			
8126540	NM-0213-81	3003922283	103	A NEW DAWN #2	BASIN DAKOTA	100.0	NORTHWEST PIPELINE C
8126541	NM-0214-81	3003922282	103	A NEW DAWN #3	BASIN DAKOTA	75.0	NORTHWEST PIPELINE C
8126526	NM 0190-81	3004524346	103	HORACE SMITH #1-R	BASIN DAKOTA	90.0	NORTHWEST PIPELINE C
-EL PASO NATURAL GAS COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126489	NM-1799-80	3003920309	108	CANYON LARGO UNIT #163	OTERO - CHACRA	14.0	EL PASO NATURAL GAS
8126475	NM-1417-80	3002511458	108	E J WELLS #13	JALMAT YATES	21.0	EL PASO NATURAL GAS
8126491	NM-0016-81	3002511992	108	ELLIOTT FEDERAL #3	JALMAT YATES	22.0	EL PASO NATURAL GAS
8126490	NM-1820-80	3004500000	108	MOORE #1	BLANCO MESAVERDE	13.0	EL PASO NATURAL GAS
8126533	NM 0198-81	3003921084	108	SAN JUAN 28-7 UNIT #243	BASIN-DAKOTA GAS	22.0	EL PASO NATURAL GAS
-GETTY OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126496	NM-0124-81	3003905916	108	JICARILLA C NO 26	BASIN DAKOTA FIELD	7.3	EL PASO NATURAL GAS
8126527	NM 01938(A)	3004523628	103	JOHN CHARLES NO 7E	BASIN DAKOTA	91.0	EL PASO NATURAL GAS
8126528	NM 0195-80	3004523628	103	JOHN CHARLES NO 7E	HARRIS MESA CHACRA	128.0	EL PASO NATURAL GAS

JA CA	JA NO	API NO	SPEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8126529	NM 0194-81-A	3004524021	103	MEXICO FEDERAL R NO 1M	BASIN DAKOTA	25.0	EL PASO NATURAL GAS
8126530	NM 0194-81-B	3004524021	103	MEXICO FEDERAL R NO 1M	BLANCO MESAVERDE	200.0	EL PASO NATURAL GAS
-GULF OIL CORPORATION				RECEIVED: 04/21/81 JA: NM 4			
8126514	NM-0173-81	3001570363	103	CALLAWAY FEDERAL WELL NO 2	UNDESIGNATED DIAMOND MOU	0.0	EL PASO NATURAL GAS
-HNG OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126474	NM1264R0102	3002526137	102	WILSON 21 FEDERAL #7 NM23199	COMANCHE STATELINE TANSI	5.4	EL PASO NATURAL GAS
-HUSKY OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126470	NM-0798-80	3004524237	103	HOLACK D #1-E	BASIN DAKOTA	104.0	EL PASO NATURAL GAS
8126469	NM-0797-80	3004524253	103	HOLACK D #3-R	BASIN DAKOTA	104.0	EL PASO NATURAL GAS
-J GREGORY MERRION&ROBERT L BAYLESS				RECEIVED: 04/21/81 JA: NM 4			
8126557	NM-0237-81	3003922426	103	CANYON LARGO UNIT #298	DEVILS FORK GALLUP	27.0	EL PASO NATURAL GAS
8126558	NM-0238-81	3003922439	103	CANYON LARGO UNIT #299	DEVILS FORK GALLUP	33.0	EL PASO NATURAL GAS
8126501	NM-0159-81-A	3004524612	103	CHACO LTD #3	WAW FRUITLAND/PIC CLIFFS	7.0	EL PASO NATURAL GAS
8126502	NM-0159-81-B	3004524612	103	CHACO LTD #3	WAW FRUITLAND PIC CLIFFS	7.0	EL PASO NATURAL GAS
8126503	NM 0160-81 A	3004524611	103	CHACO LTD #3-J	WAW FRUITLAND/PICTURED C	7.5	EL PASO NATURAL GAS
8126504	NM 0160-81-B	3004524611	103	CHACO LTD #3-J	WAW FRUITLAND/PICTURED C	7.5	EL PASO NATURAL GAS
8126506	NM-0158-81	3004526508	103	PONCA #1	BALLARD PIC CLIFFS	10.0	GAS CO OF NEW MEXICO
-JEROME P MCHUGH				RECEIVED: 04/21/81 JA: NM 4			
8126520	NM-0182-81	3003921351	108	CHRIS #3	BLANCO MESAVERDE	7.0	NORTHWEST PIPELINE C
8126519	NM-0181-81	3003921765	108	CHRIS #4	BLANCO MESAVERDE	1.0	NORTHWEST PIPELINE C
-MARATHON OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126488	NM 1785-80	3003922433	103	JICARILLA APACHE #10-E	JICARILLA APACHE	185.0	NORTHWEST PIPELINE C
8126487	NM-1784-80	3003922460	103	JICARILLA APACHE #11-E	JICARILLA APACHE	185.0	NORTHWEST PIPELINE C
-MESA PETROLEUM				RECEIVED: 04/21/81 JA: NM 4			
8126534	NM-0199-81	3000560759	102	COYOTE FEDERAL #1	ABO	200.0	TRANSWESTERN PIPELIN
-NORTHWEST PIPELINE CORPORATION				RECEIVED: 04/21/81 JA: NM 4			
8126559	NM-0250-81	3003907754	108	SAN JUAN 30-5 #7	BLANCO MESAVERDE	25.0	EL PASO NATURAL GAS
-OKLAHOMA OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126516	NM-0176-81	3004522774	108	NAVAHO 4-1 WELL E-4-25N-12W	NIPP PICTURED CLIFF	15.0	EL PASO NATURAL GAS
-PERRY R BASS				RECEIVED: 04/21/81 JA: NM 4			
8126515	NM0175-81103	3001523236	103	BIG EDDY UNIT NO 80	BIG EDDY MORROW	300.0	NATURAL GAS PIPELINE
-SOUTHERN UNION EXPLORATION COMPANY				RECEIVED: 04/21/81 JA: NM 4			
8126551	NM-0227-81	3004524328	103	HODGES #16	BALLARD	321.0	GAS CO OF NEW MEXICO
8126550	NM-0225-81	3004524441	103	HODGES #17	BALLARD	523.0	GAS CO OF NEW MEXICO
8126552	NM-0229-81-A	3003922052	103	JICARILLA A 23	BLANCO	102.0	GAS CO OF NEW MEXICO
8126553	NM-0233-81	3003922038	103	JICARILLA C #6	TAPACITO	41.0	GAS CO OF NEW MEXICO
8126554	NM-0234-81	3003922049	103	JICARILLA D #17	BLANCO	46.0	GAS CO OF NEW MEXICO
8126555	NM-0235-81	3003922050	103	JICARILLA D #18	BLANCO	131.0	GAS CO OF NEW MEXICO
8126556	NM-0236-81	3003922037	103	JICARILLA K #21	SOUTH BLANCO	20.0	GAS CO OF NEW MEXICO
-SOUTHLAND ROYALTY CO				RECEIVED: 04/21/81 JA: NM 4			
8126483	NM 129-79	3003905756	108	ARIZONA JICARILLA #4	BLANCO PICTURED CLIFFS	9.0	GAS CO OF NEW MEXICO
8126485	NM 162-79	3003905785	108	ARIZONA JICARILLA #5	BLANCO PICTURED CLIFFS	10.0	GAS CO OF NEW MEXICO
8126484	NM-4318-79	3003905804	108	ARIZONA JICARILLA #7	SOUTH BLANCO PICTURED CL	14.6	GAS CO OF NEW MEXICO
8126545	NM-0218-81	3004507794	108	CAIN #16	BASIN	18.0	SOUTHERN UNION GATHE
8126546	NM-0219-81	3004507728	108	CAIN #17	AZTEC	20.0	SOUTHERN UNION GATHE
8126547	NM-0220-81	3004521800	108	CAIN #21	AZTEC	19.0	SOUTHERN UNION GATHE
8126508	NM 0167-81	3004523973	103	CAIN #9E	BASIN	75.0	SOUTHERN UNION GATHE
8126509	NM-0168-81	3004524016	103	DAVIS #13E	BASIN	90.0	SOUTHERN UNION GATHE
8126482	NM 67-79	3004511770	108	J HUDSON #3	BASIN DAKOTA	10.0	SOUTHERN UNION GATHE
8126548	NM-0221-81	3004507312	108	NEWMAN A #6	FULCHER KUTZ	10.0	SOUTHERN UNION GATHE
8126510	NM-0169-81	3004524115	103	NEWMAN C #1E	BASIN	71.0	SOUTHERN UNION GATHE
8126549	NM-0222-81	3004509611	108	NYE #1	BLANCO	18.0	SOUTHERN UNION GATHE

BILLING CODE 6450-01-C

8126507	NM-0166-81	3001523035	103	ROBINSON JACKSON UNIT TR 4 #32
-SUPERIOR OIL CO				RECEIVED: 04/21/81 JA: NM 4
8126493	NM0039-81	3004506804	108	CANDELARIO #1
8126494	NM0040-81	3004506623	108	CHARLES #1
8126495	NM-0041-81	3004506552	108	MARSHALL #4
8126492	NM-0038-81	3004500000	108	RAMENTA #1
8126486	NM-1771-80	3002526952	103	WEST LYNCH DEEP UNIT NO 1
-SUPRON ENERGY CORPORATION				RECEIVED: 04/21/81 JA: NM 4
8126497	NM-0155-81-A	3004523730	103	WILSON NO 2
8126498	NM-0155-81-F	3004523730	103	WILSON NO 2
-TENNECO OIL COMPANY				RECEIVED: 04/21/81 JA: NM 4
8126517	NM-0177-81	3004524279	103	FIELDS COM #4
8126532	NM 0197-81-A	3004524207	103	OMLER A #1-E

FIELD NAME	PROD	PURCHASER
GRAYBURG JACKSON	7.6	PHILLIPS PETROLEUM C
BASIN DAKOTA	19.0	NORTHWEST PIPELINE C
BASIN DAKOTA	19.0	NORTHWEST PIPELINE C
BLANCO	12.0	NORTHWEST PIPELINE C
BASIN DAKOTA	15.0	NORTHWEST PIPELINE C
WILDCAT	1000.0	
AZTEC CHACRA	700.0	SOUTHERN UNION GATHE
UNDESIGNATED FRUITLAND E	52.0	SOUTHERN UNION GATHE
BASIN DAKOTA	500.0	EL PASO NATURAL GAS
CHACRA/BASIN DAKOTA	250.0	EL PASO NATURAL GAS

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 (*) preceeding 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 within fifteen (15) days after the date of publication of this notice in the **Federal Register**.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14635 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 8, 1981.

JD TO	JD KT	API NO	SEC D WELL DATE	FIELD NAME	PROD	PURCHASER
**********						
OHIO DEPARTMENT OF NATURAL RESOURCES						
**********						
-AMTEX OIL AND GAS INC			RECEIVED: 04/23/81 JA: OH			
8127125		3415123126	107 FEICHTER-VASCO WELL NO 1	TUSCARAWAS	300.0	COLUMBIA GAS TRANSMI
8127125		3415123126	103 FEICHTER-VASCO WELL NO 1	TUSCARAWAS	300.0	COLUMBIA GAS TRANSMI
8127124		3415123120	107 JESSUP UNIT NO 1 ET AL	TUSCARAWAS	300.0	COLUMBIA GAS TRANSMI
8127124		3415123120	103 JESSUP UNIT NO 1 ET AL	TUSCARAWAS	300.0	COLUMBIA GAS TRANSMI
8127117		3415123044	107 MYERS WELL NO 1	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8127117		3415123044	103 MYERS WELL NO 1	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8127119		3415123053	107 POLAND WELL NO 1	TUSCARAWAS	300.0	COLUMBIA GAS TRANSMI
8127119		3415123053	103 POLAND WELL NO 1	TUSCARAWAS	300.0	COLUMBIA GAS TRANSMI
8127120		3415123058	107 SOEHNLEN WELL NO 3	SUGARCREEK	250.0	COLUMBIA GAS TRANSMI
8127120		3415123058	103 SOEHNLEN WELL NO 3	SUGARCREEK	250.0	COLUMBIA GAS TRANSMI
8127121		3415123059	107 SOEHNLEN WELL NO 4	SUGARCREEK	300.0	COLUMBIA GAS TRANSMI
8127121		3415123059	103 SOEHNLEN WELL NO 4	SUGARCREEK	300.0	COLUMBIA GAS TRANSMI
8127115		3415123038	107 STAHR WELL NO 1	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8127115		3415123038	103 STAHR WELL NO 1	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8127114		3415123037	107 STAHR WELL NO 2	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8127114		3415123037	103 STAHR WELL NO 2	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
-ATLAS ENERGY GROUP INC			RECEIVED: 04/23/81 JA: OH			
8127180		3415521592	107 BIBBY DETELICH UNIT NO 1	BROOKFIELD	0.0	COLUMBIA GAS TRANSMI
8127180		3415521592	103 BIBBY DETELICH UNIT NO 1	BROOKFIELD	0.0	COLUMBIA GAS TRANSMI
8127179		3415521574	107 GIBSON UNIT NO 1	BAZETTA	40.0	COLUMBIA GAS TRANSMI
8127179		3415521574	103 GIBSON UNIT NO 1	BAZETTA	40.0	COLUMBIA GAS TRANSMI
8127164		3415521351	107 JENNINGS NO 2	BROOKFIELD	0.0	COLUMBIA GAS TRANS C
8127164		3415521351	103 JENNINGS NO 2	BROOKFIELD	0.0	COLUMBIA GAS TRANS C
8127163		3415521349	107 JENNINGS NO 3	BROOKFIELD	0.0	COLUMBIA GAS TRANS C
8127163		3415521349	103 JENNINGS NO 3	BROOKFIELD	0.0	COLUMBIA GAS TRANS C
8127171		3415521405	107 LENYO NO 1	JOHNSTON	28.0	COLUMBIA GAS TRANSMI
8127171		3415521405	103 LENYO NO 1	JOHNSTON	28.0	COLUMBIA GAS TRANSMI
8127178		3415521556	107 MCMILLAN NO 1	BROOKFIELD	0.0	COLUMBIA GAS TRANSMI
8127178		3415521556	103 MCMILLAN NO 1	BROOKFIELD	0.0	COLUMBIA GAS TRANSMI
8127177		3415521552	107 NEDERER NO 1	HOWLAND	0.0	COLUMBIA GAS TRANSMI
8127177		3415521552	103 NEDERER NO 1	HOWLAND	0.0	COLUMBIA GAS TRANSMI
8127165		3415521352	107 MICHALEC NO 1	FOWLER	12.0	COLUMBIA GAS TRANSMI
8127165		3415521352	103 MICHALEC NO 1	FOWLER	12.0	COLUMBIA GAS TRANSMI
8127170		3415521384	107 MORGAN-PARMION NO 1	BROOKFIELD	0.0	COLUMBIA GAS TRANSMI
8127170		3415521384	103 MORGAN-PARMION NO 1	BROOKFIELD	0.0	COLUMBIA GAS TRANSMI
8127182		3415515950	107 PAULLY UNIT NO 1	JOHNSTON	0.0	COLUMBIA GAS TRANSMI
8127182		3415515950	103 PAULLY UNIT NO 1	JOHNSTON	0.0	COLUMBIA GAS TRANSMI
8127176		3415521542	107 POLLOCK NO 1	BAZETTA	35.0	COLUMBIA GAS TRANSMI
8127176		3415521542	103 POLLOCK NO 1	BAZETTA	35.0	COLUMBIA GAS TRANSMI
8127185		3415521614	103 SANTUCCI NO 1	HARTFORD	0.0	
8127185		3415521614	107 SANTUCCI NO 1	HARTFORD	0.0	

-PARTLO OIL AND GAS COMPANY			RECEIVED: 04/23/81 JA: OH				
R127152		3415320843	107	A J BROOKS #1	COPELY	30.0	LIBBEY-OWENS-FORD CO
R127152		3415320843	103	A J BROOKS #1	COPELY	30.0	LIBBEY-OWENS-FORD CO
R127153		3415320844	107	A J BROOKS #2	COPELY	30.0	LIBBEY-OWENS-FORD CO
R127153		3415320844	103	A J BROOKS #2	COPELY	30.0	LIBBEY-OWENS-FORD CO
R127144		3415320710	107	A P LAFATCH #1	COPLEY	30.0	LIBBEY-OWENS-FORD CO
R127144		3415320710	103	A P LAFATCH #1	COPLEY	30.0	LIBBEY-OWENS-FORD CO
R126982		3410322344	107	A SMITH #1	SHARON	30.0	
R126982		3410322344	103	A SMITH #1	SHARON	30.0	
R127151		3415320788	107	AL SPALDING #1	COPLEY	20.0	LIBBEY-OWENS-FORD CO
R127151		3415320788	103	AL SPALDING #1	COPLEY	20.0	LIBBEY-OWENS-FORD CO
R126975		3410322308	107	BRYAN UNIT #1	SHARON	30.0	
R126975		3410322308	103	BRYAN UNIT #1	SHARON	30.0	
R126970		3410322225	107	CRABTREE UNIT #2	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126970		3410322225	103	CRABTREE UNIT #2	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126974		3410322304	107	GERALD GRINDLE #1	SHARON	30.0	
R126974		3410322304	103	GERALD GRINDLE #1	SHARON	30.0	
R127150		3415320779	107	GREGORY UNIT #1	COPLEY	30.0	EAST OHIO GAS CO
R127150		3415320779	103	GREGORY UNIT #1	COPLEY	30.0	EAST OHIO GAS CO
R127147		3415320728	107	HESLOP INC #1	TALLMADGE	30.0	LIBBEY-OWENS-FORD CO
R127147		3415320728	103	HESLOP INC #1	TALLMADGE	30.0	LIBBEY-OWENS-FORD CO
R127148		3415320729	107	HESLOP INC #2	TALLMADGE	30.0	LIBBEY-OWENS-FORD CO
R127148		3415320729	103	HESLOP INC #2	TALLMADGE	30.0	LIBBEY-OWENS-FORD CO
R126972		3410322256	107	JESSEE TUCKER #2	WADSWORTH	30.0	
R126972		3410322256	103	JESSEE TUCKER #2	WADSWORTH	30.0	
R126980		3410322341	107	JOSEPH MARRONE #1	SHARON	30.0	
R126980		3410322341	103	JOSEPH MARRONE #1	SHARON	30.0	
R126981		3410322342	107	JOSEPH MARRONE #2	SHARON	30.0	
R126981		3410322342	103	JOSEPH MARRONE #2	SHARON	30.0	
R126983		3410322347	107	M NAGY #1	SHARON	30.0	
R126983		3410322347	103	M NAGY #1	SHARON	30.0	
R126968		3410322199	107	MEEKER UNIT #1	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126968		3410322199	103	MEEKER UNIT #1	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126984		3410322463	107	N OLSEN UNIT #1	SHARON	30.0	
R126984		3410322463	103	N OLSEN UNIT #1	SHARON	30.0	
R127145		3415320721	107	R COX #1	COPELY	30.0	EAST OHIO GAS CO
R127145		3415320721	103	R COX #1	COPELY	30.0	EAST OHIO GAS CO
R127149		3415320740	107	R COX #2	COPELY	30.0	EAST OHIO GAS CO
R127149		3415320740	103	R COX #2	COPELY	30.0	EAST OHIO GAS CO
R126977		3410322316	107	REX STEIN #1	SHARON	30.0	
R126977		3410322316	103	REX STEIN #1	SHARON	30.0	
R126979		3410322335	107	RICHARD LAVERY #1	SHARON	30.0	
R126979		3410322335	103	RICHARD LAVERY #1	SHARON	30.0	
R126971		3410322233	107	RININGER UNIT #1	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126971		3410322233	103	RININGER UNIT #1	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126978		3410322319	107	SLAFAUGH UNIT #1	SHARON	30.0	
R126978		3410322319	103	SLAFAUGH UNIT #1	SHARON	30.0	
R126976		3410322315	107	SNYDER UNIT #1	SHARON	30.0	
R126976		3410322315	103	SNYDER UNIT #1	SHARON	30.0	
R127146		3415320772	107	WILLIAM WESCHE #1	COPELY	20.0	LIBBEY-OWENS-FORD CO
R127146		3415320772	103	WILLIAM WESCHE #1	COPELY	20.0	LIBBEY-OWENS-FORD CO
R126969		3410322217	107	WRENCH UNIT #1	SHARON	30.0	LIBBEY-OWENS-FORD CO
R126969		3410322217	103	WRENCH UNIT #1	SHARON	30.0	LIBBEY-OWENS-FORD CO

-BEREA OIL AND GAS CORPORATION				RECEIVED: 04/23/81 JA: OH			
8127060		3411925432	107	ALEXANDER #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127060		3411925432	103	ALEXANDER #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127012		3411924958	107	BALL #2	RICH HILL	36.0	COLUMBIA GAS TRANSMI
8127012		3411924958	103	BALL #2	RICH HILL	36.0	COLUMBIA GAS TRANSMI
8126998		3411924818	103	BARNES #2	RICH HILL	15.0	COLUMBIA GAS TRANSMI
8126998		3411924818	107	BARNES #2	RICH HILL	15.0	COLUMBIA GAS TRANSMI
8127054		3411925411	107	BARNES #3	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127054		3411925411	103	BARNES #3	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127055		3411925412	107	BARNES #4	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127055		3411925412	103	BARNES #4	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127062		3411925437	107	BRILL #3	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127062		3411925437	103	BRILL #3	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127063		3411925440	107	BRILL #4	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127063		3411925440	103	BRILL #4	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127011		3411924957	107	CAIN #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127011		3411924957	103	CAIN #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127010		3411924956	107	CAIN #2	RICH HILL	120.0	COLUMBIA GAS TRANSMI
8127010		3411924956	103	CAIN #2	RICH HILL	120.0	COLUMBIA GAS TRANSMI
8127009		3411924955	107	CAIN #3	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127009		3411924955	103	CAIN #3	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127033		3411925063	107	CAIN #4	RICH HILL	8.0	COLUMBIA GAS TRANSMI
8127033		3411925063	103	CAIN #4	RICH HILL	8.0	COLUMBIA GAS TRANSMI
8127061		3411925436	107	FRICK #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127061		3411925436	103	FRICK #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127000		3411924820	107	HERRON #1	RICH HILL	21.6	COLUMBIA GAS TRANSMI
8127000		3411924820	103	HERRON #1	RICH HILL	21.6	COLUMBIA GAS TRANSMI
8127001		3411924825	107	HERRON UNIT #2	RICH HILL	7.2	COLUMBIA GAS TRANSMI
8127001		3411924825	103	HERRON UNIT #2	RICH HILL	7.2	COLUMBIA GAS TRANSMI
8126997		3411924817	107	MCCONAHA #1	RICH HILL	18.3	COLUMBIA GAS TRANSMI
8126997		3411924817	103	MCCONAHA #1	RICH HILL	18.3	COLUMBIA GAS TRANSMI
8126999		3411924819	107	MCCONAHA UNIT #2	RICH HILL	14.6	COLUMBIA GAS TRANSMI
8126999		3411924819	103	MCCONAHA UNIT #2	RICH HILL	14.6	COLUMBIA GAS TRANSMI
8127065		3411925456	107	MENZIE #1	RICH HILL	0.0	COLUMBIA GAS TRANSMI
8127065		3411925456	103	MENZIE #1	RICH HILL	0.0	COLUMBIA GAS TRANSMI
8127014		3411924960	107	MILLER ET AL #2	RICH HILL	36.0	COLUMBIA GAS TRANSMI
8127014		3411924960	103	MILLER ET AL #2	RICH HILL	36.0	COLUMBIA GAS TRANSMI
8127013		3411924959	107	MILLER ET AL #4	RICH HILL	24.0	COLUMBIA GAS TRANSMI
8127013		3411924959	103	MILLER ET AL #4	RICH HILL	24.0	COLUMBIA GAS TRANSMI
8127167		3415521356	107	MURCKO #1	BROOKFIELD	10.0	COLUMBIA GAS TRANSMI
8127167		3415521356	103	MURCKO #1	BROOKFIELD	10.0	COLUMBIA GAS TRANSMI
8127166		3415521354	107	MURCKO #3	BROOKFIELD	2.0	COLUMBIA GAS TRANSMI
8127166		3415521354	103	MURCKO #3	BROOKFIELD	2.0	COLUMBIA GAS TRANSMI
8127168		3415521376	107	PUGH #1	BROOKFIELD	1.0	COLUMBIA GAS TRANSMI
8127168		3415521376	103	PUGH #1	BROOKFIELD	1.0	COLUMBIA GAS TRANSMI
8127169		3415521377	107	PUGH #2	BROOKFIELD	1.0	COLUMBIA GAS TRANSMI
8127169		3415521377	103	PUGH #2	BROOKFIELD	1.0	COLUMBIA GAS TRANSMI
8127173		3415521442	107	PUGH #3	BROOKFIELD	1.0	COLUMBIA GAS TRANSMI
8127173		3415521442	103	PUGH #3	BROOKFIELD	1.0	COLUMBIA GAS TRANSMI
8127035		3411925215	107	ST CLAIR - CREEL UNIT #1A	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127035		3411925215	103	ST CLAIR - CREEL UNIT #1A	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127056		3411925414	107	WOLFF #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI
8127056		3411925414	103	WOLFF #1	RICH HILL	1.0	COLUMBIA GAS TRANSMI

[illegible]	[illegible]	[illegible]	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
-BUCKEYE OIL PRODUCING CO				RECEIVED: 04/23/81 JA: OH			
8127123		3415123103	107	BOWERS #2	LAKE	20.0	EAST OHIO GAS CO
8127123		3415123103	103	BOWERS #2	LAKE	20.0	EAST OHIO GAS CO
8126958		3409921231	107	E DALE COOK #1	BERLIN	18.0	COLUMBIA GAS TRANSMI
8126958		3409921231	103	E DALE COOK #1	BERLIN	18.0	COLUMBIA GAS TRANSMI
8127098		3413322035	107	LAYNE #1	DEERFIELD	21.0	EAST OHIO GAS CO
8127098		3413322035	103	LAYNE #1	DEERFIELD	21.0	EAST OHIO GAS CO
8127108		3413322219	107	LAYNE #2	DEERFIELD	15.0	EAST OHIO GAS CO
8127108		3413322219	103	LAYNE #2	DEERFIELD	15.0	EAST OHIO GAS CO
8127156		3416922313	107	RALPH HOSTETLER #1	GREEN	12.0	EAST OHIO GAS CO
8127156		3416922313	103	RALPH HOSTETLER #1	GREEN	12.0	EAST OHIO GAS CO
8126959		3409921232	107	RICHARD B MARSHALL #1	BERLIN	20.0	COLUMBIA GAS TRANSMI
8126959		3409921232	103	RICHARD B MARSHALL #1	BERLIN	20.0	COLUMBIA GAS TRANSMI
8127130		3415123280	107	ROBERT EAVER #1	LAKE	16.0	EAST OHIO GAS CO
8127130		3415123280	103	ROBERT EAVER #1	LAKE	16.0	EAST OHIO GAS CO
8127160		3416922447	107	S & K BEERY #1	MILTON	16.0	COLUMBIA GAS TRANSMI
8127160		3416922447	103	S & K BEERY #1	MILTON	16.0	COLUMBIA GAS TRANSMI
8127159		3416922428	107	W & V NEUENSCHWANDER #2	SUGARCREEK	25.0	COLUMBIA GAS TRANSMI
8127159		3416922428	103	W & V NEUENSCHWANDER #2	SUGARCREEK	25.0	COLUMBIA GAS TRANSMI
8126961		3409921242	107	WILLIAM FRANCIS #1	GOSHEN	16.0	COLUMBIA GAS TRANSMI
8126961		3409921242	103	WILLIAM FRANCIS #1	GOSHEN	16.0	COLUMBIA GAS TRANSMI
-CHARLES L WOOD				RECEIVED: 04/23/81 JA: OH			
8126933		3405922632	107	WOOD #1	MONROE	12.0	COLUMBIA GAS TRANSMI
8126933		3405922632	103	WOOD #1	MONROE	12.0	COLUMBIA GAS TRANSMI
-DISCOVERY OIL LTD				RECEIVED: 04/23/81 JA: OH			
8127162		3416922477	107	#1 JENNIE MCCLELLAND	CHIPPEWA	300.0	EAST OHIO GAS CO
8127162		3416922477	103	#1 JENNIE MCCLELLAND	CHIPPEWA	300.0	EAST OHIO GAS CO
8127161		3416922463	107	#1 JOHN MISURA	CHIPPEWA	775.0	EAST OHIO GAS CO
8127161		3416922463	103	#1 JOHN MISURA	CHIPPEWA	775.0	EAST OHIO GAS CO
-ENERGY DEVELOPMENT CORP				RECEIVED: 04/23/81 JA: OH			
8127158		3416922367	103	CANANKAMP WELL #1	PLAIN	16.0	COLUMBIA GAS TRANSMI
8127158		3416922367	107	CANANKAMP WELL #1	PLAIN	16.0	COLUMBIA GAS TRANSMI
8126895		3400721507	107	CHAMBERS WELL #1	NEW LYME	22.0	EAST OHIO GAS CO
8126895		3400721507	103	CHAMBERS WELL #1	NEW LYME	22.0	EAST OHIO GAS CO
8126888		3400721381	107	DEAN WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126888		3400721381	103	DEAN WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126889		3400721386	107	FORRISTAL WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126889		3400721386	103	FORRISTAL WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126883		3400721362	107	M L BEER WELL #1	ORWELL	20.0	EAST OHIO GAS CO
8126883		3400721362	103	M L BEER WELL #1	ORWELL	20.0	EAST OHIO GAS CO
8126884		3400721363	107	M L BEER WELL #2	ORWELL	20.0	EAST OHIO GAS CO
8126884		3400721363	103	M L BEER WELL #2	ORWELL	20.0	EAST OHIO GAS CO
8126880		3400721359	107	MORRISON WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126880		3400721359	103	MORRISON WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126891		3400721414	107	MORRISON WELL #2	NEW LYME	20.0	EAST OHIO GAS CO
8126891		3400721414	103	MORRISON WELL #2	NEW LYME	20.0	EAST OHIO GAS CO
8126881		3400721360	103	SAWICKI WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126881		3400721360	107	SAWICKI WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126882		3400721361	107	SAWICKI WELL #2	NEW LYME	25.0	EAST OHIO GAS CO
8126882		3400721361	103	SAWICKI WELL #2	NEW LYME	25.0	EAST OHIO GAS CO
8126890		3400721413	107	SAWICKI WELL #3	NEW LYME	25.0	EAST OHIO GAS CO
8126890		3400721413	103	SAWICKI WELL #3	NEW LYME	25.0	EAST OHIO GAS CO

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	FIELD NAME	PROD	PURCHASER
8126893		3400721480	107	SCHWANDT WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126893		3400721480	103	SCHWANDT WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126894		3400721492	107	SCHWANDT WELL #2	NEW LYME	20.0	EAST OHIO GAS CO
8126894		3400721492	103	SCHWANDT WELL #2	NEW LYME	20.0	EAST OHIO GAS CO
8126892		3400721415	107	STOKES WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126892		3400721415	103	STOKES WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8126885		3400721364	107	WALTER PIETRASZ WELL #1	ORWELL	20.0	EAST OHIO GAS CO
8126885		3400721364	103	WALTER PIETRASZ WELL #1	ORWELL	20.0	EAST OHIO GAS CO
8126886		3400721365	107	WALTER PIETRASZ WELL #2	ORWELL	20.0	EAST OHIO GAS CO
8126886		3400721365	103	WALTER PIETRASZ WELL #2	ORWELL	20.0	EAST OHIO GAS CO
8126887		3400721366	107	WALTER PIETRASZ WELL #3	ORWELL	23.0	EAST OHIO GAS CO
8126887		3400721366	103	WALTER PIETRASZ WELL #3	ORWELL	23.0	EAST OHIO GAS CO
-FORAKER PRODUCING COMPANY INC				RECEIVED: 04/23/81 JA: OH			
8127093		3412724856	107	MARLOW #3	HARRISON	8.0	
8127093		3412724856	103	MARLOW #3	HARRISON	8.0	
8127092		3412724858	107	MCELWEE #4	HARRISON	8.0	
8127092		3412724858	103	MCELWEE #4	HARRISON	8.0	
-GASEARCH INC				RECEIVED: 04/23/81 JA: OH			
8126955		3409921208	107	CITY OF YOUNGSTOWN #1	MILTON	100.0	COLUMBIA GAS TRANSMI
8126955		3409921208	103	CITY OF YOUNGSTOWN #1	MILTON	100.0	COLUMBIA GAS TRANSMI
8126956		3409921209	107	CITY OF YOUNGSTOWN #2	MILTON	100.0	COLUMBIA GAS TRANSMI
8126956		3409921209	103	CITY OF YOUNGSTOWN #2	MILTON	100.0	COLUMBIA GAS TRANSMI
8127186		3415521627	107	HAWLEY #1	VIENNA	20.0	EAST OHIO GAS CO
8127186		3415521627	103	HAWLEY #1	VIENNA	20.0	EAST OHIO GAS CO
8127181		3415521593	107	KINAST #1	LIBERTY	20.0	COLUMBIA GAS TRANSMI
8127181		3415521593	103	KINAST #1	LIBERTY	20.0	COLUMBIA GAS TRANSMI
8127172		3415521438	107	KLEASE #1	VIENNA	20.0	EAST OHIO GAS CO
8127172		3415521438	103	KLEASE #1	VIENNA	20.0	EAST OHIO GAS CO
8127174		3415521447	107	KLEASE #2	VIENNA	20.0	EAST OHIO GAS CO
8127174		3415521447	103	KLEASE #2	VIENNA	20.0	EAST OHIO GAS CO
8127184		3415521606	107	KLEASE #3	VIENNA	20.0	EAST OHIO GAS CO
8127184		3415521606	103	KLEASE #3	VIENNA	20.0	EAST OHIO GAS CO
8126954		3409921185	107	MASTERNICK #1	MILTON	100.0	COLUMBIA GAS TRANSMI
8126954		3409921185	103	MASTERNICK #1	MILTON	100.0	COLUMBIA GAS TRANSMI
8127175		3415521520	107	YOUNGSTOWN AIRPORT #4	VIENNA	20.0	COLUMBIA GAS TRANSMI
8127175		3415521520	103	YOUNGSTOWN AIRPORT #4	VIENNA	20.0	COLUMBIA GAS TRANSMI
8127183		3415521556	107	YOUNGSTOWN AIRPORT #6	VIENNA	20.0	COLUMBIA GAS TRANSMI
8127183		3415521556	103	YOUNGSTOWN AIRPORT #6	VIENNA	20.0	COLUMBIA GAS TRANSMI
-GEO ENERGY INC				RECEIVED: 04/23/81 JA: OH			
8127007		3411924910	103	BISSONNETTE #1	MONROE	4.0	
8127007		3411924910	107	BISSONNETTE #1	MONROE	4.0	
8126973		3410322289	103	DOHODA #3-1-1	LIVERPOOL	14.5	
8126973		3410322289	107	DOHODA #3-1-1	LIVERPOOL	14.5	
8127006		3411924903	103	GEORGE ALFMAN #3	UNION	4.0	
8127006		3411924903	107	GEORGE ALFMAN #3	UNION	4.0	
8127081		3412724513	103	HARRY KELBER #1	SALT LICK	6.0	
8127081		3412724513	107	HARRY KELBER #1	SALT LICK	6.0	
8127048		3411925322	107	J WHITE #2-1	UNION	5.0	
8127048		3411925322	103	J WHITE #2-1	UNION	5.0	
8126995		3411924566	107	KENNETH W & EMOGENE R MOSSHOLDER #1	HIGHLAND	15.0	
8126995		3411924566	103	KENNETH W & EMOGENE R MOSSHOLDER #1	HIGHLAND	15.0	
8127017		3411925016	103	MOSSHOLDER #2	HIGHLAND	15.0	
8127017		3411925016	107	MOSSHOLDER #2	HIGHLAND	15.0	

JURIS	JUDGMENT	DOCKET NO.	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8126991		3411924174	107	MYER #1	HIGHLAND	16.0	
8126991		3411924174	103	MYER #1	HIGHLAND	16.0	
8127016		3411925014	103	STOOPS #1	HIGHLAND	4.0	
8127016		3411925014	107	STOOPS #1	HIGHLAND	4.0	
8127029		3411950380	103	THEODORE P KING #1-G	HIGHLAND	14.0	
8127029		3411950380	107	THEODORE P KING #1-G	HIGHLAND	14.0	
8127028		3411925035	103	WALTER CHESS JR #2	UNION	10.0	
8127028		3411925035	107	WALTER CHESS JR #2	UNION	10.0	
-GUERNSEY PETROLEUM CORPORATION				RECEIVED: 04/23/81 JA: OH			
8127069		3412122185	103	DUDLEY-BROWN #1MH	NOBLE	5.0	EAST OHIO GAS CO
8127069		3412122185	107	DUDLEY-BROWN #1MH	NOBLE	5.0	EAST OHIO GAS CO
8127068		3412122180	103	KUNTZ 2MH	SHARON	11.0	EAST OHIO GAS CO
8127068		3412122180	107	KUNTZ 2MH	SHARON	11.0	EAST OHIO GAS CO
8127008		3411924920	103	OHIO POWER 49MH	MEIGS	19.0	EAST OHIO GAS CO
8127008		3411924920	107	OHIO POWER 49MH	MEIGS	19.0	EAST OHIO GAS CO
8127077		3412122218	103	OHIO POWER 51MH	BROOKFIELD	10.0	EAST OHIO GAS CO
8127077		3412122218	107	OHIO POWER 51MH	BROOKFIELD	10.0	EAST OHIO GAS CO
8127076		3412122215	103	OHIO POWER 53MH	BROOKFIELD	28.0	EAST OHIO GAS CO
8127076		3412122215	107	OHIO POWER 53MH	BROOKFIELD	28.0	EAST OHIO GAS CO
8127027		3411925039	103	OHIO POWER 54MH	MEIGS	75.0	EAST OHIO GAS CO
8127027		3411925039	107	OHIO POWER 54MH	MEIGS	75.0	EAST OHIO GAS CO
-IRVIN PRODUCING COMPANY				RECEIVED: 04/23/81 JA: OH			
8127086		3412724518	103	ANNA HAYNAL #1	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127086		3412724518	107	ANNA HAYNAL #1	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127088		3412724521	103	ANNA HAYNAL #2	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127088		3412724521	107	ANNA HAYNAL #2	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127087		3412724519	103	ANNA HAYNAL #3	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127087		3412724519	107	ANNA HAYNAL #3	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127042		3411925300	103	BERNICE BAIRD #1	HOPEWELL	8.0	NATIONAL GAS & OIL C
8127042		3411925300	107	BERNICE BAIRD #1	HOPEWELL	8.0	NATIONAL GAS & OIL C
8127041		3411925299	103	BERNICE BAIRD #2	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127041		3411925299	107	BERNICE BAIRD #2	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127050		3411925350	103	BOYSE & EPPLEY #1	WAYNE	10.0	NATIONAL GAS & OIL C
8127050		3411925350	107	BOYSE & EPPLEY #1	WAYNE	10.0	NATIONAL GAS & OIL C
8127053		3411925403	103	BRYCE W WATT #1	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127053		3411925403	107	BRYCE W WATT #1	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127015		3411924978	103	CHARLES FRICK #1	WAYNE	8.0	NATIONAL GAS & OIL C
8127015		3411924978	107	CHARLES FRICK #1	WAYNE	8.0	NATIONAL GAS & OIL C
8127044		3411925302	103	CHRISTAIN HECKEL #1	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127044		3411925302	107	CHRISTAIN HECKEL #1	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127043		3411925301	103	CHRISTAIN HECKEL #2	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127043		3411925301	107	CHRISTAIN HECKEL #2	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127031		3411925056	103	EARL WINN #1	BRUSH CREEK	12.0	NATIONAL GAS & OIL C
8127031		3411925056	107	EARL WINN #1	BRUSH CREEK	12.0	NATIONAL GAS & OIL C
8127030		3411925055	103	EARL WINN #2	BRUSH CREEK	12.0	NATIONAL GAS & OIL C
8127030		3411925055	107	EARL WINN #2	BRUSH CREEK	12.0	NATIONAL GAS & OIL C
8127064		3411925452	103	FRED GUTRIDGE #1	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127064		3411925452	107	FRED GUTRIDGE #1	HOPEWELL	10.0	NATIONAL GAS & OIL C
8126996		3411924804	103	FRED LENHART #1	HOPEWELL	8.0	NATIONAL GAS & OIL C
8126996		3411924804	107	FRED LENHART #1	HOPEWELL	8.0	NATIONAL GAS & OIL C
8127094		3412724860	103	GAZEL TOKIE #2	SALT LICK	10.0	COLUMBIA GAS TRANSMI
8127094		3412724860	107	GAZEL TOKIE #2	SALT LICK	10.0	COLUMBIA GAS TRANSMI

JD NO	JURIST	API NO	SEC D	WELL NAME	FIELD NAME	PROD	PURCHASER
8127095		3412724861	103	GAZEL TOKIE #3	SALT LICK	10.0	COLUMBIA GAS TRANSMI
8127095		3412724861	107	GAZEL TOKIE #3	SALT LICK	10.0	COLUMBIA GAS TRANSMI
8127057		3411925422	103	HAROLD BLAKE #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127057		3411925422	107	HAROLD BLAKE #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127024		3411925028	103	HENRY JAMES #1	SPRINGFIELD	12.0	NATIONAL GAS & OIL C
8127024		3411925028	107	HENRY JAMES #1	SPRINGFIELD	12.0	NATIONAL GAS & OIL C
8127018		3411925022	103	HERMAN SOLLER #1	WAYNE	12.0	NATIONAL GAS & OIL C
8127018		3411925022	107	HERMAN SOLLER #1	WAYNE	12.0	NATIONAL GAS & OIL C
8127045		3411925303	103	JAMES ECK #3	SALT CREEK	10.0	NATIONAL GAS & OIL C
8127045		3411925303	107	JAMES ECK #3	SALT CREEK	10.0	NATIONAL GAS & OIL C
8127090		3412724524	103	KERMIT HOPE #1	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127090		3412724524	107	KERMIT HOPE #1	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127026		3411925030	103	LEO ROBERTS #1	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127026		3411925030	107	LEO ROBERTS #1	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127025		3411925029	103	LEO ROBERTS #2	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127025		3411925029	107	LEO ROBERTS #2	HOPEWELL	10.0	NATIONAL GAS & OIL C
8127019		3411925023	103	LOREN CAMP #1	WASHINGTON	12.0	COLUMBIA GAS TRANSMI
8127019		3411925023	107	LOREN CAMP #1	WASHINGTON	12.0	COLUMBIA GAS TRANSMI
8127020		3411925024	103	LOREN CAMP #2	WASHINGTON	12.0	COLUMBIA GAS TRANSMI
8127020		3411925024	107	LOREN CAMP #2	WASHINGTON	12.0	COLUMBIA GAS TRANSMI
8127049		3411925349	103	MARY AND RICHARD LEASURE #2	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127049		3411925349	107	MARY AND RICHARD LEASURE #2	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127058		3411925423	103	MCHUGH #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127058		3411925423	107	MCHUGH #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127059		3411925425	103	MCHUGH #3	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127059		3411925425	107	MCHUGH #3	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127078		3412724470	103	MYRTLE SPERGIN #1	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127078		3412724470	107	MYRTLE SPERGIN #1	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127079		3412724471	103	MYRTLE SPERGIN #2	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127079		3412724471	107	MYRTLE SPERGIN #2	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127080		3412724472	103	MYRTLE SPERGIN #3	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127080		3412724472	107	MYRTLE SPERGIN #3	SALT LICK	12.0	COLUMBIA GAS TRANSMI
8127047		3411925306	103	ORVILLE MILLER #1	WAYNE	10.0	NATIONAL GAS & OIL C
8127047		3411925306	107	ORVILLE MILLER #1	WAYNE	10.0	NATIONAL GAS & OIL C
8127089		3412724522	103	RICHARD HOUK #1	MONROE	12.0	COLUMBIA GAS TRANSMI
8127089		3412724522	107	RICHARD HOUK #1	MONROE	12.0	COLUMBIA GAS TRANSMI
8127096		3412724864	103	RICHARD HOUK #2	MONROE	10.0	COLUMBIA GAS TRANSMI
8127096		3412724864	107	RICHARD HOUK #2	MONROE	10.0	COLUMBIA GAS TRANSMI
8127022		3411925026	103	TIMOTHY KIMPLE #1	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127022		3411925026	107	TIMOTHY KIMPLE #1	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127021		3411925025	103	TIMOTHY KIMPLE #2	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127021		3411925025	107	TIMOTHY KIMPLE #2	NEWTON	10.0	COLUMBIA GAS TRANSMI
8127023		3411925027	103	TIMOTHY KIMPLE #3	NEWTON	12.0	COLUMBIA GAS TRANSMI
8127023		3411925027	107	TIMOTHY KIMPLE #3	NEWTON	12.0	COLUMBIA GAS TRANSMI
8127083		3412724515	103	WALTER PETTET #3	PLEASANT	10.0	COLUMBIA GAS TRANSMI
8127083		3412724515	107	WALTER PETTET #3	PLEASANT	10.0	COLUMBIA GAS TRANSMI
8127082		3412724514	103	WALTER PETTET #4	PLEASANT	10.0	COLUMBIA GAS TRANSMI
8127082		3412724514	107	WALTER PETTET #4	PLEASANT	10.0	COLUMBIA GAS TRANSMI
8127084		3412724516	103	WALTER PETTET #5	PLEASANT	12.0	COLUMBIA GAS TRANSMI
8127084		3412724516	107	WALTER PETTET #5	PLEASANT	12.0	COLUMBIA GAS TRANSMI
8127085		3412724517	103	WALTER PETTET #6	PLEASANT	10.0	COLUMBIA GAS TRANSMI
8127085		3412724517	107	WALTER PETTET #6	PLEASANT	10.0	COLUMBIA GAS TRANSMI
8127046		3411925305	103	WANDA HARRIS #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127046		3411925305	107	WANDA HARRIS #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C

JA NO	JA AT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8127052		3411925402	103	WILLIAM W HILL #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
8127052		3411925402	107	WILLIAM W HILL #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL C
-JANCO LTD PART 80-6				RECEIVED: 04/23/81 JA: OH			
8126918		3405520310	103	#1 BLAINE KAUFMAN ET AL	BURTON	650.0	EAST OHIO GAS CO
8126918		3405520310	107	#1 BLAINE KAUFMAN ET AL	BURTON	650.0	EAST OHIO GAS CO
8126919		3405520313	103	#2 BLAINE KAUFMAN ET AL	BURTON	650.0	EAST OHIO GAS CO
8126919		3405520313	107	#2 BLAINE KAUFMAN ET AL	BURTON	650.0	EAST OHIO GAS CO
-JOHN C MASON				RECEIVED: 04/23/81 JA: OH			
8126912		3403123866	103	JOHN MASON ETAL #1	CLARK	12.0	NATIONAL GAS CO
8126912		3403123866	107	JOHN MASON ETAL #1	CLARK	12.0	NATIONAL GAS CO
8126917		3403123988	103	JOHN MASON ETAL #2	CLARK	15.0	NATIONAL GAS CO
8126917		3403123988	107	JOHN MASON ETAL #2	CLARK	15.0	NATIONAL GAS CO
-KIMBELL PRODUCTION CO				RECEIVED: 04/23/81 JA: OH			
8126913		3403123908	103	DAUGHERTY #1	MILL CREEK	28.0	
8126913		3403123908	107	DAUGHERTY #1	MILL CREEK	28.0	
8126907		3403123586	103	KASER	MILL CREEK	28.0	
8126907		3403123586	107	KASER	MILL CREEK	28.0	
-L & M OPERATING INC				RECEIVED: 04/23/81 JA: OH			
8127091		3412724730	103	JOE H HUTT #1	READING	12.0	FORAKER GAS CO INC
8127091		3412724730	107	JOE H HUTT #1	READING	12.0	FORAKER GAS CO INC
-LANZER OIL CO				RECEIVED: 04/23/81 JA: OH			
8126964		3409921301	103	HAWKINS #1	SMITH	28.0	
8126964		3409921301	107	HAWKINS #1	SMITH	28.0	
8126899		3402920811	103	HOFER #1	KNOX	28.0	
8126899		3402920811	107	HOFER #1	KNOX	28.0	
8126896		3402920613	103	KANDEL #1	KNOX	28.0	
8126896		3402920613	107	KANDEL #1	KNOX	28.0	
8126965		3409921306	103	ROGERS- BAYLESS #1	SMITH	28.0	
8126965		3409921306	107	ROGERS- BAYLESS #1	SMITH	28.0	
8126902		3402902895	103	WALBORN #1	KNOX	28.0	
8126902		3402902895	107	WALBORN #1	KNOX	28.0	
-LOMAK PETROLEUM INC				RECEIVED: 04/23/81 JA: OH			
8127154		3415123143	103	J SMUCKER #1	TUSCARAWAS	20.0	COLUMBIA GAS TRANS C
8127154		3415123143	107	J SMUCKER #1	TUSCARAWAS	20.0	COLUMBIA GAS TRANS C
-MB OPERATING CO INC				RECEIVED: 04/23/81 JA: OH			
8127112		3415123015	103	R&M ROTTMAN U #1	TUSCARAWAS	73.2	REPUBLIC STEEL CORP
8127112		3415123015	107	R&M ROTTMAN U #1	TUSCARAWAS	73.2	REPUBLIC STEEL CORP
8127122		3415123068	103	RIXLER UNIT #1-A	BETHLEHEM	65.9	REPUBLIC STEEL CORP
8127122		3415123068	107	RIXLER UNIT #1-A	BETHLEHEM	65.9	REPUBLIC STEEL CORP
8127118		3415123050	103	C ROSE #1	SANDY	31.1	REPUBLIC STEEL CORP
8127118		3415123050	107	C ROSE #1	SANDY	31.1	REPUBLIC STEEL CORP
8127190		3415723376	103	EBERHART COAL INC U #1	LAWRENCE	32.9	REPUBLIC STEEL CORP
8127190		3415723376	107	EBERHART COAL INC U #1	LAWRENCE	32.9	REPUBLIC STEEL CORP
8127187		3415723289	103	ELIZ MARKLEY ESTATE #8	SANDY	12.8	REPUBLIC STEEL CORP
8127187		3415723289	107	ELIZ MARKLEY ESTATE #8	SANDY	12.8	REPUBLIC STEEL CORP
8127113		3415123019	103	H FIERSTOS #2	BETHLEHEM	43.9	REPUBLIC STEEL CORP
8127113		3415123019	107	H FIERSTOS #2	BETHLEHEM	43.9	REPUBLIC STEEL CORP
8127191		3415723377	103	HEID UNIT #1	LAWRENCE	128.1	REPUBLIC STEEL CORP
8127191		3415723377	107	HEID UNIT #1	LAWRENCE	128.1	REPUBLIC STEEL CORP
8127198		3415723432	103	HELWIG #1	DOVER	14.6	REPUBLIC STEEL CORP
8127198		3415723432	107	HELWIG #1	DOVER	14.6	REPUBLIC STEEL CORP
8127193		3415723379	103	J & C SEAMON #1	DOVER	11.0	REPUBLIC STEEL CORP
8127193		3415723379	107	J & C SEAMON #1	DOVER	11.0	REPUBLIC STEEL CORP

JD NO	JA PT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8127116		3415123040	103		MEHAFFIE #1	PLAIN	40.3	REPUBLIC STEEL CORP
8127116		3415123040	107		MEHAFFIE #1	PLAIN	40.3	REPUBLIC STEEL CORP
8127192		3415723378	103		NOTZ UNIT #1	LAWRENCE	14.6	REPUBLIC STEEL CORP
8127192		3415723378	107		NOTZ UNIT #1	LAWRENCE	14.6	REPUBLIC STEEL CORP
8127195		3415723421	103		R & D NEWTON UNIT #1	FAIRFIELD	14.6	REPUBLIC STEEL CORP
8127195		3415723421	107		R & D NEWTON UNIT #1	FAIRFIELD	14.6	REPUBLIC STEEL CORP
8127189		3415723375	103		T & F FELGENHAUER U #1	WARREN	18.3	REPUBLIC STEEL CORP
8127189		3415723375	107		T & F FELGENHAUER U #1	WARREN	18.3	REPUBLIC STEEL CORP
8127194		3415723386	103		WEIGAND UNIT #1	DOVER	27.5	REPUBLIC STEEL CORP
8127194		3415723386	107		WEIGAND UNIT #1	DOVER	27.5	REPUBLIC STEEL CORP
8127188		3415723352	103		WINDSOR UNIT #2	WARREN	25.6	REPUBLIC STEEL CORP
8127188		3415723352	107		WINDSOR UNIT #2	WARREN	25.6	REPUBLIC STEEL CORP
-MINUTEMAN EXPLORATION COMPANY					RECEIVED: 04/23/81 JA: OH			
8126987		3411521897	103		ELOISE MAUTZ #3	BLOOM	2.2	EAST OHIO GAS CO
8126987		3411521897	107		ELOISE MAUTZ #3	BLOOM	2.2	EAST OHIO GAS CO
8126989		3411521915	103		ELOISE MAUTZ #4	BLOOM	5.1	EAST OHIO GAS CO
8126989		3411521915	107		ELOISE MAUTZ #4	BLOOM	5.1	EAST OHIO GAS CO
8126986		3411521850	103		G L & F M FOX #2	BLOOM	2.2	EAST OHIO GAS CO
8126986		3411521850	107		G L & F M FOX #2	BLOOM	2.2	EAST OHIO GAS CO
8126985		3411521841	103		T D & V M ROBERTS #4	BLOOM	2.2	EAST OHIO GAS CO
8126985		3411521841	107		T D & V M ROBERTS #4	BLOOM	2.2	EAST OHIO GAS CO
-NEW FRONTIER EXPLORATION INC					RECEIVED: 04/23/81 JA: OH			
8127126		3415123188	103		ARVINE WOLF UNIT #1	BETHLEHEM	40.0	BARTLO OIL & GAS CO
8127126		3415123188	107		ARVINE WOLF UNIT #1	BETHLEHEM	40.0	BARTLO OIL & GAS CO
8126920		3405922435	103		B BLAINE LOWE #1	LIBERTY	26.0	EAST OHIO GAS CO
8126920		3405922435	107		B BLAINE LOWE #1	LIBERTY	26.0	EAST OHIO GAS CO
8126925		3405922500	103		B BLAINE LOWE #2	LIBERTY	40.0	EAST OHIO GAS CO
8126925		3405922500	107		B BLAINE LOWE #2	LIBERTY	40.0	EAST OHIO GAS CO
8127196		3415723423	103		BILLY HOFFMAN #1	JEFFERSON	12.0	EAST OHIO GAS CO
8127196		3415723423	107		BILLY HOFFMAN #1	JEFFERSON	12.0	EAST OHIO GAS CO
8127128		3415123193	103		BRUCKNER-CRUM UNIT #1	NIMISHILLEN	32.0	
8127128		3415123193	107		BRUCKNER-CRUM UNIT #1	NIMISHILLEN	32.0	
8127197		3415723426	103		DALLAS CLARKE #1	RUSH	28.0	EAST OHIO GAS CO
8127197		3415723426	107		DALLAS CLARKE #1	RUSH	28.0	EAST OHIO GAS CO
8127107		3413322170	103		DONALD MONTGOMERY #1	DEERFIELD	34.0	BARTLO OIL & GAS CO
8127107		3413322170	107		DONALD MONTGOMERY #1	DEERFIELD	34.0	BARTLO OIL & GAS CO
8127109		3413322388	103		DONALD MONTGOMERY #2	DEERFIELD	33.0	
8127109		3413322388	107		DONALD MONTGOMERY #2	DEERFIELD	33.0	
8126947		3406720352	103		EDIE-MUTH UNIT #1	MONROE	29.0	
8126947		3406720352	107		EDIE-MUTH UNIT #1	MONROE	29.0	
8127137		3415123399	103		F HENRY #1	WASHINGTON	28.0	
8127137		3415123399	107		F HENRY #1	WASHINGTON	28.0	
8127136		3415123398	103		F HENRY #2	WASHINGTON	32.0	
8127136		3415123398	107		F HENRY #2	WASHINGTON	32.0	
8127141		3415123407	103		F HENRY #3	WASHINGTON	32.0	
8127141		3415123407	107		F HENRY #3	WASHINGTON	32.0	
8127135		3415123369	103		FRED TABACCHI #2	NIMISHILLEN	32.0	
8127135		3415123369	107		FRED TABACCHI #2	NIMISHILLEN	32.0	
8126943		3405922759	103		FRED UMSTOTT #1	LIBERTY	38.0	BARTLO OIL & GAS CO
8126943		3405922759	107		FRED UMSTOTT #1	LIBERTY	38.0	BARTLO OIL & GAS CO
8126944		3405922760	103		FRED UMSTOTT #2	LIBERTY	35.0	BARTLO OIL & GAS CO
8126944		3405922760	107		FRED UMSTOTT #2	LIBERTY	35.0	BARTLO OIL & GAS CO
8127110		3415122926	103		GRIMES-GANSLEIN UNIT #1	WASHINGTON	26.0	COLUMBIA GAS OF OHIO
8127110		3415122926	107		GRIMES-GANSLEIN UNIT #1	WASHINGTON	26.0	COLUMBIA GAS OF OHIO

8126897		3402920743	103	H PETERSON #1	WEST	27.0		
8126897		3402920743	107	H PETERSON #1	WEST	27.0		
8126901		3402920814	103	J LAPP #1	WEST	32.0		
8126901		3402920814	107	J LAPP #1	WEST	32.0		
8126900		3402920812	103	J MILTON #1	WEST	27.0		
8126900		3402920812	107	J MILTON #1	WEST	27.0		
8126948		3406720400	103	J PALMER #1	MONROE	28.0		
8126948		3406720400	107	J PALMER #1	MONROE	28.0		
8126949		3406720401	103	J PALMER #2	MONROE	28.0		
8126949		3406720401	107	J PALMER #2	MONROE	28.0		
8127200		3415723466	103	JAMES FISHER #1	LAWRENCE	28.0	AMERICAN ENERGY SERV	
8127200		3415723466	107	JAMES FISHER #1	LAWRENCE	28.0	AMERICAN ENERGY SERV	
8127199		3415723464	103	LELAND COPE #1	LAWRENCE	30.0	AMERICAN ENERGY SERV	
8127199		3415723464	107	LELAND COPE #1	LAWRENCE	30.0	AMERICAN ENERGY SERV	
8126934		3405922638	103	LOUIS LINCH #1	CENTER	28.0		
8126934		3405922638	107	LOUIS LINCH #1	CENTER	28.0		
8127129		3415123215	103	MICHAEL BRUCKNER #1	NIMISHILLEN	29.0		
8127129		3415123215	107	MICHAEL BRUCKNER #1	NIMISHILLEN	29.0		
8127099		3413322057	103	MURPHY #1	DEERFIELD	35.0	EAST OHIO GAS CO	
8127099		3413322057	107	MURPHY #1	DEERFIELD	35.0	EAST OHIO GAS CO	
8127104		3413322084	103	MURPHY-BOIVIN UNIT #1	DEERFIELD	34.0	EAST OHIO GAS CO	
8127104		3413322084	107	MURPHY-BOIVIN UNIT #1	DEERFIELD	34.0	EAST OHIO GAS CO	
8127106		3413322134	103	MURPHY-BOIVIN UNIT #2	DEERFIELD	32.0	BARTLO OIL & GAS CO	
8127106		3413322134	107	MURPHY-BOIVIN UNIT #2	DEERFIELD	32.0	BARTLO OIL & GAS CO	
8127105		3413322133	103	MURPHY-WALTZ UNIT #1	DEERFIELD	25.0	BARTLO OIL & GAS CO	
8127105		3413322133	107	MURPHY-WALTZ UNIT #1	DEERFIELD	25.0	BARTLO OIL & GAS CO	
8127127		3415123192	103	PYLE-SWIFT UNIT #1	WASHINGTON	30.0		
8127127		3415123192	107	PYLE-SWIFT UNIT #1	WASHINGTON	30.0		
8126923		3405922476	103	R L SHEPHERD #1	LIBERTY	22.0	EAST OHIO GAS CO	
8126923		3405922476	107	R L SHEPHERD #1	LIBERTY	22.0	EAST OHIO GAS CO	
8127097		3413321226	103	ROSS-MONTGOMERY UNIT #1	DEERFIELD	30.0	BARTLO OIL & GAS CO	
8127097		3413321226	107	ROSS-MONTGOMERY UNIT #1	DEERFIELD	30.0	BARTLO OIL & GAS CO	
8127111		3415122968	103	RUSSELL PARRISH #1	WASHINGTON	24.0	COLUMBIA GAS OF OHIO	
8127111		3415122968	107	RUSSELL PARRISH #1	WASHINGTON	24.0	COLUMBIA GAS OF OHIO	
8127103		3413322072	103	S R S UNIT #1	DEERFIELD	30.0	EAST OHIO GAS CO	
8127103		3413322072	107	S R S UNIT #1	DEERFIELD	30.0	EAST OHIO GAS CO	
8127100		3413322069	103	S R S UNIT #2	DEERFIELD	35.0	EAST OHIO GAS CO	
8127100		3413322069	107	S R S UNIT #2	DEERFIELD	35.0	EAST OHIO GAS CO	
8127101		3413322070	103	S R S UNIT #3	DEERFIELD	32.0	BARTLO OIL & GAS CO	
8127101		3413322070	107	S R S UNIT #3	DEERFIELD	32.0	BARTLO OIL & GAS CO	
8127102		3413322071	103	S R S UNIT #4	DEERFIELD	35.0	BARTLO OIL & GAS CO	
8127102		3413322071	107	S R S UNIT #4	DEERFIELD	35.0	BARTLO OIL & GAS CO	
8126898		3402920804	103	SIMEON TIBREA #1	WEST	22.0		
8126898		3402920804	107	SIMEON TIBREA #1	WEST	22.0		
8126928		3405922564	103	WILLIAM ENOS #1	LIBERTY	28.0		
8126928		3405922564	107	WILLIAM ENOS #1	LIBERTY	28.0		
8126927		3405922563	103	WILLIAM ENOS #2	LIBERTY	34.0		
8126927		3405922563	107	WILLIAM ENOS #2	LIBERTY	34.0		
8126946		3405922797	103	WILLIAM ENOS #3	LIBERTY	26.0		
8126946		3405922797	107	WILLIAM ENOS #3	LIBERTY	26.0		
-OHIO NATURAL FUEL CO				RECEIVED: 04/23/81 JA: OH				
8126904		3403122926	103	CRIDER #1	CLARK	14.0	COLUMBIA GAS TRANSMI	
8126904		3403122926	107	CRIDER #1	CLARK	14.0	COLUMBIA GAS TRANSMI	

JS NO	JA UNT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8126967		3410322181	103		DOROTHY MILLER #1	LIVERPOOL	7.0	COLUMBIA GAS TRANSMI
8126967		3410322181	107		DOROTHY MILLER #1	LIVERPOOL	7.0	COLUMBIA GAS TRANSMI
8127155		3416922095	103		HODGEN #1	PLAIN	2.0	COLUMBIA GAS TRANSMI
8127155		3416922095	107		HODGEN #1	PLAIN	2.0	COLUMBIA GAS TRANSMI
8126915		3403123861	103		MACKENZIE #1	BETHLEHEM	20.0	COLUMBIA GAS TRANSMI
8126915		3403123861	107		MACKENZIE #1	BETHLEHEM	20.0	COLUMBIA GAS TRANSMI
8126916		3403123862	103		MACKENZIE #2	BETHLEHEM	20.0	COLUMBIA GAS TRANSMI
8126916		3403123862	107		MACKENZIE #2	BETHLEHEM	20.0	COLUMBIA GAS TRANSMI
8126966		3410322127	103		MASTNEY #1	LIVERPOOL	7.0	COLUMBIA GAS TRANSMI
8126966		3410322127	107		MASTNEY #1	LIVERPOOL	7.0	COLUMBIA GAS TRANSMI
8127157		3416922345	103		REDICK #4	CHESTER	30.0	COLUMBIA GAS TRANSMI
8127157		3416922345	107		REDICK #4	CHESTER	30.0	COLUMBIA GAS TRANSMI
-OHIO PARTNERS OIL CO					RECEIVED: 04/23/81 JA: OH			
8127040		3411925294	103		#1-80A KEFFER	HOPEWELL	50.0	NEWZANE GAS CO
8127040		3411925294	107		#1-80A KEFFER	HOPEWELL	50.0	NEWZANE GAS CO
-OXFORD OIL CO					RECEIVED: 04/23/81 JA: OH			
8126910		3403123684	103		C ASHCRAFT OR RUSSELL #1-C	BEDFORD	10.0	NATIONAL GAS & OIL C
8126910		3403123684	107		C ASHCRAFT OR RUSSELL #1-C	BEDFORD	10.0	NATIONAL GAS & OIL C
8126914		3403123837	103		CHARLES SELDERS #1	BEDFORD	10.0	NATIONAL GAS & OIL
8126914		3403123837	107		CHARLES SELDERS #1	BEDFORD	10.0	NATIONAL GAS & OIL
8127038	OX-3721	3411925270	103		DONALD HINA #1	NEWTON	10.0	NATIONAL GAS & OIL
8127038	OX-3721	3411925270	107		DONALD HINA #1	NEWTON	10.0	NATIONAL GAS & OIL
8127036	OX-3722	3411925243	103		EDGAR HINA #1	NEWTON	12.0	NATIONAL GAS & OIL
8127036	OX-3722	3411925243	107		EDGAR HINA #1	NEWTON	12.0	NATIONAL GAS & OIL
8126909		3403123609	103		FIVE SPRINGS FARM #2	BEDFORD	10.0	NATIONAL GAS & OIL C
8126909		3403123609	107		FIVE SPRINGS FARM #2	BEDFORD	10.0	NATIONAL GAS & OIL C
8127004		3411924901	103		FLOYD ANDERSON #1	CLAY	10.0	NATIONAL GAS & OIL C
8127004		3411924901	107		FLOYD ANDERSON #1	CLAY	10.0	NATIONAL GAS & OIL C
8127034		3411925196	103		FRED HARDESTY #2	UNION	10.0	COLUMBIA GAS TRANS
8127034		3411925196	107		FRED HARDESTY #2	UNION	10.0	COLUMBIA GAS TRANS
8127037	OX-3572	3411925244	103		GLEN WATERS #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL
8127037	OX-3572	3411925244	107		GLEN WATERS #1	SPRINGFIELD	10.0	NATIONAL GAS & OIL
8127039	OX-3817	3411925280	103		HERBERT BEARDSLEY #1	UNION	12.0	COLUMBIA GAS TRANS
8127039	OX-3817	3411925280	107		HERBERT BEARDSLEY #1	UNION	12.0	COLUMBIA GAS TRANS
8126903		3403122382	103		HILTON EPPLEY #1	CLARK	12.0	COLUMBIA GAS TRANS
8126903		3403122382	107		HILTON EPPLEY #1	CLARK	12.0	COLUMBIA GAS TRANS
8126988		3411522206	103		J KOMAROMY #1-A	YORK	10.0	COLUMBIA GAS TRANS
8126988		3411522206	107		J KOMAROMY #1-A	YORK	10.0	COLUMBIA GAS TRANS
8126908		3403123597	103		JOHN GRAHAM #4	VIRGINIA	10.0	NATIONAL GAS & OIL C
8126908		3403123597	107		JOHN GRAHAM #4	VIRGINIA	10.0	NATIONAL GAS & OIL C
8127005		3411924902	103		KINKADE-SWINGLE UNIT #2	WAYNE	9.0	NATIONAL GAS & OIL C
8127005		3411924902	107		KINKADE-SWINGLE UNIT #2	WAYNE	9.0	NATIONAL GAS & OIL C
8127002		3411924875	103		LOREN REED #1	PERRY	10.0	COLUMBIA GAS TRANS
8127002		3411924875	107		LOREN REED #1	PERRY	10.0	COLUMBIA GAS TRANS
8126990		3411923978	103		MELVIN DUTCHER #2	CLAY	10.0	NATIONAL GAS & OIL C
8126990		3411923978	107		MELVIN DUTCHER #2	CLAY	10.0	NATIONAL GAS & OIL C
8126994		3411924272	103		MURPHY FARM #2	PERRY	12.0	COLUMBIA GAS TRANS C
8126994		3411924272	107		MURPHY FARM #2	PERRY	12.0	COLUMBIA GAS TRANS C
8126906		3403123552	103		PAUL ROBINSON #1	BETHLEHEM	11.0	COLUMBIA GAS TRANS
8126906		3403123552	107		PAUL ROBINSON #1	BETHLEHEM	11.0	COLUMBIA GAS TRANS
8126992		3411924262	103		RICHARD WATSON #4	PERRY	9.0	COLUMBIA GAS TRANS
8126992		3411924262	107		RICHARD WATSON #4	PERRY	9.0	COLUMBIA GAS TRANS

8126993		3411924270	103	ROBERT CHANEY #3	PERRY		10.0	COLUMBIA GAS TRANS
8126993		3411924270	107	ROBERT CHANEY #3	PERRY		10.0	COLUMBIA GAS TRANS
8127003		3411924878	103	ROSS WISE #1	HOPEWELL		10.0	NATIONAL GAS & OIL
8127003		3411924878	107	ROSS WISE #1	HOPEWELL		10.0	NATIONAL GAS & OIL
8126905		3403123324	103	WALTER ADAMS #2	CLARK		9.0	COLUMBIA GAS TRANS C
8126905		3403123324	107	WALTER ADAMS #2	CLARK		9.0	COLUMBIA GAS TRANS C
8127032		3411925059	103	WALTER DERRY #1	NEWTON		10.0	NATIONAL GAS & OIL C
8127032		3411925059	107	WALTER DERRY #1	NEWTON		10.0	NATIONAL GAS & OIL C
-PETROLEUM ENERGY DEVELOPMENT CORP				RECEIVED: 04/23/81 JA: OH				
8127051		3411925380	103	JOHN REVENNAUGH #1	RICH HILL		30.0	
8127051		3411925380	107	JOHN REVENNAUGH #1	RICH HILL		30.0	
-POMINEX INC				RECEIVED: 04/23/81 JA: OH				
8126951		3409921002	103	AUGUSTAS C & ELSIE A RIGAS WELL #1	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126951		3409921002	107	AUGUSTAS C & ELSIE A RIGAS WELL #1	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126950		3409921001	103	AUGUSTUS C & ELSIE A RIGAS WELL #2	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126950		3409921001	107	AUGUSTUS C & ELSIE A RIGAS WELL #2	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126952		3409921038	103	RAY K & NELDA P ANDERSON WELL #1	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126952		3409921038	107	RAY K & NELDA P ANDERSON WELL #1	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126953		3409921040	103	RAY K & NELDA P ANDERSON WELL #3	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126953		3409921040	107	RAY K & NELDA P ANDERSON WELL #3	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126957		3409921227	103	ROBERT C & GRACE K MOFF WELL #1	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
8126957		3409921227	107	ROBERT C & GRACE K MOFF WELL #1	CANFIELD PROSPECT		20.0	REPUBLIC STEEL CORP
-ROWLEY & BROWN PETROLEUM CORP				RECEIVED: 04/23/81 JA: OH				
8126911		3403123762	103	BECK #1	CLARK		61.0	COLUMBIA GAS TRANSMI
8126911		3403123762	107	BECK #1	CLARK		61.0	COLUMBIA GAS TRANSMI
-SUPERIOR PETROLEUM SERVICES INC				RECEIVED: 04/23/81 JA: OH				
8126962		3409921271	103	BRICKER #3	GOSHEN		20.0	EAST OHIO GAS CO
8126962		3409921271	107	BRICKER #3	GOSHEN		20.0	EAST OHIO GAS CO
8126963		3409921272	103	MOTORCYCLE CLUB #1	GOSHEN		20.0	EAST OHIO GAS CO
8126963		3409921272	107	MOTORCYCLE CLUB #1	GOSHEN		20.0	EAST OHIO GAS CO
8126960		3409921241	103	OKEEFE #1	GOSHEN		20.0	EAST OHIO GAS CO
8126960		3409921241	107	OKEEFE #1	GOSHEN		20.0	EAST OHIO GAS CO
-TIGER OIL INC				RECEIVED: 04/23/81 JA: OH				
8126938		3405922688	103	KAPOLKA #1	VALLEY		0.0	COLUMBIA GAS TRANSMI
8126938		3405922688	107	KAPOLKA #1	VALLEY		0.0	COLUMBIA GAS TRANSMI
8126939		3405922689	103	KAPOLKA #2	VALLEY		0.0	COLUMBIA GAS TRANSMI
8126939		3405922689	107	KAPOLKA #2	VALLEY		0.0	COLUMBIA GAS TRANSMI
-TOWNER PETROLEUM CO				RECEIVED: 04/23/81 JA: OH				
8127067		3412122101	107	BEHM #1 PPG-65	WAYNE		0.0	
8127067		3412122101	103	BEHM #1 PPG-65	WAYNE		0.0	
8127072		3412122211	107	BIG C RANCH J-44	ENOCH		0.0	
8127072		3412122211	103	BIG C RANCH J-44	ENOCH		0.0	
8126945		3405922787	103	BLANEY #1	WILLS		0.0	
8126945		3405922787	107	BLANEY #1	WILLS		0.0	
8127066		3412122039	107	BURNS #1 PPG-66	WAYNE		0.0	
8127066		3412122039	103	BURNS #1 PPG-66	WAYNE		0.0	
8126940		3405922730	103	DAUNE BAMFIELD #1	CENTER		0.0	
8126940		3405922730	107	DAUNE BAMFIELD #1	CENTER		0.0	
8126922		3405922469	107	J HALE #1 W-58	LONDONBERRY		0.0	
8126922		3405922469	103	J HALE #1 W-58	LONDONBERRY		0.0	
8126930		3405922589	103	J TUCKER #1 W-57	MADISON		0.0	
8126930		3405922589	107	J TUCKER #1 W-57	MADISON		0.0	
8126929		3405922574	103	KELLER #3 J-93	JEFFERSON		0.0	
8126929		3405922574	107	KELLER #3 J-93	JEFFERSON		0.0	

[illegible]	[illegible]	[illegible]	[illegible]	WELL NAME	FIELD NAME	PROD	PURCHASER
8127071		3412122199	107	KRESS J-46	OLIVER	0.0	
8127071		3412122199	103	KRESS J-46	OLIVER	0.0	
8126942		3405922756	103	LARRICK/LATCHIC #1	CENTER TOWNSHIP	0.0	
8126942		3405922756	107	LARRICK/LATCHIC #1	CENTER TOWNSHIP	0.0	
8126921		3405922464	103	LINLEY #2 PPG-67	RICHLAND	0.0	
8126921		3405922464	107	LINLEY #2 PPG-67	RICHLAND	0.0	
8126924		3405922479	103	MCCORMICK USS-35 #2	CENTER	0.0	
8126924		3405922479	107	MCCORMICK USS-35 #2	CENTER	0.0	
8126931		3405922591	103	MULINIX J-91	WASHINGTON	0.0	
8126931		3405922591	107	MULINIX J-91	WASHINGTON	0.0	
8126932		3405922593	103	MULINIX-CARTER J-92	WASHINGTON	0.0	
8126932		3405922593	107	MULINIX-CARTER J-92	WASHINGTON	0.0	
8127073		3412122212	107	R CROCK #1 J-47	ENOCH	0.0	
8127073		3412122212	103	R CROCK #1 J-47	ENOCH	0.0	
8127074		3412122213	107	R CROCK #2 J-48	ENOCH	0.0	
8127074		3412122213	103	R CROCK #2 J-48	ENOCH	0.0	
8127075		3412122214	107	R CROCK #3 J-49	ENOCH	0.0	
8127075		3412122214	103	R CROCK #3 J-49	ENOCH	0.0	
8126936		3405922657	103	R LARRICK #2 USS-37	CENTER	0.0	
8126936		3405922657	107	R LARRICK #2 USS-37	CENTER	0.0	
8126926		3405922509	103	RAYMOND LARRICK #1 USS-34	CENTER	0.0	
8126926		3405922509	107	RAYMOND LARRICK #1 USS-34	CENTER	0.0	
8126935		3405922646	107	STEWART NICHOLS #2 W-59	MADISON	0.0	
8126935		3405922646	103	STEWART NICHOLS #2 W-59	MADISON	0.0	
8127070		3412122197	107	TONNOUS J-45	OLIVE	0.0	
8127070		3412122197	103	TONNOUS J-45	OLIVE	0.0	
8126941		3405922732	103	W LARRICK #3 USS-38	CENTER	0.0	
8126941		3405922732	107	W LARRICK #3 USS-38	CENTER	0.0	
8126937		3405922679	103	W LARRICK USS-36	CENTER	0.0	
8126937		3405922679	107	W LARRICK USS-36	CENTER	0.0	
-VIKING RESOURCES CORPORATION				RECEIVED: 04/23/81 JA: OH			
8127138		3415123403	107	DERENZO-FIMPLE UNIT #2	PARIS	30.0	
8127138		3415123403	103	DERENZO-FIMPLE UNIT #2	PARIS	30.0	
8127140		3415123406	107	FORESTER #3	PARIS	30.0	
8127140		3415123406	103	FORESTER #3	PARIS	30.0	
8127139		3415123404	107	H MILLER #1	PARIS	30.0	
8127139		3415123404	103	H MILLER #1	PARIS	30.0	
8127142		3415123410	107	MIKES-MILLER UNIT #1	PARIS	30.0	
8127142		3415123410	103	MIKES-MILLER UNIT #1	PARIS	30.0	
8127143		3415123411	107	MIKES-MILLER UNIT #2	PARIS	30.0	
8127143		3415123411	103	MIKES-MILLER UNIT #2	PARIS	30.0	
8127133		3415123343	107	MILLER-SMITH UNIT #3	PARIS	30.0	
8127133		3415123343	103	MILLER-SMITH UNIT #3	PARIS	30.0	
8127131		3415123305	107	SLAGLE UNIT #1	PARIS	30.0	
8127131		3415123305	103	SLAGLE UNIT #1	PARIS	30.0	
8127132		3415123337	107	SPEAKMAN UNIT #2	PARIS	30.0	
8127132		3415123337	103	SPEAKMAN UNIT #2	PARIS	30.0	
8127134		3415123363	107	WAYNE FARMS UNIT #3	PARIS	30.0	
8127134		3415123363	103	WAYNE FARMS UNIT #3	PARIS	30.0	

BILLING CODE 6450-01-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 (*) preceeding 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 within fifteen (15) days after the date of publication of this notice in the **Federal Register.**

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14636 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

Notice of Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 8, 1981.

JD NO	JA DAT	API NO	SEC T WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION						
-ADOBE OIL & GAS CORPORATION			RECEIVED: 04/17/81 JA: TX			
8126037		4213331005 102	WALKER NO 1	MANGUM NORTH (3200)	12.0	ODESSA NATURAL CORP
-AKERS AND FULTZ INC			RECEIVED: 04/17/81 JA: TX			
8126004	30103	4223700000 103	ROY CHERRYHOMES G-1	MARINA-MAG (CONGLOMERATE	360.0	CITIES SERVICE GAS C
-AMERICAN PETROFINA COMPANY OF TEXAS			RECEIVED: 04/17/81 JA: TX			
8126091	32065	4217531242 103	JABLONSKI UT WELL #2	BRANDT (2750)	24.0	TEXAS EASTERN TRANSM
-AMMEX PETROLEUM CORP			RECEIVED: 04/17/81 JA: TX			
8125961	28461	4214930505 102	BABE UNIT #1	GIDDINGS (AUSTIN CHALK G	108.7	CLAJON GAS CO
8125961	28461	4214930505 103	BABE UNIT #1	GIDDINGS (AUSTIN CHALK G	108.7	CLAJON GAS CO
-AMOCO PRODUCTION CO			RECEIVED: 04/17/81 JA: TX			
8126101	32101	4222732278 103	CORA LEE ECHOLS C #4	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
8125927	25623	4243530569 108	EDWIN S MAYER JR /G/#1	SAWYER/CANYON/	0.4	LONE STAR GAS CO
8125929	25651	4241330291 108	EDWIN S MAYER JR /L/#3	SAWYER/CANYON/	0.5	LONE STAR GAS CO.
8126062	31825	4200332442 103	FULLERTON SAN ANDRES UNIT #55	FULLERTON SAN ANDRES	11.0	AMOCO PRODUCTION CO
8126105	32111	4200332414 103	FULLERTON SAN ANDRES UNIT #61	FULLERTON SAN ANDRES	7.7	AMOCO PRODUCTION CO
8126041	31136	4234930917 102	INA K CARROLL OIL UNIT /C/ #1	CHENEYBORO/COTTON VALLEY	110.0	LONE STAR GAS CO
8126015	30277	4229732053 103	PEARL HARRIS A MACKHANK GAS UNIT #4	HARRIS/WILCOX-MACKHANK/	14.0	TRANSCONTINENTAL GAS
8125928	25625	4213730325 108	STANLEY B MAYFIELD #5	SAWYER/CANYON/	1.2	LONE STAR GAS CO
8126042	31137	4207330383 102	TEMPLE-EASTEX GAS UNIT WELL NO 1	WHITE OAK CREEK /TRAVIS	365.0	TEXAS UTILITIES FUEL
8126057	31703	4222731957 103	TEXAS LAND & MORTGAGE A R/A A #108	IATAN EAST (HOWARD)	0.4	GETTY OIL CO
-ARCO OIL AND GAS COMPANY			RECEIVED: 04/17/81 JA: TX			
8126107	32129	4200332519 103	EMMA COWDEN (26134) #91	EMMA	20.0	EL PASO NATURAL GAS
8126123	32176	4213133181 103	HAGIST RANCH A #14	HAGIST RANCH (WILCOX BAS	275.0	NATURAL GAS PIPELINE
8125879	18237	4213133941 103	PETERS A WELL #2	PETERS (1650)	50.0	VALERO TRANS CO
-ARGEE OIL COMPANY			RECEIVED: 04/17/81 JA: TX			
*8126152	32263	4210332384 103	J B TUBB A #1	SAND HILLS (MCKNIGHT)	2.7	WARREN PETROLEUM CO
*8126153	32264	4210332385 103	J B TUBB B #1	SAND HILLS (MCKNIGHT)	166.3	WARREN PETROLEUM CO
-ARIES PETROLEUM INC			RECEIVED: 04/17/81 JA: TX			
8126106	32123	4213332335 103	D A THOMPSON #1 (16653)	FOSTER (MARBLE FALLS)	7.0	ODESSA NATURAL CORP
-ART MACHIN & ASSOCIATES INC			RECEIVED: 04/17/81 JA: TX			
8126005	30112	4240130932 102	DORSEY ESTATE NO 1	HENDERSON NORTH (COTTON	350.0	UNITED GAS PIPE LINE
8126005	30112	4240130932 103	DORSEY ESTATE NO 1	HENDERSON NORTH (COTTON	350.0	UNITED GAS PIPE LINE
-AZTEC GAS SYSTEMS INC			RECEIVED: 04/17/81 JA: TX			
8126026	30757	4210500000 108	SHANNON ESTATE #1	TODD NW (SAN ANDRES)	15.0	EL PASO NATURAL GAS
-B J GIERHART INC			RECEIVED: 04/17/81 JA: TX			
8125934	26676	4229700000 103	ARNOLD L MCCRAW NO 1	SLIVA SOUTHWEST (3300)	55.0	DELHI GAS PIPELINE C
-BASS ENTERPRISES PRODUCTION CO			RECEIVED: 04/17/81 JA: TX			
8125919	24633	4210130267 102	C N HAVINS GAS UNIT NO 2	STESCOTT (ATOKA) FIELD	180.0	PALO DURO PIPELINE C
8125919	24633	4210130267 103	C N HAVINS GAS UNIT NO 2	STESCOTT (ATOKA) FIELD	180.0	PALO DURO PIPELINE C
8126100	32099	4247532165 103	W D JOHNSON A NO 17	NORTH WARD ESTES	87.0	CABOT CORP
-BORDER EXPLORATION CO			RECEIVED: 04/17/81 JA: TX			

JOB NO	DOCKET	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
*8125958	30006	4214330675	103		DILLINGHAM-FULFER NO 2	X-RAY (MARBLE FALLS)	73.0	VALERO ENERGY CORP
-BOURNE OIL CO					RECEIVED: 04/17/81 JA: TX			
8125972	29058	4213100000	103		J O TYREE #1-222	LABBE W (1600)	64.0	TENNESSEE GAS PIPELI
-CAYMAN PRODUCTION CO					RECEIVED: 04/17/81 JA: TX			
8125984	29647	4216700000	103		JOE BLACK TRUSTEE WELL NO 1	ALTA LOMA SW (BANFIELD)	450.0	HOUSTON PIPELINE CO
-CEDAR OIL CO					RECEIVED: 04/17/81 JA: TX			
*8125884	20186	4210532177	102		H M HALFF ESTATE WELL NO 1 (85650)	NOELKE WEST (FELKER) #65	72.0	KIBO COMPRESSOR CORP
-CITIES SERVICE COMPANY					RECEIVED: 04/17/81 JA: TX			
8125933	25983	4233930441	102		HEINTZ A #1	DOBBIN	236.0	
8125933	25983	4233930441	107		HEINTZ A #1	DOBBIN	236.0	
8126043	31216	4246530326	102		WEST-A #1	MASSIE (STRAWN)	365.0	
-CLEMCO INC					RECEIVED: 04/17/81 JA: TX			
8126033	30960	4249930863	102		CAIN NO 1	GUITMAN (PETTIT)	20.0	
-COATES ENERGY TRUST					RECEIVED: 04/17/81 JA: TX			
8126049	31463	4204730850	102		MARSHALL BROS NO 6	KELSEY DEEP	219.0	VALERO INTERSTATE TR
-CONOCO INC					RECEIVED: 04/17/81 JA: TX			
8126130	32186	4238900000	108		G E RAMSEY JR-8-#11 ID #21020	GERALDINE FORD	2.1	EL PASO NATURAL GAS
8126127	32183	4215100000	108		J B TERRELL-A-#10 ID #13657	ROUND TOP	6.5	LONE STAR GAS CO
8126126	32182	4213500000	108		KLOH-A-#7 ID #00818	COWDEN N	0.5	AMOCO PROD CO
8126131	32188	4248500000	108		TJ & JL WAGGONER #32 ID #18376	WICHITA COUNTY REGULAR	0.1	EAGLE PETROLEUM CO
8126132	32189	4200300000	108		W T FORD #30 ID#01665	FUHRMAN-NIX	0.1	PHILLIPS PETROLEUM C
8126128	32184	4200300000	108		W T FORD #42 ID #01665	FUHRMAN-NIX	0.4	PHILLIPS PETROLEUM C
8126129	32185	4213500000	108		WIGHT UNIT #86 ID #20661	COWDER N	1.3	AMOCO PROD CO
-COTTON PETROLEUM CORPORATION					RECEIVED: 04/17/81 JA: TX			
8126067	31923	4240130846	107		GANDY NO 1	OAK HILL	350.0	UNITED GAS PIPELINE
-CRB OIL & GAS INC					RECEIVED: 04/17/81 JA: TX			
8126032	30935	4205131110	102		HARRIS NO 1	GIDDINGS (AUSTIN CHALK A	730.0	CLAJON GAS CO
-D & H ENTERPRISES					RECEIVED: 04/17/81 JA: TX			
8126086	31985	4208130899	103		D & H ENTERPRISES - JOHNSON	JAMESON (STRAWN)	48.0	
-D H HUNT					RECEIVED: 04/17/81 JA: TX			
8126065	31912	4212331036	103		DOROTHY FAYE JOSHLIN #1	ARNECKEVILLE S	258.0	TEXAS EASTERN TRANSM
-DAVID A SCHLACHTER OIL & GAS					RECEIVED: 04/17/81 JA: TX			
8125991	29801	4236500000	108		L H CHANDLER 1-X RRC ID #76726	BETHANY (TRAVIS PEAK)	6.7	UNITED GAS PIPELINE
-DAWSON EXPLORATION INC					RECEIVED: 04/17/81 JA: TX			
8125947	28180	4224531400	102		COTTON NO 1 MERENDINO	HILDEBRANDT BAYOU SE	1190.0	UNITED TEXAS TRANSMI
8125947	28180	4224531400	103		COTTON NO 1 MERENDINO	HILDEBRANDT BAYOU SE	1190.0	UNITED TEXAS TRANSMI
-DELTA DRILLING CO					RECEIVED: 04/17/81 JA: TX			
8125995	29947	4236500000	107		F H MARKEY #1 85130	CARTHAGE (COTTON VALLEY)	182.5	TEXAS GAS TRANSMISSI
-DESCO OIL CO					RECEIVED: 04/17/81 JA: TX			
8125924	25412	4224531354	102		BEAUMONT RICE MILL #1 WELL 88330	ELIZABETH NORTH	91.0	UNITED TEXAS TRANSMI
-DIAMOND SHAMROCK CORPORATION					RECEIVED: 04/17/81 JA: TX			
8125900	22396	4229530506	108		IRA W. SOLLOCK NO.1	HORSE CREEK N W	14.0	NATURAL GAS PIPELINE
8125882	19437	4229500000	108		IVON CASE NO 1-515	LIPSCOMB	13.0	SOUTHWESTERN PUBLIC
-DYNE OIL & GAS INC					RECEIVED: 04/17/81 JA: TX			
8126116	32149	4206500000	103		BURNETT NO 4 WELL LEASE NO 04464	PANHANDLE CARSON COUNTY	0.0	PHILLIPS PETROLEUM C
8126115	32147	4206530807	103		BURNETT NO 5 WELL LEASE NO 04464	PANHANDLE CARSON COUNTY	0.0	PHILLIPS PETROLEUM C
-ECHO PRODUCTION INC					RECEIVED: 04/17/81 JA: TX			
8125959	28416	4236300000	108		A H BRACKEEN 21 #1 RRC #17352	BRAD SW (BIG SALINE CONG	0.4	LONE STAR GAS CO
8125960	28417	4236300000	108		BERT SLEMMONS #1 RRC #17362	BRAD SW (BIG SALINE CONG	1.2	LONE STAR GAS CO
8125958	28414	4236300000	108		CHARLSIE ORME #1 RRC #17359	BRAD SW (BIG SALINE CONG	1.0	LONE STAR GAS CO
8125957	28413	4236300000	108		NAPIER GAS UNIT #1 RRC #17935	LONE CAMP (BEND CONGLOME	1.0	LONE STAR GAS CO
-EL PASO NATURAL GAS COMPANY					RECEIVED: 04/17/81 JA: TX			

8125967	28977	4217923651	108	BEASLEY #2	PANHANDLE WEST	36.0	EL PASO NATURAL GAS
8126023	30560	4243532237	103	BERGER GAS UNIT #4	SONORA CANYON UPPER	83.0	EL PASO NATURAL GAS
8126122	32173	4243530610	108	MECKEL #9	SONORA CANYON UPPER	7.3	EL PASO NATURAL GAS
8125932	25897	4243532188	108	SHURLEY #13	SAWYER CANYON	22.3	EL PASO NATURAL GAS
-ELFCO INC				RECEIVED: 04/17/81 JA: TX			
8125920	24671	4216100000	108	PATRICK UNIT GAS ID #51090	TATE (COTTON VALLEY)	12.0	TEJAS GAS CO
-ENERGY RESERVES GROUP INC				RECEIVED: 04/17/81 JA: TX			
8126020	30544	4238331683	103	ONA WELLS B #2	CALVIN (DEAN)	21.2	UNION TEXAS PETROLEU
8126025	30698	4246131603	103	ROSA H BARNET F #2	AMACKER-TIPPETT (SW WOLF	169.2	EL PASO NATURAL GAS
-ENERTEX EXPLORATION INC				RECEIVED: 04/17/81 JA: TX			
8126078	31952	4223733140	103	W R GARRETT #1 (90671)	GRAN NE (CONGL)	551.0	TEXAS UTILITIES FUEL
-ENSERCH EXPLORATION INC				RECEIVED: 04/17/81 JA: TX			
8125987	29699	4249700000	103	B P VAUGHT NO 4	BOONSVILLE	684.0	LONE STAR GAS CO
*8125877	07453	4221330101	103	TEXIE YOUNG B NO 5	TRI-CITIES (TRAVIS PEAK	168.0	LONE STAR GAS CO
-ESPERANZA ENERGY CORP				RECEIVED: 04/17/81 JA: TX			
8126021	30548	4235330892	103	WHITE #3	WHITE (GARDNER SAND) FIE	14.6	ESPERANZA PIPELINE C
-ESTATE OF WM D MCBEE				RECEIVED: 04/17/81 JA: TX			
8126096	32084	4206730309	103	SALLIE LOFFER #1	EAST LINDEN (COTTON VALL	100.0	NATURAL GAS PIPELINE
8126096	32084	4206730309	107	SALLIE LOFFER #1	EAST LINDEN (COTTON VALL	100.0	NATURAL GAS PIPELINE
8126095	32083	4245930426	103	SPENCER GAS UNIT #1 WELL #1	ROSEWOOD (HOSSTON-COTTON	450.0	WESTERN GAS CORP
8126095	32083	4245930426	107	SPENCER GAS UNIT #1 WELL #1	ROSEWOOD (HOSSTON-COTTON	450.0	WESTERN GAS CORP
-EXXON CORPORATION				RECEIVED: 04/17/81 JA: TX			
8126145	32223	4229530822	103	ARNOLD M JOHNSON #1	KELLN (TONKAWA-OIL)	22.0	PHILLIPS PETROLEUM C
*8126097	32086	4240130964	107	BERTHA BURTON GAS UNIT 1 #1	OAK HILL NW (COTTON VALL	400.0	ARMCO STEEL CORP
*8126097	32086	4240130964	103	BERTHA BURTON GAS UNIT 1 #1	OAK HILL NW (COTTON VALL	400.0	ARMCO STEEL CORP
8125983	29631	4249500000	108	BROWN AND ALTMAN GAS UNIT 3 #2	EMPEROR (WOLFCAMP)	1.0	WEST TEXAS GATHERING
8126008	30155	4210332331	103	J B TUBB A/C 1 #228L	SAND HILLS (TUBB)	14.0	EL PASO NATURAL GAS
*8125903	22513	4239131338	103	J M OBRIEN A-103-D 85929	GRETA (C-5)	57.0	ARMCO STEEL CORP
*8125904	22514	4239131338	103	J M OBRIEN A-103-F 86779	GRETA (800)	50.0	ARMCO STEEL CORP
8125982	29457	4247531854	103	JOHN H WILSON TRUSTEE B #6	RHODA WALKER (CANYON 590	31.0	CLAJON GAS CO
*8125898	22243	4224930999	103	KING RANCH TIJERINA J-135 (82313)	TIJERINA-CANALES-BLUCHER	986.0	ARMCO STEEL CORP
*8125895	21844	4227331198	103	KING RANCH WEST BORREGOS M-104-C	BORREGOS WEST	100.0	ARMCO STEEL CORP
8126024	30692	4200332323	103	MEANS SAN ANDRES UNIT #7414	MEANS	0.9	PHILLIPS PETROLEUM C
8126060	31751	4247531812	107	MONROE GAS UNIT NO 2 #1	SODA LAKE/ FUSSELMAN	1001.0	TRANSCONTINENTAL GAS
8126147	32235	4204730871	103	SCOTT AND HOPPER 35 (91607)	SCOTT AND HOPPER (7080)	285.0	TENNESSEE GAS PIPELI
*8125897	22017	4204730657	103	VIBORAS FIELD G U #1 G-88-D (80623)	VIBORAS	475.0	ARMCO STEEL CORP
*8125896	22016	4204730657	103	VIBORAS FIELD GU #1 G-88-F (78278)	VIBORAS	102.2	ARMCO STEEL CORP
-FISHER-WEBB INC				RECEIVED: 04/17/81 JA: TX			
8126142	32214	4235330910	103	COMPTON NO 3	JMM (CANYON)	300.0	SUN GAS CO
8126125	32180	4235330934	103	MCLAUGHLIN NO 12	JMM (CANYON)	300.0	SUN GAS CO
-FLAG-REDFERN OIL CO				RECEIVED: 04/17/81 JA: TX			
8126030	30684	4247730337	102	ROBERT D JAMESON NO 1 WELL	OXBOW (WILCOX)	219.0	PRODUCERS GAS CO
8126031	30685	4247730367	102	ROBERT D JAMESON NO 3 WELL	OXBOW (WILCOX)	219.0	PRODUCERS GAS CO
-GENERAL PRODUCTION CORP				RECEIVED: 04/17/81 JA: TX			
8126002	30097	4205131164	103	FRANK C ANDERSON WELL #4	WILLARD (NAVARRO) FIELD	0.0	FERGUSON CROSSING PI
8126003	30098	4205131165	103	OLEN P HOLLIMAN #3	WILLARD (NAVARRO) FIELD	0.0	FERGUSON CROSSING PI
-GEODYNAMICS OIL & GAS				RECEIVED: 04/17/81 JA: TX			
8126046	31343	4205130768	102	GRAFF UNIT NO 1	GIDDINGS (AUSTIN CHALK)	154.0	CLAJON GAS CO
8126009	30187	4205131075	102	J HEJL UNIT A	GIDDINGS (AUSTIN CHALK)	151.0	CHAMPLIN PETROLEUM C
8126047	31352	4205131147	102	PATTERSON C NO 1	STONE CITY (AUSTIN CHALK	65.0	CLAJON GAS CO
-GEOTEK HOLDING CO INC				RECEIVED: 04/17/81 JA: TX			
8125911	23907	4210500000	108	J R FAILEY ESTATE #2	OZONA N E	20.9	NORTHERN NATURAL GAS

JC NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8125912	23908	4210500000	108		J R BAILEY ESTATE #4	OZONA N E	20.9	NORTHERN NATURAL GAS
8125909	23904	4210500000	108		J R BAILEY ESTATE #5	OZONA N E	20.9	NORTHERN NATURAL GAS
8125910	23905	4210500000	108		J R BAILEY ESTATE #6	OZONA N E	20.9	NORTHERN NATURAL GAS
-GETTY OIL COMPANY					RECEIVED: 04/17/81 JA: TX			
8125956	28407	4241700000	108		G R DAVIS NO 1	NORTH WINDHAM	14.8	LONE STAR GAS CO
-GLENN COPE					RECEIVED: 04/17/81 JA: TX			
8125894	21589	4248300000	108		JOHNSON #1	EAST PANHANDLE	5.8	EL PASO NATURAL GAS
-GULF OIL CORPORATION					RECEIVED: 04/17/81 JA: TX			
8125940	27655	4239330577	108		B A BYRUM ETAL #3-4	RED DEER	8.0	TRANSWESTERN PIPELIN
8125918	24351	4223700000	108		FAYETTE YATES NO 4	BOONSVILLE (BEND CONGL)	19.5	NATURAL GAS PIPELINE
8125917	24315	4250530557	108		FERNANDO CUELLAR ESTATE #3 #72835	UREBENO (LOBO)	21.0	TENNESSEE GAS PIPELI
8126038	31022	4221530405	102		HINOJOSA ET AL WELL NO 1	EL STAGGS (7330)	125.0	VALERO INTERSTATE TR
8125939	27654	4239300000	108		JOHN HAGGARD #24	QUINDUNO/LOWER ALBANY DO	3.0	NATURAL GAS PL CO OF
8125945	28006	4239330633	108		RALPH A BYRUM #1-7	RED DEER/PENN G	10.0	MICHIGAN WISCONSIN P
8125907	23262	4210332196	103		W N WADDELL ET AL NO 1143	SAND HILLS (JUDKINS)	566.0	H & T GATHERING
8126071	31934	4210332307	103		W N WADDELL ET AL TR A NO 1152	SAND HILLS (JUDKINS)	267.0	H & T GATHERING
-H-M OIL CO					RECEIVED: 04/17/81 JA: TX			
8125880	18391	4217531230	103		MARY ELIZABETH MARTIN #2-T	GOLIAD N (2960)	100.0	DELHI GAS PIPELINE C
-HARRISON INTERESTS LTD					RECEIVED: 04/17/81 JA: TX			
8126070	31932	4210533012	102		NO 3 JOHN LEE HENDERSON JR A	SEAWOLF (STRAWN)	365.0	INTRATEX GAS CO
-HELMERICH & PAYNE INC					RECEIVED: 04/17/81 JA: TX			
8126001	30084	4248330493	102		PLETCHER NO 1 WELL ID NO 77301	WHEELER-PAN (HUNTON NW)	0.0	MICHIGAN WISCONSIN P
-HILL PRODUCTION CO					RECEIVED: 04/17/81 JA: TX			
8126077	31948	4225331558	102		L S KLEMCKE #1 (16377)	CULLERS & BAILEY (CANYON	34.0	PALO DURO PIPELINE C
8125931	25882	4240100000	103		MAUDE LAIRD GAS UNIT NO 1	OAK HILL (COTTON VALLEY)	660.0	DELHI GAS PIPELINE C
8125931	25882	4240100000	107		MAUDE LAIRD GAS UNIT NO 1	OAK HILL (COTTON VALLEY)	660.0	DELHI GAS PIPELINE C
-HILLIN PRODUCTION CO					RECEIVED: 04/17/81 JA: TX			
8126104	32105	4230130252	103		JOHNSON 76 #1	WHEAT	148.3	
-HNG OIL COMPANY					RECEIVED: 04/17/81 JA: TX			
8125977	29403	4247932255	102		BRUNI MINERAL A #1 82565	JUANITA (LOBO)	146.0	HOUSTON PIPE LINE
8125977	29403	4247932255	103		BRUNI MINERAL A #1 82565	JUANITA (LOBO)	146.0	HOUSTON PIPE LINE
8125981	29409	4247932323	102		BRUNI MINERAL A #2	JUANITA (LOBO)	133.0	HOUSTON PIPELINE
8125980	29408	4247932410	102		BRUNI MINERAL A #3	JUANITA (LOBO)	544.0	HOUSTON PIPE LINE
8125980	29408	4247932410	103		BRUNI MINERAL A #3	JUANITA (LOBO)	544.0	HOUSTON PIPE LINE
8125978	29405	4247932649	102		BRUNI MINERAL A NCT #4 88967	JUANITA (LOBO)	523.0	HOUSTON PIPE LINE
8125978	29405	4247932649	103		BRUNI MINERAL A NCT #4 88967	JUANITA (LOBO)	523.0	HOUSTON PIPE LINE
8125979	29406	4247932514	102		BRUNI MINERAL B #1 87821	JUANITA (LOBO)	247.0	HOUSTON PIPELINE
8125979	29406	4247932514	103		BRUNI MINERAL B #1 87821	JUANITA (LOBO)	247.0	HOUSTON PIPELINE
8125976	29402	4247932516	102		BRUNI MINERAL B #5 88968	JUANITA (LOBO)	203.0	HOUSTON PIPELINE
8125976	29402	4247932516	103		BRUNI MINERAL B #5 88968	JUANITA (LOBO)	203.0	HOUSTON PIPELINE
8125975	29401	4247932636	102		BRUNI MINERAL D #1	JUANITA (LOBO)	768.5	HOUSTON PIPE LINE
8125975	29401	4247932636	103		BRUNI MINERAL D #1	JUANITA (LOBO)	768.5	HOUSTON PIPE LINE
-HOME PETROLEUM CORPORATION					RECEIVED: 04/17/81 JA: TX			
8126103	32103	4216130464	103		O B UTLEY #2	MIMMS CREEK (BOSSIER)	111.2	UNITED TEXAS TRANSMI
8126102	32102	4216130417	103		UTLEY UNIT NO 1	MIMMS CREEK (COTTON VALL	98.6	UNITED TEXAS TRANSMI
-HUMBLE EXPLORATION CO INC					RECEIVED: 04/17/81 JA: TX			
8126056	31649	4214930672	102		THELMA SOLOMON #1	GIDDINGS	30.0	PHILLIPS PETROLEUM C
8126056	31649	4214930672	103		THELMA SOLOMON #1	GIDDINGS	30.0	PHILLIPS PETROLEUM C
-HUNT OIL COMPANY					RECEIVED: 04/17/81 JA: TX			
8126124	32177	4221330290	103		FAIRWAY (JAMES LIME) UNIT #449-2	FAIRWAY (JAMES LIME) UNI	30.0	LONE STAR GAS CO
8126084	31977	4221330296	103		FAIRWAY (JAMES LIME) UNIT #644-3	FAIRWAY (JAMES LIME) UNI	65.0	LONE STAR GAS CO
8126083	31976	4221330825	103		FAIRWAY (JAMES LIME) UNIT #821-2	FAIRWAY (JAMES LIME) UNI	700.0	LONE STAR GAS CO

ID NO	JA PKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
-INTERNATIONAL OIL & GAS CORP					RECEIVED: 04/17/81 JA: TX			
8125943	27808	4210532963	103		PERNER 43 #1 086611	DEVONIAN	23.9	EL PASO NATURAL GAS
8125973	29214	4210533013	103		PERNER 43 #2	INGHAM DEVONIAN	194.0	EL PASO NATURAL GAS
-J CLEO THOMPSON					RECEIVED: 04/17/81 JA: TX			
8126017	30302	4210533033	102		UNIVERSITY 4 #1	UNIVERSITY 31 (QUEEN)	22.0	PHILLIPS PETROLEUM C
-JACKSON EXPLORATION INC					RECEIVED: 04/17/81 JA: TX			
8125992	29849	4246131604	103		CONNELL ESTATE #3	SPRABERRY (TREND AREA)	36.0	PHILLIPS PETROLEUM C
-JENNINGS EXPLORATION CO					RECEIVED: 04/17/81 JA: TX			
8126051	31558	4250731374	102		NO 1 H&F PROPERTIES EB UNIT 06428	ALLIGATOR SLOUGH (ELAINE	96.0	VALERO TRANSMISSION
8126050	031549	4250731377	102		NO 2 H&F PROPERTIES A 90240	AIRSTRIP (3690)	156.0	VALERO TRANSMISSION
-JERRY E WYLIE					RECEIVED: 04/17/81 JA: TX			
8126076	31944	4209330607	103		BURNS #1 (15177)	DUSTER N E (MARBLE FALLS	8.0	LONE STAR GAS CO
8126075	31942	4209330586	103		TED UNDERWOOD #1 (15772)	DUSTER N E (MARBLE FALLS	2.0	LONE STAR GAS CO
-JOHN DEETER					RECEIVED: 04/17/81 JA: TX			
8125923	25300	4235531429	102		KOENNING NO 1 (09347)	AGUA DULCE-EASH YEHUDE	1700.0	HOUSTON PIPELINE CO
8125921	24710	4235531575	102		KOENNING NO 3 (NO ID ASSIGNED)	AGUA DULCE STRAY (6400)	300.0	HOUSTON PIPELINE CO
-JOSEPH F CORPENING					RECEIVED: 04/17/81 JA: TX			
8126114	32146	4223733436	103		WALTERS NO 1 WELL ID NO 91196	JACK COUNTY REGULAR	0.0	LONE STAR GAS CO
-K&H LTD					RECEIVED: 04/17/81 JA: TX			
8125994	29881	4250530922	102		L E VELA WELL NO 2	EL GRULLO (7780)	0.0	INTRASTATE GATHERING
8125993	29880	4250530980	102		L E VELA WELL NO 3	EL GRULLO (7780)	0.0	INTRASTATE GATHERING
-KILLAM & HURD LTD					RECEIVED: 04/17/81 JA: TX			
8125964	28671	4247932800	102		LILIA BRUNI SLAUGHTER WELL NO 3	JUANITA (LOBO)	0.0	TRANSCONTINENTAL GAS
-LOMAX EXPLORATION COMPANY					RECEIVED: 04/17/81 JA: TX			
8125922	24924	4231330264	102		LOEX ET AL M Y VICK NO 1	M Y VICK FIELD	120.0	LONE STAR GAS CO
-LYONS PETROLEUM INC					RECEIVED: 04/17/81 JA: TX			
8126011	30243	4223931519	103		W B MOODY NO 1	LAWARD NORTH (6500 MOODY	91.0	UNITED TEXAS TRANSMI
-M R JOHNSON JR					RECEIVED: 04/17/81 JA: TX			
8126146	32227	4236300000	103		GRAGG-FINLEY 181 / #20125	GENESIS (3050)	110.0	SUN GAS GATHERING CO
-M-T PETROLEUM INC					RECEIVED: 04/17/81 JA: TX			
8126094	32081	4237133077	103		OLIX #2	PAYTON	14.4	EL PASO NATURAL GAS
-MAGNUM RESOURCES INC					RECEIVED: 04/17/81 JA: TX			
8126157	32284	4250334123	103		NESBITT -B- #1 --- 20643	YOUNG COUNTY REGULAR	29.2	SUN GAS GATHERING CO
8126156	32283	4250334124	103		NESBITT A #1 --- 20642	YOUNG COUNTY REGULAR	36.5	SUN GAS GATHERING CO
-MARATHON OIL COMPANY					RECEIVED: 04/17/81 JA: TX			
8126155	32271	4210533096	103		UNIVERSITY D WELL NO 5	AMIGO (SAN ANDRES)	28.0	BIG LAKE GAS CORP
-MARSHALL EXPLORATION INC					RECEIVED: 04/17/81 JA: TX			
8125913	23967	4236332378	102		ALLEN B #3	BRANSON N (BIG SALINE)	300.0	SOUTHWESTERN GAS PIP
-MARTIN OIL & GAS CO					RECEIVED: 04/17/81 JA: TX			
8126040	31033	4205130813	102		DELAMETER-ENGLEMANN UNIT NO 1 WELL	CALDWELL (AUSTIN CHALK)	0.0	CLAJON GAS CO
8126039	31032	4205130683	102		WALSH-ENGLEMAN UNIT NO 1 WELL	CALDWELL (AUSTIN CHALK)	0.0	CLAJON GAS CO
-MAY PETROLEUM INC					RECEIVED: 04/17/81 JA: TX			
8125937	27122	4229530773	103		ELMORE #1T	FOLLETT (MORROW)	365.0	NORTHERN NATURAL GAS
-MAYNARD OIL COMPANY					RECEIVED: 04/17/81 JA: TX			
8126089	32060	4235531277	103		MILTON GABRIEL ET AL NO 2	CLARKWOOD S (FRIO M-2)	0.0	DELHI GAS PIPELINE C
8126090	32061	4235531277	102		MILTON GARRIEL ET AL NO 2	CLARKWOOD S (FRIO M-2)	0.0	DELHI GAS PIPELINE C
-MCCORMICK OPERATING CO					RECEIVED: 04/17/81 JA: TX			
8125970	29014	4240130775	107		DELTA GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	300.0	HYDROCARBON TRANSFER
8125970	29014	4240130775	103		DELTA GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	300.0	HYDROCARBON TRANSFER
8125969	29011	4240130742	107		ROGERS GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	380.0	HYDROCARBON TRANSFER
8125965	29011	4240130742	103		ROGERS GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	380.0	HYDROCARBON TRANSFER
8125968	29010	4240130767	107		SOONER GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	310.0	HYDROCARBON TRANSFER
8125968	29010	4240130767	103		SOONER GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	310.0	HYDROCARBON TRANSFER

JD NO	JA NAT	API NO	SEC	C	WELL NAME	FIELD NAME	PROD	PURCHASER
8125971	29019	4240130872	107		VINSON GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	325.0	HYDROCARBON TRANSFER
8125971	29019	4240130872	103		VINSON GAS UNIT NO 2	OAK HILL (COTTON VALLEY)	325.0	HYDROCARBON TRANSFER
-MCMAHON-BULLINGTON DRLG CO					RECEIVED: 04/17/81 JA: TX			
8126058	31722	4236700000	108		GAINES #1 60230	MEEKER (2200)	3.0	TEXAS UTILITIES FUEL
-MGF OIL CORP					RECEIVED: 04/17/81 JA: TX			
8126098	32087	4211531422	103		DEAN #1	FELKEN S (SPRABERRY)	19.8	
8125963	28619	4211531406	103		MATHIS #1 (63031)	TEX-HAMON (DEAN)	32.5	ADOBE OIL & GAS CORP
-MITCHELL ENERGY CORPORATION					RECEIVED: 04/17/81 JA: TX			
8125883	19875	4232130878	107		ABEL H PIERCE #1 82699	PALACIOS (FRIO 15000)	200.0	FLORIDA GAS TRANSMIS
8125946	28070	4236731914	103		R R HOWARD #2	LAKE MINERAL WELLS (CONG	210.0	
8126149	32240	4214930748	103		ROY BUCEK #1	GIDDINGS (AUSTIN CHALK)	25.0	
8125926	25611	4249700000	108		S F PEEK #1 28774	BOONESVILLE (BEND CONGL	11.0	NATURAL GAS PIPELINE
-MITCHELL ENERGY OFFSHORE CORP					RECEIVED: 04/17/81 JA: TX			
8125881	18843	4216700000	108		STATE TRACT 179-S #2 74424	BLOCK 176-S/MIOC S-4 FBI	15.0	NATURAL GAS PIPELINE
-MOBIL OIL CORP					RECEIVED: 04/17/81 JA: TX			
8125878	15405	4221100000	108		LESTER P URSCHEL NO 14	CANADIAN NE (DOUGLAS)	15.9	PIONEER NATURAL GAS
-MOLE OPERATING COMPANY INC					RECEIVED: 04/17/81 JA: TX			
8126081	31963	4222100000	108		ODOM-LOE 1	BRAZOS E (CADDO)	20.0	NORTHERN GAS PRODUCT
-MONOCO OIL CORP					RECEIVED: 04/17/81 JA: TX			
8126019	30530	4242300000	103		NONA FRIED LANDER #1	CHAPEL HILL	30.0	TEXAS PRODUCERS GAS
-MONSANTO COMPANY					RECEIVED: 04/17/81 JA: TX			
8126138	32203	4200332308	103		FISHER #1	SHAFTER LAKE	12.0	PHILLIPS PETROLEUM C
8126137	32202	4200332410	103		FISHER #2	SHAFTER LAKE	10.0	PHILLIPS PETROLEUM C
8126136	32201	4200332411	103		FISHER #3	SHAFTER LAKE	9.0	PHILLIPS PETROLEUM C
8126135	32200	4200332412	103		FISHER #4	SHAFTER LAKE	5.0	PHILLIPS PETROLEUM C
8126134	32199	4200332413	103		FISHER #5	SHAFTER LAKE	5.0	PHILLIPS PETROLEUM C
8126133	32198	4200332447	103		FISHER #6	SHAFTER LAKE	18.0	PHILLIPS PETROLEUM C
8126139	32204	4249531236	103		HOGG #1	MONAHANS NE (PENN DETRIT	7.0	EL PASO NATURAL GAS
8126140	32205	4249531241	103		MITCHELL #1	MONAHANS N E (PENN DETRI	75.0	EL PASO NATURAL GAS
8126016	30293	4207931264	103		STARNES 41-27	LEVELLAND	10.5	CITIES SERVICE CO
-MOODY ENERGY CO					RECEIVED: 04/17/81 JA: TX			
8126113	32144	4221131273	103		GRACIE-117 NO 1 WELL ID NO 91094	HUMPHREYS (DOUGLAS)	0.0	DIAMOND SHAMROCK COR
8126112	32143	4221131262	103		JOHN T WRIGHT SEC 116 NO 1 WELL	HUMPHREYS (DOUGLAS)	0.0	DIAMOND SHAMROCK COR
-MORAN EXPLORATION INC					RECEIVED: 04/17/81 JA: TX			
8126034	30983	4238330225	108		ROCKER B A #1	SPRABERRY (TREND AREA)	9.0	NORTHERN NATURAL GAS
8126108	32132	4238330249	103		ROCKER B B #3	SPRABERRY (TREND AREA)	4.1	NORTHERN NATURAL GAS
8126109	32133	4238330252	108		ROCKER B B #4	SPRABERRY (TREND AREA)	1.8	NORTHERN NATURAL GAS
8126110	32134	4238300000	108		ROCKER B D #4	SPRABERRY (TREND AREA)	5.4	NORTHERN NATURAL GAS
8126027	30767	4223530206	108		ROCKER B E WELL NO 6	SPRABERRY (TREND AREA)	13.5	NORTHERN NATURAL GAS
-NATURAL GAS ANADARKO INC					RECEIVED: 04/17/81 JA: TX			
8126029	30844	4235731010	102		HERMANN SEC 1017 NO 1	HERMANN (MORROW UPPER)	240.0	PHILLIPS PETROLEUM C
8126080	31961	4237531026	103		MATILDA #1-49	ELLIS RANCH (CLEVELAND)	220.0	NORTHERN NATURAL GAS
-NORTH CENTRAL OIL CORPORATION					RECEIVED: 04/17/81 JA: TX			
8125935	26885	4249700000	108		J R HEFLEY #1 ID NO 29301	BOONESVILLE (BEND CONGLO	19.0	NATURAL GAS PIPELINE
8125936	26886	4249700000	108		L F MATTINGLY ID NO 35079	NALL SOUTH	0.0	NATURAL GAS PIPELINE
-OMEGA MINERALS INC					RECEIVED: 04/17/81 JA: TX			
8125899	22262	4250731287	103		E E PLUMLY NO 1	PLUMLY (NAVARRO)	73.0	VALERO TRANSMISSION
-PALO-PLACER					RECEIVED: 04/17/81 JA: TX			
8126022	30552	4246131522	103		AMACKER 46-4	SPRABERRY (TREND AREA)	50.0	PHILLIPS PETROLEUM C
8126143	32220	4246131494	103		UNIVERSITY 10-2	SPRABERRY (TREND AREA)	30.0	EL PASO NATURAL GAS
8126144	32221	4246131495	103		UNIVERSITY 3-2	SPRABERRY (TREND AREA)	30.0	EL PASO NATURAL GAS
-PERRYMAN & MURCHISON					RECEIVED: 04/17/81 JA: TX			

J. GC	JF NBT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8125925	25584	4202500000	102	F W HELDENFELS NO A-2	YOUGEEN S E FIELD	37.0	UNITED GAS PIPE LINE
-PETRUS OPERATING CO INC				RECEIVED: 04/17/81 JA: TX			
8125915	24082	4224531378	102	GALLAGHER NO 3 WELL	BIG HILL NE (MARG 8400)	365.0	WINNIE PIPELINE CO
8125915	24082	4224531378	103	GALLAGHER NO 3 WELL	BIG HILL NE (MARG 8400)	365.0	WINNIE PIPELINE CO
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 04/17/81 JA: TX			
8125914	24040	4200304694	108	(01270) UNIVERSITY ANDREWS NO 87	EMBAR (PERMIAN)	24.0	EL PASO NATURAL GAS
8126092	32073	4222700934	108	MELLNOLIA #1	IATAN EAST HOWARD	0.4	GETTY OIL CO
*8126059	31745	4234100000	108	BERAW NO 1	WEST PANHANDLE	0.0	EL PASO NATURAL GAS
8126073	31938	4213503224	108	GS ANDECTOR #B-03	GOLDSMITH (CLEARFORK)	16.0	EL PASO NATURAL GAS
8126088	32035	4213521550	108	HOLT BB #1	COWDEN NORTH	2.2	AMOCO PRODUCTION CO
8126150	32246	4236530971	107	MAUDE 2 NO 2	CARTHAGE COTTON VALLEY	300.0	UNITED GAS PIPE LINE
8126074	31941	4213503015	108	N PENWELL #82	PENWELL	1.8	EL PASO NATURAL GAS
8126151	32249	4236531033	107	PITTS A NO 1	CARTHAGE COTTON VALLEY	365.0	UNITED GAS PIPELINE
-PIONEER PRODUCTION CORPORATION				RECEIVED: 04/17/81 JA: TX			
8126082	31965	4229500000	108	FRY-WHEATLEY #1	MAMMOTH CREEK NORTH/CLEV	0.0	NORTHERN NATURAL GAS
-PITTS OIL CO & DALLAS PROD INC				RECEIVED: 04/17/81 JA: TX			
8126063	31848	4216130532	107	M C WELLS NO 1 ID#86158	SIMSBORO N (COTTON VALLE	1697.0	UNITED TEXAS TRANSMI
8126036	31002	4207330390	102	TRAVIS NO 2 RRCID#90859	PERCY WHEELER (TRAVIS PE	643.0	UNITED GAS PIPELINE
-R H ENGELKE				RECEIVED: 04/17/81 JA: TX			
8126006	30132	4223931169	102	UNITED METHODIST GU WELL #1-C	LA SALLE EAST	243.4	TENNESSEE GAS PIPELI
8126007	30133	4223931169	102	UNITED METHODIST GU WELL #1-T	LA SALLE	172.6	TENNESSEE GAS PIPELI
-R L BURNS CORP				RECEIVED: 04/17/81 JA: TX			
8125953	28282	4247931308	108	RETTIG NO 12	SEGUNDO (OLMOS)	10.2	HOUSTON PIPE LINE CO
8125954	28287	4247931222	108	RETTIG NO 4	SEGUNDO (OLMOS)	6.0	HOUSTON PIPE LINE CO
-R LACY INC				RECEIVED: 04/17/81 JA: TX			
8126068	31929	4236530723	103	BURNETT UNIT 2 WELL NO 4 RRC# 91224	CARTHAGE (TRAVIS PEAK LO	146.0	ARKANSAS LOUISIANA G
-REALITOS ENERGY CORP				RECEIVED: 04/17/81 JA: TX			
8126028	30822	4248132025	102	E HOLUB NO 1-C	WILDCAT-PROPOSED EL CAMP	0.0	DOW CHEMICAL CO
8125966	28886	4229732409	103	H L MCEACHERN NO 1	SLIVA SOUTHWEST (2900)	100.0	ESPERANZA TRANSMISSI
-REITA OIL CO				RECEIVED: 04/17/81 JA: TX			
8126085	31982	4236931740	103	CLEMENS #1-C (91005)	WHISKEY FLAT (LOWER ATOK	219.0	SOUTHWESTERN GAS PIP
-RICKS EXPLORATION CO				RECEIVED: 04/17/81 JA: TX			
8125908	23556	4235730971	102	GARLAND 1114-A		50.0	HIGH PLAINS NATURAL
-RIO BRAVO OIL CO INC				RECEIVED: 04/17/81 JA: TX			
8126044	31218	4228531370	102	O L MENKING #1	MENKING (WILCOX 7250)	400.0	VALERO TRANSMISSION
-ROBERT L MCMILLAN				RECEIVED: 04/17/81 JA: TX			
8126061	31787	4236332284	102	IRSFELD ET AL (NA)	IRSFELD (CONGLOMERATE)	949.0	SOUTHWESTERN GAS PIP
-RUTHERFORD OIL CORP				RECEIVED: 04/17/81 JA: TX			
8126055	31619	4205730988	102	WELDER PATRICK WELL NO 3-U 89028	BARGE CANAL (FRIO 5940)	180.0	HOUSTON PIPE LINE CO
-RYDER SCOTT OIL CO				RECEIVED: 04/17/81 JA: TX			
8126010	30195	4207731868	102	WINKLER #5	WINKLER (CONGL)	81.0	TEXAS UTILITIES FUEL
-SEAGULL INTERNATIONAL EXPLORATION I				RECEIVED: 04/17/81 JA: TX			
8126035	30994	4236500000	102	JOHN G GRUBENMAN UNIT WELL NO 1	PINEHILL SE (RODESSA GLO	0.0	UNITED GAS PIPELINE
-SHELL OIL CO				RECEIVED: 04/17/81 JA: TX			
8125990	29704	4213500000	108	EAST HARPER UNIT #114	HARPER	0.2	PHILLIPS PETROLEUM C
8125986	29694	4213500000	108	EAST HARPER UNIT #213	HARPER	0.3	PHILLIPS PETROLEUM C
8125930	25764	4213500000	108	EAST HARPER UNIT #341	HARPER	1.0	PHILLIPS PETROLEUM C
8125985	29665	4238300000	108	RICKER -27- #2	SPRAY BERRY (TREND AREA)	11.9	EL PASO NATURAL GAS
8125989	29702	4213500000	108	SLATOR -E- #11	TXL (SAN ANDRES)	8.9	SHELL ET AL
8125988	29700	4213500000	108	TXL -N- #4	GOLDSMITH W (SAN ANDRES)	3.9	SHELL ET AL
8126000	30080	4213500000	103	TXL NORTH UNIT #696	TXL (TUBB)	37.3	SHELL ETAL
8125999	30079	4213533330	103	TXL NORTH UNIT #724	TXL (TUBB)	68.4	SHELL ETAL

JD NO	JA DKT	API NO	SEC D	WELL NAME	FIELD NAME	PROD	PURCHASER
-SIMPSON-MANN OIL PRODUCERS				RECEIVED: 04/17/81 JA: TX			
8126064	31902	4210532967	103	J M BAGGETT EST ET AL #2-3	ADAMS-BAGGETT RANCH (CAN	40.0	VALERO TRANSMISSION
8126064	31902	4210532967	107	J M BAGGETT EST ET AL #2-3	ADAMS-BAGGETT RANCH (CAN	40.0	VALERO TRANSMISSION
-SOHIO PETROLEUM CO				RECEIVED: 04/17/81 JA: TX			
8126066	31915	4238831749	103	SPRABERRY DRIVER UNIT WELL NO 873	SPRABERRY (TREND AREA)	39.0	EL PASO NATURAL GAS
-SOUTHLAND ROYALTY CO				RECEIVED: 04/17/81 JA: TX			
8126087	31989	4210300000	103	EUDALY #6	TROPORO	15.0	PGP GAS PRODUCTS INC
-SPINDLETOP OIL & GAS CO				RECEIVED: 04/17/81 JA: TX			
8125886	20405	4236731231	103	CAHOON-WHITWORTH #1 (84664)	RENO (CONGL)	60.0	LONE STAR GAS CO
8125887	20406	4236731492	103	DOSS FOUNDATION #1-C (84930)	MALES (4650)	16.0	LONE STAR GAS CO
8125885	20404	4236731492	103	DOSS FOUNDATION #1-T (84920)	DOSS (4900)	168.0	LONE STAR GAS CO
8125889	20492	4236731001	103	HARMS #1-C (78827)	RENO (CONGL)	0.0	LONE STAR GAS CO
8125891	20785	4236731727	103	LONG JONES #2 (86168)	MALES (4300)	0.0	LONE STAR GAS CO
8125892	21027	4236731787	103	MCKEON #2 - T	MALES (4650)	30.0	LONE STAR GAS CO
8125893	21028	4236731787	103	MCKEON #2-C	MALES (4300)	70.0	LONE STAR GAS CO
8125888	20483	4236731079	103	MEASURES #2 (77210)	COLEEN (MARBLE FALLS)	245.0	TEXAS UTILITIES FUEL
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 04/17/81 JA: TX			
8125974	299369	4233531468	103	B ANDERSON -A- NO 7	JAMESON NORTH (STRAWN)	26.0	LONE STAR GAS CO
8126120	32169	4219931495	103	GULF FEE LOT 13 NO 1	SARATOGA WEST	192.0	
*8126119	32160	4235330830	103	SOUTHWEST NENA LUCIA #38-18	NENA LUCIA (STRAWN REEF)	122.0	LONE STAR GAS CO
8126121	32170	4219931463	103	SUN FEE LOT 14 NO 1	SARATOGA WEST	77.0	
-SUPERIOR OIL CO				RECEIVED: 04/17/81 JA: TX			
8126079	31953	4247532177	103	UNIVERSITY 20-18 WELL NO 2	WAR-WINK S (WOLFCAMP)	0.0	
-TARINA OIL CO				RECEIVED: 04/17/81 JA: TX			
8126018	30485	4212732057	102	STUMBERG RANCH NO 2	STUMBERG (OLMOS 4150)	0.0	VALERO TRANSMISSION
-TAURUS OIL CORP				RECEIVED: 04/17/81 JA: TX			
8125938	27367	4214330405	108	FOSS #2 - RRC #81590	MORGAN MILLS (MARBLE FAL	7.3	NORTHERN GAS PRODUCT
-TENNECO OIL COMPANY				RECEIVED: 04/17/81 JA: TX			
8126111	32142	4250131847	103	PRENTICE CLEARFORK UNIT #719	PRENTICE	12.4	AMOCO PRODUCTION CO
-TEXACO INC				RECEIVED: 04/17/81 JA: TX			
8125944	27837	4221932713	103	MONTGOMERY ESTATE-DAVIES NCT-2 37-A	LEVELLAND	12.4	AMOCO PRODUCTION CO
8126013	30252	4237133097	103	PECOS F FEE #2	GOMEZ (WOLFCAMP)	8.8	TRANSCONTINENTAL GAS
-TEXAS ENERGY EXPLORATION INC				RECEIVED: 04/17/81 JA: TX			
8126148	32236	4221530996	103	TX ENERGY EXPL #1 HINOJOSA ID#91525	LA REFORMA E (FRIO E SAN	138.7	VALERO INTERSTATE TR
-TEXAS OIL & GAS CORP				RECEIVED: 04/17/81 JA: TX			
8126052	31575	4216130445	102	BAUM ESTATE #1	SIMSBORO N (COTTON VALLE	103.0	UNITED TEXAS TRANSMI
8125901	22411	4228531428	102	HANCOCK G U I #1	PROVIDENT CITY (WILCOX 1	700.0	TEXAS EASTERN GAS PI
8126048	31408	4216130479	102	WHATLEY #1	SIMSBORO N (COTTON VALLE	160.0	UNITED TEXAS TRANSMI
8126048	31408	4216130479	103	WHATLEY #1	SIMSBORO N (COTTON VALLE	160.0	UNITED TEXAS TRANSMI
-TEXLAND PETROLEUM INC				RECEIVED: 04/17/81 JA: TX			
8125890	20506	4244500000	102	GULF-COONS NO 8-A	WARHORSE (CLEARFORK UPPE	26.0	AMOCO PRODUCTION CO
-TEXLAND-RECTOR & SCHUMACHER				RECEIVED: 04/17/81 JA: TX			
8125965	28795	4221932759	103	D B BRYAN NO 5	SLAUGHTER	12.8	AMOCO PRODUCTION CO
-THE MAURICE L BROWN COMPANY				RECEIVED: 04/17/81 JA: TX			
8126054	031581	4220300000	108	F W BLOCKER ESTATE GAS UNIT #2	BLOCKER	16.0	UNITED GAS PIPELINE
8126053	031578	4220300000	108	NEWTON GAS UNIT #2	BETHANY T P	19.0	UNITED GAS PIPE LINE
-THOMAS D COFFMAN INC				RECEIVED: 04/17/81 JA: TX			
8126141	32210	4205131143	102	MADDOX A NO 2 098642	GIDDINGS (AUSTIN CHALK)	36.5	FERGUSON CROSSING PI
-TRANS-AMERICAN DEVELOPMENT CORP				RECEIVED: 04/17/81 JA: TX			
8125962	28593	4204932267	102	J H PECK #1 (89036)	MIKLAR (STRAWN)	1496.0	ODESSA NATURAL CORP
-U S OPERATING INC				RECEIVED: 04/17/81 JA: TX			
8126012	30244	4247730359	102	HMK FISCHER NO 1 RRC ID N/A	GIDDINGS (AUSTIN CHALK G	91.0	PGP GAS PRODUCTS INC

JD NO	JA AT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8126045	31295	4247730363	102	KIM NO 1	GIDDINGS (AUSTIN CHALK G	33.0	PGP GAS PRODUCTS INC
-UNIVERSAL RESOURCES CORPORATION				RECEIVED: 04/17/81 JA: TX			
8126014	30253	4229530870	102	TERREL UNIT 1-1125	MAY (BASAL MORROW)	142.7	DIAMOND SHAMROCK COR
-W B TRAMMELL				RECEIVED: 04/17/81 JA: TX			
8125996	29980	4215131071	102	W B TRAMMELL FEE #6	JUDY GAIL EAST (CANYON)	0.0	PALO DURO PIPE LINE
8125997	29981	4215131090	102	W B TRAMMELL FEE #7	JUDY GAIL EAST (CANYON)	0.0	PALO DURO PIPE LINE
-WALTER EXPLORATION INC				RECEIVED: 04/17/81 JA: TX			
8126099	32092	4249700000	108	BIRDWELL NO 1 ID NO 40015	BOONSVILLE (BEND CONGL G	13.0	NATURAL GAS PIPELINE
8126093	32075	4249700000	108	PUGH GAS UNIT NO 1 ID NO 42827	BOONSVILLE (BEND CONGL G	12.0	NATURAL GAS PIPELINE
8126117	32155	4249700000	108	SWAFFORD NO 1 ID #35542	BOONSVILLE (BEND CONGL G	7.0	NATURAL GAS PIPELINE
-WARREN PETR CO A DIV OF GULF OIL CO				RECEIVED: 04/17/81 JA: TX			
8126072	31935	4210332307	103	W N WADDELL ET AL NO 1152	RUNNING W (TUBB)	8.0	EL PASO NATURAL GAS
8125955	28344	4210332269	103	W N WADDELL ET AL TR A NO 1171	SAND HILLS (WOLFCAMP)	0.0	EL PASO NATURAL GAS
8125950	28215	4210332262	103	W N WADDELL TR 1 NO 1130	DUNE	12.0	EL PASO NATURAL GAS
8125951	28216	4210332263	103	W N WADDELL TR 1 NO 1131	DUNE	30.0	EL PASO NATURAL GAS
8125948	28213	4210332259	103	W N WADDELL TR 1 NO 1132	DUNE	1.0	EL PASO NATURAL GAS
8125949	28214	4210332275	103	W N WADDELL TR 1 NO 1133	DUNE	7.0	EL PASO NATURAL GAS
8125952	28217	4210332260	103	W N WADDELL TR 1 NO 1134	DUNE	16.0	EL PASO NATURAL GAS
-WAY & MILLS				RECEIVED: 04/17/81 JA: TX			
8126069	31931	4238331458	103	UNIVERSITY 11 #12	FARMER (SAN ANDRES)	34.9	NORTHERN NATURAL GAS
-WINDSOR PRODUCING CO				RECEIVED: 04/17/81 JA: TX			
8125942	27725	4228730510	103	CAMERON #2	GIDDINGS (AUSTIN CHALK)	70.0	PGP GAS PRODUCTS INC
8125941	27719	4205130934	102	T-O #1	GIDDINGS (AUSTIN CHALK)	100.0	PGP GAS PRODUCTS INC
8125941	27719	4205130934	103	T-O #1	GIDDINGS (AUSTIN CHALK)	100.0	PGP GAS PRODUCTS INC
-WORLD PRODUCERS INC				RECEIVED: 04/17/81 JA: TX			
8125906	22949	4236731340	102	EDITH L GANDEE #1	KUZELL (CONGLOMERATE)	11.0	NATURAL GAS PIPELINE
8125905	22658	4223732470	102	HALSELL C #2	KEVIN (ATOKA)	70.0	SOUTHWESTERN GAS PIP
-WY-VEL CORP				RECEIVED: 04/17/81 JA: TX			
8126154	32269	4206530859	103	BURNETT #6 (04270)	PANHANDLE CARSON COUNTY	20.0	PHILLIPS PETROLEUM C
-ZEPHYR OIL CO				RECEIVED: 04/17/81 JA: TX			
8125902	22484	4240100000	108	BERRY-CHIM #1 (PRC #16143)	HENDERSON (RUSK CO TRAVI	1.3	UNITED GAS PIPE LINE
-ZONERGY INC				RECEIVED: 04/17/81 JA: TX			
8125916	24313	4228730404	102	ALCOCER #1	GIDDINGS	105.1	PGP GAS PRODUCTS INC
-6-BAR OPERATIONS INC				RECEIVED: 04/17/81 JA: TX			
8126118	32158	4204932446	103	BOWDEN #1-B (91075)	BROWN COUNTY REGULAR (MA	189.0	SOUTHWESTERN GAS PIP

OTHER PURCHASERS

8125877 DELHI GAS P L CORP
8125884 EL PASO NATURAL GAS CO
8125895 HOUSTON LIGHTING & POWER CO
8125896 HOUSTON LIGHTING & POWER CO
8125897 HOUSTON LIGHTING & POWER CO
8125898 HOUSTON LIGHTING & POWER CO
8125903 HOUSTON LIGHTING & POWER CO
8125914 HOUSTON LIGHTING & POWER CO
8125998 LONE STAR GAS CO
8126059 PANHANDLE EASTERN P L CO
8126097 HOUSTON LIGHTING & POWER CO
8126119 WESTLAKE NATURAL GAS CO
8126152 EL PASO NATURAL GAS CO
8126153 EL PASO NATURAL GAS CO

BILLING CODE 6450-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission within fifteen (15) days after the date of publication of this notice in the **Federal Register**.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-14637 Filed 5-14-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-1826-7]

Environmental Impact Statements; Availability

AGENCY: Office of Federal Activities (A-104), Environmental Protection Agency.

PURPOSE: This notice lists the Environmental Impact Statements (EIS's) which have been officially filed with the EPA and distributed to federal agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's regulations (40 CFR 1506.9) during the week of May 4, 1981 to May 8, 1981.

REVIEW PERIODS: The 45-day review period for Draft EIS's listed in this notice is calculated from May 15, 1981 and will end on June 29, 1981. The 30-day review period for Final EIS's as calculated from May 15, 1981 will end on June 15, 1981.

EIS AVAILABILITY: To obtain a copy of an EIS listed in this notice you should contact the federal agency which prepared the EIS. If a federal agency does not have the EIS available upon request you may contact the Office of Federal Activities, EPA, for further information. Copies of EIS's previously filed with EPA or CEQ which are no longer available from the originating agency are available with charge from the following source: Information Resources Press, 1700 North Moore Street, Arlington, Virginia 22209, (703) 558-8270.

FOR FURTHER INFORMATION CONTACT: Kathi L. Wilson, Office of Federal Activities, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (202) 245-3006.

Dated: May 12, 1981.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A-104).

Department of Agriculture

FS: Draft—Craggy Mountain Wilderness Designation, Pisgah NF, Buncombe County, North Carolina; the review period for this EIS has been extended until July 14, 1981 (EIS Order #810341)

FS: Final—Lake Tahoe Basin Land Management Plan, Eldorado, Tahoe and Toiyahe National Forests, El Dorado, Placer and Alpine Counties, California and Washoe and Douglas Counties, Nevada; the review period for this EIS has been extended until June 29, 1981 (EIS Order #810349)

FS: Final—Stibnite Gold Mine and Mill, Operation Approval, Payette National Forest, Valley County, Idaho (EIS Order #810363)

REA: Draft—Antelope Valley Station to Charlies Creek Substation 345 kV Transmission Line, Billings, Dunn, McKenzie and Mercer Counties, North Dakota (EIS Order #810342)

REA: Draft—Chatom to Waynesboro 230 kV Transmission Intertie, Washington County, Alabama to Wayne County, Mississippi (EIS Order #810355)

SCS: Draft—Richland Creek Watershed Flood Prevention, Rankin County, Mississippi (EIS Order #810345)

Army Corps of Engineers

Draft—St. Paul Island Small Boat Harbor Construction, Alaska (EIS Order #810340)

Draft—Port Gibson Port Construction, Mississippi River, Claiborne County, Mississippi (EIS Order #810343)

Draft—Bethal Bank Stabilization, Kuskokwin River, Alaska (EIS Order #810356)

Final—Cane Creek Water Supply Reservoir, Permit, Orange County, North Carolina (EIS Order #810348)

Final—Labette Creek Local Flood Protection, Labette County, Kansas (EIS Order #810350)

Final—Haikey Creek Local Flood Protection, Tulsa County, Oklahoma (EIS Order #810351)

Final—Cedar Point Navigation Improvement, McIntosh County, Georgia (EIS Order #810364)

Draft Supplement—Mankato-Le Hillier Flood Control, Blue Earth River Railroad Bridge Relocation, Blue Earth and Nicolette Counties, Minnesota (EIS Order #810347)

DEPARTMENT OF THE ARMY

Final—Fort Ricahrdson Land Withdrawal, Alaska (EIS Order #810352)

Final—Fort Greely Land Withdrawal, Alaska (EIS Order #810353)

Final—Fort Wainwright Land Withdrawal, Alaska (EIS Order #810354)

DEPARTMENT OF COMMERCE

NOAA: Final—Incidental Take of Dall Porpoise in the Japanese Salmon Fishery, Pacific Ocean; the review period for this EIS has been reduced and will terminate on June 8, 1981 (EIS Order #810359)

DEPARTMENT OF TRANSPORTATION

FHWA: Draft—Springfield Bypass and Extension, Route 7 to US 1, Fairfax County, Virginia (EIS Order #810344)

FHWA: Draft—MD-3 Corridor Upgrading US 50/301 to MD-32, Prince George's and Anne Arundel Counties, Maryland (EIS Order #810346)

FHWA: Final—27th Street Improvement, Potter Street to Arbor Road, Lancaster County, Nebraska (EIS Order #810339)

FHWA: Final—Oregon Coast Highway/US 101 Improvement, Lane County, Oregon (EIS Order #810362)

NHTSA: Draft—Motor Vehicle Occupant Crash Protection, Amendment (EIS Order #810360)

ENVIRONMENTAL PROTECTION AGENCY

EPA6: Draft—Limestone Electric Generating Station and Jewett Mine, NPDES Permit, Limestone, Freestone and Leon Counties, Texas (EIS Order #810361)

EPA5: Final—Bemidju Wastewater Treatment System, Beltrami County, Minnesota (EIS Order #810365)

NUCLEAR REGULATORY COMMISSION

Draft—Enrico Fermi Atomic Power Plant, Unit 2, Operating License, Monroe County, Michigan (EIS Order #810357)

Draft—Waterford Steam Electric Station, Unit 3, License, St. Charles Parish, Louisiana (EIS Order #810358)

[FR Doc. 81-14739 Filed 5-14-81; 8: 45 am]
BILLING CODE 6560-37-M

[OPTS-51258; TSH-FRL-1828-3]

Disubstitutednaphthalenol; Premanufacture Notice

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Section 5(d)(2) requires EPA to publish in the **Federal Register** certain information about each PMN within 5 working days after receipt. This notice announces receipt of a PMN and provides a summary.

DATE: Written comments by June 8, 1981.

ADDRESS: Written comments to: Document Control Officer (TS-793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St. SW., Washington, D.C. 20460, (202-426-2610).

FOR FURTHER INFORMATION CONTACT: George Bagley, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-125, 401 M St. SW., Washington, D.C. 20460 (202-426-2601).

SUPPLEMENTARY INFORMATION: Section 5(a)(1) of TSCA (90 Stat. 2012 (15 U.S.C. 2604)), requires any person who intends to manufacture or import a new chemical substance to submit a PMN to EPA at least 90 days before manufacture or import commences. A "new" chemical substance is any substance that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. EPA first published the Initial Inventory on June 1, 1979. Notices of availability of the Inventory were published in the **Federal Register** of May 15, 1979 (44 FR 28558-Initial) and July 29, 1980 (45 FR 50544-Revised). The requirement to submit a PMN for new chemical substances manufactured or imported for commercial purposes became effective on July 1, 1979.

EPA has proposed premanufacture notification rules and forms in the **Federal Register** issues of January 10, 1979 (44 FR 2242) and October 16, 1979 (44 FR 59764). These regulations, however, are not yet in effect. Interested persons should consult the Agency's Interim Policy published in the **Federal Register** of May 15, 1979 (44 FR 28564) for guidance concerning premanufacture notification requirements prior to the effective date of these rules and forms. In particular, see page 28567 of the Interim Policy.

A PMN must include the information listed in section 5(d)(1) of TSCA. Under section 5(d)(2), EPA must publish in the **Federal Register** nonconfidential information on the identity and use(s) of the substance, as well as a description of any test data submitted under section 5(b). In addition, EPA has decided to publish a description of any test data submitted with the PMN and EPA will publish the identity of the submitter unless this information is claimed confidential.

Publication of the section 5(d)(2) notice is subject to section 14 concerning disclosure of confidential information. A company can claim confidentiality for any information submitted as part of a PMN. If the company claims confidentiality for the specific chemical identity or use(s) of the chemical, EPA encourages the submitter to provide a generic use description, a nonconfidential description of the potential exposures from use, and a generic name for the chemical. EPA will publish the generic name, the generic use(s), and the potential exposure descriptions in the **Federal Register.**

If no generic use description or generic name is provided, EPA will develop one and after providing due notice to the submitter, will publish an amended **Federal Register** notice. EPA immediately will review confidentiality claims for chemical identity, chemical use(s), the identity of the submitter, and for health and safety studies. If EPA determines that portions of this information are not entitled to confidential treatment, the Agency will publish an amended notice and will place the information in the public file, after notifying the submitter and complying with other applicable procedures.

After receipt, EPA has 90 days to review a PMN under section 5(a)(1). The section 5(d)(2) **Federal Register** notice indicates the date when the review period ends for each PMN. Under section 5(c), EPA may, for good cause, extend the review period for up to an additional 90 days. If EPA determines that an extension is necessary, it will publish a notice in the **Federal Register.**

Once the review period ends, the submitter may manufacture the substance unless EPA has imposed restrictions. When the submitter begins to manufacture the substance, he must report to EPA, and the Agency will add the substance to the Inventory. After the substance is added to the Inventory, any company may manufacture it without providing EPA notice under section 5(a)(1)(A).

Therefore, under the Toxic Substances Control Act, a summary of the data taken from the PMN is published herein.

Interested persons may, on or before June 8, 1981, submit to the Document Control Officer (TS-793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St., SW., Washington, DC 20460, written comments regarding this notice. Three copies of all comments shall be submitted, except that individuals may submit single copies of comments. The comments are to be identified with the document control number "[OPTS-51258]" and the PMN number. Comments received may be seen in Rm. E-106 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 90 Stat. 2012 (15 U.S.C. 2604))

Dated: May 8, 1981.

Edward A. Klein,

Director, Chemical Control Division.

PMN 81-176

The following summary is taken from data submitted by the manufacturer in the PMN.

Close of Review Period. July 8, 1981.

Manufacturer's Identity. Claimed confidential business information

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Disubstitutednaphthalenol.

Use. Claimed confidential business information. Generic use information provided: Site-limited chemical intermediate for the manufacture of another chemical intermediate.

Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year	200	500
2d year	1,000	2,500
3d year	2,000	5,000

Physical/Chemical Properties

Solubilities—Water—<0.00003%. Octanol—<0.1%

Melting point—67°C.

Toxicity Data

Acute oral LD_{50} (rats)—>3,000 mg/kg.
Acute dermal LD_{50}—>1,000 mg/kg.
Skin irritation—Slight.
Repeated 10-day skin application—Slight exacerbation of the irritative response.
Skin sensitization potential—High.
Eye irritation—Slight.
Repeated 2-week feeding study (rats) 1.0% and 0.1% in diet—Normal weight gain and feed intake.

Environmental Test Data

Chemical oxygen demand (COD)—2.32 g/g.
Secondary waste treatment compatibility study—A solution of 60 ppb (calculated concentration) did not affect microbiological carbon metabolism.
Acute effects on six aquatic species—A solution of 250 ppb (measured concentration) did not affect any of the six test species.

Exposure. The manufacturer states that during manufacture and processing of the PMN substance, a maximum of 26 workers could have skin and inhalation exposure .5–1.5 hr/da, 3–6 da/yr at average and peak concentrations of 0–1 and 1–10 mg/m³ respectively.

Environmental Release/Disposal. The submitter claims that during manufacture, none of the new substance will be released to land, a negligible amount may be released to the atmosphere, and less than 10 kg/yr to water.

Process waste water is pretreated prior to discharge in accordance with a NPDES permit, sludge and other combustible wastes are incinerated.

[FR Doc. 81-14624 Filed 5-14-81; 8:45 am]
BILLING CODE 6560-31-M

[WH-FRL-1829-2]

Superfund Contracting; Meetings

AGENCY: The Environmental Protection Agency.

ACTION: Notice of Meetings on Superfund Contracting.

SUMMARY: The Office of Hazardous Emergency Response of the EPA announces two Superfund Contracting Symposiums. The symposiums will provide EPA the opportunity to communicate the scope and nature of the Superfund Program to potential contractors and to receive suggestions from industry on our approach. The symposiums are being sponsored by the American Institute of Chemical Engineers.

DATES: The symposiums are scheduled as follows:

1. May 27, 1981, 9:00 a.m. to 4:30 p.m., Atlanta, Georgia
2. May 29, 1981, 9:00 a.m. to 4:30 p.m., Denver, Colorado

ADDRESSES: The symposiums will be held at the following locations:

1. May 27, 1981—Atlanta Hilton and Towers, 255 Courtland Street, NE., Atlanta, GA 30043
2. May 29, 1981—Denver Hilton, 1550 Court Place, Denver, Colorado 80202.

FOR FURTHER INFORMATION CONTACT: Mr. William Kaschak, Office of Hazardous Emergency Response (WH-548E), 401 M Street, SW., Washington, D.C. 20460, (202) 382-2339.

SUPPLEMENTARY INFORMATION: The Comprehensive Environmental Response, Compensation and Liability Act of 1980 provides for the cleanup and emergency response for hazardous substances released into the environment and the clean up of inactive hazardous waste disposal sites. Both the Emergency and Remedial Response Programs will be conducted with a series of large management contracts with extensive subcontracting opportunities. The Request for Proposals for these contracts are expected to be released in July. The symposiums will consist of formal presentations followed by separate question and answer sessions. Contractors will provide EPA with evaluation, cleanup, and management services for emergency response, site inspections and evaluations, field investigations, feasibility studies, engineering design, remedial action implementation, and post-closure assistance at hundreds of waste sites around the nation.

Registration will cost $50.00 and will be on a first come first served basis. Participants can register in advance by sending a check or money order made out to AIChE by May 22, 1981 to: Mr. Gerard Chiffriller, Staff Director, Professional Services, American Institute of Chemical Engineers, 345 E. 47th Street, New York, New York 10017, (212) 644-8011. Advanced registration is urged since the attendance is limited to 500 participants at each symposium because of hotel requirements. Registration at the door will be from 7:30 a.m. to 9:00 a.m.

Michael B. Cook,

Deputy Assitant Administrator, Office of Hazardous Emergency Response.

[FR Doc. 81-14798 Filed 5-14-81; 8:45 am]
BILLING CODE 6560-01-M

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket Nos. 81-304, 81-305; File Nos. 5519-CM-P-80, 10379-CM-P-80]

Northstar Communications and Kravetz Media Corp.; Consolidated Hearing on Stated Issues

In re applications of Northstar Communications, CC Docket No. 81-304, File No. 5519-CM-P-80; and Kravetz Media Corporation, CC Docket No. 81-305, File No. 10379-CM-P-80; For Construction Permits in the Multipoint Distribution Service for a New Station at Hagerstown, Maryland.

Memorandum Opinion and Order

Adopted: April 29, 1981.
Released: May 4, 1981.

1. The Commission has before it the above-referenced application of Northstar Communications, filed on April 28, 1980 (accepted on Public Notice of May 20, 1980) and the application of Kravetz Media Corporation, filed on July 21, 1980 (accepted on Public Notice of August 12, 1980). These applications are for a construction permit in the Multipoint Distribution Service and they propose operations on Channel 1 in Hagerstown, Maryland. The applications are therefore mutually exclusive under present procedures and require comparative consideration. These applications have been amended as a result of informal requests by the Commission staff for additional information, and no petitions to deny or other objections to the applications have been filed.

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to provide the services which they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

3. Accordingly, it is hereby ordered, that pursuant to Section 309(e) of the Communications Act of 1934, as amended, 47 CFR 309(e) and § 0.291 of the Commission's rules, 47 CFR 0.291 the above-captioned applications are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest, convenience and necessity. In making

such a determination, the following factors shall be considered: [1]

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, that Northstar Communications, Kravetz Media Corporation and the Chief, Common Carrier Bureau, are made parties to this proceedings.

5. It is further ordered, that parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's rules.

James R. Keegan,

Chief, Domestic Facilities Division, Common Carrier Bureau.

[FR Doc. 81-14663 Filed 5-14-81; 8:45 am]

BILLING CODE 6712-01-M

[CC Docket Nos. 81-327, 81-328; File Nos. 22602-CD-80, 22529-CD-P-80]

Radio Electronics Service Company, Inc., et al.

In re applications of Radio Electronics Service Company, Inc. d/b/a Mobilfone, CC Docket No. 81-327, File No. 22602-CD-P-80, for a construction permit for an additional frequency on 158.70 MHz for Station KLF639 in the Domestic Public Land Mobile Radio Service at Fort Walton Beach, Florida; Radio Telephone Communications, CC Docket No. 81-328, File No. 22529-CD-P-80, for a construction permit for an additional frequency on 158.70 MHz for Station KUO605 in the Domestic Public Land Mobile Radio Service near Panama City, Florida.

Memorandum Opinion and Order

Adopted: May 7, 1981.

Released: May 12, 1981.

1. Presently before the Chief, Mobile Services Division, pursuant to delegated authority, are the capitoned applications of Radio Electronics Service Company, Inc. d/b/a Mobilfone (Radio Electronics) and Radio Telephone Communications (Radio Telephone). Neither of these applications has been protested nor is either of them electrically mutually exclusive with any other applications. However, our review of these applications has raised a question concerning whether either of the applicants has demonstrated a need for an additional paging frequency. We find the applicants to be otherwise qualified.

2. Each applicant has submitted a traffic loading study pursuant to § 22.516 of our rules in an attempt to demonstrate a need for the additional one-way frequency it requests. However, neither of the loading studies shows sufficient traffic to justify an additional one-way frequency. The Radio Electronics and Radio Telephone traffic loading studies show average peak hour usage of only 13 minutes and 19 minutes respectively. As a result, we will designate an issue as to whether either of the applicants has adequately demonstrated a need for an additional frequency.

3. Accordingly, it is ordered, that the application of Radio Electronics Service Company, Inc., File No. 22602-CD-P-80, and the application of Radio Telephone Communications, File No. 22529-CD-P-80, are designated for hearing in a consolidated proceeding,[1] pursuant to Section 309(e) of the Communications Act of 1934, as amended, upon the following issues:

(a) To determine whether Radio Electronics Service Company, Inc. has demonstrated a need for an additional frequency;

(b) To determine whether Radio Telephone Communications has demonstrated a need for an additional frequency; and

(c) To determine, in light of the evidence adduced pursuant to the foregoing issues, what disposition of these applications would best serve the public interest, convenience, and necessity.

4. It is further ordered, That with respect to issue (a) the burden of proof and the burden of proceeding with the introduction of evidence is placed upon Radio Electronics Service Company, Inc., that with respect to issue (b) those burdens are placed on Radio Telephone Communications, and that with respect to issue (c) the ultimate burden of proof is placed on each of the applicants as the issue affects them.

5. It is further ordered, that the hearing shall be held at the Commission offices at a time and place and before an Administrative Law Judge to be specified in a subsequent order.

6. It is further ordered, that the Chief, Common Carrier Bureau, is made a party to this proceeding.

7. It is further ordered, that the applicants may avail themselves of an opportunity to be heard by filing with the Commission pursuant to § 1.221(c) of the rules within 20 days of the release date hereof, a written notice stating an intention to appear on the date for a hearing and present evidence on the issues specified in this Memorandum Opinion and Order.

8. The Secretary shall cause a copy of this Order to be published in the **Federal Register.**

Sheldon M. Guttmann,

Chief, Mobile Services Division, Common Carrier Bureau.

[FR Doc. 81-14664 Filed 5-14-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Citizens Bancorp.; Acquisition of Bank

Citizens Bancorporation, Sheboygan, Wisconsin, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire at least 80 percent of the voting shares of Gillett State Bank, Gillett, Wisconsin. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than June 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, May 11, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14697 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Community Banks, Inc.; Acquisition of Bank

Community Banks, Inc., Middleton, Wisconsin, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C.

[1] Consideration of these factors shall be in light of the Commission's discussion in *Applications of Frank K. Spain*, 77 FCC 2d 20 (1980).

[1] Although these applications are not directly tied together, these applications are being designated in a consolidated proceeding, rather than in separate proceedings, for the convenience of the parties since the applicants share the same parent corporation, principals, and counsel.

1842(a)(3)) to acquire 90 percent or more of the voting shares of The American Exchange Bank of Madison, Wisconsin, Madison, Wisconsin. 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 June 11, 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, May 11, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14696 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

BancIndependent Inc.; Formation of Bank Holding Co.

BancIndependent Incorporated, Sheffield, Alabama, 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 per cent or more of the voting shares of First Colbert National Bank, Sheffield, Alabama. 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 Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than June 7, 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, May 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14687 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Citizens State Financial Corp.; Formation of Bank Holding Co.

Citizens State Financial Corporation, Corrigan, Texas, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares of The Citizens State Bank, Corrigan, Texas. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 8, 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, May 8, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14688 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Crown Bancshares, Inc.; Formation of Bank Holding Company

Crown Bancshares, Inc., Kansas City, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of The First National Bank of Lawrence, Lawrence, Kansas, and has applied for the Board's approval to acquire up to 20 percent of the outstanding voting shares of The Merchants National Bank of Topeka, Topeka, Kansas. 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 June 11, 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, May 11, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14699 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

First Abilene Bankshares, Inc.; Acquisition of Bank

First Abilene Bankshares, Inc., Abilene, Texas, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of First National Bank, Sweetwater, Texas. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than June 8, 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, May 8, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14689 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

First Bunker Hill Bancshares; Formation of Bank Holding Company

First Bunker Hill Bancshares, Bunker Hill, Illinois, 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)) become a bank holding company by acquiring 51.2 percent or more of the voting shares of First National Bank of Bunker Hill, Bunker Hill, Illinois. 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 June 11, 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, May 11, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14700 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

First Broken Arrow Corp.; Formation of Bank Holding Co.

First Broken Arrow Corporation, Broken Arrow, Oklahoma, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of The First National Bank of Broken Arrow, Broken Arrow, Oklahoma. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 7, 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, May 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14690 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

First Mabel BanCorporation, Inc.; Formation of Bank Holding Co.

First Mabel BanCorporation, Inc., Mabel, Minnesota, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank of Mabel, Mabel, Minnesota. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 7, 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, May 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14691 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

First Security Banshares, Inc.; Formation of Bank Holding Co.

First Security Banshares, Inc., Lake Park, Iowa, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act at (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of Security State Bank, Lake Park, Iowa, and 80 percent or more of the voting shares of Security State Bank, Hartley, Iowa. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than June 7, 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, May 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14692 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Grove Bancshares, Inc.; Formation of Bank Holding Co.

Grove Bancshares, Inc. Grove, Oklahoma, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company at (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 99.24 percent of the voting shares of State Bank of Grove, Grove, Oklahoma. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than June 7, 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, May 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14693 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Guaranty Bancorp; Formation of Bank Holding Company

Guaranty Bancorp, Zachary, Louisiana, 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 per cent or more of the voting shares of Guaranty Bank & Trust Company, Zachary, Louisiana. 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 Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than June 11, 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, May 11, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14701 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Moore Financial Group Inc.; Formation of Bank Holding Co.

Moore Financial Group Inc.; Boise, Idaho, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares of the successor by merger to The Idaho First National Bank, Boise, Idaho. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 8, 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, May 8, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14694 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Chemical New York Corp.; Bank Holding Company; Proposed de Novo Nonbank Activities

The bank holding company listed in this notice has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to 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 of 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 June 8, 1981.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President): 33 Liberty Street, New York, New York 10045:

CHEMICAL NEW YORK CORPORATION, New York, New York (financing and insurance activities; North Carolina): to continue to engage through its subsidiary, Sunamerica Financial Corporation, in the previously approved activities of making direct loans, purchasing installment sales finance contracts, and acting as agent or broker for the sale of life, accident and health, and property and casualty insurance directly related to such extensions of credit. These activities are currently conducted from an office in Greensboro, North Carolina, serving Greensboro and surrounding areas. This application is for the relocation of an office within Greensboro.

B. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, May 8, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14705 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Nortonville Bancshares, Inc.; Acquisition of Northeast Kansas Agency, Inc.

Nortonville Bancshares, Nortonville, Kansas, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of Northeast Kansas Agency, Inc., Nortonville, Kansas.

Applicant states that the proposed subsidiary would perform the activities of a general insurance agency in a community with a population not exceeding 5,000 persons. These activities would be performed from offices of Applicant's subsidiary in Nortonville, Kansas, and the geographic area to be served is a seven to ten mile radius of Nortonville, Kansas, and the geographic area to be served is a seven to ten mile radius of Nortonville, Kansas, including portions of Jefferson and Atchison Counties. Such activities have been specified by the Board in section 225.4(a) of Regulaton Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of 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 June 7, 1981.

Board of Governors of the Federal Reserve System, May 7, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14695 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

Wilber State Co.; Formation of Bank Holding Company

Wilber State Company, Wilber, Nebraska, has applied for the Board's approval under section 3(a) of the Bank Holding Company Act (12 U.S.C. 1842(a)) to become a bank holding company by acquiring 100 per cent of the voting shares of The Bank of Wilber, Wilber, Nebraska. 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 Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than June 8, 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, May 8, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-14696 Filed 5-14-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 81F-0145]

American Feed Manufacturers Association, Inc.; Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that the American Feed Manufacturers Association, Inc., has filed a petition (FAP-2186), proposing that the regulations be amended to provide for safe use of selenium as a nutrient in duck feeds at a level not to exceed 0.1 part per million in complete feeds.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-147), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a food additive petition (FAP-2186) has been filed by the American Feed Manufacturers Association, Inc., 1701 N. Ft. Meyer Dr., Arlington, VA 22209, proposing that § 573.920 *Selenium* (21 CFR 573.920) be amended to provide for the safe use of 0.1 part per million selenium as a nutrient in complete duck feeds.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: May 7, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81-14378 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 81F-0134]

Dow Chemical Co.; Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that the Dow Chemical Co. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of 2,2-dibromo-3-nitrilopropionamide for the control of microorganisms in cane-sugar and/or beet-sugar mills.

FOR FUTHER INFORMATION CONTACT: Vir D. Anand, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 1A3555) has been filed by the Dow Chemical Co., Midland, MI 48640, proposing that § 173.320 (21 CFR 173.320) be amended to provide for the safe use of 2,2-dibromo-3-nitrilopropionamide for the control of microorganisms in cane-sugar and/or beet-sugar mills.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: May 4, 1981.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 81-14379 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

Merck Sharp & Dohme Research Laboratories; Cyclaine (Hexylcaine Hydrochloride) Injection; Withdrawal of Approval of Nada

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) withdraws approval of a new animal drug application (NADA) providing for use of Cyclaine (hexylcaine hydrochloride) injections as local anesthetics in cattle, horses, and dogs. The sponsor, Merck Sharp & Dohme Research Laboratories, requested the action.

EFFECTIVE DATE: Effective on May 25, 1981.

FOR FURTHER INFORMATION CONTACT: David N. Scarr, Bureau of Veterinary Medicine (HFV-214), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1846.

SUPPLEMENTARY INFORMATION: Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, NJ 07065, is the sponsor of NADA 8-018 which provides for use of 1 and 5 percent hexylcaine hydrochloride solutions for epidural anesthesia of mature cattle, horses, and dogs; for infiltration anesthesia (field blocking) of cattle, horses, and dogs; and for nerve block anesthesia of cattle and horses. The NADA was originally approved May 2, 1951. In a letter dated December 23, 1980, the sponsor requested that approval of the NADA be withdrawn because the products are no longer being marketed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.84), and in accordance with § 514.115 *Withdrawal of approval of applications* (21 CFR 514.115), notice is given that NADA 8-018 and all supplements for Cyclaine 1 and 5 percent are hereby withdrawn, effective on May 25, 1981.

In a document published elsewhere in this issue of the **Federal Register**, § 522.1143 *Hexylcaine hydrochloride injection* is removed.

Dated: May 7, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81-14377 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by Loren Y. Johnson, District Director, Philadelphia District Office, Philadelphia, PA.

DATE: The meeting will be held from 10 a.m. to 12:30 p.m., Thursday, June 4, 1981.

ADDRESS: The meeting will be held at the Federal Bldg., Rm. 2214, 1000 Liberty Ave., Pittsburgh, PA 15222.

FOR FURTHER INFORMATION CONTACT: Louise A. Dvorchak, Consumer Affairs Officer, Food and Drug Administration, 7 Parkway Center, Rm. 645, Pittsburgh, PA 15220, 412-644-2858.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's Philadelphia District Office, and to contribute to the agency's policymaking decisions on vital issues.

Dated: May 8, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-14473 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by Alan L. Hoeting, District Director, Detroit District Office, Detroit, MI.

DATE: The meeting will be held at 9:30 a.m., Tuesday, June 2, 1981.

ADDRESS: The meeting will be held at the George Potter Larrick Building, Conference Rm., 1560 E. Jefferson, Detroit, MI 48207.

FOR FURTHER INFORMATION CONTACT: Diane M. Place, Consumer Affairs Officer, Food and Drug Administration, 1560 East Jefferson, Detroit, MI 48207, 313-226-6260.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's Detroit District Office, and to contribute to the agency's policymaking decisions on vital issues.

The agenda will include discussion concerning the status of irradiated foods, allergenic extracts, and color additives.

Dated: May 8, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-14474 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-03-M

Advisory Committees; Meetings

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committees and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) relating to advisory committees. The following advisory committee meetings are announced:

Miscellaneous Internal Drug Products Panel

Date, time, and place. June 5, 10 a.m., Conference Rm. B., Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and executive secretary. Open public hearing, 10 a.m. to 11 a.m.; open committee discussion, 10 a.m. to 2 p.m.; John R. Short, Bureau of Drugs (HFD-510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6156.

General function of the committee. The committee reviews and evaluates available data on the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing. Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

Agenda—Open committee discussion. The Panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this Panel (see also 21 CFR § 330.10(a)(2)), specifically restricted to menstrual and diuretic drug products. The Panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

Applications for reimbursement. Must be received by May 26, 1981.

Oncologic Drugs Advisory Committee

Date, time, and place. June 25, 9 a.m., Conference Rm. M., Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and executive secretary. Open committee discussion, 9 a.m. to 3 p.m.; open public hearing, 3 p.m. to 4 p.m.; open committee discussion, 4 p.m. to 5 p.m.; Ann Greenstein, Bureau of Drugs (HFD-150), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-5197.

General function of the committee. The committee reviews and evaluates available data on the safety and effectiveness of marketed and investigational prescription drugs for use in the treatment of cancer.

Agenda—Open public hearing. Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. The committee will discuss M-AMSA for Group C distribution by the National Cancer Institute (NCI) for treatment of leukemia; THC for Group C distribution by NCI as an antiemetic used adjunctively with radiotherapy; status report on Group C distribution of THC as an adjunct to chemotherapy; estramustine (NDA 18-045 Hoffmann-LaRoche) for treatment of prostatic cancer; and Cisplatin (NDA 18-057 Bristol Laboratories) for additional indication of bladder cancer.

Applications for reimbursement. Must be received by June 5, 1981.

Drug Abuse Advisory Committee

Date, time, and place. June 29, 9 a.m., Conference Rms. G and H, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and executive secretary. Open public hearing, 9 a.m. to 10 a.m.; open committee discussion, 10 a.m. to 4:30 p.m.; Robert C. Nelson, Bureau of Drugs (HFD-123), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3504.

General function of the committee. The committee advises the Commissioner of Food and Drugs regarding the scientific and medical evaluation of all information gathered

by the Department of Health and Human Services and the Department of Justice with regard to safety, efficacy, and abuse potential of drugs and other substances and recommends actions to be taken by the Department of Health and Human Services with regard to the marketing, investigation, and control of such drugs or other substances.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

Any interested person who wishes to submit written data regarding Δ-9-THC for the committee to consider may do so. To ensure that the committee has adequate time to review such data, it must be submitted by May 29, 1981 to the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857. Such data are to be identified with the following docket number [81N–0168]. Four copies of any data are to be submitted, except that individuals may submit one copy. The background information assembled by FDA and the data received as a result of this notice will be made available for review in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Open committee discussion. A new drug application (NDA) for delta-9-tetrahydrocannabinol (Δ-9-THC) is to be submitted to FDA with a proposed indication as an antiemetic for patients receiving cancer chemotherapy. Δ-9-THC is currently in Schedule I of the Controlled Substances Act (CSA). If and when the NDA for THC is found approvable, a Schedule I status is no longer appropriate. Thus, the committee will be asked to conduct a medical and scientific abuse potential liability evaluation of Δ-9-THC and advise FDA what schedule under the CSA is appropriate if and when an NDA is approved.

Applications for reimbursement. Must be received by June 9, 1981.

FDA public advisory committee meetings may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. There are no closed portions for the meetings announced in this notice. The dates and times reserved for the open portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this **Federal Register** notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14.

Applications for reimbursement for participation in the meetings listed above should be sent to the Office of Consumer Affairs (HFE–1), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, rather than to the Dockets Management Branch as prescribed in § 10.210 of the regulations (21 CFR § 10.210). If you wish to submit an application or wish more information regarding the reimbursement program, please call 301–443–5006.

FDA has established expedited procedures for review of any application for reimbursement for participation in the meetings announced in this notice. The Office of Consumer Affairs, FDA, will file any application for reimbursement for participation in the meetings announced in this notice in the docket for this notice.

Dated: May 11, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81–14641 Filed 5–14–81; 8:45 am]

BILLING CODE 4110–03–M

Health Care Financing Administration Privacy Act of 1974; Report of New System

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of New System of Records.

SUMMARY: This notice describes a new system of records, The Evaluation of the Long-Term Home Health Care Program, HCFA No. 09–70–0025, in accordance with the requirements of the Privacy Act of 1974. The purpose of this system is to provide a valid and reliable research base which is essential for an accurate evaluation of this program. The new system of records will contain patient-specific information about the health status and the service utilization and cost for Long-Term Home Health Care Program (LTHHCP) participants. In addition, the system will contain information necessary to evaluate the health status and service utilization and costs of a selected comparison group of patients who meet the eligibility requirements for the LTHHCP but are not enrolled in the program. There is a more detailed explanation of both the evaluation and the records system under the section entitled "Supplementary Information." HCFA invites public comments by June 15, 1981, with respect to routine uses of the system.

DATES: HCFA filed a new system report with the Speaker of the House, the President of the Senate and the Director, Office of Management and Budget, on May 11, 1981. The new system of records, including routine uses, will become effective July 10, 1981, provided HCFA does not receive comments which would result in a contrary determination.

ADDRESS: The public should address comments to Shirley Mulhall, Privacy Officer, Office of Management and Budget, Health Care Financing Administration, Bay B–4, 1710 Gwynn Oak Avenue, Baltimore, Maryland 21207. Comments received will be available for inspection at this location.

FOR FURTHER INFORMATION CONTACT: Kathy Ellingson, Office of Research, Demonstrations and Statistics, Health Care Financing Administration, Room 1E6, Oak Meadows Building, 6340 Security Boulevard, Baltimore,

Maryland 21235, Telephone (301) 597–2305.

SUPPLEMENTARY INFORMATION: HCFA proposes to initiate a new system of records collecting data under the authority of Section 402 of the 1967 Amendments to the Social Security Act, Pub. L. 90–248, as amended by section 222(b) of the 1972 Amendments to the Social Security Act, Pub. L. 92–603, and section 1115(a) of the Social Security Act, as amended by section 404 of the Social Security Amendments of 1977, Pub. L. 95–216.

The LTHHCP is currently operating at nine sites in New York State. The nine LTHHCPs offer several innovative home care features not available from New York State's 120 certified home health agencies. Each of the LTHHCPs has been authorized to offer up to ten home care services not covered under the current Medicaid program. To permit this, HCFA has waived certain provisions of the Medicaid laws for the nine LTHHCPs. While the waivers will permit reimbursement to all nine LTHHCPs for these ten services, not all LTHHCPs will offer the same services. Three of the services are offered by all LTHHCPs, while the other seven are optional. In addition to these home care services, the LTHHCPs also provide (1) coordinated case management with single sources funding, (2) continuous reassessment (every 120 days) of patients and their support environment, and (3) 24 hour/day accessibility to services. A primary goal of the program is to offer a community based substitute for institutional care rather than to augment home care programs already in place.

The proposed new system of records will provide a valid and reliable research data base which is essential for an accurate evaluation of this program. The new system of records will contain patient-specific information about health status, service utilization, and cost of past and current LTHHCP participants from the program's inception until approximately sixteen months after the commencement of data collection. Measurements of service utilization and cost will be made by use of a system of records which will include data from major benefit programs, namely, Medicaid, Medicare, Title XX social services, Food Stamps, public assistance, fuel assistance, and Supplemental Security Income. Measures of health status will be made from the DMS–1, an assessment instrument currently in use in New York State to determine eligibility for Medicaid reimbursement for skilled nursing facility and health related facility levels of care. Measures of home environment will be made from a condensed version of the Home Assessment Abstract, an assessment instrument widely used in New York State to determine the type and cost of home care needs.

To more clearly understand the effects of the LTHHCP, HCFA will also gather the same patient-specific information for a group of comparison patients. Comparison patients will be chosen who meet all the criteria for LTHHCP participation but are not LTHHCP patients because (1) they rejected the program, or (2) they had no access to the program (were not within a LTHHCP catchment area). Sources of these comparison patients will be hospitals, nursing homes, community agencies and home health agencies. This comparison information will be collected over the same time period as the treatment (LTHHCP) group.

HCFA will obtain the written informed consent of every comparison patient surveyed before obtaining information directly from the patient, or indirectly from staff or family.

The proposed new system of records will include this information about the health status and the service utilization and cost for both the (1) past and current LTHHCP participants, and (2) the comparison patients. This new system of records, along with selected aggregated service utilization information for New York State, will allow HCFA to answer a number of important questions about the LTHHCP, namely:

1. How will the LTHHCP affect participants with respect to health status and service utilization and cost?

2. Does the LTHHCP serve as a substitute for institutional nursing home care, or does it augment home health care programs already available?

3. What is the demand for the LTHHCP's unique services? Is the service population large enough to warrant the expansion of this type of program?

4. Does implementation of the LTHHCP result in a reduction of the number of days which Medicaid patients spend in hospitals awaiting admission to lower levels of care?

5. Does the LTHHCP reduce the Medicaid utilization and expenditures for hospital and nursing home care?

Results of the evaluation will provide the Department of Health and Human Services and the Congress with important information regarding the cost of home health care as it compares to institutional care, its impact on health status, and the services most necessary in providing home health care as a viable alternative to institutionalization.

Dated: May 11, 1981.

Paul Willging,

Deputy Administrator, Health Care Financing Administration.

09–70–0025

SYSTEM NAME:

Evaluation of the Long-Term Home Health Care Program.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Abt Associates, Inc., 55 Wheeler Street, Cambridge, Massachusetts 02138.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Past and current participants of the LTHHCP.

2. Comparison patients who meet the eligibility requirements for the LTHHCP and have signed the consent form for this evaluation but are not participants. To participate in the LTHHCP, individuals must fulfill the following four requirements:

1. Be Medicaid eligible.

2. Have a DMS–1 score of at least 60.

3. Annual cost of health care services required by the individual must not exceed 75% of the cost of alternative long-term care, i.e., nursing home care.

4. Have an adequate home situation in which he/she can be maintained.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. Records of health status measured by the New York State Medical Assessment Abstract, the DMS–1. These assessments will specify the nature of disabilities, diagnosis, as well as the type of rehabilitation required and the level of care needed.

2. Records of home environment that contain information regarding the potential of the patient's residence for home care, the motivation of the patient and his/her family to retain the patient at home, and various demographic data about the patient.

3. Reports of projected cost of home care that contain information about the projected types and cost of home care services required by the patient.

4. Records of service utilization and cost that include data from major benefit programs, namely, Medicaid, Medicare, Food Stamps, public assistance, Title XX social services, fuel assistance, and Supplemental Security Income.

5. LTHHCP discharge summary reports that contain information about

the patient's health status and service needs upon discharge from the LTHHCP.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 402 of the 1967 Amendments to the Social Security Act, Pub. L. 90–248, as amended by section 222(b) of the 1972 Amendments to the Social Security Act, Pub. L. 92–603, and section 1115(a) of the Social Security Act, as amended by section 404 of the Social Security Amendments of 1977, Pub. L. 95–216.

PURPOSE(S):

The purpose of this system of records is:

1. To develop national policy recommendations to the Congress and the Department of Health and Human Services,

2. To validate the work of the independent evaluator,

3. To determine whether the LTHHCP is meeting its programmatic goals, and

4. To determine the population characteristics, cost and effectiveness of LTHHCP relative to those of programs with similar goals operating elsewhere in the United States.

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

1. Abt Associates, Inc., the independent evaluator, will receive all information in the system about health status, service utilization, and cost on either hard copy, magnetic tape, or flexible diskette form, and store it in the master evaluation file, a magnetic tape. The evaluator will use this information to assess changes in health status, in addition to service utilization and cost for patients in the LTHHCP and in the comparison group.

2. HCFA may make disclosures to a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

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

STORAGE:

Hardcopy health status and home environment reports will be stored at Abt Associates, Inc. in a secured storage area. Service utilization and cost information on magnetic tape as well as data tapes created from hardcopy forms, will be stored in locked tape libraries and computer rooms maintained by Abt Associates, Inc. The information from these records will be merged and stored in the master evaluation file.

RETRIEVABILITY:

Information stored on magnetic tape will be retrievable by Medicaid or Social Security number. Information stored on the master evaluation file will also be retrievable by Medicaid number.

SAFEGUARDS:

Abt Associates will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records Abt Associates, Inc., will initiate automated data processing (ADP) systems security procedures required by the Department's ADP Systems Manual, Part 6, ADP Systems Security. Data files will be accessed and searched with the authorized user password only.

RETENTION AND DISPOSAL:

Abt Assocates, Inc., will retain the records for the life of the evaluation and then transfer to HCFA. HCFA will then destroy all patient identifiers in records from the evaluation, whether in hard copy records or on magnetic tapes or flexible diskettes.

SYSTEM MANAGER AND ADDRESS:

Director, Office of Research, Demonstrations and Statistics Health Care Financing Administration Room 4228, HHS Building 330 Independence Avenue, S.W. Washington, D.C. 20201

NOTIFICATION PROCEDURE:

Individuals should address inquiries and requests concerning system records to the system manager indicated above, specifying name and Medicaid number. An individual who requests notification or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's descretion. These notification and access procedures are in accordance with Department Regulations (45 CFR 5b).

RECORD ACCESS PROCEDURE:

Individuals who participate in the demonstration project may request their data records in writing. Access procedure is the same as the notification procedure. Requestor should reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations (45 CFR 5b).

CONTESTING RECORD PROCEDURES:

An individual who wishes to contest the contents of any record in this system should contact the system manager, reasonably identify the record, and specify the information to be contested and the reason for contesting it, e.g., why it is inaccurate or incomplete. These procedures are in accordance with Department Regulations (45 CFR 5b).

RECORD SOURCE CATEGORIES:

Sources of information contained in this record system include individual patients, their families and their primary care givers, participating health care facilities and agencies, cooperating Medicare and Medicaid intermediaries and carriers, and selected Medicare and Medicaid enrollment and claim files. Selected social service claim and enrollment information will be abstracted from supplemental security income, public assistance, fuel assistance, Title XX social services, and food stamps.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Appendix A—Operating Long-Term Home Health Care Program

Programs—Upstate and Location

Cattaraugus County, Department of Health, Olean, New York—Cattaraugus County
Erie County, Department of Health, Buffalo, New York—Erie County
Onondaga County, Department of Health, Syracuse, New York—Onondaga County
24 Rhode Island Street, Nursing Home Company, Inc., Buffalo, New York—Erie County

Programs—New York City

Metropolitan Jewish Geriatric Center, New York, New York—Kings County
Montefiore Hospital & Medical Center, New York, New York—Bronx County
St. Vincent's Hospital, Chelsea-Village, New York, New York—New York County
Visiting Nurse Service of New York, New York, New York—Queens County

[FR Doc. 81-14740 Filed 5-14-81; 8:45 am]
BILLING CODE 4110-35-M

National Institutes of Health

Board of Scientific Counselors; Division of Cancer Biology and Diagnosis

Notice is hereby given of the *location* change of the meeting of the Board of Scientific Counselors, Division of Cancer Biology and Diagnosis, National Cancer Institute, published Thursday, April 30, 1981, 46 FR 24300. Only the evening portion of the first day, May 14.

will be changed. The place has been changed from Building 37, Conference Room 4E–06, National Institutes of Health, to Building 10, Conference Room 4B36, National Institutes of Health. The other times and places remain the same, beginning with May 14 from 1:00 p.m. to 5:30 p.m.; May 15, from 9:00 a.m. to 5:00 p.m. (both of which are open); and May 16 from 9:00 a.m. to adjournment (which is closed). All of these meetings are being held in Building 37, Conference Room 4E–06, National Institutes of Health.

Dr. Alan S. Rabson, Director, Division of Cancer Biology and Diagnosis, National Cancer Institute, Building 31A, Room 3A–03, National Institutes of Health, Bethesda, Maryland 20205 (301/496–4345) will furnish substantive program information.

Dated: May 8, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–14607 Filed 5–14–81: 8:45 am]

BILLING CODE 4110–08–M

Board of Scientific Counselors, Division of Resources, Centers, and Community Activities; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, Division of Resources, Centers, and Community Activities, National Cancer Institute, National Institutes of Health, June 4–5, 1981, Building 31, Conference Room 8, Bethesda, Maryland 20205. The entire meeting will be open to the public from 8:30 a.m. on June 4 through adjournment on June 5, to discuss the current and future programs of the Division of Resources, Centers, and Community Activities. Attendance by the public will be limited to space available.

Mrs. Winifred Lumsden, the Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20205 (301/496–5708) will provide summaries of meetings and rosters of committee members upon request.

Dr. Robert G. Burnight, Executive Secretary, National Cancer Institute, National Institutes of Health, Blair Building, Room 3A01A, Silver Spring, Maryland 20910 (301/427–8630) will furnish substantive program information.

Dated: May 8, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–14608 Filed 5–14–81: 8:45 am]

BILLING CODE 4110–08–M

Public Health Services

National Toxicology Program Board of Scientific Counselors; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Toxicology Program Board of Scientific Counselors, U.S. Public Health Service, in the auditorium of Building 101, South Campus, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina, on June 23, 1981.

The meeting will be open to the public from 9 a.m. until adjournment for the purpose of completing peer reviews on draft technical reports of toxicology and carcinogenesis bioassays from the National Toxicology Program (NTP). Reviews will be conducted by the Technical Reports Review Subcommittee of the Board in conjunction with an *ad hoc* panel of experts.

Draft technical reports on the following chemicals (and routes of administration) will be peer reviewed June 23:

Chemical and Route

Polybrominated biphenyls (Firemaster FF1)—Feed
Asbestos, amosite—Feed
Abestos, chrysotile—Feed
Allyl isothiocyanate—Gavage
Pentachloroethane—Gavage
2-Biphenylamine—Feed
Stannous chloride—Feed

The Executive Secretary, Dr. Larry G. Hart, Office of the Director, National Toxicology Program, P.O. Box 12233, Research Triangle Park, North Carolina 27709, telephone (919) 541–3971, FTS 629–3971, will furnish summary minutes of the reviews, rosters of Subcommittee and panel members, and other program information.

Dated: May 11, 1981.

David P. Rall,

Director, National Toxicology Program.

[FR Doc. 81–14609 Filed 5–14–81: 8:45 am]

BILLING CODE 4110–08–M

National Institutes of Health; Statement of Organization, Functions, and Delegations of Authority

Part H, Chapter HN (National Institutes of Health) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (40 FR 22859, May 27, 1975, as amended most recently in pertinent part at 45 FR 47240, July 14, 1980) is amended to reflect the following changes in the National Cancer Institute:

(1) Establish the Biological Response Modifiers Program in the Division of Cancer Treatment, and

(2) Revise the Division of Cancer Treatment Functional statement to include the functions of the new program.

The establishment of the program both recognizes the potential value of biological response modifiers in the treatment of cancer, and provides an organizational context that will emphasize and encourage a more organized and cohesive approach to the research effort in this area.

Sec. HN–B, Organization and Functions, is amended as follows: Under the heading *National Cancer Institute (HNC),* make the following changes:

(1) Delete the functional statement for the *Division of Cancer Treatment (HNC6)* in its entirety and substitute the following:

Division of Cancer Treatment (HNC6)

(1) Plans, directs, and coordinates an integrated program of cancer treatment activites with the objective of curing or controlling cancer in man by utilizing combination modalities including chemical, biological, surgical, radiological, nutritional, antiemetic research, and certain immunological techiques, through intramural laboratory and clincial studies, contract and grant research, and research conducted in cooperation with other Federal agencies; (2) administers total drug and biological development programs encompassing all phases from acquisition up to and including clinical trials; and (3) serves as the national focal point for information and data on experimental and clincial studies related to cancer treatment and for the distribution of such information to appropriate scientists and physicians.

(2) After the statement for the *Developmental Therapeutics Program (HNC67),* insert the following heading and functional statement:

Biological Response Modifiers Program (HNC68)

(1) Plans, directs, coordinates and evaluates basic and applied research on interferons and other bilogical response modifiers; (2) established program priorities, allocates resources, maintains project integration, evaluates program effectiveness and represents the program area in management and scientific decision-making meetings in the Institute; (3) provides supplies of biologicals for research through a coordinated contract supported program and the maintenance of in-house production capability; (4) administers

and encourage grant-supported research related to biological response modifiers; and (5) advises the Director of the Division, the National Cancer Advisory Board and other scientific advisory committees in matters related to the program area.

Dated: April 24, 1981.

Richard S. Schweiker,

Secretary.

[FR Doc. 81-14703 Filed 5-14-81; 8:45 am]

BILLING CODE 4110-08-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

California Desert District; Preparation of an Environment Impact Statement Regarding North Salton Sea Proposed Oil and Gas Lease; Scoping Meeting

AGENCY: Bureau of Land Management.

ACTION: California; North Salton Sea Proposed Oil and Gas Lease Intent to Prepare an Environment Impact Statement and Conduct Scoping Meeting.

SUMMARY: An Environmental Impact Statement (EIS) is being prepared by the Indio Resource Area of the California Desert District, Bureau of Land Management (BLM).

The proposal is the issuing of non-competitive leases of federally owned potential oil and gas resources under the northern section of the Salton Sea. The study area in the EIS is approximately 48,640 acres, of which 17,661 acres are under application for lease by Chevron Oil Company.

The EIS will analyze anticipated environmental consequences, which would result from the implementation of the applicant's proposal or a no leasing alternative.

A scoping meeting will be held to identify potential impacts from the proposed action. The BLM will contact interested groups, agencies and local landowners.

DATE: The meeting will be held: June 20, 1981, 1:00–4:00 pm, in the Oasis School Auditorium, 88775 Ave. 76, Thermal, California.

Further information on the North Salton Sea Oil and Gas lease may be obtained from: Brian Booher, Indio Resource Area Manager, Bureau of Land Management, 3623 Canyon Crest Drive, Suite H–101, Riverside, California 92507.

Dated: May 12, 1981.

James B. Ruch,

State Director, Bureau of Land Management.

[FR Doc. 81-14621 Filed 5-14-81; 8:45 am]

BILLING CODE 4310-84-M

Colorado; Availability of Unsuitability Assessment Report

AGENCY: Bureau of Land Management.

ACTION: Notice of Availability—Unsuitability Assessment Report.

SUMMARY: The Bureau of Land Management, in accordance with Federal Regulation 43 CFR 3461, has prepared a coal unsuitability assessment report for the Deserado Logical Mining Unit (LMU). The LMU consists of two existing leases and three Preference Right Lease Applications. The unsuitability report focuses its discussions on those area of the LMU which were assessed as being unsuitable for mining. The report is contained in the Final Environmental Impact Statement (FEIS) for the Moon Lake Power Plant Project.

DATE: Review of the unsuitability report will run concurrently with the review of the FEIS. Comments should be received on or before June 1, 1981.

ADDRESS: Interested parties may submit comments on the unsuitability report to the Colorado State Director (CO–922), 1600 Broadway, Room 700, Denver, Colorado 80202.

FOR FURTHER INFORMATION CONTACT: Further information on the report is available by contacting: Chief, Division of Planning and Environmental Coordination, Bureau of Land Management, Colorado State Office, 1600 Broadway, Room 700, Denver, Colorado 80202, Telephone: (303) 837–3515 or (FTS) 327–3515.

Bob Moore,

Acting State Director, Colorado.

[FR Doc. 81-14625 Filed 5-14-81; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

Endangered Species Permit Emergency Exemption; Take of Peregrine Falcon Eggs

On May 8, 1981, a letter waiving the 30 day public comment period required prior to the issuance of a permit was granted to the Oregon Department of Fish and Wildlife, Portland, Oregon, authorizing emergency actions to enhance the survival of the only active clutch of peregrine falcon (*Falco peregrinus anatum*) eggs in Oregon located at Crater Lake National Park. This waiver was granted to allow the issuance of Endangered Species permit PRT 2–7995 to take the clutch of eggs from the wild for placement at the Predatory Bird Research Group, University of California at Santa Cruz, California, for hatching. Past clutches have failed due to egg thinning and infertility induced by pesticide poisoning.

It was determined by the U.S. Fish and Wildlife Service that an emergency does in fact exist and that the health and survival of the clutch is threatened, and that no reasonable alternate to the proposed action is available to the applicant.

A copy of the letter of waiver is herewith presented. This emergency waiver is provided for public record in accordance with the Endangered Species Act of 1973 (Sec 10[c]), as amended by Pub. L. 95–632 (92 Stat. 3751).

Dated: May 8, 1981.

Larry LaRochelle,

Acting Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 81-14667 Filed 5-14-81; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Application

Applicant: Mr. and Mrs. James C. Ringling, Fort Madison, Iowa

The applicant requests a permit to import two wild cheetahs (*Acinonyx jubatus*) from Namibia for enhancement of propagation and survival.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-7628. Interested persons may comment on this application within 30 days of the date of this publication by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: May 7, 1981.

Larry LaRochelle,

Acting Chief, Branch of Permits, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 81-14668 Filed 5-14-81; 8:45 am]

BILLING CODE 4310-55-M

Billing Code 4310-31

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
CONSERVATION DIVISION

Proposed Revision to the Failure and Inventory Reporting System (FIRS) Instruction Booklet and the FIRS Forms 9-1994 and 9-1995

AGENCY: U.S. Geological Survey, Department of the Interior

ACTION: Request for Comments

SUMMARY: This notice advises the public of the U.S. Geological Survey's intent to revise both the FIRS Inventory Report (form 9-1994) and the FIRS Failure Report (form 9-1995). It is also intended to revise the FIRS Instruction Booklet to reflect the revised forms.

DATE: Comments must be received by 4:30 p.m. EST, June 5, 1981.

ADDRESS: Responses should identify specific concerns and be directed to the Deputy Division Chief, Offshore Minerals Regulation, U.S. Geological Survey, Conservation Division, National Center, Mail Stop 640, Reston, Virginia 22092.

FOR FURTHER INFORMATION: Mr. M. L. Courtois, U.S. Geological Survey, Conservation Division, National Center, Mail Stop 640, Reston, Virginia 22092.

Robert L. Rioux — 5-11-81

Robert L. Rioux
Deputy Division Chief,
Offshore Minerals Regulation
Conservation Division

Date

FAILURE AND INVENTORY REPORTING SYSTEM (FIRS)

INSTRUCTION BOOKLET

To be used with USGS Safety Device Inventory Report form 9-1994 and USGS Safety Device Failure Report form 9-1995

United States
Department of the Interior
Geological Survey
Conservation Division

TABLE OF CONTENTS

	Page No.
GENERAL...(White Section)	G-1 - G-12
A. Introduction	G-1
B. Failure and Repair Definitions	G-2
C. Device Types	G-2
D. General Information	G-3
E. Reporting Requirements	G-8
F. Data Format	G-9
G. Reporting Intervals	G-9
H. Resubmission of Corrected FIRS Reports	G-11
I. Inventory Verification by the Operators	G-11
J. Failure Verification by the Manufacturers	G-12
K. Noncompliance	G-12
INVENTORY REPORTING INSTRUCTIONS...(Blue Section)	I-1 - I-18
FAILURE REPORTING INSTRUCTIONS...(Pink Section)	F-1 - F-17
APPENDIX...(Green Section)	A-1 - A-30
List 1 Area ID's	A-1
List 2 Device Type Code	A-2
List 3 Component Identification	A-3
List 4 Manufacturer's Device Model Codes	A-4

FAILURE AND INVENTORY REPORTING SYSTEM

GENERAL

A. INTRODUCTION

The Failure and Inventory Reporting System (FIRS) is applicable to safety and pollution prevention devices used on offshore structures under USGS jurisdiction which produce, process, or transport hydrocarbons. This includes the attendant portion of hydrocarbon pipelines under USGS jurisdiction when physically located on the structure for whatever purpose.

The FIRS program is composed of two distinct yet interrelated systems. The Inventory Reporting System is designed to provide information depicting the number of safety and pollution prevention devices which are in service on the offshore platforms by type, manufacturer, and model. The Failure Reporting System is designed to provide information relative to failures of these devices by failure causes, corrective measures, device type, manufacturer, model, and frequency of failure.

The purpose of the FIRS program is to contribute to the safety and reliability of offshore production platforms and to the prevention of environmental pollution. In order to fulfill this purpose, the USGS has established the following objectives:

1. To provide information for upgrading the quality and reliability of safety and pollution-prevention devices used in production operations on the OCS.

a. Establish and maintain an Inventory and Failure data base as outlined in paragraph 6 of OCS Order No. 5.

b. Analyze data to derive quality and reliability trends, failure percentages, common failure modes, and other statistical information.

c. Prepare and provide reports and recommendations in accordance with USGS written operating procedures.

2. To provide information to USGS management for their use in formulating policies and actions.

a. Revisions to existing and proposed OCS Orders and other regulatory documentation.

b. Revision to the inspection program.

c. Input to the Best Available and Safest Technologies (BAST) program.

d. Recommended changes to existing standards.

e. Development of new standards.

f. Issue Safety Alerts and Notices to Lessees (NTL's).

g. Inputs to Research and Development efforts.

B. "FAILURE" AND "REPAIR" DEFINITIONS

1. Failure:

A failure is the inability of a device to perform its designed function within specified limits. Limits for a particular device and installation are specified in OCS Order No. 5 and the applicable API documents referenced therein.

a. There are two types of failures - See page C-7 for table giving the applicable critical and noncritical failure modes for each device type.

(1) Critical Failure: Inability of the device to perform its safety and pollution-prevention function.

(2) Noncritical Failure: Improper operation that does not prevent the device from performing its safety and pollution-prevention function.

2. Repair:

A repair is any disassembly/reassembly of a device to any extent for the purpose of overhauling, modifying, or otherwise performing internal maintenance. External work such as adjustment, lubrication, etc., is not considered to be a repair.

C. DEVICE TYPES

1. The devices on which both inventory and failure reports are to be submitted are identified below and in List 2 of the Appendix.

Subsurface Safety Valve		(SSSV)
Surface Safety Valve		(SSV)
Valve Actuator on: the shutdown valve, the blowdown valve, and the surface safety valve		(VA)
Pressure Sensor	High	(PSH)
	Low	(PSL)
	Hi/Lo	(PSHL)
Level Sensor	High	(LSH)
	Low	(LSL)
	Hi/Lo	(LSHL)
Temperature Sensor	High	(TSH)
	Low	(TSL)
	Hi/Lo	(TSHL)
Emergency Shutdown Valve		(ESV)
Relief Valve		(RSV)
Check Valve		(CSV)

Shutdown Valve	(SDV)
Combustible Gas Detector (Heads only)	(ASH)
Burner Flame Detector	(BSL)
Blowdown Valve	(BDV)

2. Listed below are examples of devices which are not included in the FIRS program.

Rupture discs.

Cement plug in wells.

Kibdy covers.

Plastic fireloops, fusible plugs, etc.

Relays (example: CRRBM).

Sand probes.

Spark arrestors.

Vents (thief hatches) on atmospheric vessels.

D. GENERAL INFORMATION

1. Data to be collected by the FIRS program are on active safety devices used as part of the production safety and pollution-prevention system. A device must have some opportunity to fail in order to be considered active. Also included are safety devices located on a component (e.g., separator, scrubber) that is out of service, but which are periodically tested. Safety devices which are on a component (vessel) which is put out of service and blind flanged off shall be removed from the inventory.

2. Extra safety devices added at the discretion of the operator, even though the MSSS does not require their presence, are included in the FIRS program (e.g., a redundant relief valve on a flowline).

3. Check valves, relief valves, and other such safety devices which are part of ancillary systems, such as the instrument air system and the fire fighting system, are excluded from the FIRS program.

4. When pressure, level, and temperature contol devices are used as a part of the production system only and not as part of the safety system, they are excluded from the FIRS program.

5. When performing an initial inventory on a temporarily abandoned well, the tubing plug or subsurface-safety valve used as a tubing plug must be inventoried. Inactive safety devices between the plug and manual master valve must not be inventoried. If at a later date the well is put back into service, the plug must be deleted and the active safety devices must be added

to the inventory. When a producing well which has already been inventoried is temporarily plugged for more than 90 days, an inventory update is required (i.e., adding the plug, and deleting the inactive safety devices between the plug and the manual header valve). If the well is put back into production in less than 90 days, no update is required. (See instructions on inventory updating, pages G-10, I-14, I-15 and I-17).

6. An injection valve installed in the tubing string open to a hydrocarbon bearing zone is considered to be a subsurface-safety valve (SSSV) and is included in the FIRS program. In reporting the inventory and failure data, use the following codes: Device Type = "SSSV" for subsurface-safety valve, Component Type = "P" for tubing string, Component Modifier = "AP" for gas injection or "AT" for water injection.

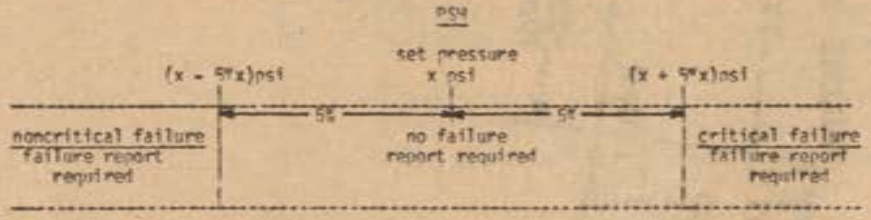
7. The following are examples for which a failure report is required:

a. A relief valve (PSV) which does relieve a high pressure condition but does not reseat properly (i.e., close) is considered to have "failed to close." (This is a noncritical failure.)

b. Subsurface controlled subsurface-safety valves are not tested, but are inspected at intervals as required by OCS Order No. 5. If upon the inspection of any safety device it is found that the device would have failed to perform its designed function had it been called upon to operate, then the device is considered to have failed.

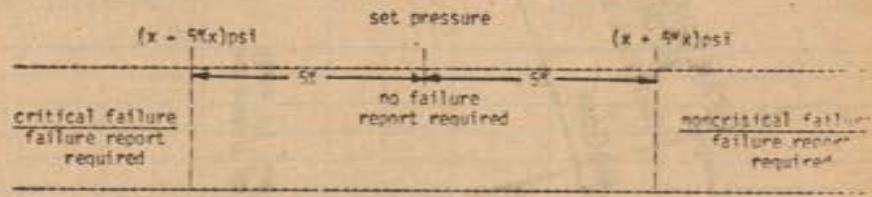
c. A failure report is required whenever a safety device initially trips "OUT OF TOLERANCE" during testing (see Failure Report sample on page G-16). If a device trips within its specified tolerance on subsequent tests after failing the first test, the device is still considered to have failed "OUT OF TOLERANCE" and a failure report must be submitted.

d. The criteria for determining the need for failure reports for PSH/PSL's is derived from API RP 14C, Appendix D, as referenced in OCS Order No. 5, paragraph 5.5, and is depicted below.



Example: set pressure = 600 psi
critical failure point = 600 + (0.05) 600 = 630 psi
noncritical failure point = 600 - (0.05) 600 = 570 psi

In this example failure report is required for pressures greater than 630 psi or less than 570 psi. For an illustration of this example, see page G-6



Example: set pressure = 200 psi
critical failure point = 200 - (0.05) 200 = 190 psi
noncritical failure point = 200 + (0.05) 200 = 210 psi

In this example a failure report is required for pressures greater than 210 psi or less than 190 psi. For an illustration of this example, see page G-6.

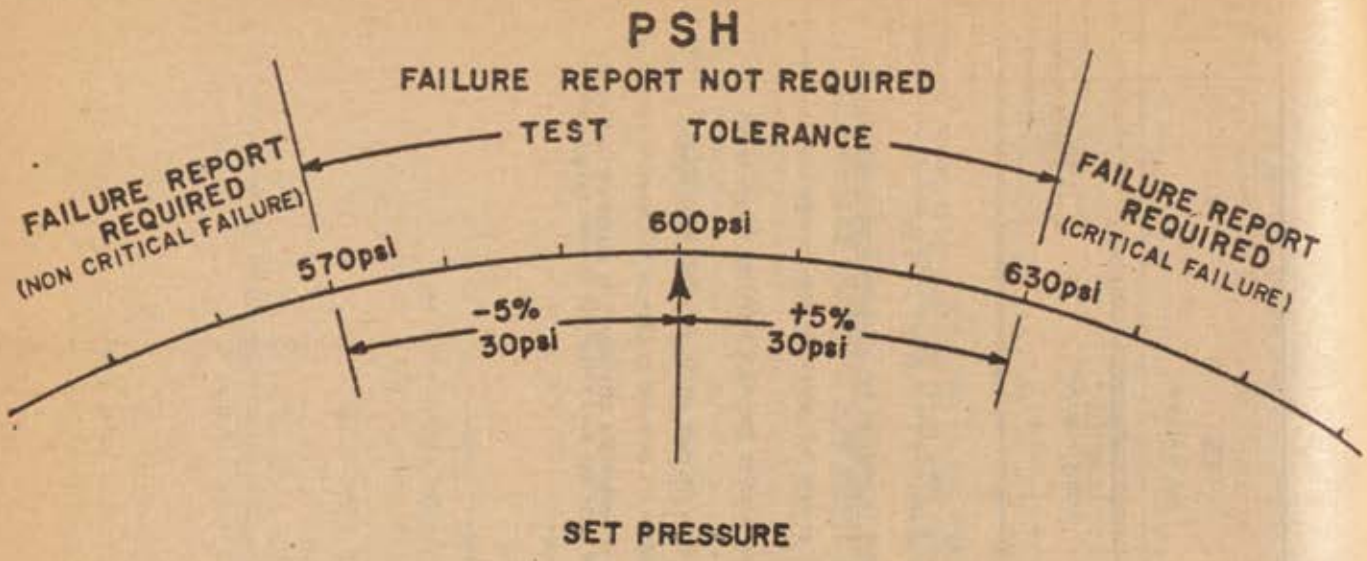
e. The diagrams on page G-6 depict the failure reporting requirements for PSH/PSL's.

8. The following are examples for which a failure report is not required:

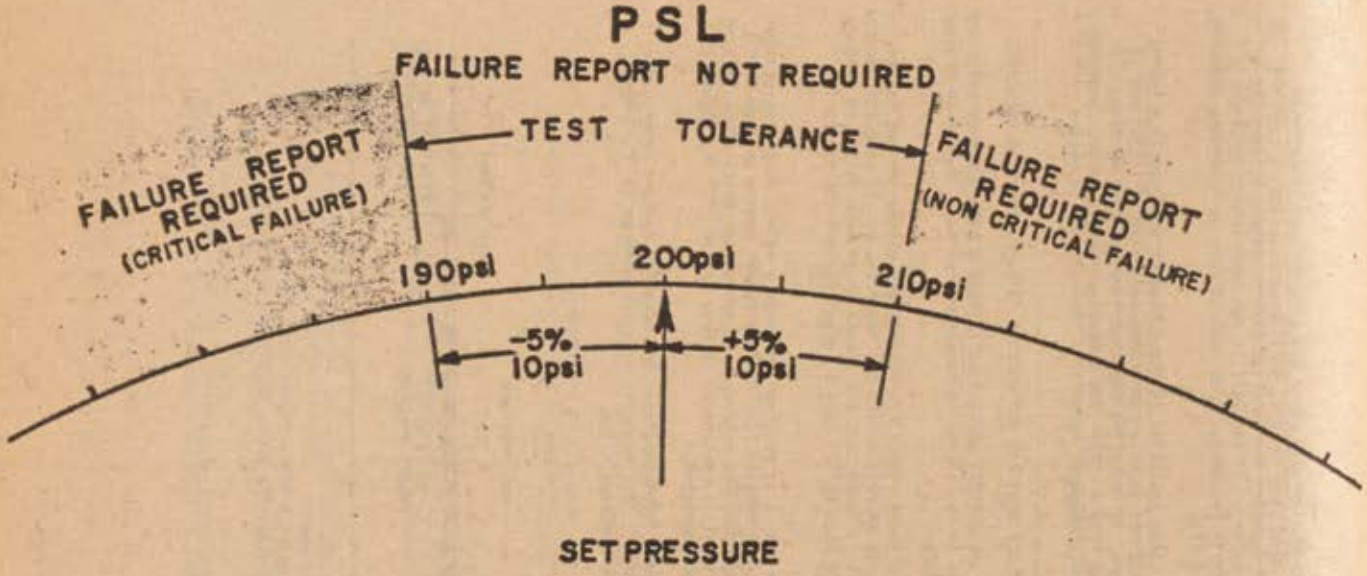
a. When adjustments are made within specified tolerances.

b. When adjustments are made due to changes in operating conditions.

c. When repair or preventive maintenance is performed on a safety device which would not have failed had it been called upon to operate.



Note: This is an example of when a failure report is (and is not) required for high pressure sensors (PSH's) and low pressure sensors (PSL's).



CRITICAL/NONCRITICAL FAILURE MODES

FAILURE MODE CODES -------->	A	B	C	D	E	F	G	H	J	K
DEVICE TYPE	Fails to open	Fails to remain open	Fails to close	Fails to remain closed	Internal leak	External leak	Out of range	Fails to operate	Premature operation	Fails to lock
Subsurface Safety Valve (SSSV)	NC	NC	C	C	C	C			NC	C
Surface Safety Valve (SSV)	NC	NC	C	C	C	*			NC	
Valve Actuator (VA)					NC	*		***	NC	
Hi Pressure Sensor (PSH)					C	*	**	C	NC	
Low Pressure Sensor (PSL)					C	*	**	C	NC	
Hi/Low Pressure Sensor (PSHL)					C	*	**	C	NC	
Hi Level Sensor (LSH)						*		C	NC	
Low Level Sensor (LSL)						*		C	NC	
Hi/Low Level Sensor (LSHL)						*		C	NC	
Hi Temperature Sensor (TSH)								C	NC	
Low Temperature Sensor (TSL)								C	NC	
Hi/Low Temperature Sensor (TSHL)								C	NC	
Emergency Shutdown Device (ESD)						*		C	NC	
Relief Valve (PSV)	C	C	NC	NC	NC	*	**		NC	
Check Valve (FSV)	NC	NC	C	C	C	*			NC	
Shutdown Valve (SDV)	NC	NC	C	C	C	*			NC	
Gas Detector (ASH)							C	C	NC	
Burner Flame Detector (BSL)								C	NC	
Blowdown Valve (BDV)	C	C	NC	NC	NC	*			NC	

C - Critical: Inability of the device to perform its safety and pollution-prevention function.
NC - Noncritical: Improper operation that does not prevent the device from performing its safety and pollution-prevention function.
* - C hydrocarbon leak; NC non-hydrocarbon leak.
** - C the safety function is affected; NC the safety function is not affected.
*** - C the valve safety function is impaired; NC the valve safety function is not impaired.

E. REPORTING REQUIREMENTS

To derive the maximum benefits from the FIPS program, complete and accurate reporting by the operators is mandatory. To accomplish this, detailed instructions are included herein for inventory reporting/updating and failure reporting/updating. Adherence to these reporting instructions is required.

All required reports and/or data (i.e., initial inventory, failure and update reports) which are submitted to the Geological Survey Regional Office must be accompanied by a cover letter signed by a representative of the operator. A single cover letter will suffice in those cases where inventory and failure data are submitted together. The monthly cover letter should include a list of all the platforms operated by the operator and the status of inventory and failure data being submitted for each platform. A form letter containing the platform list is acceptable for each reporting period. In the event where there is no device failure or inventory update on a platform for a particular month, the platform listings should so indicate. The cover letter should include the following statement and the operator's platform listing in the format given below:

In compliance with FIPS program requirements of OCS Order No. 5, (Company Name) submits the enclosed reports for the month of _____, 19____.

AREA	BLOCK	LEASE	PLATFORM	FAILURES	UPDATES	INITIAL INVENTORY ON NEW PLATFORM
PA	304	P 1632	A	13	X	
EC	056	0557	B	5		
GI	316	P 0001	C	0	X	
HI	076	0257	D	0		X
MO	300	P 1640	E	0	X	
MO	300	P 1640	F	2		X
SM	31	P 1675	G	0		

TOTAL FAILURES = 20

F. DATA FORMAT

The detailed failure and inventory reports must contain the required information, be submitted in the standard format as indicated on the Safety Device Inventory Report Form (Form 9-1994) and the Safety Device Failure Report Form (Form 9-1995), and must adhere to the applicable instructions. The operator has the option to select and use one or more of the following means for submitting the required data:

1. Forms:

Inventory Form 9-1994 and Failure Form 9-1995 (see pages I-15 and F-11, respectively) are furnished to the operator by the appropriate Geological Survey Regional Office. In filling out the forms the operator shall use standard coding convention (e.g., all letters capitalized, number 0, letter O, number 1, letter I, letter Z). The original (top) copy of the form shall be sent to the appropriate Geological Survey Regional Office, the other two copies are for the operator's retention. When the FIPS Failure Form 9-1995 is submitted, the form shall be signed in the lower right corner by the person initiating/approving the report.

2. ADP card decks:

All card deck submittals shall be on standard 80 column cards. The operator must also provide a count of the total number of cards submitted.

3. Magnetic tapes:

a. The magnetic tapes shall conform to the following specifications:

(1) Record size: 80 characters
(2) Bits per inch (BPI): 800
(3) Track: 9
(4) Unlabeled.
(5) Blocked not to exceed 1040 characters (13 records).
(6) Odd parity.
(7) Single gap.
(8) EBC DIC code.

b. The container (case) cover must have a sticker tag which includes the following information:

(1) Number of records (number of lines of information).
(2) Blocking factor.

G. REPORTING INTERVALS

1. Inventory Data:

a. Initial Inventory on New Platform:

A complete inventory must be submitted to the appropriate Geological Survey Regional Office not later than one month after the initial platform production date.

b. Inventory Updates:

An update to the latest inventory shall be submitted to the appropriate Geological Survey Regional Office no later than the last day of the month following the month in which the device change was made. The inventory must be updated using the contents of the Inventory Report Form (Form 9-1994).

An inventory update report is required whenever:

1. A device is added.
2. A device is deleted.
3. A device is changed (either due to preventive maintenance or other reasons, excluding failures).
4. An error is discovered among the data previously submitted.

Special codes ("F", "D", "C", "#", and "blank") are used in column 79 of the Inventory Form 9-1994 to update or correct FIRS inventory (see pages I-14, I-15, and I-17). Page I-19 explains the use of these codes. The information must be submitted by the operator either on Form 9-1994, card deck, or magnetic tape as described in paragraph F, DATA FORMAT.

A device listed in columns 46-50 on a Failure Form as replacing a failed device need not be reported on an Inventory Form. The inventory will be updated by the Geological Survey using the contents of the Failure Form, except in those cases where the code "F" is used in column 61 of the Failure Form.

2. Failure Data:

a. Failure Report Submittal:
The device failure data shall be recorded as soon as possible after detecting the failure in the safety and pollution prevention system. The information shall be submitted to arrive at the appropriate Geological Survey Regional Office not later than the last day of the month following the month in which the failure was detected. The complete data must be submitted using standard format (Form 9-1995, punched cards, or magnetic tape as described in paragraph F). The information submitted on the failed device must match the latest master inventory. Each failed device shall undergo sufficient test/disassembly to establish the cause(s) of failure.

b. Failure Report Corrections:
The operator may correct errors or add clarifying data to previously submitted failure reports by use of a special code "C" in column 79 of the Remarks Section as discussed in page F-10 and shown on the example on page F-13.

c. Failure Report Deletions:
Deletion of a failure report can be done only by the appropriate OS Regional Office. If after submitting a failure report an operator discovers that the device did not actually fail, the failure report must be voided as follows:

1. Notify the appropriate Geological Survey Regional Office in writing.
2. Give the failure report reference number.
3. Give the reason for deletion.

4. RESUBMISSION OF CORRECTED FIRS REPORTS
If the initial safety device inventory reports, failure reports, or update reports are found to contain errors, the USGS will return these reports or computer edit error listings to the submitting operator for correction. The operator shall resubmit the corrected data to the appropriate Geological Survey Regional Office the within 14 calendar days of receipt. The reference number for the corrected failure report and the original failure report (being corrected) shall be identical.

5. INVENTORY VERIFICATION BY THE OPERATORS
Periodically, the safety device inventory data must be verified so as to ensure that all of the monthly inventory changes and failures have been incorporated into the inventory data base. The frequency of the inventory verification will be no less than once every six months and no longer than every two years.

Depending upon the operator's reporting method, the appropriate Geological Survey Regional Office will provide a computer printout, ADP card deck, or magnetic tape containing the latest inventory information. The operator must review the information and either submit a letter stating that the information is correct, or return:

a. The printout with corrections marked thereon, or
b. Punched cards containing the necessary corrections, or
c. A magnetic tape containing only the necessary corrections.

The letter or appropriate corrections must be received by the appropriate Geological Survey Regional Office not later than the last day of the month following the month in which the inventory data to be verified were received by the operator.

J. FAILURE VERIFICATION BY THE MANUFACTURERS

After receipt of the complete failure data from the operator, the USGS will make a printout of all the failures. The printout will include the manufacturer's name, the model, and the reported cause of failure. Each manufacturer will be furnished a copy of the printout containing the reported failures of his devices only. If he disagrees with the reported failure causes, he is invited to investigate the questioned causes in coordination with the reporting operator and provide a coordinated reply within 6 weeks after receipt of the printout. If no reply is received within that time period, the originally reported causes will be considered to be correct, and the data will be evaluated accordingly.

K. NONCOMPLIANCE

30 CFR 250.80-2 (a)(1) states that "any person who fails to comply with any provision of the Act or any term of a lease, license, or permit issued pursuant to the Act, or any provision of any regulation or order issued under the Act, shall be liable for a civil penalty of not more than $10,000 for each day of continuance of such failure." The Act means the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.).

USER'S INSTRUCTION BOOKLET

FOR THE

SAFETY DEVICE INVENTORY REPORT

FORM 9-1994 ( )

The following pages contain instructions for completing the United States Geological Survey's Safety Device Inventory Report Form (Form 9-1994).

General Information:

a. Indicate by checking the appropriate box on the Inventory Form 9-1994 whether the data is an initial platform inventory or an inventory update.

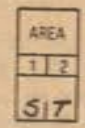
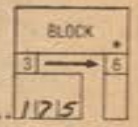
b. When recording the Area, Block, and Lease, be sure that the information provided is for the surface location and NOT the bottom hole location.

c. REPORT DATE: date report is filled out.

d. OPERATOR: name of designated operator for the platform.

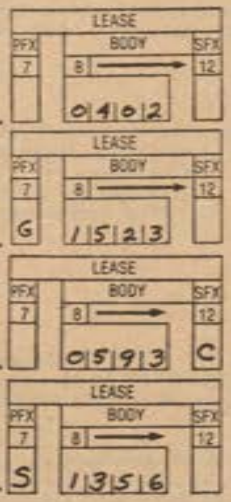
e. The arrows appearing in the headings of the Inventory Form 9-1994 point in the direction in which the data must be shifted. Any blank space must be left at the tail of the arrow. For example: one-letter platform names go in column 13, not column 20.

f. Schematic flow diagrams and Safety Analysis Function Evaluation (SAFE) charts are useful in preparing the Safety Device Inventory Report, but may not represent the total component of safety devices on a platform.

COLUMN	HEADING	INSTRUCTIONS
1 - 2	AREA	Enter the two letter Area identification (ID) code in columns 1-2 for the surface location of the well or platform. These codes are given in List 1 on page A-1. DO NOT USE FIELD NAMES. Example: The Area ID for the South Timbalier area in the Gulf of Mexico is "ST" ..... 
3 - 6	BLOCK	Enter the block number of the surface location in columns 3-6. Examples: Block 175 .....  Block 28A .....  * Note: For those blocks having a letter prefix or suffix as part of the block number, enter the letter in column 6. Otherwise, leave column 6 blank.

COLUMN	HEADING	INSTRUCTIONS
7 - 12	LEASE	1) Enter the Federal lease number for the platform site. This number is divided into three parts. a. Column 7 PREFIX. This will identify the area. G or blank = Gulf of Mexico area * P = Pacific area A or G = Atlantic area Y = Alaska area b. Columns 8-11 BODY. This will always be a 4-digit number. c. Column 12 SUFFIX. This will usually be blank, but may be the letter "A" or "C". 2) For platforms located in State leases but producing out of Federal leases, enter "S" in column 7 followed by the first four digit State lease number in columns 8-11.

Examples:



* NOTE:

For the Gulf of Mexico OCS Region, any lease number greater than 0897 must have a "G" in column 7. When the lease number is smaller or equal to 0897, column 7 must be left blank.

COLUMN	HEADING	INSTRUCTIONS
13 - 20	PLATFORM	This is the platform or structure designation on the identifying sign of the structure and verified by the USGS. Enter the exact platform designation starting in column 13 leaving any unused spaces blank.
21 - 25	DEVICE TYPE/NO.	Obtain the proper code name for the device from List 2, "Device Type Code", on page A-2, and enter it starting in column 21. If two or more devices of the same type are installed on a single component, the devices shall be numbered consecutively, and the numbers shown in column 25. The same number shown on the schematic flow diagram may be used. If there are more than 9 devices, use letters (e.g., 1, 2, 3, ..., 8, 9, A, B, C, ...). If only one device is installed on a component, the device number may be omitted; however, the USGS will assign the number one (1) to the device. Multiple string one-piece SSV's must be inventoried as separate valves. Well identification can be given in columns 29-34 to distinguish the individual well string.

Examples:



INSTRUCTIONS

For all shutdown valves, blowdown valves, and surface safety valves, be sure that the actuator is listed as a device separate from the valve itself; except for those cases in which the actuator is built as an integral part of the valve.

When two or more devices of the same type are located on the same component, make sure the entries are not duplicated. For example, when an SDV and a BDV are located on a compressor, there is no duplication problem with the valves since they are of a different device type (i.e., one is a BDV and the other is a SDV). However, their actuators are of the same device type (viz, VA) and they must be individually numbered or lettered in column 25. (For example: The actuator for the BDV could be numbered "1" and the actuator for the SDV numbered "2"). This is necessary to distinguish between two devices of the same type installed on a single component.

If two or more like device types are located on one component, distinguishing explanation must be given for each device in the Remarks column.

When two sensing devices are connected to a common manifold or yoke (e.g., an Axelson YHP), list each device as a separate entry on the Inventory Form.

Examples:

Enter LSH for a High Level Sensor .....

	DEVICE TYPE	NO
21	←	25
1	LSHA	

Enter PSHL2 for the No. 2, Hi/Lo Pressure Sensor located on a particular component .....

	DEVICE TYPE	NO
21	←	25
1	PSHL	2

NOTES PERTAINING TO COLUMNS 26-34:

1. The next three data fields located in columns 26-34 contain component information which is used to fix the location of the device being reported. For the code names applicable to Component Type, Modifier, and Identifier, refer to List 3, "Component Identification", on page A-7. The same codes in the schematic diagrams may be used in filling columns 26-34.

2. Enter the Component Type, Modifier and Identifier of the component on which the device is located. If the device is located on a line between two components, enter the information for the first component being protected by the device.

3. If the device is not located on a component (whether the device is protecting one or more components), enter the Component Type, Modifier and Identifier of the first component being protected by the device.

4. The Component Modifier of a subsurface safety valve used as a tubing plug is "TP" and not "SS" or "SC".

5. For injection valves installed in a tubing string which is opened to a hydrocarbon bearing zone, use "R" as Component Type and "AR" as Component Modifier for gas injection or "AT" for water injection.

6. For check valves (FSV) installed at the intersection of a flowline and a header, use Component Type "F" and Component Modifier, A1 thru A9.

7. For gas detectors (ASH) installed in an open space, use Component Type "L". When it is installed inside a building (enclosure), use Component Type "B".

.....

COLUMN	HEADING	INSTRUCTIONS
26	COMPONENT TYPE	Column 26 is used to identify the component on which the device is located or the component protected by the device. (See Notes above). Select the one-letter code taken from List 3 in the Appendix or from the Information Code List insert card. If the component is not listed, enter the code "Z" for "OTHER", and provide explanatory information under Remarks, columns 58-79.

Enter A for Atmospheric Vessel (Unheated) .....

	26	A

27 - 28 COMPONENT MODIFIER (next two letters)

The Component Modifier is used to provide additional information about the component on which the device is located or the component protected by the device. (See Notes 2 and 3). Select the two-letter Component Modifier code from List 3 in the Appendix or from the Information Code List insert card. If the Component Modifier code is not listed, enter the code "ZZ" for "OTHER" and provide explanatory information under Remarks, columns 58-78.

Example: If the component is an unheated atmospheric vessel, the common modifiers from List 3 in the Appendix are AD, AM, AY, BD, BF, BH, BJ, BM.



Enter BH if the protected component is a Sump .....



Enter BM if the protected component is a Water Treater .....

29 - 34 COMPONENT OR WELL IDENTIFIER

Each operator may use up to six (6) characters to uniquely identify the specific component on each platform or processing complex. The same component or well identifier shall not be used for like components on the same platform or processing complex. If the component is replaced, the same identification code will be applied to the replacement component. The combination of "ZZ...Z" will not be allowed as an identifier.

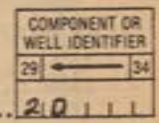
When the component on which the safety device is located is the flow line, wellhead, or tubing string, the operator's own Well Identification Number will be used in lieu of a Component ID. The Well ID should already be assigned, and may be up to six (6) characters in length.

Enter the Component ID or Well ID beginning with Column 29 and leave any extra spaces blank.

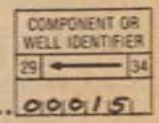
Examples:



Component 10.....



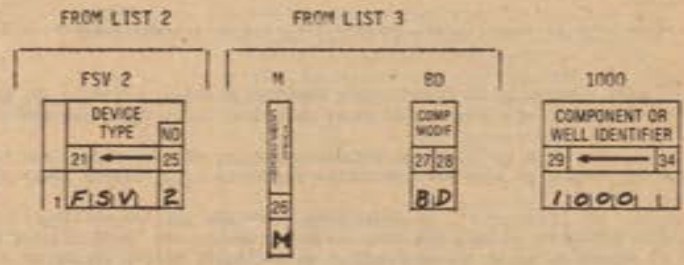
Well Number 20 .....



Component 00015 .....

General Example:

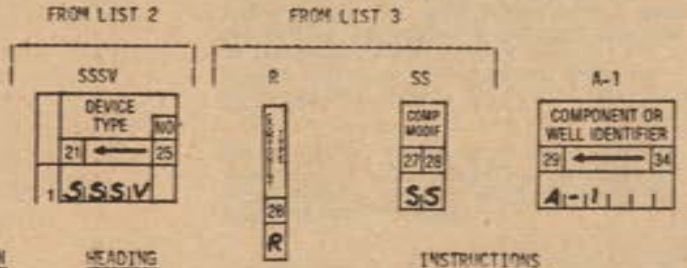
To record the No. 2 check valve on unheated production separator 1000, enter:



General Example:

For a subsurface safety valve, use "SSSV" as Device Type in columns 21-24, use "R" for tubing string in column 26 under Component Type. For Component Modifier, use "SC" for surface controlled, "SS" for subsurface controlled, or "TP" for tubing plug in columns 27 and 28. Enter the operator's well identification in columns 29-34 under Component or Well Identifier.

To record a subsurface-controlled subsurface safety valve installed in the tubing string of well number A-1, enter:



COLUMN	HEADING	INSTRUCTIONS
35 - 39	MANUFACTURER'S DEVICE MODEL CODE	Obtain the code name for the manufacturer and model of the device from List 4 in the Appendix, "Manufacturer's Device Model Codes", and enter it in columns 35-39. If the manufacturer is listed in List 4, but the model number is not listed, enter the Manufacturer Code in columns 34 and 35 and "ZZZ" in columns 37-39. Show the model in the Remarks, columns 58-78. If the manufacturer is unlisted, call the appropriate USGS Regional Office for the proper code. If the manufacturer is unknown, enter the code "UKXXX". No remarks are required for this code. DO NOT MAKE UP MANUFACTURER DEVICE MODEL CODES!

Examples:

1. For a combustible gas detector, ASH model 160, manufactured by General Monitors, enter GM003..... MFG GM | MODEL 003

COLUMN	HEADING	INSTRUCTIONS
		2. Enter UKXXX if manufacturer is unknown. ..... MFG UKXX | MODEL XX
		3. For a combustible gas detector, ASH, manufactured by General Monitors but the model is unlisted, enter GMZZZ (explain in Remarks). ..... MFG GM | MODEL ZZZ
40 - 45	DEVICE INSTALLATION OR DELETION DATE	Enter the date, in order of month, day, and year, that the device was installed or deleted. Enter the best estimate of the month and year in which the device was installed, and if the specific day is unknown, put "15" as day in columns 42 and 43. Use zeros before the numbers 1-9. When a change is made (for example: deletion, preventive maintenance, or other reason), enter the date the device was changed and not the original installation date. (See pages I-14 and I-18).

Examples:

October 6, 1976 ..... MO 10 \| DA 06 \| YR 76

September 12, 1976 ..... MO 09 \| DA 12 \| YR 76

October 1976 ..... MO 10 \| DA 15 \| YR 76

(If the specific day is unknown, enter "15" in columns 42 and 43).

COLUMN	HEADING	INSTRUCTIONS
46	SERVICE TYPE	Enter the letter code from the following list which best describes the composition to which the device will most often be exposed. For sensors exposed to both control fluid and monitored flow, record the monitored flow.

C Control Fluid. Use only in valve actuators (VA) and emergency shutdown valves (ESD).
E Electrical
G Gas
H Heat Transfer Fluid - Therminol, Methanol, etc.
O Oil
R Glycol
T Temperature/Flame/Heat
W Water
Z Other (provide explanatory information in Remarks)*

Examples:



Enter W for Water .....

Enter G for Gas .....

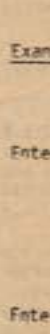
* NOTE:

When entering a remark in columns 58-78 for a combination of Service Type (column 46), the letter codes (e.g., W = Water, O = Oil, G = Gas, etc.) are acceptable abbreviations.

COLUMN	HEADING	INSTRUCTIONS
47	SEVERE CONDITION	The Severe Condition is for recording any significant abnormal conditions which could cause an early failure of a safety device. Almost all wells normally produce some sand and water. The key word is abnormal. If in the operator's judgment, the existing conditions are sufficiently severe to cause abnormal failures, then they should be listed as severe condition. This information is an important factor in the data analysis, and the operator is therefore discouraged from using code 9 meaning "no Severe Conditions" unless it applies.

1 Sand
2 Hydrogen Sulfide (H_2S)
3 Paraffin
4 Water
5 Deposited Material (Scale, Salt, etc.)
6 Carbon Dioxide (CO_2)
7 Multiple (list in Remarks)*
8 Other (explain in Remarks)*
9 None

Examples:



Enter 1 for Sand .....

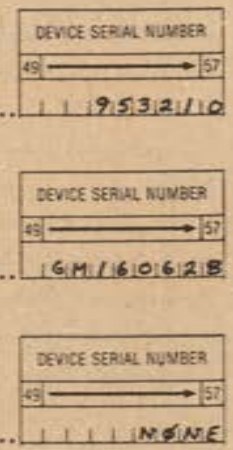
Enter 3 for Paraffin .....

* NOTE:

When entering a remark in columns 58-78 for Severe Conditions (column 47), the number codes as shown (e.g., 1 = sand, 2 = hydrogen sulfide, 3 = paraffin, etc.) are acceptable abbreviations.

48	ANSI/ASME-SPPE-1 Certified Device	Enter "Y" for YES in column 48 if the device being reported is ANSI/ ASME-SPPE-1 certified, otherwise, enter "N" for NO.

COLUMN	HEADING	INSTRUCTIONS
49 - 57	DEVICE SERIAL NUMBER	Enter the device manufacturer's serial number for the device in columns 49-57 leaving unused spaces before (to the left end) the serial number blank. The serial number is that number required by the applicable equipment standard. In those cases where a safety device is not covered by an equipment standard, there may not be a serial number. In this instance enter "NONE". The only safety devices which are required to have a Device Serial Number are those valves and associated actuators which conform to the ANSI/ASME-SPPE-1 Program. Examples: Device Serial No. 953210..... Device Serial No. GM160628.. No Device Serial Number.....
58 - 78	REMARKS	Use columns 58-78 under the heading Remarks as they are needed to further explain any entry where the code for "Other" was used to add clarifying information for a device. DO NOT USE COLUMN 79 FOR REMARKS. When entering a remark, always record the column number first under the heading of the entry to be commented on followed by the remark.



In order to have adequate space for inventory Remarks (columns 58-78), abbreviations are acceptable. When entering a REMARK on Service Type (column 46), the letter codes as shown on page I-11, (e.g., C = control fluid, O = oil, G = gas, etc.) are acceptable abbreviations. When entering a REMARK on Severe Conditions (column 47), the number codes as shown on page I-12, (e.g., 1 = sand, 2 = hydrogen sulfide, 3 = paraffin, etc.) are acceptable abbreviations. Use a dash (-) to separate the column number to which the REMARK applies from the code abbreviations. For example, 47-1 & 3 is an acceptable REMARK meaning that sand and paraffin are multiple-severe conditions.

Example: A device is exposed to a multiple severe condition of both sand and paraffin. Under SEVERE CONDITION,



enter: "7" (Multiple).....

and under REMARKS, enter: "47 - 1 & 3"



COLUMN	HEADING	INSTRUCTIONS
79	UPDATE CODE	1. Column 79 is used only for inventory updating. Use the proper code in column 79 which represents the type of inventory updating transaction (see example on pages I-17 and I-18). 2. Codes "blank", "E", "D", "P" and "@" are all one line entries. 3. Do not use the codes "blank", "E", "D", "P" and "@" to update an inventory due to a failure. The submitted failure report will automatically update the inventory except in the case where the code "X" is used in column 61 of the Failure form.

4. The "F" code is used to erase erroneous device information completely from the computer, and requires either a two line entry, viz., the original line of erroneous data followed by the line of correct data; or a one line entry if the purpose is to erase an incorrect inventory record only.

   To correct an error in the inventory, copy the entire device information from the inventory and enter an "F" in column 79. Be sure the line has the original installation date. Fill in the next line with the corrected information with a "blank" in column 79.

   If the purpose is to remove an incorrect inventory record, copy the entire device information from the inventory and enter an "F" in column 79. Be sure the line has the original installation date.

5. Leave column 79 blank when the device is being added to the inventory.

6. Enter a "D" in column 79 when the device is being deleted from the inventory. Enter the deletion date and not the original installation date in columns 40-45. The "D" code is not used to correct an error.

7. Enter a "P" in column 79 when the device is replacing another device because of preventive maintenance. Put the new installation date in columns 40-45, and the new device serial number in columns 49-57. If the manufacturer/model has changed, enter the new codes in columns 35-39. Do not use the original installation date.

8. Enter an "R" in column 79 when the device is replacing another device because of any reasons other than preventive maintenance. Put the new installation date in columns 40-45, and the new device serial number in columns 49-57. If the manufacturer/model has changed, enter the new codes in columns 35-39. Do not use the original installation date.

9. When using codes "P" and "R", columns 21-34 of the replacement device must be identical to the device being replaced (i.e., same Device Type, Component Type, Component Modifier, and Component or Well Identifier).

REPORT DATE: ____ / ____ / ____ (MONTH / DAY / YEAR) OPERATOR: _____ PAGE _____ OF _____

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE INVENTORY REPORT

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH 6, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80-2(a)(1) STATES THAT: ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE.
THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.).

AREA (1–2) | BLOCK (3–6) * | LEASE: PFX (7) BODY (8–12) SFX | PLATFORM (13–20)

*If prefix or suffix, enter in column 6.

☐ INITIAL PLATFORM INVENTORY ☐ INVENTORY UPDATE

	DEVICE TYPE (21–25)	NO.	(26)	COMP MODIF. (27–28)	COMPONENT OR WELL IDENTIFIER (29–34)	MANUFACT DEVICE MODEL CODE: MFG (35–36)	MODEL (37–39)	DEVICE INSTALLATION OR CALIBRATION DATE: MO (40–41)	DA (42–43)	YR (44–45)	(46)	(47)	(48)	DEVICE SERIAL NUMBER (49–57)	REMARKS: USE TO EXPLAIN ANY ENTRY WHERE CODE FOR 'OTHER' WAS USED OR TO ADD CLARIFYING INFORMATION FOR A DEVICE (58–78)	(79)	(80)
1																	
2																	
3																	
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
12																	
13																	
14																	
15																	

(5) THIS DEVICE ANSI/ASME SPPE-1 CERTIFIED? Y = Yes, N = NO

FORM 9-1994
( )
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

NOTE: 0 = zero ø = letter O 1 = one l = letter l Z = letter Z

FORM APPROVAL OMB NO. EXPIRES

I-16

REPORT DATE: 05 (MONTH) 30 (DAY) 77 (YEAR) OPERATOR: XYZ

PAGE 1 OF 1

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE INVENTORY REPORT

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5. PARAGRAPH 5. EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80 (b)(11) STATES THAT: ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT, OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE.
THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.)

AREA (1-2)	BLOCK (3-6)	LEASE PFX (7)	LEASE BODY (8-12)	LEASE SFX	PLATFORM (13-20)
BM	1137	G	19845		B

*If prefix or suffix, enter in column 6.

☐ INITIAL PLATFORM INVENTORY ☒ INVENTORY UPDATE

	DEVICE TYPE (21-25)	NO	(26)	COMP MODIF (27-28)	COMPONENT OR WELL IDENTIFIER (29-34)	MANUFACTURER'S NAME CODE MFG (35-37)	MODEL (38-39)	DEVICE INSTALLATION OR VERIFICATION DATE MO (40-41)	DA (42-43)	YR (44-45)	(46)	(47)	IS THE DEVICE ANSI/ISA/API SPEC 1 CERTIFIED? Y = YES N = NO (48)	DEVICE SERIAL NUMBER (49-57)	REMARKS: USE TO EXPLAIN ANY ENTRY WHERE CODE FOR "OTHER" WAS USED OR TO ADD CLARIFYING INFORMATION FOR A DEVICE (58-78)	(79)	(80)
1	SSSV		R	SS	14D	CAT		05	07	77	0	7	N	NONE	47-1F3		
2	SSV		Q	AY	14D	WK	003	05	15	77	0	7	Y	HY4827/16	47-1F3		
3	VA		Q	AY	14D	BK	005	05	15	77	C	9	Y	625103			
4	PSLL		F	A1	14D	ØT	001	05	21	77	0	9	N	NONE			
5	PSHL		F	A2	14D	CT	001	05	13	77	0	9	N	NONE			
6	FSV		G	AY	14D	WH	RIB	05	25	77	0	1	N	NONE	37 MODEL UNKNOWN		
7	PSV	1	H	BD	1000	FS	018	05	17	77	6	9	N	NONE			
8	PSV	2	M	BD	1000	FS	018	05	17	77	6	9	N	NONE			
9																	
10	ESD	1	L	SD	B001SW	ØT	011	05	04	77	C	9	N	NONE	29 HELIPORT		
11	ESD	2	L	SD	B002NE	ØT	011	05	14	77	C	9	N	NONE	29 BOAT LANDING		
12	ESD	3	K	A4	B003N	CE	012	05	09	77	C	9	N	NONE			
13																	
14	SDV		N	BJ	1200	ØR	002	11	15	76	0	1	N	ØR72418			
15	SDV		N	BD	1200	ØR	003	11	15	76	0	1	N	ØR72418			

FORM 9-1994
( )
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

NOTE: 0 = zero Ø = letter O 1 = one I = letter I 2 = letter Z

FORM APPROVAL OMB NO. EXPIRES

REPORT DATE: ____ / ____ / ____ (MONTH / DAY / YEAR) OPERATOR: _____ PAGE _____ OF _____

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE INVENTORY REPORT

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH B, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.55 STATES THAT "ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE."
THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.).

AREA (1–2) | BLOCK (3–6) | LEASE (PFX 7, BODY 8–12, SFX) | PLATFORM (13–20)

*If prefix or suffix, enter in block 8.

☐ INITIAL PLATFORM INVENTORY ☒ INVENTORY UPDATE

DEVICE TYPE (21–25)	NO. (26)	COMP MODIF (27–28)	COMPONENT OR WELL IDENTIFIER (29–34)	MFG (35–37)	MODEL (38–39)	MO (40–41)	DA (42–43)	YR (44–45)	(46)	(47)	DEVICE SERIAL NUMBER (48–57)	REMARKS: USE TO EXPLAIN ANY ENTRY WHERE CODE FOR "OTHER" WAS USED OR TO ADD CLARIFYING INFORMATION FOR A DEVICE (58–78)	(79)	(80)

UPDATING USING CODE E (For Error Correction)

Copy Inventory From Master Inventory (All Of This Data Must Match The Inventory Record In Error)
Fill This Line With Corrected Information With Column 79 Blank;
Or Leave This Line Blank If Purpose Is To Erase Wrong Inventory Record.

| | | |

USER'S INSTRUCTION BOOKLET

FOR THE

SAFETY DEVICE FAILURE REPORT

FORM 9-1995 (. .)

The following pages contain instructions for completing the United States Geological Survey's Safety Device Failure Report Form (Form 9-1995).

General Information:

a. When recording the Area, Block, Lease, Platform, Device Type, Component Type, Component Modifier, and Failed Device, make sure that this information matches the inventory on which the failure is being reported.

b. REPORT DATE: date report is filled out.

c. OPERATOR: name of designated operator for the platform.

d. The arrows appearing in the headings of the Failure Form 9-1995 point in the direction in which the data must be shifted. Any blank space must be left at the tail of the arrow. For example: one-letter platform names go in column 13, not column 20.

COLUMN	HEADING	INSTRUCTIONS
1 - 2	AREA	Copy information from Master Inventory.
3 - 6	BLOCK	Copy information from Master Inventory.
7 - 12	LEASE	Copy information from Master Inventory.
13 - 20	PLATFORM	Copy information from Master Inventory.

COLUMN	HEADING	INSTRUCTIONS
21 - 26	DATE FAILURE DETECTED	Enter the date the failure was detected in the following order: month/day/year. Use zeros before the numbers 1 - 9. Example: Failure was detected January 9, 1977 .....
27-31	DEVICE TYPE/NO.	1. Copy information from Master Inventory. 2. Circle the letter code on the form.
32	COMPONENT TYPE	1. Copy information from Master Inventory. 2. Circle the letter code on the form.

DATE FAILURE DETECTED		
21		26
01 / 09		77
MO	DA	YR

NOTE:

Whenever the codes "Z" or "ZZ" are used (columns 32, 33-34, 41-45, 46-50, 51, 54, 55-56, 57-58, 59-60 and 61), explanatory information must be provided in the Remarks Section preceded by the appropriate column number referred to.

COLUMN	HEADING	INSTRUCTIONS
33 - 34	COMPONENT MODIFIER	1. Copy information from Master Inventory. 2. Circle the two-letter code on the form.
35 - 40	COMPONENT OR WELL IDENTIFIER	Copy information from Master Inventory.
41 - 45	MANUFACTURER DEVICE MODEL CODE FAILED DEVICE	Copy information from Master Inventory.
46 - 50	MANUFACTURER DEVICE MODEL CODE REPLACEMENT DEVICE	Fill in columns 46-50 whenever the failed device is replaced (i.e., Action Taken is to replace a device - see code "H" under column 41). These columns must be filled in whenever "H" is used in column 41. If the Manufacturer is unknown, enter the code "UKXXX". No remark is necessary for this code.

If the manufacturer is not included in the "Manufacturer's Device Model Codes" list, contact the appropriate Geological Survey Regional Office for the proper code.

If a remark is required because of using Zs and the remark applies to both the Failed Device (columns 41-45) and the Replacement Device (columns 46-50), do not repeat the remark. Indicate the first column number of each data field for which the remark applies.

Examples:

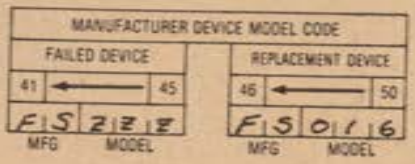
An Otis DC tubing retrievable surface controlled SSSV failed and was replaced by an Otis DC wireline retrievable surface controlled SSSV.

MANUFACTURER DEVICE MODEL CODE							
FAILED DEVICE					REPLACEMENT DEVICE				
41	←			45	46	←			50
Ø	T	D	C	T	Ø	T	D	C	W
MFG		MODEL			MFG		MODEL		

A failed combustible gas detector ASH Model 160, manufactured by General Monitors, was replaced by the same type of device.

MANUFACTURER DEVICE MODEL CODE									
FAILED DEVICE					REPLACEMENT DEVICE				
41	←			45	46	←			50
G	M	0	0	3	G	M	0	0	3
MFG		MODEL			MFG		MODEL		

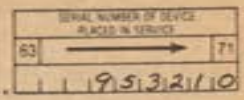
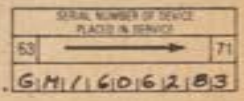
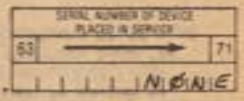
A failed unknown model Fisher relief valve was replaced with a Fisher type 98 relief valve.



COLUMN	HEADING	INSTRUCTIONS
51	SERVICE TYPE	1. Copy information from Master Inventory. 2. Circle the letter code on the form.
52	USGS TECH.	If a USGS technician witnessed the failure enter "Y" for YES in column 52, otherwise enter "N" for NO.
53	PRIOR REPAIRS	If the device has ever been repaired, enter "Y" for YES in column 53. Otherwise enter "N" for NO. A repair is any disassembly/reassembly of a device to any extent for the purpose of overhauling, modifying, or otherwise performing internal maintenance. External work such as adjustment, lubrication, etc., is not considered to be a repair.

COLUMN	HEADING	INSTRUCTIONS
54	FAILURE MODE	Enter in column 54, and circle the letter code which best describe the device failure mode. The letter code selected must be taken from the parenthesis ( ) beside the failed device under the Device Type heading in columns 27-30.
55 - 56	FAILED PART	Enter in column 55, and circle the letter code which best identifies the primary failed part. If there exists an additional failed part, enter its letter code in column 56, and circle that letter also.
57 - 58	FAILED CONDITION	Enter in column 57, and circle the letter code which best describes the primary failure condition. If there exists an additional failure condition, enter its letter code in column 59, and circle that letter also.
59 -60	CONTRIBUTING CONDITION	Enter in column 59, and circle the letter code which best describes the primary condition which contributed to the device failure. If there exists an additional contributing condition, enter its letter code in column 60, and circle that letter also.
61	ACTION TAKEN	Normal corrective action for a failed safety device is to repair, adjust/reset, service/clean/lube, or replace the device. These are described by the use of codes "A", "C", "E", and "H", respectively. Enter in column 61, and circle the letter code which best describes the action taken. Whenever code "H" is used, columns 41-45 and columns 46-50 must be completed.

COLUMN	HEADING	INSTRUCTIONS
		Two other actions may also be taken whenever a device fails: a. The device may be eliminated because it is no longer needed or because it is redundant. In this case code "X" must be circled and entered in column 61. b. The device may be replaced with a device or devices of a different type (e.g., replace a high/low pressure sensor (PSHL) with a high pressure sensor (PSH) and a low pressure sensor (PSL), or replace a failed surface controlled SSSV with a subsurface controlled SSSV). In such case code "Y" must be circled and entered in column 61. Submit the replacement devices (e.g., PSH, PSL) on an Inventory Form (Form 9-1994).
62	IS DEVICE PLACED IN SERVICE ANSI/ASME SPPE-1 CERTIFIED?	If the device placed in service is an ANSI/ASME SPPE-1 certified device, enter "Y" for YES; otherwise, enter "N" for NO. Leave column 62 blank if the failed device is eliminated (column 61 = "X"), or the Device Type or Component Modifier is changed (column 61 = "Y").
63 - 71	SERIAL NUMBER OF DEVICE PLACED IN SERVICE	Copy information from master inventory if the failed device has been "fixed" and put back into service (column 61 = "A", "C" or "E"). If the failed device is replaced (column 61 = "N"), enter the serial number of the new device or enter "NONE" if there is no serial number. Leave columns 63-71 blank only if codes "X" or "Y" are used in column 61. The only safety devices required to have a device serial number are those valves and associated actuators which conform to the ANSI/ASME-SPPE-1 Program.

COLUMN	HEADING	INSTRUCTIONS
		Examples: Device Serial No. 953210.....  Device Serial No. GM1606283.....  No Device Serial Number..... 
	SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE	If the serial number of the failed device is different from that shown in columns 63-71, fill in the unnumbered columns entitled "Serial Number of Failed Device". NOTE: ANSI/ASME-SPPE-1, paragraphs 0E-2529 and 0E-2670, requires that all certified SPPE (Safety Pollution Prevention Equipment) devices which fail must have a failure report. To meet this requirement, copies of Failure Form 9-1995 may be used.
72	CRITICAL FAILURE	If failure is critical enter "Y" in column 72, otherwise, enter "N" if it is noncritical (see the definition of critical and noncritical failure on page 9-2).
74 - 80	REFERENCE NUMBER	These columns will contain a preprinted form reference number for use by the MMS. Operators reporting safety device failure data by means other than the Safety Device Failure Report Form (Form 9-1995) must use a reference number assigned by the MMS in these columns.

REMARKS SECTION (CARD 2)

COLUMN	HEADING	INSTRUCTIONS
1 - 72	REMARKS (IF REQUIRED)	Use the spaces under the heading of Remarks as they are needed to explain any entry where the code "Z" was used or to add clarifying information for a failed device. When entering a Remark, always record the first column number under the heading of the entry to be commented on, followed by the Remark.
73	FAILURE UPDATE (IF REQUIRED)	If a previously submitted Failure Report contains an error or must be changed for some other reason (e.g., additional clarifying information), resubmit the Failure Report with the correct data and place an "E" in column 73 of the Remarks section (bottom of form). Make certain that the resubmitted Failure Report carries the same reference number (columns 74-79) as the original Failure Report. If the original Safety Device Failure Report was submitted on Form 9-1995 it is preferable to submit a marked-up copy showing the changes and adding an "E" in column 73 of the Remarks section. (See example on page F-17.)
74 - 80	REF. NO.	Do not write in these columns.

NOTE:

1. If a previously submitted Failure Report was found not to be a failure, it should be deleted from the USCS records as described on page G-11, paragraph G.2.c - "Failure Report Deletions."

2. For examples see pages F-12 through F-17.

15 3 190

F-11

REPORT DATE MO DA YR

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR _____

AREA	BLOCK *	LEASE	PLATFORM	DATE FAILURE DETECTED
1 2	3 → 6	7 PFX 8 → BODY 12 SFX	13 ← 20	21 MO DA YR 26

*If prefix or suffix, enter in column 6

DEVICE TYPE FAILURE MODE IN ( )	NO
27 ←	31

COMPONENT TYPE
32 NOTE: Letters in ( ) are modifiers to be used with that component type.

COMPONENT MODIFIER	COMPONENT OR WELL IDENTIFIER
33 34	35 ← 40

MANUFACTURER DEVICE MODEL CODE				SERVICE TYPE	USGS TECH Y = YES N = NO	PRIOR REPAIRS Y = YES N = NO
FAILED DEVICE		REPLACEMENT DEVICE		51	52	53
41 ←	45	46 ←	50			
MFG	MODEL	MFG	MODEL			

FAILURE MODE	FAILED PART	FAILED CONDITION	CONTRIBUTING CONDITION	ACTION TAKEN
54 Select letter code listed in ( ) under device type (Cols. 27-30)	55 *(1) 56	57 *(1) 58	59 *(1) 60	61

62 IS DEVICE PLACED IN SERVICE ANSI/ASME-SPPE-1 CERTIFIED? Y = Yes N = No	72 CRITICAL FAILURE Y = YES N = NO

CRITICAL Inability of the device to perform its safety and pollution-prevention function.
NON CRITICAL Improper operation that does not prevent the device from performing its safety and pollution-prevention function

SERIAL NUMBER OF DEVICE PLACED IN SERVICE	SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE	74 FAILURE REFERENCE NUMBER 80 F
63 → 71		

NOTES: *(1) Enter primary failure causes in columns 55, 57 & 58. If more than one cause exists, enter secondary failure causes in columns 56, 58 & 60.
*(2) Whenever the codes Z or ZZ are used in columns 32, 33 34, 41-45, 46 50, 51, 54, 55 56, 57 58, 59 60 & 61), explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero Ø = letter O I = one I = letter I 2 = letter Z

REMARKS (IF REQUIRED) 1 — 40

41 — 72 73 74 REF NO. 80 R

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH 6, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80-2 (a)(1) STATES THAT: ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE. THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.)

FORM 9-1505
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

FORM APPROVAL OMB NO. EXPIRES

SIGNATURE

F-12

REPORT DATE 02 (MO) 17 (DA) 77 (YR)

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR XYZ

AREA (1-2)	BLOCK * (3-6)	LEASE (7-12)	PLATFORM (13-20)	DATE FAILURE DETECTED (21-26)
WD	311	PFX 0016 BODY SFX	B	02 (MO) 17 (DA) 77 (YR)

*If prefix or suffix, enter in column 6

DEVICE TYPE FAILURE MODE IN ( ) (27-31)	NO.	COMPONENT TYPE (32)	COMPONENT MODIFIER (33-34)	COMPONENT OR WELL IDENTIFIER (35-40)
SSSV		R	SC	A 1 4 D 1

NOTE: Letters in ( ) are modifiers to be used with that component type.

MANUFACTURER DEVICE MODEL CODE		SERVICE TYPE (51)	USGS TECH Y = YES N = NO (52)	PRIOR REPAIRS Y = YES N = NO (53)
FAILED DEVICE (41-45)	REPLACEMENT DEVICE (46-50)			
CAB1W (MFG / MODEL)	ØTDK (MFG / MODEL)	Ø	Y	Y

FAILURE MODE (54)	FAILED PART (55-56)	FAILED CONDITION (57-58)	CONTRIBUTING CONDITION (59-60)	ACTION TAKEN (61)
Select letter code listed in ( ) under device type (Cols. 27-30)	*(1)	*(1)	*(1)	
C	Z	Z	Z	H

IS DEVICE PLACED IN SERVICE AND/OR ARE SSPS 1 CERTIFIED? Y = Yes, N = No (62)	CRITICAL FAILURE Y = YES N = NO (72)
N	Y

CRITICAL: Inability of the device to perform its safety and pollution prevention function.
NON-CRITICAL: Improper operation that does not prevent the device from performing its safety and pollution prevention function.

SERIAL NUMBER OF DEVICE PLACED IN SERVICE (63-71): 12894736

SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE: 913718

FAILURE REFERENCE NUMBER (74-80): 024736 F

NOTES: *(1) Enter primary failure causes in columns 55, 57 & 59. If more than one cause exists, enter secondary failure causes in columns 56, 58 & 60.
*(2) Whenever the codes Z or ZZ are used in columns 32, 33-34, 41-45, 46-50, 51, 54, 55-56, 57-58, 59-60, & 61, explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero Ø = letter O 1 = one I = letter I 2 = letter Z

REMARKS (IF REQUIRED) (1-40)

SSSV HAS FAILED DOWNHOLE

41-72, 73, 74 REF NO. 80: 02473 6 H

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH 6, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80-2 (a)(1) STATES THAT "ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE." THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.)

FORM 9-1959 ( )
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

FORM APPROVAL
OMB NO.
EXPIRES

SIGNATURE

P-13

REPORT DATE 03 01 27 (MO DA YR)

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR XYZ

AREA (1-2)	BLOCK * (3-6)	LEASE (7-12)	PLATFORM (13-20)	DATE FAILURE DETECTED (21-26)
SM	1128	G 215817 (PFX / BODY / SFX)	A-1-PRIOD 1	02 10 77 (MO DA YR)

*If prefix or suffix, enter in column 6

DEVICE TYPE / FAILURE MODE IN 1 1 (27-31)	NO
SDV1	

COMPONENT TYPE (32)	COMPONENT MODIFIER (33-34)	COMPONENT OR WELL IDENTIFIER (35-40)
M	BD	11010 1

NOTE: Letters in ( ) are modifiers to be used with that component type.

MANUFACTURER DEVICE MODEL CODE	FAILED DEVICE (41-45)	REPLACEMENT DEVICE (46-50)
MFG / MODEL	ØR 0103	ØR 0103

SERVICE TYPE (51)	USGS TECH Y = YES N = NO (52)	PRIOR REPAIRS Y = YES N = NO (53)
Ø	N	N

FAILURE MODE (54)	FAILED PART (55-56)	FAILED CONDITION (57-58)	CONTRIBUTING CONDITION (59-60)	ACTION TAKEN (61)
Select letter code listed in ( ) under device type (Cols. 27-30)	*(1)	*(1)	*(1)	
C	A	N	G	H

IS DEVICE PLACED IN SERVICE ANSI/ASME SPPE-1 CERTIFIED? Y = Yes, N = No (62)	CRITICAL FAILURE Y = YES, N = NO (72)
N	Y

CRITICAL: Inability of the device to perform its safety and pollution prevension function.
NON CRITICAL: Improper operation that does not prevent the device from performing its safety and pollution prevension function.

SERIAL NUMBER OF DEVICE PLACED IN SERVICE (63-71)	SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE
UNKNOWN	

FAILURE REFERENCE NUMBER (74-80)
003904 F

NOTES: *(1) Enter primary failure causes in columns 55, 57 & 58. If more than one cause exists, enter secondary failure causes in columns 56, 58 & 60.
*(2) Whenever the codes Z or ZZ are used, columns 32, 33 34, 41-45, 46 50, 51, 54, 55 56, 57 58, 59 60, & 61, explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero Ø = letter O 1 = one I = letter I 2 = letter Z

REMARKS (IF REQUIRED) (1-40)

41 ... 72 73 74 REF NO. 80 R

THIS REPORT IS REQUIRED BY OCS ORDER NO 5, PARAGRAPH 6, EFFECTIVE JANUARY 1, 1980. 30 CFR 250 80-7 (a)(1) STATES THAT: ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE. THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.).

FORM 9-1005
( )
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

FORM APPROVAL
OMB NO
EXPIRES

SIGNATURE

F-14

REPORT DATE 03 | 14 | 79 (MO DA YR)

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR XYZ

AREA (1-2)	BLOCK * (3-6)	LEASE - (7-12)	PLATFORM (13-20)	DATE FAILURE DETECTED (21-26)
EI	313	G (PFX) 2610 (BODY)	A	03 12 79 (MO DA YR)

*If prefix or suffix, enter in column 6

DEVICE TYPE FAILURE MODE IN ( ) (27-31)	COMPONENT TYPE (32)	COMPONENT MODIFIER (33-34)	COMPONENT OR WELL IDENTIFIER (35-40)
LSH	A	BH	3268

NOTE: Letters in ( ) are modifiers to be used with that component type.

MANUFACTURER DEVICE MODEL CODE		SERVICE TYPE (51)	USGS TECH Y = YES N = NO (52)	PRIOR REPAIRS Y = YES N = NO (53)
FAILED DEVICE (41-45)	REPLACEMENT DEVICE (46-50)			
FS 01 10 (MFG MODEL)	(MFG MODEL)	Ø	N	Y

FAILURE MODE (54)	FAILED PART (55-56)	FAILED CONDITION (57-58)	CONTRIBUTING CONDITION (59-60)	ACTION TAKEN (61)
A	I *(1)	D *(1) G	N *(1)	A

IS DEVICE PLACED IN SERVICE ANSI/ASME-SPPE-1 CERTIFIED? Y = Yes, N = No (62)	CRITICAL FAILURE Y = YES N = NO (72)
N	Y

SERIAL NUMBER OF DEVICE PLACED IN SERVICE (63-71): NONE

SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE:

CRITICAL: Inability of the device to perform its safety and pollution prevention function

NON CRITICAL: Improper operation that does not prevent the device from performing its safety and pollution prevention function

NOTES: *(1) Enter primary failure causes in columns 55, 57 & 59. If more than one cause exists, enter secondary failure causes in columns 56, 58 & 60.

*(2) Whenever the codes Z or ZZ are used in columns 32, 33 34, 41-45, 46-50, 51, 54, 55-56, 57-58, 59-60 & 611, explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero Ø = letter O 1 = one I = letter I 2 = letter Z

FAILURE REFERENCE NUMBER (74-80)
091537 F

REMARKS (IF REQUIRED) (1-40)

313 CLOSED SUNA

(41-72) (73-74 REF NO.) 80

091513 R

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH 6, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80-2 (a)(1) STATES THAT "ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE, OR PERMIT ISSUED PURSUANT TO THE ACT OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE." THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.)

FORM 9-1995
( )
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

FORM APPROVAL
OMB NO
EXPIRES

SIGNATURE

F-15

REPORT DATE: 06 (MO) 25 (DA) 80 (YR)

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR: XYZ

AREA (1-2)	BLOCK * (3-6)	LEASE (7-12)	PLATFORM (13-20)	DATE FAILURE DETECTED (21-26)
GI	915	PFX: / 00713 BODY / SFX:	B	05 (MO) 31 (DA) 80 (YR)

*If prefix or suffix, enter in column 6

DEVICE TYPE FAILURE MODE IN ( ) (27-31)	NO
SSSV	

COMPONENT TYPE (32)
R

NOTE: Letters in ( ) are modifiers to be used with that component type.

COMPONENT MODIFIER (33-34)	COMPONENT OR WELL IDENTIFIER (35-40)
SC	6A

MANUFACTURER DEVICE MODEL CODE		SERVICE TYPE (51)	USGS TECH Y = YES N = NO (52)	PRIOR REPAIRS Y = YES N = NO (53)
FAILED DEVICE (41-45)	REPLACEMENT DEVICE (46-50)			
ØTDR (MFG / MODEL)	ØTF (MFG / MODEL)	Ø	N	N

FAILURE MODE (54)	FAILED PART (55-56)	FAILED CONDITION (57-58)	CONTRIBUTING CONDITION (59-60)	ACTION TAKEN (61)
Select letter code listed in ( ) under device type (Cols. 27-30)	*(1)	*(1)	*(1)	
E	R	L	G	Y

IS DEVICE PLACED IN SERVICE ANSI/ASME-SPPE-1 CERTIFIED? Y = Yes N = No (62)	CRITICAL FAILURE Y = YES N = NO (72)
N	Y

CRITICAL: Inability of the device to perform its safety and pollution prevention function.

NON-CRITICAL: Improper operation that does not prevent the device from performing its safety and pollution prevention function.

SERIAL NUMBER OF DEVICE PLACED IN SERVICE (63-71)	SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE
7631B	29913

NOTES: *(1) Enter primary failure causes in columns 55, 57 & 58. If more than one cause exists, enter secondary failure causes in columns 56, 58 & 60.

*(2) Whenever the codes Z or ZZ are used in columns 32, 33-34, 41-45, 46-50, 51, 54, 55-56, 57-58, 59-60 & 61, explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero, Ø = letter O, 1 = one, I = letter I, 2 = letter Z

FAILURE REFERENCE NUMBER (74-80)
038917 F

REMARKS (IF REQUIRED) (1-40)

GI REPLACED FAILED DEVICE WITH ØTF-SUBSU

(41-72) RFAILE CONTROLLED TYPE (73-74 REF NO) 038917 R

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH 6. EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80-2 (a)(1) STATES THAT: ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE. THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.)

FORM 9-1995
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

FORM APPROVAL
OMB NO.
EXPIRES

SIGNATURE

F-16

REPORT DATE 10 / 19 / 80 (MO / DA / YR)

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR XYZ

AREA (1-2)	BLOCK * (3-6)	LEASE (7-12)	PLATFORM (13-20)	DATE FAILURE DETECTED (21-26)
WC	1713	G 3988 (PFX / BODY / SFX)	E	10 / 10 / 80 (MO / DA / YR)

*If prefix or suffix, enter in column 6

DEVICE TYPE (FAILURE MODE IN ( )) (27-31)	COMPONENT TYPE (32)	COMPONENT MODIFIER (33-34)	COMPONENT OR WELL IDENTIFIER (35-40)
PSH	F	A1	7

NOTE: Letters in ( ) are modifiers to be used with that component type.

MANUFACTURER DEVICE MODEL CODE		SERVICE TYPE (51)	USGS TECH Y = YES N = NO (52)	PRIOR REPAIRS Y = YES N = NO (53)
FAILED DEVICE (41-45)	REPLACEMENT DEVICE (46-50)			
AX 0012 (MFG / MODEL)	(MFG / MODEL)	Ø	Y	N

FAILURE MODE (54)	FAILED PART (55-56)	FAILED CONDITION (57-58)	CONTRIBUTING CONDITION (59-60)	ACTION TAKEN (61)
Select letter code listed in ( ) under device type (Col. 27-30)	U *(1)	I *(1)	S *(1)	C
G				

IS DEVICE PLACED IN SERVICE ANSI/ASME-SPPE-1 CERTIFIED? Y = Yes N = No (62)	CRITICAL FAILURE Y = YES N = NO (72)
N	Y

SERIAL NUMBER OF DEVICE PLACED IN SERVICE (63-71)	SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE
(N)ONE	

CRITICAL: Inability of the device to perform its safety and pollution prevention function

NON CRITICAL: Improper operation that does not prevent the device from performing its safety and pollution prevention function

NOTES: *(1) Enter primary failure causes in columns 55, 57 & 58. If more than one cause exists, enter secondary failure causes in columns 56, 58 & 60.

*(2) Whenever the codes Ø or ØZ are used (columns 32, 33 34, 41 45, 46 50, 51, 54, 55 56, 57 58, 59 60 & 61), explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero [0] = letter O 1 = one [I] = letter I [Z] = letter Z

FAILURE REFERENCE NUMBER (74-80)
025617 F

REMARKS (IF REQUIRED) (1-40)

72 IDEVICE IFAILED ABOVE ISET PRESSURE

REF NO. (72-80)
0125617 R

THIS REPORT IS REQUIRED BY OCS ORDER NO. 5, PARAGRAPH 8, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80-2 (45 FR) STATES THAT: ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE OR PERMIT ISSUED PURSUANT TO THE ACT OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF CONTINUANCE OF SUCH FAILURE. THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.)

Form 9-1956

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

FORM APPROVAL OMB NO. EXPIRES

SIGNATURE

P-17

REPORT DATE 06 02 80 (MO DA YR)

UNITED STATES GEOLOGICAL SURVEY
SAFETY DEVICE FAILURE REPORT

OPERATOR XYZ

AREA	BLOCK *	LEASE	PLATFORM	DATE FAILURE DETECTED
WC	192	G 3360	A	05 30 80 (MO DA YR)
		PFX BODY SFX		

*If prefix or suffix enter in column 6

DEVICE TYPE FAILURE MODE IN I-J	NO	COMPONENT TYPE	COMPONENT MODIFIER	COMPONENT OR WELL IDENTIFIER
27 — 31		32	33 34	35 — 40
V A		Q	A Y	4 A

NOTE: Letters in ( ) are modifiers to be used with that component type

MANUFACTURER DEVICE MODEL CODE		SERVICE TYPE	USGS TECH Y = YES N = NO	PRIOR REPAIRS Y = YES N = NO
FAILED DEVICE	REPLACEMENT DEVICE			
41 — 45	46 — 50	51	52	53
W K 0 0 0 8		G	N	N
MFG MODEL 013	MFG MODEL			

FAILURE MODE	FAILED PART	FAILED CONDITION	CONTRIBUTING CONDITION	ACTION TAKEN
54 Select letter code listed in I-J under device type (Cols. 27-30)	55 — 56	57 — 58	59 — 60	61
E	Z *(1)	K *(1)	G *(1)	A

62 IS DEVICE PLACED IN SERVICE ANSI/ASME SPPE-1 CERTIFIED? Y = Yes N = No	72 CRITICAL FAILURE Y = YES N = NO
N	N

CRITICAL: Inability of the device to perform its safety and pollution prevention function.

NON CRITICAL: Improper operation that does not prevent the device from performing its safety and pollution prevention function.

SERIAL NUMBER OF DEVICE PLACED IN SERVICE: 63 — 71: NONE

SERIAL NUMBER OF FAILED DEVICE IF DIFFERENT FROM ABOVE:

74 FAILURE REFERENCE NUMBER: 039307 — 80 F

NOTES: *(1) Enter primary failure causes in columns 55, 56, 57, 58. If more than one cause exists, enter secondary failure causes in columns 56, 58, 59, 60.

*(2) Whenever the codes Z or ZZ are used, columns 32, 33, 34, 47, 48, 49, 50, 51, 54, 55, 56, 57, 58, 59, 60, 61, explanatory information must be provided in the remarks section preceded by the appropriate column number referred to.

0 = zero Ø = letter O 1 = one I = letter I Z = letter Z

REMARKS (IF REQUIRED)

1 — 40: SIS WEAR

41 — 72, 73, 74 REF NO 80: E 039307 R

THIS REPORT IS REQUIRED BY OCS ORDER NO. 1, PARAGRAPH 6, EFFECTIVE JANUARY 1, 1980. 30 CFR 250.80.7 (a) (1) STATES "THAT ANY PERSON WHO FAILS TO COMPLY WITH ANY PROVISION OF THE ACT OR ANY TERM OF A LEASE, LICENSE OR PERMIT ISSUED PURSUANT TO THE ACT, OR ANY PROVISION OF ANY REGULATION OR ORDER ISSUED UNDER THE ACT, SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN $10,000 FOR EACH DAY OF SUCH NONCOMPLIANCE FOR EACH FAILURE." THE ACT MEANS THE OUTER CONTINENTAL SHELF LANDS ACT, AS AMENDED (43 U.S.C. 1331 ET SEQ.).

FORM 9-1916
PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE.

FORM APPROVAL
OMB NO.
EXPIRES:

SIGNATURE

APPENDIX

INFORMATION CODE LISTS

THE FOLLOWING INFORMATION CODE LISTS ARE FOR USE IN FILLING OUT THE SAFETY DEVICE INVENTORY REPORT FORM (FORM 9-1994) AND THE SAFETY DEVICE FAILURE REPORT FORM (FORM 9-1995).

INDEX

		PAGE
LIST 1	Area ID's	A-1
LIST 2	Device Type Code	A-2
LIST 3	Component Identification	A-3
LIST 4	Manufacturer's Device Model Codes	A-4
	ASH - Combustible Gas Detector	A-4
	BSL - Burner Flame Detector	A-5
	ESD - Emergency Shutdown Valve	A-6
	FSV - Check Value	A-8
	LSH, LSL, LSHL - Level Sensor	A-12
	PSH, PSL, PSHL - Pressure Sensor	A-14
	PSV - Relief Value	A-17
	SSV, SDV, BDV - Surface Safety, Shutdown, and Blowdown Valve	A-21
	SSSV - Subsurface Safety Valve	A-26
	TSH, TSL, TSHL - Temperature Sensor	A-28
	VA - Valve Actuator	A-30

A-1

List 1

AREA ID'S

Area	Area ID
GULF OF MEXICO AREAS	
ALAMINOS CANYON	AC
APALACHICOLA	AP
ATWATER	AT
RAY MARCHAND	RM
BRAZOS	BA
BRETON SOUND	BS
CHANNELVIEW	CA
CHANNELVIEW SOUND	CS
CHARLOTTE HARBOR	CH
COON POINT	CP
CORPUS CHRISTI	CC
DESOTO CANYON	DC
DESTIN DOME	DD
DRY TORTUGAS	DT
EAST BREAKS	EB
EAST CAMERON	EC
EUGENE ISLAND	EI
EWING BANK	EW
FLORIDA MIDDLE GROUND	FM
GAINESVILLE	GV
GALVESTON	GA
GARDEN BANKS	GB
GRAND ISLE	GI
GREEN CANYON	GC
HENDERSON	HE
HIGH ISLAND	HI
HOWELL HOOK	HH
HEATHLEY CANYON	HT
KEY WEST	KW
LIGHTHOUSE POINT	LP
LLOYD	LL
LUND	LU
MAIN PASS	MP
MARQUESAS	MQ
MATAGORDA ISLAND	MI
MISSISSIPPI CANYON	MC
MOBILE	MB
MUSTANG ISLAND	MU
NORTH PADRE ISLAND	PN
PENSACOLA	PE
PORT ISABEL	PI
PULLEY RIDGE	PR
SABINE PASS, LOUISIANA	SA
SABINE PASS, TEXAS	SX
SHIP SHOAL	SS
SOUTH MARSH ISLAND	SM
SOUTH PADRE ISLAND	PS
SOUTH PASS	SP
SOUTH PELTO	PL
SOUTH TIMBALIER	ST
ST PETERSBURG	PR
TARPON SPRINGS	TP
THE FLARE	FL
TIGER SHOAL	TS
VERMILION	VR
VERNON	VN
VIOSCA KNOLL	VK
WALKER RIDGE	WR
WEST CAMERON	WC
WEST DELTA	WD
WILD	WI
ALASKA AREAS	
AREA IDENTIFICATION WILL BE FURNISHED UPON REQUEST.	
ATLANTIC AREAS	
AREA IDENTIFICATION WILL BE FURNISHED UPON REQUEST.	
PACIFIC AREAS	
SAN PEDRO BAY	PP
SANTA BARBARA CHANNEL	BC
SANTA BARBARA ISLAND	BI
SANTA ROSE ISLAND	RI
TANNER BANKS	TR
POINT CONCEPTION	PC

A-2

List 2

DEVICE TYPE CODE

Device Type	Code	List 4 Page No.
Blow Down Valve	BDV	A-21 - A-25
Burner Flame Detector	BSL	A-5
Check Valve	FSV	A-8 - A-11
Combustible Gas Detector	ASH	A-4
Emergency Shutdown Valve	ESD	A-6 - A-7
Level Sensor - High	LSH	A-12 - A-13
Low	LSL	A-12 - A-13
Hi/Lo	LSHL	A-12 - A-13
Pressure Sensor - High	PSH	A-14 - A-16
Low	PSL	A-14 - A-16
Hi/Lo	PSHL	A-14 - A-16
Relief Valve	PSV	A-17 - A-20
Shutdown Valve	SDV	A-21 - A-25
Subsurface Safety Valve	SSSV	A-26 - A-27
Surface Safety Valve	SSV	A-21 - A-25
Temperature Sensor - High	TSH	A-28 - A-29
Low	TSL	A-28 - A-29
Hi/Lo	TSHL	A-28 - A-29
Valve Actuator on SDV, SSV, or BDV	VA	A-30 - A-33

List 3
COMPONENT IDENTIFICATION

FIRST LETTER X — NEXT TWO LETTERS XX

X → COMPONENT TYPE; XX → COMPONENT MODIFIER

COMPONENT TYPE CODES	COMPONENT	COMMON MODIFIERS
A	Atmospheric Vessel (Unheated)	AD,AM,AY,RD, BF,BH,BJ,BM
B	Atmospheric Vessel (Heated)	AP,BC,BK,BM
C	Compressor	BB,NN
D	Enclosure	AE,AG,AN,AU, BB,DK
E	Fired Comp.	AL,AW,BC
F	Flowline	A1 thru A9
G	Header	AB,AS,AT,AY, AZ,FG,HT,PR
H	Heat Exchanger	BC,BG
J	Injection Line	AB,AS,AT
K	Pipeline	AA,AH,AO,SD
L	Platform	AG,AY,SD
M	Pressure Vessel (Unheated)	AB,AD,AF,AJ, AK,AM,AV,BD, BF,BH,BJ,BK, BL,BM
N	Pressure Vessel (Heated)	AC,AF,AM,AP, BC,BD,BG,BJ, BK,BM
P	Pump	AT,AX,AY,BA, BE,BH,BM,BP, HT
Q	Wellhead	AB,AT,AY,AZ
R	Tubing	AB,AT,SC,SS, TP
Z	Other	ZZ

COMPONENT MODIFIER CODES	COMPONENT	
AA	Bidirectional	Operator assigned identification unique to equipment at location
AB	Blowcase	
AC	Boiler	
AD	Coalescer	
AE	Compressor	
AF	Contactor	
AG	Control Unit	
AH	Departing	
AJ	Filter	
AK	Filter-Separator	
AL	Forced Draft	
AM	Freewater Knockout	
AN	Generator	
AP	Heater	
AQ	Incoming	
AB	Injection, Gas	
AS	Injection, Gas lift	
AT	Injection, Water	
AU	Meter	
AV	Metering Vessel	
AW	Natural Draft	
AX	Pipeline	
AY	Production, Hydrocarbon	
AZ	Production, Water	
A1thruA9	Flowline Segment	
BA	Process (Other)	
BB	Pump	
BC	Reboiler	
BD	Separator	
BE	Service	
BF	Scrubber	
BG	Shell and Tube	
BH	Sump	
BJ	Tank	
BK	Treater	
BL	Volume Bottle	
BM	Water Treating	
FG	Fuel/Supply/Instrument Gas	
HT	Heat Transfer Fluid	
BB or NN	No Modifier	
QK	Quarters/Kitchen/Office	
PR	Glycol	
SD	FSD Shutdown Station	
SC	Surface Controlled	
SS	Subsurface Controlled	
TP	Tubing Plug	
ZZ	Other	

List 4

MANUFACTURER'S DEVICE MODEL CODES*

DEVICE TYPE CODE: ASH - COMBUSTIBLE GAS DETECTOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
BACHARACH	C0800.	BC001	
BIOMARINE INC.	model 900R	BT001	
	model 900RS	BT002	
	model 901R	BT003	
	model 902	BT004	
GAS TECHNOLOGY	series 1008/1014/1020/1061	GT001	
	series 1220/1220A	GT002	
	series 1221	GT003	
GENERAL MONITORS	model 4000	GM001	
	model 180	GM002	
	model 160	GM003	
	model 520	GM004	
	model 170	GM005	
INTERNATIONAL		IN001	
MINE SAFETY APPLIANCE	series 1500	MS001	
	series 1500	MS002	
	Infrared Analyzers model 303	MS003	
	model 202	MS004	
PHOTOHELIC		PT001	
REXNORD		RX002	
SCOTT	9000 series	SC001	

*If the manufacturer is not listed, call the appropriate MSHS Regional Office for the proper manufacturer code. If the manufacturer is unknown, enter the code "UCXXX".

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: BSL - BURNER FLAME DETECTOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
ASCO TRIPOINT	Series 50	AS006	
BARTON	Barton	BA002	
BASO	#419NA-4/08-10-04000	BA001	
CE INVALCO	model CMA-100	CE001	
DETRONICS		DE001	
ELECTRONIC CORP. OF AMERICA	Fireye Sep. UVP-2	EC001	
	Fireye Sep. model 6152	EC002	
	U.V. Eye model UVP. 45	EC003	
	model 45RMI	EC004	
	model UVP.55	EC005	
FENWAL	series 05-14	FW001	
FLAME SENTRY		FY001	
FOXBORO	Foxboro	FX003	
HONEYWELL	Honeywell	HN001	
MICROSWITCH	Microswitch	MI002	
NATIONAL (See CE INVALCO)			
NORRISEAL	series 5030	NS006	
TAYLOR COMPANY	Taylor	TA002	

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: ESD - EMERGENCY SHUTDOWN VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
APOLLO	emergency shutdown valve	AD001	
BELLOWS VALVE AIR	3320 thru 3322 series	BL001	
CE INVLACO	38 series	CE016	
	316 series	CE017	
CONANT	models R2L/R5L	CQ001	
	models A2L/A5L	CQ002	
	models BR2TSL/BR5TSL	CQ003	
	models AL2TSL/AL5TSL	CQ004	
	model 1808	CQ005	
	model 3608	CQ006	
CROUSE HINDS	electric	CR001	
GEMINI	series 76/86/96	GA001	
HLR CONTROLS	models 7830 & 7835	HL001	
HOKE	series 1513 & 1533	HO001	
	1523 series	HO002	
	6500 series	HO003	
JAMESBURY	emergency shutdown valve	JA081	
JENKINS	ball valve	JK009	
LANCE	ball valve	LC001	
MICRO-VALVE		MV001	
OTIS	emergency shutdown valve	OT011	
PARKER		PH001	
SALSRERRY	quarter turn valve		
	emergency shutdown valve	SL001	
SIGMA		SG001	

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: ESD - EMERGENCY SHUTDOWN VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
SKINNER	emergency shutdown valve	SK	001
VERSA	series V&R emergency shutdown valve	VE	001
WATTS		WS	001
WHITEY	emergency shutdown valve	WT	001
WKM (PROFLO)	Proflo type F-1 safety valve	WK	010
WORCESTER	quarter turn ball valve	WO	004

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: FSV - CHECK VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
ARMCO NATIONAL SUPPLY	model C1536	AR	002
ARMSTRONG	swing check	A	001
ARROW	swing check	AW	001
BROWN OIL TOOLS	ball check	BR	001
CAMERON	type R	CN	007
CATAWISSA	swing check	CW	001
CHAMPION	swing check	CH	001
CHECK-ALL VALVE MANUFACTURER CO.	swing check	ZC	001
CIRCLE SEAL	model 119	CI	001
	model 249/259	CI	002
	series 2100	CI	003
CLAYTON MARK	handle-bar petro check valve	CM	001
	hydro check valve	CM	002
	petro check valve	CM	003
	swing check valve	CM	004
CRANE	crane check	CR	003
DANIEL	piston check Cat. 300	DA	001
	chexter Cat. 1600	DA	002
ECLIPSE	series 1005/1040/1030F/1080F	EL	001
	series 1020/1040	EL	002
	series 2505/2510	EL	003
ED JOHN	swing check	EJ	001
EDWARD	ball check	ED	001
	piston check	ED	002
	tilting disc swing check	ED	003

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: FSV - CHECK VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
FITZPATRICK	lift check		FP001
	water check		FP002
FLO LOK	check valve stainles steel		F0001
GRAY	graycheck		GY001
GULF	swing check		GU001
HAMMAND	model IR322		HM001
HANCOCK	swing check		HK001
JENKINS	model 92-A		JK001
	model 352		JK002
	models 830 & 832		JK003
	model 966		JK004
JUDD VALVE	types 2A/2W & 1G/1W		JD001
	wafer check model 3S		JD002
LESLIE			LE001
LUNKENHEIMER	swing check		LU002
	ball check		LU003
	lift check		LU004
MARLIN	swing check		MM001
MISSION (TRW)	ball check		MN002
	duo-check		MN005
MUELLER	screwed end A26008		MU001
	lev. & wgt. oper. A2600801		MU002
	lev. & spg. oper. A2600 series		MU003
NORRISEAL	series 7100		NS014
PACIFIC	swing check		
	pacific check		PI001

A-9

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: FSV - CHECK VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
FITZPATRICK	lift check		FP001
	water check		FP002
FLO LOK	check valve stainles steel		F0001
GRAY	graycheck		GY001
GULF	swing check		GU001
HAMMAND	model IR322		HM001
HANCOCK	swing check		HK001
JENKINS	model 92-A		JK001
	model 352		JK002
	models 830 & 832		JK003
	model 966		JK004
JUDD VALVE	types 2A/2W & 1G/1W		JD001
	wafer check model 3S		JD002
LESLIE			LE001
LUNKENHEIMER	swing check		LU002
	ball check		LU003
	lift check		LU004
MARLIN	swing check		MM001
MISSION (TRW)	ball check		MN002
	duo-check		MN005
MUELLER	screwed end A26008		MU001
	lev. & wgt. oper. A2600801		MU002
	lev. & spg. oper. A2600 series		MU003
NORRISEAL	series 7100		NS014
PACIFIC	swing check		
	pacific check		PI001

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: FSV - CHECK VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
POWELL	swing check valve 7056NTD	PW001	
	horizontal check 70158	PW002	
	model star 70116	PW003	
PRINCE	PA series	PR001	
	PF series	PR002	
	PT series	PR003	
	swing check valve type G	PR004	
REXNORD	hydro-check 110000	RX001	
SCHERTLER	swing check valve	SH001	
STOCKHAM	swing check valve	ST001	
TAYLOR TOOLS	T-1900 swing check	TT003	
TEXSTEAM (TXT)	line check	TX001	
	series C-1, C-9 ball check	TX002	
	series C-7, C-3 swing check	TX003	
TOM WHEATLEY	swing check	WY001	
TOM WHEATLY	swing check	WH003	
TRIANGLE	swing check	TG001	
VITAS	swing check	VI001	
VOGT	hor. piston check SW701-15701	VN001	
	hor. ball check SWR701-15701	VN002	
	hor. swing check SW4835	VN003	
	hor. & vert. swing check SW574	VN004	
	hor. piston check SW9091	VN005	
	hor. ball check SWR9091	VN006	
	spring piston check SW2610/2622	VN007	
	hor. & vert. ball check SW54853	VN008	
	hor. piston check 573/15593	VN009	
	hor. piston check 7063 & 6453	VN010	
	hor. ball check R7063 & R6453	VN011	
WAFER	swing check	VF001	

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: FSV - CHECK VALVE

MANUFACTUPER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
WALWORTH	check valve	WA001	
WHEATLEY-GEOSOURCE (FWI)	frank-flo (FWI)	WH001	
	steam-flo - Charles W.	WH002	
	wheatley plugaroo	WH004	
WHEELER	swing check	WR001	

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: LSH, LSL, LSHL - LEVEL SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFR	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
BARTON	models 199 & 224 D/P	BA001		LSH, LSL, LSHL
BELL		BP001		LSH
CE INVALCO (NATIONAL)	models CAIM-201 & CAIMEX-201	CE002		LSH, LSL
	model CTD-101	CE003		LSH, LSL
	CTM series flextube	CE004		LSHL
	CT series flextube	CE005		LSHL
	models CM-2501 & CM-3801	CE006		LSH, LSL
	model CT-2501	CE007		LSH, LSL
	model CEXD-401	CE008		LSH, LSL
	model CMS-103	CE009		LSH, LSL
	models CMEAQX & CMEAFX	CE010		LSH, LSL
	models CMAD & CMAF	CE011		LSH, LSL
DELTA CONTROL CORP.	model 710/717	DC001		LSHL
	model 730/750	DC002		LSH, LSL
	model 820	DC003		LSHL
	models 760 & 770	DC004		LSH, LSL
	models 775 thru 777	DC005		LSHL
DUAL SNAP	type 646T	DS007		LSHL
FISHER	type 4180	FS010		LSH, LSL
	type 2000	FS011		LSH, LSL
	type 2500	FS012		LSH, LSL
	type 2900	FS013		LSH, LSL
	type 2100	FS014		LSH, LSL
FOXBORO	model E-17	FX002		LSH, LSL, LSHL
FRANK W. MURPHY	L-1000 series	FM002		LSH
JOHNELL	NA-300 series	JR001		LSHL
	S-1000 series	JR002		LSHL
	F-700 series	JR003		LSH, LSL
	F-1500 series	JR004		LSH
KIMRAY	PF series	KM001		LSH
	PL and PLC series	KM002		LSH
	12 PI	KM003		LSH
	L series - 12 PL	KM005		LSH

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: LSH, LSL, LSHL - LEVEL SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFR	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
LIQUID LEVEL LECTRONICS	model T10R	LL003		LSH, LSL, LSHL
	models PT765 & PT966	LL004		LSH, LSL
	model PT475	LL005		LSH, LSL
	model PT476	LL006		LSH, LSL
	models T101 & T102	LL007		LSH, LSL
	series LW471	LL008		LSH, LSL
	series L971	LL009		LSH, LSL
MAGNETROL	pneumatic level control	MA001		LSH, LSL
	models B-751, F-751 & H-751	MA002		LSH
MERCOID	electric switch level control	ME001		LSH, LSL, LSHL
	series P pneumatic	ME002		LSH, LSL
MICROSWITCH	liquid level sensing	MT001		LSH
	type FX-AR-IA	MT003		LSH
MSW	pneumatic level control	MW001		LSH, LSL
	series 100, 200, 300, 400	MW002		LSH, LSL
	models 730 to 737	MW003		LSHL
NORRISEAL	series 1004	NS007		LSH, LSL
	series 1001 and 1001-A	NS008		LSH, LSL
	series 1002-A	NS009		LSH, LSL
OMNITROL	series 2800	OM001		LSH, LSL, LSHL
	liquid level	OM002		LSH
	systems	OM002		LSL
	pneumatic	OM002		LSHL
OMTRO	type D666CY 000LP	OA001		LSHL
REFRIGERATING SPECIALITES	series LI-LLAX	RS001		LSH, LSL
ROBERTSHAW	series SL-100 & SL-200	RS001		LSH, LSL, LSHL
	series SL-300 & SL-400	RS001		LSHL
SENSALL (NATIONAL SONICS)	model 501	SE001		LSH, LSL
	model 601	SF002		LSH, LSL

List 4

MANUFACTURER'S DEVICE MODEL CODES*

DEVICE TYPE CODE: PSH, PSL, PSHL - PRESSURE SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE		APPLICABLE DEVICE CODE
		MFG	MODEL	
ALLEN BRADLEY	Bulletin 836-T	AB001		PSHL
AMETEK	model 47	AK002		PSH, PSL
AMOT	model 1672	AM004		PSH, PSL
	model 4023	AM005		PSH, PSL
ASCO TRIPOINT	series SA10A/SA42A & TA/TV	AS001		PSH, PSHL
	series SR10.A & SR40.A	AS002		PSH, PSHL
	series SD10A & SD42A	AS003		PSH, PSHL
AUTOCON	model HBT-V vacuum	AU001		PSHL
	model HBT-CX	AU002		PSH, PSL
	model HBT-PS	AU003		PSH, PSL
	706-HL series	AU004		PSHL
	model HBT-TSHL	AU005		PSH, PSL
AUTOMATION CONTROL		AC001		PSHL
AXELSON (GARRETT)	ESP-10	AX002		PSH, PSL
	YL, YS & Y-10	AX006		PSH, PSL
	type ESP-20	AX021		PSH, PSL
BAILEY	model 175	BJ001		PSHL
BAKER	type DA pilot	BK001		PSH, PSL, PSHL
	type DE	BK002		PSH, PSL
	type D	BK002		PSHL
BARKSDALE	elect. D1S. & CD1S series	B0001		PSH, PSL
	elect. DPD1T series	B0003		PSH, PSL
	elect. D2S & CD2S series	B0002		PSHL
	elect. DPD2T series	B0004		PSHL
BOURNS	elect. 5020-3100 series	B0001		PSH, PSL
BS&B	RS&B 72-74	RS001		PSH, PSL
BMB CONTROLS	R pilot	RW001		PSH, PSL
CALIFORNIA CONTROLS	R-4400 series	CC001		PSH, PSL
	model R-5040	CC005		PSL

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: PSH, PSL, PSHL - PRESSURE SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE		APPLICABLE DEVICE CODE
		MFG	MODEL	
CAMERON	block and bleed pilot	CM007		PSH, PSL
	kinetic pilot	CM008		PSH, PSL
CHICAGO SAFETY PRODUCTS		CY001		PSHL
CONTROL PILOTS	Hi/Lo Joe Control	CP001		PSH, PSL
CONTROLTRONICS	Hi/Lo pilot	CT001		PSHL
CUSTOM CONTROL SENSOR	models 6B10 & 6B12 - DuSnap	DS003		PSHL
	models 6B60 thru 6B64 - DuSnap	DS004		PSHL
DRESSER	types C-100/C-200	DR001		PSHL
	model C-200	DR002		PSHL
	model B-600	DR003		PSHL
	model B-700	DR007		PSHL
DUAL-SNAP	6N4P series	DS001		PSH, PSL
	611 series	DS002		PSH, PSL
DYNAGUARD		DG001		PSL
FISHER	type 4100Z series - Wizard I	FS022		PSH, PSL
	types 4150 & 4160	FS023		PSH, PSL
	type 4180	FS024		PSH, PSL
FRANK W. MURPHY	OPC pressure switch	FM001		PSH, PSL, PSHL
GIBSON		GB001		PSH
MERCOID	series C	ME006		PSH, PSL, PSHL
	series A	ME007		PSH, PSL, PSHL
NEL-DYN	P series (electrical)	NN001		PSH, PSL
	PV series (pneumatic)	NN002		PSH, PSL
OTIS	type P control (only Hi or Lo)	OT001		PSHL
	type R	OT002		PSL
	type N	OT003		PSH
	type RE	OT004		PSHL
	type F	OT005		PSH, PSL, PSHL
	type P (both Hi and Lo)	OT006		PSH, PSL, PSHL
	type PA	OT012		PSH, PSL, PSHL
HLR CONTROLS	Model 7470	HL002		PSH, PSL
	Model 9070	HL002		PSH, PSL

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: PSH, PSL, PSHL - PRESSURE SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL	APPLICABLE DEVICE CODE
PENN		PN001		PSL
PORTSHAW	9844] pressure control	PS002		PSH, PSL
ROSE-MONT	type rose-mont	RT001		PSHL
SIGMANETICS		SI001		PSHL
SOLON		SO001		PSHL
SQUARE D	class 9013 series F	SQ001		PSL, PSH, PSHL
	class 9013 type HRG	SQ002		PSH, PSL, PSHL
	class 9013 type HSG	SQ002		PSL, PSH, PSHL
	class 9013 series A	SQ003		PSH, PSL, PSHL
	class 9013 type G	SQ004		PSH, PSL, PSHL
STATHAM		ST001		PSHL
STATIC "O" RING	pressure switch	SR001		PSH, PSL, PSHL
U. S. GAUGE	pressure control	UG001		PSH, PSL, PSHL
UNITED ELECTRIC CONTROL	300 series	UE001		PSH, PSL
	type PH302 & PJ302	UE001		PSHL
	type SSR all 500 series	UE003		PSHL
	type J110 model 2SR	UE004		PSH, PSL
UNITED METER		UM001		PSHL
UNIVERSAL		US001		PSL
WKM	model 2200	WK015		PSH, PSL
WKM (PROFLO)	proflo type A and AH	WK001		PSH, PSL
	proflo type D	WK002		PSH, PSL

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: PSV - RELIEF VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
ABEX CORP.	model R2V12 & R2V24	AE001	
ANDERSON GREENWOOD (AGCO)	pilot operated relief valve	AG001	
	series 80 spring relief	AG002	
ARMCO NATIONAL SUPPLY		AR001	
ASHTON		AH001	
AXELSON (GARRETT)	types GD and GF	AX003	
	types HD and HF	AX004	
	series D3 and E	AX022	
	series F	AX023	
BAIRD	7150-1-50 HP2000	BI001	
	7601-1 series/7601-2 series	BI002	
	7601-1-TB-LLP/7601-1-TB-HP	BI003	
	7601-2 series	BI004	
	low pressure	BI005	
	type 1905.JCI	BI006	
	type 1910.HCI	BI007	
	type 1905.LC	BI008	
	type 975C-3-XMX36	BI009	
BECKER		BE001	
BOSCO		BB001	
CAMERON	shear relief valve	CN001	
	TB reset relief	CN008	
	reset relief valves	CN009	
CE INVALCO (NATIONAL)	series 518	CE018	
CHALPIN-FULTON		CF001	
CIRCLE SEAL	models 520 thru 562	CI004	
	type 375349T-ZPP	CI005	
CLAY BAILEY		CL001	
CONSOLIDATED (DRESSER)	flanged type, series 1900	CS001	
	SCW type, ser. 1970,1975 & 1980	CS002	

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: PSV - RELIEF VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
CONTINENTAL	8 shear relief valve	CD001	
CONTROL VAPOR EQUIPMENT		CV001	
CRAWFORD		CD001	
CROSBY	Crosby JO	CR001	
	Crosby J8	CR002	
DEMCO	used on water flood system	DM004	
DUOSEAL		DD001	
FARRIS	spring relief	FA001	
	pilot relief	FA002	
FISHER	design D & DA bodies	FS004	
	type 98	FS016	
	type 29 series	FS017	
	type 630R	FS018	
	type 289 series	FS019	
	type 1805 series	FS020	
	type 1807	FS021	
FLUID MECHANICS VALVE		FL001	
GROVE	flexflo	GR001	
HYDRO-SEAL	series 1,2,3,4	HY001	
	series 5,6,7	HY002	
	flanged relief valve	HY003	
JAYCO	models 250 & 252	JC001	
	models 149 thru 152	JC002	
	models 312 thru 326	JC003	
KINGSTON		KD001	
KUNKEL		KU001	

A-19

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: PSV - RELIEF VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
LONERGAN	bellows series D & DR	LG001	
	series DH & DHB liquid relief	LG002	
	H - series	LG003	
	V - series	LG004	
LONGERGAN	spring relief	LN001	
LUNKENHEIMER	relief valve	LH001	
MECHANICAL MARINE		MM001	
MISSION (TRW)	spring relief	MM003	
NASVI	D79-J-model	NA001	
NORRISEAL		NS002	
NUPRO	safety relief valve type R	NP001	
OTECO	shear type relief valve	OE001	
PRESSURE EQUIPMENT AND CONTROLS		PE001	
ROCKWELL	rollout diaphragm 257S	ED005	
	rollout diaphragm 285	ED006	
SAFETY EQUIPMENT AND CONTROLS		SW001	
SAGE		SA001	
SENTINEL		SM001	
SHAND AND JURS		SJ001	
SINGER		SN001	
TASCO		TS001	
TAYLOR CO.	relief valve T76011L-760144P	TA003	

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: PSV - RELIEF VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
TAYLOR TOOLS	T-7800 spring type		TT001
	T-7601 relief valve		TT002
TEEL			TL001
TEXSTEAM (TXT)	spring relief valve		TX004
VAREC	relief valve		VR001
VILTER			VC001

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSV, SDV, BDV - SURFACE SAFETY, SHUTDOWN AND BLOWDOWN VALVES

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL	APPLICABLE DEVICE CODE
AMOT	model 2189 valve body		AM006	SSV, SDV, BDV
ARMCO NATIONAL SUPPLY	series B-2000 & B-3000		AR001	SSV
	model B-1536		AR001	SDV
ASCO TRIPOINT	model 8262C2/8040A17		AS007	SDV
	model 8215A13/9042C35		AS008	SDV
	model 804337/8262C232B		AS009	SDV
ATKOMATIC	type SLW 2000 series		AT001	SDV
	type BD & AA 3000 series		AT002	SDV
	type B & AA 4000 series		AT003	SDV
	type F series 5000		AT004	BDV
	TOSCO 6000 series		AT005	SDV
	SLPW 7000 series		AT006	SDV
	SSN, HP, SS 8000 series		AT007	SDV
	type SSN series 8711 & 8710		AT007	BDV
	dyno 15000 series		AT008	SDV
	type SDR 16000 series		AT009	SDV
	Uramic series 30000		AT010	SDV
	type JJ-200 to JJ-300		AT011	SDV
	type mango series 500		AT012	SDV
AXELSON (GARRETT)	safomatic (A-1)		AX007	SSV, SDV, BDV
	MCB valve body		AX008	SSV, SDV, BDV
	type DC		AX010	SSV, SDV, BDV
	pneumatic AG-AM Hydr, AG-MHA		AX011	SSV
	AG-MA-HYDR		AX011	SDV
	AG-MHA-HYDR		AX011	BDV
	series DG1		AX012	SDV, BDV
	series DG2		AX013	SDV, BDV
BALON	F series ball valve		BN001	SDV, BDV
	L series ball valve		BN002	SDV, BDV
	S series ball valve		BN003	SDV, BDV
	W series wafer ball valve		BN004	SDV, BDV
CALIFORNIA CONTROLS	T2900 & T3000 series		CC004	SSV, SDV, BDV
CAMERON	type F gate valve		CN005	SSV, SDV, BDV
	ball valve		CN006	SSV, SDV, BDV

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSV, SDV, BDV - SURFACE SAFETY, SHUTDOWN AND BLOWDOWN VALVES

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODES
CE INVALCO (NATIONAL)	all 400 series	CE015		SSV, SDV, BDV
CEMCO		CC001		SDV
CGM VALVE AND GAUGE		CG001		SSV
CLAYTON MARK	mark ball valve	CM007		SSV, SDV, BDV
CONTROMATICS	Class 150 & 300	CX002		SDV
CRANE	gate valve	CR001		SSV, SDV, BDV
	ball valve	CR002		SSV, SDV, BDV
DEMCO	butterfly valve no model #	DM001		SDV
	series DM gate valve	DM002		SDV
	series F ball valve	DM003		SDV
EDWARD (ROCKWELL)	globe or angle body	ED004		SSV, SDV, BDV
FISHER	butterfly control valve body	FS001		SSV, SDV, BDV
	design HSC body	FS002		SSV, SDV, BDV
	design U and UR bodies	FS003		SSV, SDV, BDV
	design D and DA bodies	FS004		SSV, SDV, BDV
	E series body	FS005		SSV, SDV, BDV
	type P and PA bodies	FS006		SSV, SDV, BDV
	type 528-T series body	FS026		SSV, SDV, BDV
	type PT series	FS030		SSV, SDV, BDV
FMC - WELLHEAD EQUIPMENT (OCT)	model 20 balanced stem	OC001		SSV, SDV, BDV
	model 30	OC002		SSV, SDV, BDV
	model 20 unbalanced stem	OC003		SSV, SDV, BDV
	acid service type 40	OC006		SSV, SDV, BDV
GRAHAM		GH001		SDV
GRAY	graygate	GY003		SSV, SDV, BDV
GROVE	G-3 gate valve	GR003		SSV, SDV, BDV
	G-4 gate valve	GR004		SSV, SDV, BDV
	ball valve	GR005		SSV, SDV, BDV
HALLIBURTON	type K safety valve	HA001		SDV

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSV, SDV, BDV - SURFACE SAFETY, SHUTDOWN AND BLOWDOWN VALVES

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
HAMMOND	type IR329, solid wedge	HM002		SSV
	model IR329, gate valve	HM002		SDV
	IR329 U.S.&Y, gate valve	HM002		BDV
JAMESBURY	series 5000 double seat ball	JA002		SDV
	double-seal seat ball valve	JA002		BDV
	series 8000 wafer sphere	JA003		SDV
	wafer-sphere butterfly valve	JA003		BDV
JENKINS	class 600 bolted bonnet	JK005		SDV
	class 600 U.S.&Y bolted bonnet	JK005		BDV
	model 651-A	JK006		SSV
	model 651-A gate valve	JK006		SDV
	iron gate valve 651-A	JK006		BDV
KIMRAY	motor valve	KM007		SSV, SDV, BDV
KOBE	ceramic gate	KO001		SSV
	ceramic gate no model #	KO001		SDV
	ceramic gate valve	KO001		BDV
KTM	ED 100 fule bore ball valve	KT001		SDV
	full bore ball valve ED 100	KT001		BDV
	ED 800 reduced bore ball	KT002		SDV
	reduce bore ball ED 800	KT002		BDV
LIQUID LEVEL LECTRONICS	series 8900	LL010		SSV
LUNKENHEIMER	shutdown valve	LU005		SSV, SDV, BDV
M-J	gate valve	MJ001		SSV, SDV, BDV
MAGNATROL	magnatrol valve	MG001		SSV, SDV, BDV
MASONEILAN	series 4100 globe valve	ML002		SDV
MAXON	series 700 & 800 manual rst.	MX001		SDV
	series 4000/5000/7000	MX002		SDV
MCEVOY	model B	MV001		SSV, SDV, BDV
	model E	MV002		SSV, SDV, BDV
	model C	MV003		SSV, SDV, BDV

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSV, SDV, BDV - SURFACE SAFETY, SHUTDOWN AND BLOWDOWN VALVES

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
MISSION (TRW)	plug valve	MN004		SSV, SDV, BDV
NATIONAL SUPPLY	ARMCO SSV, SDV	AR002		SSV, SDV
NORDSTROM	plug valve	NR001		SSV, SDV, BDV
NORRISEAL	series 2700 & 2720	NS001		SSV, SDV, BDV
	series 2200 & 2220	NS002		SSV, SDV, BDV
	series 2070	NS003		SSV, SDV, BDV
	series 2400 & 2420	NS011		SSV, SDV, BDV
	series 2026	NS012		SSV, SDV, BDV
	series 2060	NS013		SSV, SDV, BDV
ORBIT	gate valve	OR002		SSV, SDV, BDV
	ball valve	OR003		SSV, SDV, BDV
OTIS	type K	OT007		SSV, SDV, BDV
	type AO	OT013		SSV
PACIFIC	ball valve	PC001		SSV, SDV, BDV
	model 173G & 163-RJ	P1002		SDV
	350 solid wedge	P1003		SSV, SDV, BDV
	2150 split wedge	P1004		SSV, SDV, BDV
	2155 flexible wedge	P1005		SDV, BDV
POSI-SEAL	no model # wafer style	P0001		SDV
RUCKER	type P gate	R0001		SSV, SDV, BDV
STOCKHAM	shutdown valve	ST002		SSV, SDV, BDV
TEXAS CARBIDE		TC001		SDV
TEXSTEAM (TXT)	texseal plug valve	TX005		SSV, SDV, BDV
TK	ball valve	TK001		SSV, SDV, BDV
VERSA	series V & R	VE001		BDV
VERTEX		VT001		SDV
WALWORTH	ball valve	WA002		SSV, SDV, BDV
	gate valve	WA003		SSV, SDV, BDV

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSV, SDV, BDV - SURFACE SAFETY, SHUTDOWN AND BLOWDOWN VALVES

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
WECO		WE001		SDV
WELLIS	C auto shutoff	WC001		SSV, SDV, BDV
WKM (PROFLO)	dynaseal ball valve	WK002		SSV, SDV, BDV
	pow-r-seal gate	WK003		SSV, SDV, BDV
	pow-r-seal stem gate	WK004		SSV, SDV, BDV
	pow-r-seal "model M"	WK005		SSV, SDV, BDV
	saf-t-seal gate valve	WK006		SSV, SDV, BDV
	plug valve	WK007		SSV, SDV, BDV
	integrated wellhead	WK011		SSV, SDV, BDV
WORCHESTER	series 38 pneumatic actuator	WO001		SDV
	series 73 electric actuator	WO002		SDV
	series 31 electric actuator	WO003		SDV

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSSV - SUBSURFACE SAFETY VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE	
		MFG	MODEL
BAKER	SS other model A		BKA
	SCE method of ret. unknown		BKE
	SCE tubing retrievable		BKET
	SCE wireline retrievable		BKEW
	SS FSA		BKFSA
	TP tubing plug		BKOTP
CAMCO	SS A such as A-3		CAA
	SC TRB-6 tubing ret.		CA86T
	SC TRB-7 tubing ret.		CA87T
	SC TRB-8 tubing ret.		CA88T
	SC B-6 wireline ret.		CA86W
	SC B-7 wireline ret.		CA87W
	TP C		CAC
	TP other type tubing plug		CAOTP
	SC PC		CAPC
	SS T such as T-4		CAT
	SC tubing pack off PC		CATPO
D & D WIRELINE COMPANY	TSPPI		DDTSP
GERHART OWENS			GEOOI
HYDRIL	model HDTFL		HDTFL
	SC wellguard II - ret. unknown		HDWG
	SC wellguard II - thru fline		HDWGL
	SC wellguard II - tubing ret.		HDWGT
	SC wellguard II - wireline ret.		HDWGW
MACCO (UDELL)	SS HPB		MCHPB
	SSPBHL-2PB's,-1,HI,ILO		MCPBX
	SS PB		MCPB
	SS PC		MCPC
	SC TF		MCTFT
	SC TMF		MCTMF
	SC WF		MCWF
OTIS	TP D		OTD
	SC DC method of ret. unknown		OTDC
	SC DC tubing retrievable		OTDCT
	SC DC wireline retrievable		OTDCW
	SC DE		OTDE
	SC DK		OTDK

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: SSSV - SUBSURFACE SAFETY VALVE

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE	
		MFG	MODEL
OTIS	SC DO		OTDO
	SC other type series D		OTDOT
	SC DR		OTDR
	SS F		OTF
	SS H		OTH
	SS J		OTJ
	TP F modified to be A.TP		OTMF
	TP other type tubing plug		OTOTP
	SC QO		OTQO
PAGE	SCF (including FO)		PGF
	SC PR (including RO & RTLR)		PGPR

A-28

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: TSH, TSL, TSHL - TEMPERATURE SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
ALLEN BRADLEY	Bulletin 837	AB002		TSH
ALNOR INSTRUMENT	series 4000	AL001		TSHL
AMETEK	model 47	AK001		TSHL
AMOT	model 4075	AM001		TSHL
	model 2230	AM002		TSH, TSL, TSHL
	models 4102 & 4103	AM003		TSH, TSL, TSHL
ASCO TRIPOINT	model SA10A-SA12A	AS004		TSH, TSL
	model SC10A-SC12A	AS005		TSH, TSL
BARBER COLEMAN	model 702L	BH001		TSH
	model 702R	BH002		TSH
BSAR	BSAR	RS002		TSH, TSL
CALIFORNIA CONTROLS	A2850,A3100, A3500 series	CC003		TSH
	A2851, A3501 series	CC003		TSL
CF INVALCO (NATIONAL)	models CTS-5025-TIS & 5025R	CF012		TSH, TSL
	models CTS-5025-TIS & 5024R	CF012		TSL, TSH
	models CXMA-LT & CXMA-HT	CF013		TSH
CUSTOM CONTROL SENSOR	646TF & 648TUF - see MIL-SNAP	DS005		TSH
	models 6213 & 6214 - MIL-SNAP	DS006		TSH
ELECTRICAL MECHANICAL		EM001		TSH
EXLINE	310228-205 & 310230-205	EX001		TSL
	310228-408 & 310230-408	EX002		TSL
	300417-1050 & 300418-1050	EX003		TSH
FOXBORO	series 43	FX001		TSH, TSL, TSHL
	series 44	FX004		TSH, TSL, TSHL
FULTON SYLPHON	model T87-119-RTD Robertshaw	FS004		TSH, TSL
HONEYWELL	type R-7351	HW002		TSH, TSL
KIMRAY	series T-12, T-18	KM004		TSH, TSL

A-29

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: TSL, TSH, TSHL - TEMPERATURE SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
LIQUID LEVEL LECTRONICS	8300 series	LL001		TSH, TSL
	8400 series	LL002		TSH, TSL
MERCOID	series FM-437	ME003		TSH, TSL, TSHL
	series D	ME004		TSH, TSL, TSHL
	type DA series	ME005		TSH, TSL, TSHL
NELSON		NE001		TSH
NEO-DYN	series 100	ND003		TSH, TSL
NORRISEAL	series 5010	NS004		TSH, TSL
	series 5000	NS005		TSH, TSL
PARTLOW	temperature controls	PA001		TSH
ROBERTSHAW	series 85026,83197-A,99610-A	RS003		TSH
	series 85026 & 99610-A	RS003		TSL
TAYLOR COMPANY	Taylor	TA001		TSH, TSL
UNITED ELECTRIC CONTROL	series 800E	UE002		TSH, TSL
	type 802PE	UE002		TSHL
WEST	series 801M	WI001		TSH
	series 803M	WI001		TSL

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: TSL, TSH, TSHL - TEMPERATURE SENSOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL	APPLICABLE DEVICE CODE
LIQUID LEVEL LECTRONICS	8300 series	LL001		TSH, TSL
	8400 series	LL002		TSH, TSL
MERCOID	series FM-437	ME003		TSH, TSL, TSHL
	series D	ME004		TSH, TSL, TSHL
	type DA series	ME005		TSH, TSL, TSHL
NELSON		NE001		TSH
NEO-DYN	series 100	ND003		TSH, TSL
NORRISEAL	series 5010	NS004		TSH, TSL
	series 5000	NS005		TSH, TSL
PARTLOW	temperature controls	PA001		TSH
ROBERTSHAW	series 85026,83197-A,99610-A	RS003		TSH
	series 85026 & 99610-A	RS003		TSL
TAYLOR COMPANY	Taylor	TA001		TSH, TSL
UNITED ELECTRIC CONTROL	series 800E	UE002		TSH, TSL
	type 802PE	UE002		TSHL
WEST	series 801M	WI001		TSH
	series 803M	WI001		TSL

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: VA - VALVE ACTUATOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MANUFACT DEVICE MODEL CODE MODEL
AMOT	model 2190 valve and actuator assembly		AM007
AXELSON (GARRETT)	manumatics		AX005
	diaphragm actuators		AX009
	series AG-MHA-pneumatic		AX014
	series AG-MHA-I-diaphragm		AX015
	series AG-AM-I-diaphragm		AX016
	series AG-MHA-hydraulic		AX017
	series AG-AM-hydraulic		AX018
	series DG		AX019
	series DC		AX020
BAKER (CAC)	models 885-06 thru 885-09		BQ001
	models 885-10 thru 885-24		BQ002
	models 885-71 thru 885-73		BQ003
	models 885-67 thru 885-69		BQ004
BAKER (HAROLD BROWN)	multimatic		BK003
	hydramatic		BK004
	duomatic		BK005
BETTIS	robotarm		BE001
CAMCO	hitork		CA001
	V4		CA002
CAMERON	LC & LCR		CN002
	HLC & HLCR		CN003
	type F operator		CN004
	LCP & LCRP		CN010
CE INVALCO (NATIONAL)	series 595		CE014
	valve actuator (400)		CE019
CLAYTON MARK	marktron		CM005
	markair		CM006
CONTROMATIC	models 200 thru 800 (pneumatic)		CX001

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: VA - VALVE ACTUATOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
EIM	electric E-series		EI001
	G-series gas pipeline app.		EI002
	A-series air or gas pwrd.		EI003
	type RC-unit		EI004
	type ER-unit combination		EI005
FISHER	type 125		FS007
	type 667		FS008
	type 657 & 657-8		FS009
	type 650 & 656		FS025
	type 528 on T body		FS027
	type 126		FS028
	type 127		FS029
FMC-WELLHEAD EQUIPMENT (OCT)	hydraulic fail-close		OC004
	subsea hydraulic fail-close		OC005
GEMINI	spring return 412SR & 422SR		GA002
	double acting 411.D to 422.D		GA003
GRAY	graysafe		GY002
GRINNELL	rotomotor		GI001
	rotomotor SM		GI002
	rotomotor SMA & SMB		GI003
	model A-40A & A-41A		GI004
	model A-46A & A-47A		GI005
GROVE	cylinder operator		GR002
HILLS-MCCANNA			HC001
JAMESBURY	double acting ST-20-ST2400		JA004
	failsafe ST13MS to ST175MS		JA005
JENKINS	pneumatic model 330/333		JK007
	failsafe model 330F & 331F		JK008
	electric model 212		JK010
JOHNSON CONTROLS	rotary valve 7800 series		JC001
KIMRAY	valve actuator		KM006

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: VA - VALVE ACTUATOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
LANCE	double acting 200-RMS series		LC002
	spring return 200-SRP series		LC003
LIMITORQUE			LM001
LIQUID LEVEL LECTRONICS	series 8000		LL010
LUNKENHEIMER	valve actuator		LU006
MAGNATROL	valve actuator		MG002
MASONEILAN	flt. stem diaphragm model 33		ML001
MATRYX	cylinder tape		MX001
	vane tape		MX002
NL SHAFFER	type DB		NL001
NOPRISEAL	valve actuator		NS010
ORBIT	fail closed		OR001
OTIS	type U, auto shut off		OT008
	type UX		OT009
	type X		OT010
PANTEX	type G (gate or globe)		PX001
	type R (rotating stem)		PX002
	type S (HO rotating stem)		PX003
PNEU-TROL			PR001
RAMCON	electric 88-3 thru 450288R-7		RC001
	pneumatic CFS series		RC002
	pneumatic DFS series		RC003
ROTORK	electric syncropak 1400		RK001
SCHAFFER			SF001

List 4

MANUFACTURER'S DEVICE MODEL CODES* (con't)

DEVICE TYPE CODE: VA - VALVE ACTUATOR

MANUFACTURER	MODEL	MANUFACT DEVICE MODEL CODE MFG	MODEL
SHAFER	rotary bulletin RV-120		SS001
	linear bulletin LV-130		SS002
	rotary piston bulletin RP-140		SS003
STOCKHAM	valve actuator		ST003
TBV INDUSTRY (or TNB)			TB001
TELEDYNE MERLA	merla matic		TE001
TK	valve actuator		TK002
WILLIS	C auto shut off		WL002
WKM	dynaseal II electric actuator		WK012
	dynaseal III pneumatic actuator		WK013
	dynaseal IV electirc actuator		WK014
WKM (PROFLO)	saf-t-guard		WK008
XACT	type 7125 *		XA001

[FR Doc. 81-14583 Filed 5-14-81; 8:45 am]

BILLING CODE 4310-31-C

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-19 (Sub-No. 54)]

Baltimore & Ohio Railroad Co.; Abandonment Between Heath and National Road in Licking County, Ohio; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903, that an administratively final certificate and decision was issued by the Commission, Review Board Number 3 on May 4, 1981, finding that public convenience and necessity permit the Baltimore and Ohio Railroad Company to abandon 6.49 miles of railroad between Heath and National Road in Licking County, Ohio. The abandonment is subject to the following conditions: (1) the employee protective conditions in *Oregon Short Line R. Co. Abandonment-Goshen*, 360 I.C.C. 91 (1979); and (2) the Baltimore and Ohio Railroad Company shall keep intact all of the rail properties, including the track, the right of way underlying the track, and all the bridges and culverts, for a period of 120 days from the decided date of this certificate and decision to permit any State or local government agency or other interested party to negotiate the acquisition for public use of all or any portion of the rail properties. The certificate and decision authorizing abandonment is being served on the Baltimore and Ohio Railroad Company concurrently with publication of this notice, and will become effective 30 days thereafter, unless the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable rail service involved to be continued. The offer must be filed with the Commission and served concurrently on applicant, with copies to Ms. Ellen Hanson, Rm. 5417, Interstate Commerce Commission, Washington, D.C. 20423, no later than 10 days from publication of this Notice and;

(2) It is likely that such proffered assistance would:

(a) cover the difference between revenues which are attributable to the line of railroad and the avoidable cost of providing rail service on the line, together with a reasonable return on the value of the line, or (b) cover the acquisition cost of all or any portion of the line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offeror may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of an offer and no request is made for the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after this notice is published. When the Commission is notified that an assistance or acquisition or operating agreement is executed, it will postpone the issuance of the certificate for the period of time the agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained in the statute as well as the instructions contained in the Commission's decision in this proceeding.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14733 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-18 (Sub-No. 38)]

Chesapeake & Ohio Railway Co.; Abandonment Between Montague and Hart, MI; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision entered May 8, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 2, that the public convenience and necessity permit the abandonment by the Chesapeake and Ohio Railway Company (C&O) of the line of railroad extending between milepost 72.25 (Valuation Station 3815+00) at Montague and milepost 95.12 (Valuation Station 193+85.7) at Hart, a distance of 22.87 miles in Muskegon and Oceana Counties, MI, subject to the conditions for the protection of employees developed in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979), and provided that except to the extent C&O may have transferred these properties to carrier patrons or other responsible persons for continued rail service, C&O shall keep intact all of the right-of-way underlying the track, including all bridges and culverts, for 120 days to permit any State or local government agency or other interested party to negotiate the acquisition for public (other than rail) use of all or any portion of the properties. A certificate of abandonment will be issued to the C&O based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 15 days from the date of publication the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. (The offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this notice.)

(2) it is likely that such proferred assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the aquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offer may request the Commission to set conditions and amount of compensation within 90 days after an offer is made. If no agreement is reached within 30 days of an offer, and no request is made on the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later then 50 days after notice is published. Upon notification to the Commission of the execution of an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14730 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-18 (Sub-No. 41F)]

Chesapeake & Ohio Railway Co.; Abandonment Between Armitage and Athens, Ohio; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a Certificate and Decision decided May 6, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 3, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment Goshen*, 360 I.C.C. 91 (1979), and subject to the further condition that C&O shall keep intact all of the right-of-way underlying the track, including all the bridges and culverts, for a period of 120 days from the decided date of the certificate and decision to permit any state or local government agency or other interested party to negotiate the acquisition for public use of all or any portion of the right-of-way, the present and future public convenience and necessity permit the abandonment by the Chesapeake and Ohio of the following line of railroad known as: Athens Branch, from railroad valuation station 3943+45, at or near Armitage, to railroad valuation station 4014+71, at or near Athens, OH, a distance of 1.35 miles in Athens County, OH. A certificate of public convenience and necessity permitting abandonment was issued to the Chesapeake and Ohio Railway Company. Since no investigation was instituted, the requirement of section 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes adminstratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on C&O, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, D.C. 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to Section 1121.38(b) (2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14731 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation and address of principal office: Behm's Propane, Inc., P.O. Box 1369, Minot, ND 58701.

2. Wholly-owned subsidiaries which will participate in the operations, and address of their respective principal offices:

A. Behn's Truck Stop, P.O. Box 1369, Minot, ND 58701
B. Minot Coleman., P.O. Box 1369, Minot, ND 58701
C. Behm's Propane, Inc., P.O. Box 1369, Minot, ND 58701
D. Power Fuels, Inc., P.O. Box 1369, Minot, ND 58701
E. Behm's LP Gas, Inc., P.O. Box 895, Devils Lake, ND 58301
F. Sun Behm Gas, Inc., P.O. Box 1369, Minot, ND 58701
G. Deka Minerals, P.O. Box; 1369, Minot, ND 58701

1. Parent Corporation and address of principal office: Burlington Industries, Inc., 3330 West Friendly Avenue, Post Office Box 21207, Greensboro, North Carolina 27420.

2. Wholly-owned subsidiary which will participate in the operation, address of its principal office, and state of incorporation: B. I. Transportation, Inc., Tucker Street Extension, Post Office Box 691, Burlington, North Carolina 27215. Incorporated in the State of Delaware.

1. Parent corporation (natural person) and address of principal office: Byron L. Walker, 3826 Depot Road, Hayward, California 94544.

2. Wholly-owned subsidiaries which will participate in the operations, and State of incorporation:

(i) Odyssey Transportation, Inc.—California

(ii) Petro-Chem Recovery, Inc.—California

1. Parent corportion and address of principal office: Campbell Taggart, Inc., 6211 Lemmon Avenue, Dallas, Texas 75209.

2. Wholly-owned subsidiaries which will participate in the operations, and address of their respective principal offices:

Rainbo Baking Company of Corpus Christi, P.O. Box 4207, Corpus Christi, Texas 78408
Rainbo Baking Company of El Paso, P.O. Box 9277, El Paso, Texas 79983
Rainbo Baking Company of Fort Smith, P.O. Box 64, Ft. Smith, Arkansas 72902
Rainbo Bakeries of San Joaquin Valley, Inc., P.O. Box 832, Fresno, California 93712
Colonial Baking Company of Huntsville, P.O. Box 5147, Huntsville, Alabama 35805
Rainbo Baking Company of Johnson City, P.O. Box 2387, Johnson City, Tennessee 37601
Evansville Colonial Baking Company, P.O. Box 1086, Owensboro, Kentucky 42301
Paducah Colonial Baking Company, P.O. Box 3100, Paducah, Kentucky 42001
Rainbo Baking Company of Sacramento Valley, P.O. Box 5387, Sacramento, California 95817
Rainbo Bread Company of Saginaw, P.O. Box 3266, Saginaw, Michigan 48605
Kilpatrick's Bakeries, Inc., 2030 Folsom Street, San Franciso, California 94110
El Chico Corporation, 1925 Valley View Lane, Farmers Branch, Texas 75234
Rainbo Baking Company of Lexington, P.O. Box 86, Lexington, Kentucky 4051
Rainbo Baking Company of Louisville, P.O. Box 8245, Station E, Louisville, Kentucky 40208
Ramtag, Inc., 6211 Lemmon Avenue, Dallas, Texas 75209
Rainbo Baking Company of Lubbock, P.O. Box 459, Lubbock, Texas 79408
Subsidiary of El Chico Corporation, Larry's Food Products, Inc., 14725 S. Broadway, Gardena, California 90248
Bel-Art Advertising, Inc., 6211 Lemmon Avenue, Dallas, Texas 75209

1. Name of parent corporation and address of principal office: Inco United States, Inc., One New York Plaza, New York, N.Y. 10004.

2. The following is a list of wholly-owned subsidiaries which will participate in the operations and their states of incorporation:

Inco ElectroEnergy Corporation, Pennsylvania (1975)
Exide Corporation, Delaware (1973)
ESB Incorporated, New Jersey (1888)
Exide Electronics Corporation, Delaware (1979)
Ray-O-Vac Corporation, Delaware (1979)
Universal Electric Company, Delaware (1949)
The International Metals Reclamation Co., Inc., Delaware (1976)

Pittsburgh Pacific Processing Company, Delaware (1976)
MPD Technology Corporation, Delaware (1976)
MPD Plastics, Inc., Delaware (1977)
Novamet, Inc., Delaware (1977)
Inco Safety Products Company, Delaware (1979)
Inco Research & Development Center, Inc., Delaware (1979)
The International Nickel Company, Inc., Delaware (1974)
Huntington Alloys, Inc., Delaware (1928)
Exide Management & Technology Company, Delaware (1977)
Refined Metals Corporation, Delaware (1976)
ESB Materials Company, Delaware (1977)

1. Parent Corporation and address of principal office: National Distribution Systems, 1051 South Industrial Parkway, Clearfield, Utah 84015.

2. Wholly-owned subsidiary which will participate in the operations, and address of principal office: N.D.S. Freight Systems, 1051 South Industrial Parkway, Clearfield, Utah 84015.

1. Name of the parent corporation and address of principal office is: NCR Corporation, World Headquarters, 1700 South Patterson Blvd., Dayton, Ohio 45479.

2. Wholly-owned subsidiaries which will participate in the operations and address of their respective principal offices are:

(1) Applied Digital Data Systems, 100 Marcus Blvd., Hauppauge, New York 11787.
(2) Applied Digital Data Systems, 12953 South State Street, Draper, Utah 84020.
(3) NCR Corporation, Micrographic Systems Division, 520 Logan Avenue, Mountain View, California 94043.
(4) Comten, Inc., 1950 West County Road B-2, St. Paul, Minnesota 55113.

1. Name and address of parent corporation: Nucorp Energy, Inc., an Ohio Corporation, Fifth Avenue Financial Center, 2550 Fifth Avenue, Suite 1100, San Diego, California 92103.

2. Wholly-owned subsidiaries which will participate in the operations and State of incorporation:

(i) Nucorp Energy, Inc., a Texas Corporation.
(ii) Nucorp Supply, Inc., a Texas Corporation.
(iii) Nucorp Compressor, Inc., a Texas Corporation. (A wholly owned subsidiary of Nucorp Supply, Inc.,)
(iv) Nucorp Energy Company, an Ohio Corporation.
(v) Maverick Tube Corp., a Missouri Corporation.
(vi) Crowder Tank, Inc., an Oklahoma Corporation.

1. Parent corporations and address of principal office: SetloWear, Incorporated, Indian River Road, Orange, Connecticut 06477.

2. Wholly-owned subsidiaries which will participate in the operations and States of incorporation:

M. Setlow & Son, Inc., Connecticut
Claire Manufacturing Co., Inc., South Carolina
Old School Manufacturing Co., Inc., South Carolina
Marcar Industrial Uniform Co., Inc., Connecticut
SetloWear/Ravenswood, Inc., West Virginia
Chemset, Inc., Connecticut

1. Parent corporation and address of principal office: Uniroyal, Incorporated, World Headquarters, Middlebury, Connecticut 06749.

2. Wholly-owned subsidiaries which will participate in the operations, and State(s) of incorporation:

(a) UTF Carriers, Inc. (Delaware)
(b) Alpine Laboratories, Inc. (Alabama)
(c) Interbel Trading, Inc. (Florida)
(d) The Masland Duraleather Co. (Pennsylvania)
(e) Royalite Plastics, Inc. (California)
(f) Synpol, Inc. (Delaware)
(g) Uniroyal Merchandising Co., Inc. (Delaware)
(h) USCO Services, Inc. (Delaware)
(i) USCO Services, Inc. of Massachusetts (Massachusetts)
(j) Uniroyal Ltd. (Ontario, Canada)
(k) Office Functions, Inc. (Texas)
(l) Naugatuck Treatment Company (Connecticut)

1. Parent Corporation and Address of Principal Office: Yellow Freight Systems, Inc., 10990 Roe Avenue, P.O. Box 7270, Shawnee Mission, KS 66207.

2. Wholly-owned subsidiaries which will participate in the operations, and States of incorporation:

Adley Canada, Ltd., 10990 Roe Avenue, P.O. Box 7270, Shawnee Mission, KS 66207; A Federally-Chartered Canadian Corporation
Overland Energy, Inc., 10990 Roe Avenue, P.O. Box 7270, Shawnee Mission, KS 66207; A Texas Corporation
Yellow Forwarding Co., 10990 Roe Avenue, P.O. Box 7270, Shawnee Mission, KS 66207; A Delaware Corporation
Yellow Redevelopment Corporation, 10990 Roe Avenue, P.O. Box 7270, Shawnee Mission, KS 66207; A Missouri Corporation

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-14726 Filed 5-14-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. 80]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: May 12, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,
Secretary.

MC 6461 (Sub-26)X, filed May 1, 1981. Applicant: B-LINE TRANSPORT CO., INC., P.O. Box 13368, Spokane, WA 99213. Representative: Lawrence V. Smart, Jr., 419 NW 23rd Ave., Portland, OR 97210. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity descriptions from groceries to "such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses"; from petroleum and petroleum products, in packages and containers, to "petroleum, natural gas and their products"; from ore (not including coal) to "ores and minerals"; from binder twine to "textile mill products"; from boats to "transportation equipment"; from poles to "lumber and wood products"; from piling to "construction materials", and from agricultural products and livestock

to "farm products"; and (2) broaden the territorial scope by replacing city-wide with county-wide authority: Spokane, WA, and Missoula, MT, with Spokane County, WA, and Missoula County, MT.

MC 7840 (Sub-40)X, filed April 29, 1981. Applicant: ST. LAWRENCE FREIGHTWAYS, INC., 650 Cooper Street, Watertown, NY 13601. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Applicant seeks to remove restrictions in its lead and Sub-No. 7 certificates to: (1) broaden its commodity descriptions from general commodities (with exceptions), to "general commodities (except classes A and B explosives)," in the lead and Sub-No. 7; from prepared foods, dried fruits and vegetables to "food and related products," and from curtain rods and fixtures to "furniture and fixtures" in the lead; (2) obtain authority to serve all intermediate points on its regular route between Ogdensburg, NY and New York, NY, and between New York, NY and Auburn, NY; (3) in its irregular route authority, expand city-wide to county-wide authority from (a) Albany, NY, to Albany, Saratoga, Schenectady, and Rensselaer Counties, NY; (b) Watertown, NY, to Jefferson County, NY; (c) Ogdensburg, NY to St. Lawrence County, NY; and (4) change its one-way authority on its regular route to two-way authority between specified points in NY; and its one-way authority on its irregular route to radial authority between specified points in NY, PA, and NJ.

MC 52657 (Sub-759)X, filed May 4, 1981. Applicant: ARCO AUTO CARRIERS, INC., 16 West 151 Shore Court, Burr Ridge, Ill. 60521. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, Ill. 60603. Applicant seeks to remove restrictions in its Sub-No. 757 certificate to (1) broaden the commodity description from new automobiles to "transportation equipment," and (2) remove the restriction "in secondary movements, in truckaway service."

MC 58035 (Sub-35)X, filed May 4, 1981. Applicant: TRANS WESTERN EXPRESS, LTD., 5231 Monroe Street, Denver, CO 80216. Representative: David E. Driggers, 1600 Lincoln Center, 1660 Lincoln Street, Denver, CO 80264. Applicant seeks to remove restrictions in its Sub-No. 34F certificate to broaden the commodity description from general commodities (except household goods as defined by the Commission, and Classes A and B explosives), in containers to "general commodities (except classes A and B explosives)."

MC 95876 (Sub-390)X, filed March 19, 1981, noticed in the **Federal Register** on April 10, 1981, republished as corrected this issue. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: Stephen F. Grinnell, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-Nos. 73, 90, 96, 135, 145 and 176 certificates to (1) broaden the commodity descriptions in (a) Sub-No. 73, from valves and cocks and related parts and accessories therefor, to "metal products", (b) Sub-No. 90, from doors, and, pallets and wooden dividers used in material handling, to "building materials and lumber and wood products", (c) Sub-No. 96, from anti-freeze and de-icing compounds, anti-freese and de-icing pressure tanks and vaporizers, to "chemicals and related products, metal products and machinery", (d) Sub-No. 145, from gypsum and gypsum products to "building materials" and (e) Sub-No. 176, from rubber tires and tubes (except those used in motor vehicles as defined in Section 203(a)(13) of the Interstate Commerce Act), to "rubber and plastic products"; (2) replace city-wide authority with county-wide authority as follows: in Sub-No. 73, Stearns and Benton Counties, MN, and Warren County, TN, for Sartell, MN, and McMinnville, TN; in Sub-No. 90, Waupaco and Outagamie Counties, WI, for New London, WI; in Sub-No. 96, Stearns and Benton Counties, MN, for Sauk Rapids, MN; in Sub-No. 145, Webster County, IA, for Fort Dodge, IA; and, in Sub-No. 176, Eau Claire and Chippewa Counties, WI for Eau Claire, WI; (3) eliminate the (a) size or weight restriction, in Sub-No. 135, and (b) commodities in bulk exception, in Sub-Nos. 96, 135 and 145; (4) eliminate the restriction limiting service to the transportation of traffic originating at named plantsites, in Sub-Nos. 73, 145 and 176; (5) eliminate the restriction prohibiting service to AK and HI, in Sub-Nos. 73, 96 and 135; and (6) authorize radial authority to replace existing one-way service between points in specified counties in TN, WI, MN and IA, and, points in various combinations of States throughout the U.S., in Sub-Nos. 73, 90, 96, 145 and 176. The purpose of this republication is to indicate the proper county-wide expansion for Sartell, MN, New London, WI, Sauk Rapids, MN and Eau Claire, WI.

MC 95876 (Sub-392)X, filed March 19, 1981, noticed in the **Federal Register** on April 1, 1981, republished as corrected this issue. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: Stephen F. Grinnell, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-Nos. 162 and 232F certificates to (1) broaden the commodity descriptions from hydrants, accessories and parts, and iron and steel articles to "metal products" in each certificate; (2) eliminate the facilities limitation in Sub-No. 232F; (3) expand city-wide authority and authorize radial in place of one-way service between (a) Hennepin, Ramsey, Anoka, Washington, Dakota, Scott and Carver Counties, MN, and St. Croix and Pierce Counties, WI (St. Paul, MN) and points in the United States in Sub-No. 162; and (b) between Jersey, Monroe, Madison, and St. Clair Counties, IL and St. Louis, St. Charles and Jefferson Counties, MO (St. Louis, MO) and points in IA, MN, MT, NE, ND, SD, WI (except points in Ozaukee, Sheboygan, Calumet, Manitowoc, Kewaunee and Door Counties), and WY in Sub-No. 232F; and (5) remove the restriction against service to AK and HI in Sub-No. 162. The purpose of the republication is to indicate the proper county-wide expansion for St. Paul, MN and St. Louis, MO.

MC 106920 (Sub-131)X, filed May 1, 1981. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, OH 45869. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-Nos. 45, 47, 49, 58, 59, 60 and 97F certificates to (1) broaden the commodity descriptions (a) in Sub-Nos. 45, 47 and 97 from fabricated fire place logs to "lumber and wood products"; (b) in the Sub-Nos. 47 and 97F from charcoal and charcoal products to "food and related products, petroleum, natural gas and their products and coal and coal products"; (c) in Sub-No. 49 from plastic containers to "rubber and plastic products"; (d) in Sub-Nos. 58 and 60 from plastic, burlap and paper articles and materials, supplies and equipment used in the sale, manufacture and distribution of plastic, burlap and paper articles to "rubber and plastic products, textile mill products, waste and scrap materials, pulp, paper and related products and materials, equipment and supplies used in the sale and distribution of those commodities"; (e) in Sub-No. 59 from plastic bags, liners, sheeting and film, burlap bags and tubing and paper cartons to "rubber and plastic products, textile mill products, waste and scrap materials, pulp, paper and related products"; (2) replace cities with county-wide authority as follows: Orange with

Orange County, VA, in Sub-No. 45; Bradford with McKean County, PA, Scotia and Stamford with Schenceady and Delaware Counties, NY, in Sub-No. 47; Mount Carmel with Northumberland County, PA, in Sub-No. 49; Garden City with Finney County, KS, in Sub-No. 60; and Scotia with Schencetady County, NY, in Sub-No. 97F; (3) remove the plantsite restrictions at or near Newark, NJ, in Sub-No. 58 and Atlanta, GA, in Sub-No. 58; (4) change its one-way authorities to radial authorities between points in several states in the above named sub-numbers; (5) eliminate the except in bulk restrictions in Sub-Nos. 59 and 60; and (6) eliminate the originating at and/or destined to restrictions in Sub-Nos. 49, 58 and 60.

MC 109101 (Sub-12)X, filed April 29, 1981. Applicant: J. H. MARKS TRUCKING CO., INC., P.O. Box 2192, Odessa, TX 79760. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Applicant seeks to remove the territorial restriction from its Sub-No. 11F certificate requiring movement to be in foreign commerce only on its authority to transport oilfield equipment between points in Texas.

MC 110563 (Sub-327)X, filed April 8, 1981. Applicant: COLDWAY FOOD EXPRESS, INC., State Route 29, North Sidney, OH 45365. Representative: Steven L. Weiman, 4 Professional Drive, Suite 145, Gaithersburg, MD 20760. Applicant seeks to remove restrictions in the lead and Sub-Nos. 10, 16, 17, 18, 19, 20, 21, 22, 25, 27, 29, 31, 33, 34, 38, 41, 43, 45, 46, 47, 48, 52, 54, 56, 58, 60, 63, 64, 67, 70, 71, 72, 73, 76, 84, 85, 87, 93, 94, 98, 101, 104, 106, 109, 110, 112, 113, 114, 116, 117, 119, 121, 122, 126, 135, 137, 138, 139, 140, 141, 142, 146, 149, 150, 151, 154, 159, 161, 163, 167, 170, 171, 175, 176, 177, 179, 181, 184, 186, 187, 190, 191, 193, 199, 202, 205, 206, 208, 209, 210, 211, 213, 215, 216, 217, 219, 222, 227, 229, 230, 231, 234, 235, 236, 237, 238, 239, 240, 245, 247, 249, 250, 251, 252, 253, 255, 259, 260, 261, 262, 263, 266, 268, 269, 270, 271, 273, 274, 278, 282, 283, 284, 285, 286, 287, 288, 289, 290, 293, 294, 295, 296, 298, 300, 301, 302, 305, 306, 308, 314, 315, 318 and 372 certificates (1) by broadening the commodity description in (a) Sub-Nos. 94 and 318 from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", (b) Sub-Nos. 186 and 209 from compressed fireplace logs and charcoal briquettes to "such merchandise as is dealt in by wholesale and retail department and grocery stores and food business houses", (c) Sub-No. 219 from paper and paper products to "pulp, paper, and allied products", (d) Sub-No. 269 from plastic articles and accessories to "miscellaneous plastic products", (e) Sub-No. 287 from dry fertilizer to "chemicals or allied products", (f) Sub-No. 294 from welding equipment and welding supplies to "building equipment", (g) Sub-No. 296 from paper, paper products, plastic products, chemicals, and building materials and materials, supplies in part (1) to "paper and paper products, rubber and plastic products, chemicals and related products, and building materials and supplies", (h) Sub-No. 302 from food, animal foods and animal food ingredients meat by-products and commodities requiring mechanical refrigeration to "food and related products", (i) Sub-No. 314 from charcoal briquettes and barbeque accessories and supplies to "such merchandise as is dealt in by wholesale and retail grocery and food business houses", and (j) in the lead and Sub-Nos. 10, 16, 17, 18, 19, 20, 21, 22, 25, 27, 29, 31, 33, 34, 38, 41, 43, 45, 46, 47, 48, 52, 54, 56, 58, 60, 63, 64, 67, 70, 71, 72, 73, 76, 84, 85, 87, 93, 98, 101, 104, 106, 109, 110, 112, 113, 114, 116, 117, 119, 121, 122, 126, 135, 137, 138, 139, 140, 141, 142, 146, 149, 150, 151, 154, 159, 161, 163, 167, 170, 171, 175, 176, 177, 179, 181, 184, 187, 190, 191, 193, 199, 202, 205, 206, 208, 210, 211, 213, 215, 216, 217, 222, 227, 229, 230, 231, 234, 235, 236, 237, 238, 239, 240, 245, 247, 249, 250, 251, 252, 253, 255, 259, 260, 261, 262, 263, 266, 268, 270, 271, 272, 273, 274, 278, 282, 283, 284, 285, 286, 287, 288, 289, 290, 293, 295, 298, 300, 301, 305, 306, 308, and 315, such as meat, meat by-products, fruits, cheese, confectionary, bakery goods, etc., to "food and related products", (2) by eliminating special equipment restrictions such as "in tank" or "in dump" vehicles in Sub-Nos. 10, 18, 20, 22, 29, 33, 34, 72, 76, 84, 94, 114, 126, 140, 141, 142, 175, 179, 184, 186, 193, 205, 211, 213, 217, 234, 235, 240, 247, 255, 261, 278, 284 and 288, (3) by providing two-way

authority in place of one-way authority in all subs except Sub-Nos. 302 and 318, (4) by permitting service at all intermediate points in the regular route authority of Sub-No. 237, and (5) by expanding the authority to serve named facilities or cities with county or city-wide authority in the lead from Barker, Sodus, Williamson, Webster, Holley, Westfield, NY, Braddock, Bridgeton, Hightstown, NJ and Wilkes Barre, PA, to Monroe, Niagara, Wayne, Chatauqua Counties, NY, Camden, Cumberland, Mercer Counties, NJ and Luzerne County, PA; in Sub-No. 10 from Sunbury, OH to Delaware County, OH; in Sub-No. 16 from Hightstown, NJ, to Mercer County, NJ; in Sub 17 from Kennett Square, West Chester, Kelton, PA to Chester County, PA; in Sub-No. 18 from Collinsville, IL, Mt. Summit, IN, Bridgeton, NJ to Madison County, IL, Henry County, IN, Cumberland County, NJ; in Sub-No. 20 from Flemington, NJ to Hunterdon County, NJ; in Sub-No. 21 from Kennett Square, West Chester, Bloomsburg, PA, to Chester and Columbia Counties, PA; in Sub-No. 22 from facilities at or near Grand Island, NE to Holley County, NE; in Sub-No. 25 from facilities at or near Hackettstown, NJ, to Warren County, NJ; in Sub-No. 27 from facilities at or near Bedford, MA to Middlesex County, MA; in Sub-No. 29 from facilities near Garden City, KS to Finney County, KS; in Sub 31 from West Richfield, OH to Summit County, OH; in Sub-No. 33 from Reading and Lititz, PA to Berks and Lancaster Counties, PA; in Sub-No. 34 from facilities at or near Duryea, PA to Luzerne County, PA; in Sub-No. 41 from facilities at or near Pitman, NJ to Gloucester County, NJ; in Sub-No. 43 from facilities at or near Moosic and Pittston, PA and at or near West Chester, PA to Lackawanna, Luzerne, and Chester Counties, PA; in Sub-No. 45 from facilities at Salem, OH and Philadelphia, PA to Columbiana County, OH and Philadelphia, PA; in Sub-No. 47 from Wapakoneta and Lima, OH to Auglaize and Allen Counties, OH; in Sub-No. 48 from facilities in North Aurora, IL to Kane County, IL; in Sub-No. 52 from facilities at or near Salem, OH to Columbiana County, OH; in Sub-No. 54 from facilities at or near Whitehall and Eau Claire, WI to Trempealeau and Eau Claire Counties, WI; in Sub-No. 56 from Hockessin, DE and Kelton, PA to New Castle County, DE and Chester County, PA; in Sub-No. 58 from Watertown and Gloucester, MA, West Chester, PA, named facilities at or near Pittston, PA, Swoyersville and Bridgeport, PA, to Middlesex and Essex County, MA, Chester, Luzerne, Montgomery Counties, PA; in Sub-No. 60 from facilities at or near Monmouth, IL to Warren County, IL; in Sub-No. 63 from facilities at Fort Madison, IA, to Lee County, IA; in Sub-No. 64 from facilities at or near Ainsworth, Norfolk, Brunswick, Gering, and Crete, NE to Brown, Madison, Antelope, Scotts Bluff, and Saline Counties, NE; in Sub-No. 67 from facilities at Joslin, IL to Rock Island County, IL; in Sub-No. 70 from facilities at or near Denison, Fort Dodge, LeMars, and Mason City, IA, Emporia, KS, Luverne, MN, West Point, NE to Crawford, Webster, Plymouth and Cerro Gordo Counties, IA, Lyon County, KS, Rock County, MN and Cuming County, NE; in Sub-No. 71 from Chelsea, MI, to Washtenaw County, MI; in Sub-No. 72 from facilities at or near Temple, and King of Prussia, PA to Berks and

Montgomery Counties, PA; in Sub-No. 73 from York, NE to York County, NE; in Sub-No. 76 from facilities at Gering, NE to Scotts Bluff County, NE; in Sub-No. 84 from facilities at Elizabethtown, PA to Lancaster County, PA; in Sub-No. 85 from facilities at Chippewa Falls, Eau Claire, and Green Bay, WI to Chippewa, Eau Claire and Brown Counties, WI; in Sub-No. 87 from facilities at or near Grand Island and Park, NE to Hall and Dundy Counties, NE; in Sub-No. 93 from Coldwater, MI to Branch County, MI; in Sub-No. 94 from Aurora, NE to Hamilton County, NE; in Sub-No. 98 from Newman Groven, NE to Madison County, NE; in Sub-No. 101 from Hastings, NE to Adams County, NE; in Sub-No. 104 from facilities at Cleveland, OH to Cleveland, OH; in Sub-No. 106 from Westbury, NY to Nassau County, NY; in Sub-No. 109 from facilities at or near Mankato, KS to Jewell County, KS; in Sub-No. 110 from Allentown and Nazareth, PA to Lehigh and Northampton Counties, PA; in Sub-No. 112 from facilities at or near Sioux City, IA, to Sioux City, IA; in Sub-No. 113 from named facilities at or near Madison, NE to Madison County, NE; in Sub-No. 114 from facilities at or near Chicago, IL to Chicago, IL; in Sub-No. 116 from Freehold, NJ to Monmouth County, NJ; in Sub-No. 117 from Boroughs of Oxford and Lower Oxford Township in Chester County, PA to Chester County, PA; in Sub-No. 119 from facilities at Denison, Carroll, and Iowa Falls, IA to Crawford, Carroll and Hardin Counties, IA; in Sub-No. 121 from facilities at or near Wellston, OH, to Jackson County, OH; in Sub-No. 122 from Minden, NE to Kearney County, NE; in Sub-No. 126 from facilities at or near Cincinnati, OH to Cincinnati, OH; in Sub-No. 135 from facilities at or near Imlay City, Bridgeport and Memphis, MI to Lapier, Saginaw, and St. Claire Counties, MI; in Sub-No. 137 from facilities at or near Plymouth, WI, and Van Wert, OH to Sheboygan County, WI, and Van Wert County, OH; in Sub-No. 138 from facilities at or near Kenosha, WI, and Hebron, IL to Kenosha County, WI and McHenry County, IL; in Sub-No. 139 from facilities at or near Marysville, PA to Perry County, PA; in Sub-No. 141 from facilities at or near Wapakoneta, OH and Chelsea, MI, to Auglaize County, OH and Washtenaw County, MI; in Sub-No. 142 from facilities at or near St. Louis, MO and East St. Louis, IL, to St. Louis, MO and East St. Louis, IL; in Sub-No. 146 from facilities at Wellston, OH to Jackson County, OH; in Sub-No. 149 from facilities at Hazelton, PA to Luzerne County, PA; in Sub-No. 150 from facilities at Hazelton, PA to Luzerne County, PA; in Sub-No. 151 from facilities at or near Wichita, KS, to Wichita, KS; in Sub-No. 154 from facilities at or near New Haven, Greenwich and Stamford, CT to New Haven and Fairfield Counties, CT; in Sub-No. 159 from facilities at or near Decatur, IN to Adams County, IN; in Sub-No. 161 from Booker, TX to Lipscomb County, TX; in Sub-No. 163 from facilities at or near Booker, TX to Lipscomb County, TX; in Sub-No. 167 from Chelsea, MI to Washtenaw County, MI; in Sub-No. 170 from facilities at or near Fort Wayne, IN to Allen County, IN; in Sub-No. 171 from Clark, SD to Clark County, SD; in Sub-No. 175 from facilities at or near St. Louis, MO to St. Louis, MO; in Sub-No. 176 from facilities at or near Eau Claire and Whitehall, WI to Eau Claire and Trempealeau Counties, WI; in Sub-No. 177 from the facilities at or near Plymouth, WI, East Hartford, CT, Springfield, Westwood, and Woburn, MA to Sheboygan County, WI, Hartford County, CT, Norfolk, Middlesex and Hampden Counties, MA from Edison, Florence and Secaucus, NJ, Garden City, NY, Cleveland and Salem, OH, Altoona and Yeadon, PA, and Richmond, VA to Middlesex, Hudson and Camden Counties, NJ, Nassau County, NY, Cleveland, OH and Columbiana County, OH, Blair and Delaware Counties, PA, and Richmond, VA; in Sub-No. 179 from the facilities at or near New London, WI to Waupaca County, WI; in Sub-No. 181 from facilities at or near Kemosha, WI and Hebron, IL to Kenosha County, WI and McHenry County, IL; in Sub-No. 184 from the facilities at Decatur, IL to Macon County, IL; in Sub-No. 186 from the facilities at Marion, OH to Marion County, OH; in Sub-No. 190 from facilities at Kennett Square and West Chester, PA to Chester County, PA; in Sub-No. 191 from facilities at Sioux City, IA to Sioux City, IA; in Sub-No. 193 from facilities at or near Carol Stream, IL, to Cook County, IL; in Sub-No. 199 from facilities at or near Detroit, MI, to Detroit, MI; in Sub-No. 202 from facilities at Sioux City, IA, to Sioux City, IA; in Sub-No. 205 from facilities at or near Jacksonville, IL, to Morgan County, IL; in Sub-No. 206 from facilities at Allentown and Chambersburg, PA and Frankfort, MI, to Allentown, PA, Franklin County, PA, and Benzie County, MI; in Sub-No. 208 from facilities at Marshall, Macon, Moberly and Carrolton, MO, to Saline, Macon, Randolph, and Carrol Counties, MO; in Sub-No. 210 from facilities at or near Buffalo, NY to Buffalo, NY; in Sub-No. 211 from facilities at Springfield, MO to Springfield, MO; in Sub-No. 213 from facilities at or near North Norwich and Ontario Center, NY to Chenango and Wayne Counties, NY; in Sub-No. 215 from facilities at Defiance, OH to Defiance County, OH; in Sub-No. 216 from facilities at or near Fort Atkinson and Jefferson, WI to Jefferson County, WI; in Sub-No. 227 from facilities at or near Baltimore, MD to Baltimore, MD; in Sub-No. 229 from facilities at Omaha, NE to Omaha, NE; in Sub-No. 230 from Newman Grove, NE to Madison County, NE; in Sub-No. 231 from facilities at Chicago, IL to Chicago, IL; in Sub-No. 234 from Terre Haute, IN to Vigo County, IN; in Sub-No. 235 from facilities in Baltimore, MD and Anne Arundel, Baltimore, Howard, and Prince George's Counties, MD to Baltimore, MD and Anne Arundel, Baltimore, Howard and Prince George's Counties, MD; in Sub-No. 236 from facilities at or near Scottsbluff and Fremont, NE, Ottumwa, IA, and Austin, MN to Scotts Bluff and Dodge Counties, NE, Wapello County, IA and Mower County, MN; in Sub-No. 237 from Camden, Jersey City, Elizabeth, New Brunswick, Newark, Paterson, and Trenton, NJ to Camden, Hudson, Union, Middlesex, Essex, Passaic, and Mercer Counties, NJ; in Sub-No. 239 from facilities in Gloucester County, NJ to Gloucester County, NJ; in Sub-No. 240 from facilities at Albert Lea, MN to Freeborn County, MN; in Sub-No. 247 from facilities at or near Cincinnati, OH to Cincinnati, OH; in Sub-No. 249 from facilities at or near Hackettstown, NJ and Elizabethtown, PA to Warren County, NJ and Lancaster County, PA, in Sub-No. 280 from facilities at or near Pittsburgh, PA to Pittsburgh, PA; in Sub-No. 252 from Freehold, NJ, Franklin Park, Elk Grove Village, and Itasca, IL, Dearborn, MI, and Hazelwood, MO to Monmouth County, NJ, Arlington Heights and Dupage Counties, IL, Wayne County, MI, and St. Louis County, MO; in Sub-No. 255 from Cambridge and Mansfield, MA and North Grosvenordale, CT to Middlesex and Bristol Counties, MA and Windham County, CT; in Sub-No. 260 from facilities at or near Plymouth, WI to Sheboygan County, WI; in Sub-No. 261 from facilities at or near East St. Louis, IL to East St. Louis, IL; in Sub-No. 262 from facilities at or near East St. Louis, IL, to East St. Louis, IL; in Sub-No. 268 from Saugatuck and Holland, MI to Allegan and Ottawa Counties, MI; in Sub-No. 269 from facilities at or near Kent, OH to Portage County, OH; in Sub-No. 271 from facilities at or near Sioux City, IA to Sioux City, IA; in Sub-No. 282 from North East, PA to Erie County, PA; in Sub-No. 283 from Wapakoneta, OH to Auglaize County,

OH; in Sub-No. 284 from facilities at Decatur, IL to Macon County, IL; in Sub-No. 285 from facilities at or near Findley, OH to Hancock County, OH; in Sub-No. from facilities at Jacksonville, IL to Morgan County, IL; in Sub-No. 287 from facilities at or near Maumee, OH to Lucas County, OH; in Sub-No. 288 from facilities at or near Columbus, OH to Columbus, OH; in Sub-No. 289 from facilities at or near Hackettstown and Elizabeth, NJ and Elizabethtown, PA to Warren County, and Union Counties, NJ and Lancaster County, PA; in Sub-No. 293 from facilities at or near Sioux City, IA to Sioux City, IA; in Sub-No. 294 from Troy, OH to Miami County, OH; in Sub-No. 295 from Van Wert, OH to Van West County, OH; in Sub-No. 298 from Edgewater, Ridgefield and Fairview, NJ to Bergen and Monmouth Counties, NJ; in Sub-No. 301 from New Hyde Park, NY to Nassau County, NY; in Sub-No. 302 from Fogelsville, PA to Lehigh County, PA; in Sub-No. 305 from facilities at Syracuse, Avon and Fulton, NY to Onondaga, Livingston and Oswego Counties, NY; in Sub-No. 306 from Cudahy, WI to Milwaukee County, WI; in Sub-No. 308 from facilities at Horseheads and Waverly, NY to Tioga and Chemung Counties, NY; in Sub-No. 314 from Salem, MO and Kenbridge, VA to Dent County, MO and Lunenburg County, VA; in Sub-No. 315 from LeMars, IA to Plymouth County, IA; in Sub-No. 318 from facilities in Miami County, OH to Miami County, OH.

MC 111231 (Sub-365)X, filed May 4, 1981. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: James H. Berry (same address as applicant). Applicant seeks to remove restriction in its Sub-Nos. 31, 153, 167, 180 and 185 certificates to (1) broaden the commodity descriptions from general commodities with exceptions to "general commodities, except classes A and B explosives"; (2) replace off-route point facilities limitations with county-wide authority: in Sub-No. 31, Loring, KS with Wyandotte County, KS; in Sub-No. 153 facilities in DuPage Township, Will County, IL with Will County, IL; in Sub-No. 167 Lonoke, AR with Lonoke County, AR; in Sub-No. 180 Mellington, TN with Shelby County, TN; in Sub-No. 185 Goddard, KS with Sedgewick County, KS; (3) in Sub-No. 31 remove the restriction to pickup of shipments only and that limiting transportation to traffic orignating at and destined to named facilities; and in Sub-No. 153 remove the restriction against transportation of traffic moving between Will County, IL and points in the Chicago, IL commercial zone.

MC 113678 (Sub-911)X, filed April 17, 1981. Applicant: CURTIS, INC., 4810 Pontiac St. Commerce City, CO 80022. Representative: Roger M. Shaner (same address as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 133–4th granting para., 292, 337, 369, 397, 407, 431-part (2), 438, 451, 464, 473, 477, 479, 489, 490-last granting para., 496, 508, 528M–1, 529, 534, 547, 556, 566, 591, 602, 611, 631, 653, 661, 680, 689, 690, 697, 713, 717, 722, 746, 754, 763, 771, 773, 784, 786, 789, 798, 818, 821, 822, 848, 853, 859, 864, 865, 866, 872, 874, 885 to (1) remove facilities limitations at Carlstadt, NJ in Sub-No. 133; at Wilmington, MA in Sub-No. 438; at or near Harrison and Jersey City, NJ in Sub-No. 464; at Cheswick, PA, Houston, TX and Compton, CA in Sub-No. 473; at Scottsboro, AL in Sub-No. 489; at Dickinson, ND in Sub-No. 496; at City of Commerce and Pico Rivers, CA in Sub-No. 508, at Lexington, KY and Aurora, IL in Sub-No. 528 (M1)F; at Putnam County, FL in Sub-No. 529; at Branson, MO in Sub-No. 534; at Kansas City, KS in Sub-No. 547; at Muscatine, IA in Sub-No. 566; at Bradford, PA in Sub-No. 602; at Dallas, TX and Shelbyville, TN in Sub-No. 611; at Menasha, Appleton, Combined Locks, Portage, Peshtigo, Neenah, Rhinelander, Green Bay, Columbus, Eau Claire, Ladysmith, Menomonee Falls, Park Falls, Tomahawk, Oshkosh, Kimberly, Kaukana, Merrill, Brokaw, Rothschild, Biron, Stevens Point and Wisconsin Rapids, WI, in Sub-No. 631; at Philadelphia, PA in Sub-No. 661; at Los Angeles, CA in Sub-No. 680; at Cheswick, PA and Baltimore, MD in Sub-No. 746F; at Pocatello, ID in Sub-No. 754; at Los Angeles, CA in Sub-No. 763; at Dallas and Denison, TX and Denver, CO in Sub-No. 771F; at Columbus, OH in Sub-No. 773F; at Aberdeen, NC in Sub-No. 784F; at Irving, TX in Sub-No. 789; at Columbus, OH in Sub-No. 798F; at White City, OR in Sub-No. 818F; at Cochran and Conyers, GA and Crawfordsville, IN in Sub-No. 848F; at Shreveport, LA, Toledo, OH and Mira Lomca in Sub-No. 853F; at Columbus, OH in Sub-No. 866F; and at New Orleans, LA in Sub-No. 874F; (2) remove "except in bulk" restrictions in Sub-Nos. 289, 369, 464, 477, 556, 566, 591, 602, 631, 653, 661, 680, 690, 746F, 763F, 771F, 773F, 786F, 798F, 822F, 853F, 859F, 864F, 865F, 866F, 874F and 885F; and "except in bulk in tank vehicles" restrictions in Sub-Nos. 451, 547, 697, 713F, 717F and 789F; (3) remove "originating at" restrictions in Sub-Nos. 292, 393, 438, 464, 490, 547, 602, 611, 680, 689 and 697; "destined to" restrictions in Sub-Nos. 431 and 722F and "originating at and/or destined to" restrictions in Sub-Nos. 397, 407, 473, 479, 534, 566, 661, 717F, 746F, 754F, 763F, 773F and 864F; (4) remove restrictions against service to AK and HI in Sub-Nos. 407, 451, 479, 489, 547, 653, 689, 713F and 746F, to AK, HI and IL in Sub-No. 653, to AK, HI and CA in Sub-No. 680, to AK, HI and UT in Sub-No. 722F, to AK, HI and CO in Sub-No. 885F; (5) remove "mixed load" limitations in Sub-Nos. 407, 431, 477 and 496; (6) remove exceptions to various named commodities in Sub-Nos. 292, 397, 407, 477, 690, 746F and 872F; and (7) remove equipment restrictions in Sub-Nos. 337, 680, 689 and 722F and 773F and "in container" restrictions in Sub-No. 337.

MC 118806 (Sub-74)X, filed May 4, 1981. Applicant: ARNOLD BROS. TRANSPORT, LTD., 851 Lagimodiere Blvd., Room 200, Winnipeg, Manitoba Canada R2F 3K4. Representative: Bernard J. Kompare, 10 S. La Salle Street, Suite 1600, Chicago, IL 60603. Applicant seeks to remove restrictions in its Sub-No. 49 certificate to (A) broaden the commodity description to "machinery and transportation equipment" from self-propelled articles, in part (4); (B) eliminate the restriction limiting service to the transportation of (a) specified commodities under the same bill of lading and from the same consignor, in part (3), and (b) traffic originating at or destined to named Canadian points; (C) eliminate the restriction prohibiting (a) the transportation of tractors, road-making machinery, contractors' equipment and supplies, and farm machinery, and (b) service to AK and HI; and (D) expand the territorial authority to substitute all ports of entry on the U.S.-Canada international boundary line in ND and MN, in lieu of ports of entry located at or near Portal and Pembina, ND and Noyes, MN.

MC 121598 (Sub-18)X, filed April 17, 1981. Applicant: SHELBYVILLE EXPRESS, INC., Old Railroad Avenue, Shelbyville, TN 37160. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Applicant seeks to remove restrictions in its Sub-Nos. 4, 9, 10 and 11 certificates to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", in Sub-Nos. 4, 9, and 10, and from such commodities as are dealt in or used by a manufacturer of agricultural chemicals and fertilizers to "chemicals and related products, in Sub-No. 11, (2) authorize service at all intermediate points in connection with its regular-route operations, in Sub-No. 4, (3) remove the restriction against the

transportation of traffic originating at or destined to named points, in Sub-No. 4, (4) remove the "in bulk" restriction, in Sub-No. 11 and (5) change (a) points within five miles of Shelbyville, TN as off-route points to Bedford County, TN, in Sub-No. 4 and (6) change Sterlington, LA to Union and Ouachita Parishes, LA, as an off-route point in Sub-No. 10F.

MC 125113 (Sub-5)X, filed May 6, 1981. Applicant: CHRISTMAN TRUCKING CORPORATION, P.O. Box 776, Washington, PA 15301. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1, 3 and 4 certificates to (1) broaden the commodity description from general commodities, with exceptions to "general commodities (except classes A and B explosives)" in each certificate; (2) expand (a) Greater Pittsburgh Airport in Moon Township, and Allegheny County Airport in West Mifflin Borough, Allegheny County, to Pittsburgh, PA, in the lead and Sub-Nos. 1 and 3; (b) Ohio County Airport at Ohio County, WV, to Wheeling, WV, in the lead and Sub-Nos. 1 and 3; (c) Wood County Airport at Wood County, To Parkersburgh, WV; Kanawha County Airport at Kanawha County to Charleston, WV; Morgantown Municipal Airport at Monongalia County to Morgantown, WV; and Benedum Airport at Harrison County to Clarksburg, WV, in Sub-No. 3; and (d) Cleveland-Hopkins Airport at Cuyahoga County to Cleveland, OH, in Sub-Nos. 3 and 4; (3) remove the restriction against shipments having a prior or subsequent movement by air; and (4) remove the exception of Kanawha County Airport in Sub-No. 3.

MC 128473 (Sub-24)X, filed April 22, 1981. Applicant: MONTANA EXPRESS, INC., P.O. Box 3346, Butte, MT 59701. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701. Applicant seeks to remove restrictions in its Sub-Nos. 5, 8, 9, 12, 13, 16, 17, 18 and 20 certificates to (1) broaden the commodity descriptions to: (a) "food and related products" and such commodities dealt in by grocery and food business houses from articles dealt in and distributed by wholesale grocers in Sub-No. 5; (b) "food and related products" from meat, meat products and meat by-products in Sub-Nos. 8, 9 and part (1) of 17, and from hides in Sub-No. 12; and, (c) "such commodities as are dealt in by grocery and food business houses" from articles dealt in and distributed by wholesale grocers in Sub-No. 16; from canned or preserved foodstuffs, malt beverages, wine, bananas, frozen foods, and agricultural commodities in mixed loads in Sub-No. 13, and from frozen foodstuffs in Sub-No. 20, (2) remove mechanical refrigeration restrictions in Sub-Nos. 5, 16 and 18 and in bulk restrictions in Sub-Nos. 17 and 18; (3) change city to county-wide authority from Billings, Bozeman, Butte, Great Falls, and Missoula, MT to Yellowstone, Gallatin, Silver Bow, Cascade, and Missoula Counties, MT in Sub-No. 5 and Sub-No. 12 from Great Falls, MT to Cascade County, MT in Sub-No. 9; from Glasgow, Harve, Helena, Kalispell, Lewistown, Miles City and Sidney, MT, and Worland, WY to Valley, Hill, Lewis and Clark, Flathead, Fergus, Custer, Richland Counties, MT and Washakie County, WY in Sub-No. 12; from Nyssa, OR and Walla Walla, WA to Malheur County, OR and Walla Walla County, WA in Sub-No. 13; and from Billings, MT to Yellowstone County, MT in Sub-No. 17, (4) remove the facilities limitation (a) in Sub-No. 8 and replace Williston, ND with Williams County, ND (b) in Sub-No. 17 and replace Billings, MT with Yellowstone County, MT, (c) in Sub-No. 18 and replace Pocatello, ID with Bannock County, ID and (d) in Sub-No. 20 and replace American Falls, Burley, Nampa, and Twin Falls, ID and Clearfield and Ogden, UT with Power, Cassia, Canyon, and Twin Falls, Counties, ID and Davis and Weber Counties, UT, (5) remove the originating at and/or destined to restrictions in Sub-Nos. 8, 9, 13, 17 and 18 and (6) change one way to radial authority between various points throughout the U.S. in all Subs.

MC 129744 (Sub-3)X, filed April 27, 1981. Applicant: ENSMINGER MOTOR LINES, INC., 645 Center Road, Frankfort, IL 60425. Representative: William D. Brejcha, 10 South LaSalle Street, Suite 1600, Chicago, IL 60603. Applicant seeks to remove restriction in its MC 129744, and Sub-No. 2 certificates and its MC 145404F Permit to (A) broaden the commodity descriptions from plastic articles to "rubber and plastic articles and chemicals and related products" and from plastic trays and plastic egg cartons to "rubber and plastic articles;" (B) remove "in bulk" restriction from applicant's permit and lead certificate, and remove an "originating at and destined to" restriction from its lead certificate, (C) replace Frankfort, IL with Will County, IL in its lead and Sub-No. 2 certificates; (D) replace one-way authority with radial authority between specified points in IL and points in several States in its lead and Sub-No. 2 Certificates; and (E) authorize "between points in the United States" authority under contract(s) with a named shipper in its permit.

MC 133333 (Sub-9)X, filed May 1, 1981. Applicant: P L TRUCK SERVICE, INC., 626 N Columbia Blvd., Portland, OR 97217. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, OR 97210. Applicants seeks to remove restrictions in its Sub-Nos. 1 and 8F certificates to (1) broaden the commodity description from used automobile and truck parts, and uncrated, used automobiles and truck parts to "transportation equipment"; and (2) remove the "except rebuilt parts" and "uncrated" restrictions in Sub-No. 1.

MC 134716 (Sub-15)X, filed May 4, 1981. Applicant: RUSH TRUCKING, INC., 200 Southwest 19th St., Ft. Lauderdale, FL 33315. Representative: Kim G. Meyer, P.O. Box 872, Atlanta, GA 30301. Applicant seeks to remove restrictions from its Sub-Nos. 8, 9, 10F and 11F permits to: (1) broaden the commodity description from radio and electronic component parts and accessories to "machinery" in Sub-No. 8; from general commodities with the usual exceptions to "general commodities (except classes A and B explosives)" in Sub-No. 9; and from cosmetics, toilet preparations, toilet articles and premiums, and equipment and supplies used in connection with the foregoing commodities to "such commodities as are dealt in or used by manufacturers of cosmetics and toilet preparations" in Sub-Nos. 10F and 11F; (2) broaden the territorial description to between points in the U.S. under continuing contract(s) with named shippers in each of the above numbered permits; and (3) remove the "ex-air" restriction in each permit.

MC 134783 (Sub-76)X, filed May 4, 1981. Applicant: DIRECT SERVICE, INC., P.O. Box 2491, 940 East 66th St., Lubbock, TX 79408. Representative: Charles M. Williams, 665 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Applicant seeks to remove retrictions in its MC-139309 permit to: (1) eliminate the commodities in bulk, foodstuffs, meat, meat products, meat by-products, and articles distributed by meat packinghouses, bakery products, refined copper and commodities of unusual value exceptions to the commodity description "commodities dealt in by farm and home supply stores"; and (2) broaden the territorial description to between points in the U.S. under continuing contract(s) with a named shipper.

MC 143277 (Sub-5)X, filed May 6, 1981. Applicant: PRINTERS EXPRESS, INC., 1 Hackensack Ave., S. Kearny, NJ 07032. Representative: Harold L. Reckson, 33–28 Halsey Rd., Fair Lawn, NJ 07410.

Applicant seeks to remove restriction, Sub-Nos. 1 and 3F permikts to (1) broaden the commodity descriptions from printed matter, advertising materials, business forms, and similar material, and materials, equipment and supplies, in Sub-No. 1, and printed matter, magazines, records, advertising media, educational materials, film strips, other material, and materials, equipment and supplies, in Sub-No. 3F to "pulp, paper and related products, printed matter, instruments and photographic goods, and machinery" and (2) expand the territiorial scope to include all points in the United States, under contract(s) with named shippers.

MC 143884 (Sub-5)X, Filed May 4, 1981. Applicant: PERSONALIZED AGENT SERVICE, INC., P.O. Box 45111, Atlanta, GA 30320. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Applicant seeks to remove restrictions from its Sub-No. 2 certificate to: (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except Classes A and B explosives)"; (2) broaden the territorial scope by replacing the Atlanta, GA Airport with Atlanta, GA; and (3) remove the restriction limiting transportation to that having a prior or subsequent movement by air.

MC 144036 (Sub-1)X, Filed May 4, 1981. Applicant: J.R. PHILLIPS TRUCKING LTD., R.R. #2, Maidstone, Ontario, CA, NOR 1KO. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K Street, N.W., Washington, DC 20005. Applicant seeks to remove restrictions in its lead certificate to (1) broaden its commodity description from scrap metals, in bulk, to "commodities in bulk"; (2) expand ports of entry at Port Huron and Detroit, MI to ports of entry in MI and (3) change its one-way to radial authority between points in MI on and south of MI Hwy. 55, and ports of entry of the United States-Canada boundary line in MI.

MC 145950 (Sub-93)X, Filed April 23, 1981. Applicant: BAYWOOD TRANSPORT, INC., 2611 University Parks Drive, Waco, TX 76706. Representative: Donald C. Horne (same address as above). Applicant seeks to remove restrictions from its Sub-Nos. 11F, 14F, 15F,22F, 27F, 37F, 40F, 50F, 52F, 53F, 54F, 55F, 56F, 64F and 84F certificates to (1) broaden the commodity description from specified foodstuffs and foodstuffs to "food and related products" in Sub-Nos. 11F, 14F, 15F, 27F, 37F, 50F, 52F, 53F, 54F, 56F, 64F and 84F; from soy products, paste and flour products and dairy based products to "food and related products" in part (1) (b) of Sub-No. 22F; from glass containers and fibreboard materials to "clay, concrete, glass or stone products and pulp, paper and related products" in Sub-No. 40F; from foodstuffs and paper and paper products to "food and related products and pulp, paper and related products" in Sub-No. 55F; (2) remove the facilities limitations in Sub-Nos. 11F, 14F, 15F, 22F, 27F, 40F, 50F, 52F, 53F, 54F, 55F, 56F, and 64F; (3) replace specific points authority with county-wide authority as follows: Pittsburgh with Allegheny County, PA in Sub-No. 11F; Elizabeth with Union County, NJ in Sub-No. 14F; Albany with Dougherty County, GA in Sub-No. 15F; San Diego with San Diego County, CA, Sparks with Washoe County, NV, Denver with Denver County, CO, Flagstaff with Coconino County, AZ, Oklahoma City with Oklahoma County, OK in Sub-No. 22F; Ontario with San Bernandino County, CA in Sub-No. 27F; Tampa with Hillsboro County, FL in Sub-No. 37F, Waco with McLennan County, TX in Sub-No. 40F; Sherman with Grayson County, TX in Sub-No. 50F; Fresno with Fresno County, CA in Sub-No. 52F; Humboldt with Gibson County, TN in Sub-No. 53F; Ft. Worth with Tarrant County, TX in Sub-No. 54F; Dallas with Dallas County, TX, Lithonia with DeKalb County, GA in Sub-No. 55F; Mayville with Dodge County, WI in Sub-No. 56F; Oak Creek with Milwaukee County, WI in Sub-No. 64F; Mobile with Mobile County, AL, Gulfport with Harrison County, MS, Charleston with Charleston County, SC, Galveston with Galveston County, TX in Sub-No. 84F; (4) remove all restrictions on the commodity descriptions such as "except commodities in bulk, and in vehicles equipped with mechanical refrigeration" wherever they appear in each of the above numbered certificates; (5) eliminate the restrictrions against service to "AK and HI" wherever they appear in each of the above numbered certificates; (6) remove the "originating at and/or destined to" restrictions wherever they appear in each of the above numbered certificates; (7) remove the restriction limiting service to the transportation of traffic having a prior movement by water in Sub-No. 37F and 84F; and (8) expand its one-way authority to radial authority between combinations of points throughout the US.

MC 146516 (Sub-7), filed April 30, 1981. Applicant: ALEXANDER TRUCKING, INC., 1209 South Woodland Drive, Dothan, AL 36301. Representative: Daniel O. Hands, 205 W. Touhy Ave., Suite 200–A, Park Ridge, IL 60068. Applicant seeks to remove restrictions in its Sub-Nos. 2F and 4F certificate to (1) broaden the commodity descriptions from non-alcoholic beverages to "food and related products", (2) replace named plantsites at or near Houston, TX, with city-wide authority, (3) change its one-way authority to radial authority between Houston, TX, and, points in LA in Sub-No. 2F; and between Houston, TX, and, points in AL, AR, and MS in Sub-No. 4F; (4) remove the restriction against the transportation of commodities in bulk in tank vehicles and (5) remove the restriction limiting service to the transportation of traffic originating at the named facilities and destined to the named destinations.

MC 146700 (Sub-8)X, filed May 1, 1981. Applicant: TRAVELERS TRANS CO., INC., Room 8/Commonwealth Pier 5, Boston, MA 02210. Representative: J. Albert Johnson, 8 Whittier Place, Boston, MA 02114. Applicant seeks to remove restrictions in its Sub-Nos. 3F, 5F, 6F, and 7F permits to: (1) expand the commodity description from frozen foods, and materials, equipment and supplies (except commodities in bulk), used in the manufacture and sale of frozen foods, meats, meat products and articles distributed by meat packing houses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 to "food and related products" in Sub-No. 3F, 5F, and 6F; and (2) broaden the territorial authority to "between points in the United States" under continuing contract(s) with named shippers in each of the above permits.

MC 149057 (Sub-4)X, filed April 30, 1981. Applicant: C & M TRUCKING, INC., 3500 North Monroe, Monroe, MI 48161. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. Applicant seeks to remove restrictions in its lead and Sub-No. 1F certificates to (1) broaden the commodity description to "metal products" from iron and steel articles, in both certificates; (2) replace facilities with county-wide authority: (a) facilities at or near Monroe, MI, with Monroe County, MI, in both certificates, and (b) facilities at or near Wilton, IA, and St. Paul, MN, with Muscatin County, IA, and Ramsey County, MN, in the lead certificate; and (3) authorize radial authority to replace existing one-way service between various combinations of generally northeastern States and specified counties in (a) MI, IA and MN, in the lead certificate and (b) MI, in Sub-No. 1F.

MC 149500 (Sub-5)X, filed April 28, 1981. Applicant: INTERMODAL SERVICES, INC., 11650 Courthouse Boulevard, Inver Grove Heights, MN 55075. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity description from (a) metal building construction wall sections in part (1) of its authority to "fabricated metal products" (2) replace the facilities restriction with city-wide authority to authorize service between Minneapolis, MN, and points in the U.S. and (3) remove the AK and HI exceptions.

MC 150299 (Sub-3)X, filed April 24, 1981. Applicant: WARREN OIL TRANSPORTATION CO., INC., 727 South 13th Street, Omaha, NE 68102. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. Applicant seeks to modify its Sub-No. 1F permit to (1) change the commodity description to add "chemicals and related products" to its authority to transport such commodities as are dealt in or used by manufacturers, distributors, or retailers of automotive service, repair and care products, and livestock care products, and (2) expand the territorial description to between points in the U.S. under contract(s) with named shippers.

MC 150746 (Sub-8)X, filed April 30, 1981. Applicant: DFC TRANSPORTATION COMPANY, 12007 Smith Drive, P.O. Box 929, Huntley, IL 60142. Representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. Applicant seeks to remove restrictions in its Sub-Nos. 1F, 2F and 3F certificates and MC-141721 Sub-No. 4F permit, to (1) broaden the commodity descriptions from (a) windows and doors, and parts and accessories to "building materials" in Sub-No. 1F; (b) coffee, tea, and dry beverage preparations to "food and related products" in Sub-Nos. 2F and 3F; and (c) peppers in containers, cheese sauce, tortilla chips, paper bowls, and food warmers to "food and related products and paper and related products" in MC-141721 Sub-No. 4F; (2) eliminate the facilities limitation in Sub-No. 2F; (3) change city to county-wide authority from Plainview to Nassau County, NY; Ephrata to Lancaster County, PA; Troy to Oakland County, MI; Pittsburg to Crawford County, KS; and Schaumburg to Cook County, IL, in Sub-No. 1F; (4) expand one-way to radial authority between (a) Nassau County, NY, Lancaster County, PA, Oakland County, MI, and Crawford County, KS, and, Cook County, IL, in Sub-No. 1F; and (b) Omaha, NE, and, points in IA, and WI, in Sub-No. 2F; (5) broaden the territorial description to between points in the U.S., under continuing contract(s) with a named shipper, in MC-141721 Sub-No. 4F; and (6) remove the restriction against service to AK and HI in Sub-No. 3F and MC-141721 Sub-No. 4F.

MC 150875 (Sub-2)X, filed April 29, 1981. Applicant: CENTRAL INTERMODAL CORP., 2801 Spring Grove Ave., Cincinnati, OH 45225. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions from its lead certificate by (a) deleting the "except motor vehicles and commodities in bulk" restriction to the general commodities grant, (b) deleting the "rail terminals" territorial limitation, and (c) deleting the restriction to traffic having a prior or subsequent movement by rail; and in its Sub-No. 1 certificate by (a) deleting the "except commodities in bulk" restriction, (b) changing one-way to radial authority in part (1) between points in IL, IN, KY, MI, and OH, and, points in AR, CO, IL, IA, KS, MN, MO, NE, OK, and WI; and (c) deleting the restriction to traffic moving on bills of lading of freight forwarders.

[FR Doc. 81-14734 Filed 5-14-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP5-91]

Motor Carriers; Permanent Authority Decisions, Decision-Notice

Decided: May 6, 1981.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any applicaton, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

Agatha L. Mergenovich,
Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 121598 (Sub-16), filed February 4, 1981. Applicant: SHELBYVILLE EXPRESS, INC., Old Railroad Ave., Shelbyville, TN 37150. Representative: James G. Caldwell (same address as applicant), 315-242-5552. Transporting *general commodities* (except classes A and B explosives), between the facilities of American Can Company at points in the U.S. on the one hand, and, on the other, points in the U.S. Applicant

intends to tack with its existing regular-route authority.

MC 147748 (Sub-1), filed January 13, 1981. Initially published in the **Federal Register** on February 9, 1981. Applicant: R.C. KERCHEVAL & J. J. RIEDINGER, A PARTNERSHIP, d.b.a. OVERLAND COMMERCIAL COMPANY, 2214 46th Ave., South, Seattle, WA 98134. Representative: J. J. Riedinger (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in WA, and those points in ID in and north of Nez, Perce, Lewis, and Clearwater counties. 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 5, Room 6370.

MC 148619 (M1) (Notice of filing of petition to modify permit.) Filed February 8, 1981. Petitioner: A T & E MOTOR LINES, INC., P.O. Box 160, Glen Burnie, MD 21061. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St., NW., Washington, DC 20006. Petitioner holds a motor *contract carrier* permit in No. MC–148619 issued July 31, 1980, authorizing the transportation of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of Atlantic Terminals & Equipment, Inc., in MD and WV, on the one hand, and, on the other, points in OH, IN, KY, WV, NC, SC, GA, PA, MD, NY, NJ, DE, VA, TN, IL, MO, and DC, under continuing contract(s) with Atlantic Terminal & Equipment, Inc. By the instant petition, petitioner seeks to add Burlington Industries, Inc., of Burlington, NC, Laurens Glass Company, of Laurens, SC, Super X Drugs, Inc., of Cincinnati, OH, Travenol Laboratories, Inc., of Deerfield, IL, National Fruit Products, Inc., of Winchester, VA, The Clorox Company, of Oakland, CA, Pyrmind Chemicals, of Fort Washington, PA, Container Corporation of America, of Philadelphia, PA, Chattanooga Glass Company, of Keyser, WV, Schenley Distillers, Inc., of Cincinnati, OH, Atlantic Containers Lines, Inc., of New York, NY, Owens Illinois, Inc., of Toledo, OH, Dart Drug Corporation, of Landover, MD, and Chesapeake Corporation, of Baltimore, MD, as contracting shippers.

[FR Doc. 81-14729 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

Volume No. OPY-2-069]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: May 6, 1981.

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. Applicants 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 suppporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's 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 become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor carrier in interstate or foreign commerce over irregulat routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY–2–069

Decided: May 6, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier. (Parker not Participating)

MC 155523 (Sub 4), filed April 27, 1981. Applicant: PHOENIX MOTOR EXPRESS, INC., P.O. Box 246, Hasbrouck Heights, NJ 07604. Representative: Gerald K. Gimmel, Esq., Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. 301–840–8565. 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.

Volume No. OPY–2–071.

Decided: May 7, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier.

MC 99493 (Sub–11), filed April 30, 1981. Applicant: CENTRAL STORAGE & TRANSFER CO. OF HARRISBURG, P.O. Box 2821, Harrisburg, PA 17105. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101 (717) 236–9318. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensititive weapons and munitions), between points in the U.S.

MC 148143 (Sub-3), filed April 30, 1981. Applicant: MID-AMERICA FARM LINES, INC., M.P.O. Box 71, Springfield, MO 65801. Representative: John M. Ringenberg (same address as applicant) 417–862–7460. 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.

MC 155172, filed April 8, 1981. Applicant: JOHN W. DANNER, Box 304, Barrow, AK 99723. Representative: John W. Danner (same address as applicant) 907–852–6673. Transporting (1) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, and (2) *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.

Volume No. OPY–3–065

Decided: May 11, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 154685, filed April 30, 1981. Applicant: BEDDER PRODUCE CO., INC., 330 Bliss Street, West Springfield, MA 01089. Representative: David M. Marshall, 101 State Street, Suite 304, Springfield, MA 01103 (413) 732–1136. Transporting (1) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, (3) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, and (4) as a *broker of general commodities* (except household goods), between points in the U.S.

Volume No. OPY–3–071

Decided: May 11, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier.

MC 135524 (Sub-162), filed April 30, 1981. Applicant: G. F. TRUCKING COMPANY, 1028 W. Rayen Ave., P.O. Box 229, Youngstown, OH 44501. Representative: George Fedorisin, 914 Salt Springs Rd., Youngstown, OH 44509. Transporting *general commodities* between Knox, Elk City, Callersburg, Bruin, Petrolia, Karns City, Chicora, North Oakland, St. Joe and Dudley, PA, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this application is to substitute motor service for abandoned rail service.

Volume No. OP5–57

Decided: May 7, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce and Dowell.

MC 151159, filed April 24, 1981. Applicant: EDWARD HAROLD RYAN, d.b.a. ED RYAN ENTERPRISES, 6431 Hummingbird Lane, Las Vegas, NV 89103. Representative: Mike Soumbeniotis, 402 N. Division St., Carson City, NV 89701, 702–882–0202. transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

MC 154888, filed April 20, 1981. Applicant: HARTNETT MOVING & STORAGE CO., INC., 3227 Rear South Kingshighway Blvd., St. Louis, MO 63139. Representative: Thomas J. Hartnett, 5306 Neosho, St. Louis, MO 63109, 314–832–4692. Transporting *used household goods*, for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S.

MC 155519, filed April 27, 1981. Applicant: CHARLES F. BURBAGE, 15300 Magnolia St., No. 46, Westminster, CA 92683. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701, 208–336–5955. To operate as a broker of *general commodities* (except household goods), between points in the U.S.

MC 155639, filed April 30, 1981. Applicant: CHARLES S. GRAY d.b.a. G & H ENTERPRISES, INC., Route 224, Marbury, MD 20658. Representative: Charles S. Gray (same address as applicant), 301–753–6991. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14728 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29630]

Mt. Vernon Railway Co., Inc.; Purchase Consolidated Rail Corp. Between Columbus and Howard, Ohio

AGENCY: Interstate Commerce Commission.

ACTION: Notice of intent to purchase.

SUMMARY: Mt. Vernon Railway Co., Inc. (MVRC) hereby gives notice of its intent to purchase certain trackage of the Consolidated Rail Corporation (Conrail). The purpose of the proposed acquisition is to acquire certain rail trackage prior to its abandonment, and to preserve it as a regional "feeder" line for the benefit of continued service to customers located on the line.

DATES: MVRC's application may be filed no earlier than June 23, 1981, and comments and competing applications are due no later than 30 days after the application is filed. All statements and applications should refer to Finance Docket No. 29630.

ADDRESS: An original and 10 copies of all statements should be sent to: Section of Finance, Room 5417, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT:
Ernest B. Abbott, (202) 275–3002;
or
Ellen D. Hanson, (202) 275–7245.

SUPPLEMENTARY INFORMATION: Mt. Vernon Railway Co., Inc. (MVRC) has notified the Commission of its intent to apply to purchase certain trackage of the Consolidated Rail Corporation (Conrail) under the feeder line acquisition provisions of 49 U.S.C. 10910 and the interim rules of the Commission in Ex Parte No. 395, served October 24, 1980, and published in the **Federal Register** November 4, 1980, 45 FR 73106.

In its prospective application MVRC will seek to purchase the Conrail line segment between milepost 142.5 in Columbus, OH to milepost 90.1 in Howard, OH, a distance of 52.4 miles, (referred to as the Mt. Vernon Secondary Tract Industrial Track) and the Conrail line segment continuing on from milepost 0.0 at Howard, OH to milepost 4.5 at Millwood, OH, referred to as the Howard Industrial, making a total distance of 56.9 miles. The portion of the line from milepost 142.5 in Columbus to milepost 131 at Westerville, OH has not been designated for abandonment and is not for sale. MVRC intends to show that the public convenience and necessity require Conrail to sell MVRC this portion of the line. The remainder of the line, from Westerville to Howard and on

to Millwood, is currently listed in Category 1 of Conrail's system diagram map as under study for future abandonment pursuant to 49 CFR 1121.20(b)(2) and is thus eligible for acquisition as a feeder line without a finding of public convenience and necessity. MVRC believes that its acquisition of the Westerville-Millwood line must be tied to the proposed acquisition of the Columbus-Westerville line.

MVRC seeks to acquire this line segment to allow continued service to customers located on the line at no increase in cost to them. MVRC believes that the acquisition will actually increase revenues to Conrail on the same traffic now generated by customers in the Westerville to Columbus segment of the line. Upon acquisition of the line, MVRC intends to provide regular 5-day per week service to customers on the line with connections to three competing truck line carriers in Columbus.

MVRC is presently considering imposition of the following preconditions on service: (a) customers served by the line must accept ownership of their sidings (at no cost) and assume thereafter the continuing maintenance cost of the siding, (b) customers must accept a zone rate concept of revenue collection, paid by the truck line carrier directly to MVRC, and (c) customers must sign a written contact committing them to a minimum annual activity and agreeing to pay a surcharge assuring MVRC revenues adequate to continue service. MVRC intends to elect the complete exemption from Title 49, United States Code permitted under current legislation.

Any interested party may submit comments or recommendations to the Commission with respect to the Notice and application, and any interested and financially responsible persons may also propose to acquire the property through a competing application.

Persons wishing to contact MVRC regarding this matter should do so at the following address: James J. Cullers, Zelkowitz, Barry & Cullers, 121 East High Street, Mount Vernon, OH 43050, (614) 397-5262.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14732 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

[I.C.C. Order No. 79 Under Service Order No. 1344]

Consolidated Rail Corp.; Rerouting Traffic

Service Date: May 13, 1981.

In the opinion of Joel E. Burns, Agent, Consolidated Rail Corporation is unable to transport promptly all traffic to, from, or via its Cairo Branch, south of Lawrenceville, Illinois, due to termination of its Designated Operators Agreement with the State of Illinois between Lawrenceville and Paris, Illinois.

It is ordered,

(a) *Rerouting traffic.* Consolidated Rail Corporation, being unable to transport promptly all traffic to, from, or via its Cairo Branch, south of Lawrenceville, Illinois, due to termination of its Designated Operators Agreement with the State of Illinois between Lawrenceville and Paris, Illinois, is authorized to divert or reroute such traffic via any available route to expedite the movement. Traffic necessarily diverted by authority of this order shall be rerouted so as to preserve as nearly as possible the participation and revenues of other carriers provided in the original routing. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad rerouting cars in accordance with this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) *Notification to shippers.* Each carrier rerouting cars in accordance with this order, shall notify each shipper at the time each shipment is rerouted or diverted and shall furnish to such shipper the new routing provided for under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 3:30 p.m., May 5, 1981.

(g) *Expiration date.* This order shall expire at 11:59 p.m., May 13, 1981, unless otherwise modified, amended or vacated.

This order 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 on the American Short Line Railroad Association. A copy of this order shall be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 5, 1981.

Interstate Commerce Commission.

Joel E. Burns,

Agent.

[FR Doc. 81-14725 Filed 5-14-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions

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 sufficent opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY–4–119

Decided: May 4, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 42487 (Sub-1040), filed April 24, 1981. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: W. R. Oldenburg, P.O. Box 3062, Portland, OR 97208, (503) 226–4692. Transporting *general commodities* (except classes A and B explosives), serving points in Carbon and Emery Counties, UT, as off-route points in connection with carrier's otherwise authorized regular-route operations.

Note.—Applicant intends to tack with its existing authority.

MC 60087 (Sub-23), filed April 24, 1981. Applicant: CURRY MOTOR FREIGHT LINES, INC., P.O. Box 1190, Amarillo, TX 79105. Representative: Grady L. Fox, 222 Amarillo Bldg., Amarillo, TX 79101, (806) 372–6575. Over a regular route, transporting *general commodities* (except classes A and B explosives), between Amarillo, TX and the OK–TX State line, over U.S. Hwy 60, serving all intermediate points.

Note.—Applicant intends to tack with existing authority.

Volume No. OPY–4–124

Decided: May 7, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 49387 (Sub-62), filed April 29, 1981. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Hwy 24 East, P.O. Box 658, Moberly, MO 65270. Representative: George A. Vitt (same address as applicant), (816) 263–2345. Transporting *general commodities* (except classes A and B explosives), between points in AR, CO, IL, IN, IA, KS, KY, MN, MO, NE, OH, OK, TN, TX, and WI.

MC 70557 (Sub-51), filed May 1, 1981. Applicant: NIELSEN BROS. CARTAGE CO., INC., 4619 W. Homer St., Chicago, IL 60639. Representative: Carl L. Steiner, 39 So. LaSalle St., Chicago, IL 60603, (312) 236–9375. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Sunoco Products Company of Hartsville, SC.

MC 96607 (Sub-23), filed April 28, 1981. Applicant: RUCKER BROTHERS TRUCKING, INC., 1820 Stewart Street E., Tacoma, WA 98421. Representative: Michael D. Duppenthaler, 211 S. Washington St., Seattle, WA 98104, (206) 622–3220. Transporting *pulp, paper and related products*, between points in Cowlitz, Grays Harbor and Snohomish Counties, WA, on the one hand, and, on the other, points in Clark, Cowlitz, King, Pierce, and Snohomish Counties, WA, and Multnomah County, OR.

MC 105007 (Sub-79), filed April 30, 1981. Applicant: MATSON TRUCK LINES, INC., P.O. Box 328, 1407 St. John Ave., Albert Lea, MN 56007. Representative: Robert S. Lee, 1600 TCF Tower, 121 S. 8th St., Minneapolis, MN 55402, (612) 333–1341. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Weyerhaeuser Company of Tacoma, WA.

MC 105447 (Sub-5), filed April 28, 1981. Applicant: C. SCHLEI DRAY LINE, INC., 936 So. 18th St., Manitowoc, WI 54220. Representative: Michael S. Varda, 121 So. Pinckney St., Madison, WI 53703, (414) 684–6675. Transporting (1) *furniture and fixtures*, between points in Manitowoc County, WI, on the one hand, and, on the other, points in IL, IN, IA, MI, MN, MO, NY, ND, OH, PA, SD, and WI, and (2) *household goods*, between points in Brown, Calumet, Door, Fond du Lac, Kewaunee, Manitowoc, Outagamie, Ozaukee, Sheboygan, and Washington Counties, WI, on the one hand, and, on the other, points in IL, IN, IA, MI, MN, and OH.

MC 106207 (Sub-16), filed April 30, 1981. Applicant: NEW YORK-KEANSBURG-LONG BRANCH BUS CO., INC., 50 Hwy 36, Leonardo, NJ 07737. Representative: Sidney J. Leshin, 575 Madison Ave., New York, NY 10022, (212) 759–3700. Transporting *passengers and their baggage*, between points in Richmond and New York Counties, NY, under continuing contract(s) with Village Hills Riders Association of Staten Island, NY.

MC 109847 (Sub-36), filed May 1, 1981. Applicant: BOSS-LINCO LINES, INC., 3909 Genesee St., Cheektowaga, NY 14225. Representative: Harold G. Hernly, Jr., 110 S. Columbus St., Alexandria, VA 22313, (703) 836–6115. Transporting *general commodities* (except classes A and B explosives), serving points in Luzerne and Lackawanna Counties, PA, as intermediate and off-route points in connection with carrier's otherwise authorized regular route operations between Binghamton, NY and Allentown, PA.

MC 141187 (Sub-14), filed April 17, 1981. Applicant: BLUFF CITY TRANSPORTATION, INC., P.O. Box 18391, Memphis, TN 38118. Representative: Clarence R. Haar (same address as applicant), (901) 396–2201. Transporting *general commodities* (except classes A and B explosives), which are at the time moving on bills of lading issued by Acme Fast Freight, Inc., a freight forwarders as defined in Section 10102(8), between points in the U.S.

MC 141367 (Sub-3), filed April 28, 1981. Applicant: PUBLIX TRANSPORT, INC., 11740 So. LaPorte St., Worth, IL 60482. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Rd., Omaha, NE 68106 (402) 392–1220. Transporting *such commodities* as are dealt in by manufacturers of electrical equipment, between points in Cook County, IL, Bell County, TX, and Bibb County, GA.

MC 143537 (Sub-2), filed April 16, 1981, previously noticed in the Federal Register of April 27, 1981. Applicant: CHARLES W. HOLTCAMP, d.b.a. C Bar S Farms, 15731 North County Rd. 17, Wellington, CO 80549. Representative: Lee E. Lucero, 450 Capitol Life Center, Denver, CO 80203, (303) 861–8046. Transporting (1) *building materials*, and (2) *those commodities which because of size or weight require the use of special handling or equipment*, between points

in the U.S., under continuing contract(s) with Tri-State Steel Co., of Cheyenne, WY.

Note.—The purpose of this republication is to reflect correctly the addresses of the applicant and the representative, and the telephone number of the representative.

MC 144027 (Sub-24), filed April 30, 1981. Applicant: WARD CARTAGE & WAREHOUSING, INC., P.O. Box 685, Glasgow, KY 42141. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street, NW., Washington, DC 20004, (202) 347–8862. Transporting *general commodities* (except clases A and B explosives), between points in the U.S.

MC 144117 (Sub-75), filed April 28, 1981. Applicant: TLC LINES, INC., 1666 Fabick Dr., Fenton, MO 63026. Representative: William D. Brejcha, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603, (312) 263–1600. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Teneco West, Inc., of Bakersfield, CA.

MC 146837 (Sub-3), filed April 30, 1981. Applicant: SOUTHERN MINNESOTA GROCERY COMPANY, a corporation, 202 Southwest 2nd, P.O. Box 201, Waseca, MN 56093. Representative: Andrew R. Clark, 1600 TCF Tower, 121 So. 8th St., Minneapolis, MN 55402, (612) 333–1341. Transporting *food and related products*, between points in AR, CO, KS, IA, ID, IL, OK, MN, MO, NE, ND, SD, TN, TX, UT and WI.

MC 147137 (Sub-2), filed May 1, 1981. Applicant: BARNETS, INC. 1619 Barnets Mill Rd., Camden, OH 45311. Representative: Stephen J. Habash, 100 E. Broad St., Columbus, OH 43215, (614) 288–1541. Transporting (1) *such commodities* as are dealt in or used by agricultural businesses, between Louisville, KY, Chicago, IL, and points in Dearborn, Jasper, Floyd and Vigo Counties, IN, Clinton, Eaton, Ingham, Mason and Midland Counties, MI, Campbell County, KY, and points in OH, on the one hand, and, on the other, points in IL, IN, KY, MI, OH, PA and WV, (2) *food and related products*, between Cincinnati, OH, on the one hand, and, on the other, points in AL, AR, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MI, MN, MS, MO, NJ, NY, NC, PA, SC, TN, TX, VA, WV and WI, and (3) *furniture and fixtures*, between Cincinnati, OH, on the one hand, and, on the other, points in AL, AR, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MI, MN, MS, MO, NJ, NY, NC, PA, SC, TN, TX, VA, WV and WI.

MC 148647 (Sub-27), filed May 1, 1981. Applicant: HI-CUBE CONTRACT CARRIER CORP., 5501 W. 79th St., Burbank, IL 60459. Representative: Arnold L. Burke, 180 No. LaSalle St., Chicago, IL 60601, (312) 332–5106. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Johnson & Johnson of New Brunswick, NJ and its subsidiaries.

MC 148737 (Sub-10), filed May 1, 1981. Applicant: SUNSET EXPRESS CORP., P.O. Box 27043, Salt Lake City, UT 84125. Representative: Michael A. Clark (same address as applicant), (801) 484–4307. Transporting *food and related products*, between points in CA and OR, on the one hand, and, on the other, points in CT, MA, ME, NJ, NY and PA.

MC 152827 (Sub-1), filed April 30, 1981. Applicant: YEAGER TRUCKING, INC., 1552 So. Pennsylvania Ave., Morrisville, PA 19067. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110, (215) 561–1030. Transporting (1) *chemicals and related products*, between points in Bucks County, PA, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, OK and TX, and (2) *metal products*, between points in the U.S. in and east of MN, IA, MO, OK and TX.

MC 153277, filed April 28, 1981. Applicant: TRINITY TRUCKING Co., Inc., 105 Clubhouse Dr., Town Bank, NJ 08204. Representative: Raymond A. Thistle, Jr., Five Cottman Ct., Homestead Rd. & Cottman St., Jenkinstown, PA 19046 (215) 576–0131. Transporting *building materials*, between points in the U.S., under continuing contract(s) with The Celotex Corporation, of Tampa, FL.

MC 153677 (Sub-2), filed April 30, 1981. Applicant: BILLY HARRIS TRUCKING CO., Rt. 4, Box 139 A, Henderson, NC 27536. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street NW., Washington, DC 20004. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Rose's Stores, Inc. of Henderson, NC and Henderson Fiber Co., a division of Harriet and Henderson Yarn, Inc., of Henderson, NC.

MC 154477, filed April 28, 1981. Applicant: GEORGE K. LYNCH, d.b.a. TRI STATE DISTRIBUTING CO., 6999 Commerce, El Paso, TX 79915. Representative: George K. Lynch (same address as applicant), (915) 778–8287. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Tri State Associated Grocers, Inc., Economy Cash & Carry, and Grocery Exports, Inc., all of El Paso, TX.

Volume No. OPY4–126

Decided: May 8, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 48956 (Sub-22), filed May 1, 1981. Applicant: JAMES FLEMING TRUCKING, INC., East Street, Suffield, CT 06078. Representative: James M. Burns, 1383 Main St., Suite 413, Springfield, MA 01103, (413) 781–8205. Transporting *general commodities* (except classes A and B explosives), between points in CT, MA, and RI, on the one hand, and, on the other, points in the U.S.

MC 108676 (Sub-165), filed April 28, 1981. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., Knoxville, TN 37917. Representative: Michael S. Teets (same address as applicant), (617) 637–2660. Transporting *construction and maintenance machinery and equipment*, between points in the U.S.

MC 108676 (Sub-166), filed April 28, 1981. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Ave., Knoxville, TN 37917. Representative: Michael S. Teets (same address as applicant), (615) 637–2660. Transporting *Mercer commodities*, between the facilities of Plasti-Line, Inc. and points in the U.S.

MC 110656 (Sub-21), filed April 28, 1981. Applicant: PARKER MOTOR FREIGHT, INC., 1505 Steele Avenue SW., Grand Rapids, MI 49507. Representative: Ronald J. Mastej, 900 Guardian Bldg., Detroit, MI 48226, (313) 963–3750. Transporting *general commodities* (except classes A and B explosives), between points in Kalkaska County, MI, on the one hand, and, on the other, points in the U.S.

MC 111496 (Sub-41), filed April 28, 1981. Applicant: TWIN CITY FREIGHT, INC., 2550 Long Lake Rd., Roseville, MN 55113. Representative: Alan Foss, 502 First National Bank Bldg., Fargo, ND 58126, (701) 235–4487. Transporting *general commodities* (except classes A and B explosives), between points in MN, ND, SD, MT, WY, CO, ID, OR, and WA.

MC 125996 (Sub-97), filed May 1, 1981. Applicant: GOLDEN TRANSPORTATION, INC., P.O. Box 26908, Salt Lake City, UT 84125. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Edina, MN 55424, (612) 927–8855. Transporting *pulp, paper and related products*, between points in Black Hawk County, IA, on the

one hand, and, on the other, points in UT.

MC 14136 (Sub-5), filed April 30, 1981. Applicant: TRIANGLE TRANSPORTATION & WAREHOUSING SYSTEMS, INC., 5051 Still Creek Ave., Burnaby, BC, Canada V5C 4H6. Representative: Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055, (206) 235–4730. Transporting (1) *building materials*, and (2) *lumber and wood products*, between points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA, and WY.

Volume No. OPY–4–127

Decided May 8, 1981.

By the Commission, Review Board No. 2, members Carleton, Fisher and Williams.

MC 150756 (Sub-2), filed April 28, 1981. Applicant: GUTHMILLER TRUCKING, INC., P.O. Box 206, 30700 Dyer St., Union City, CA 94587. Representative: Eldon M. John, 650 California St., San Francisco, CA 94108, (415) 986–8696. Transporting *containers and container closures*, between points in Los Angeles County, CA, on the one hand, and, on the other, ports of entry on the international boundary line between the U.S. and the Republic of Mexico, at points in Imperial County, CA.

MC 152056 (Sub-3), filed April 28, 1981. Applicant: RHETT BUTLER TRUCKING, INC., Rt. 6, Box 83, Andalusia, AL 36420. Representative: Maurice F. Bishop, 603 Frank Nelson Bldg., Birmingham, AL 35203, (205) 251–2881. Transporting *food and related products*, (1) between points in Fresno and Merced Counties, CA, Morgan County, IL, Gibson County, TN, Grayson County, TX, and Dodge, Green, and Waupaca Counties, WI, and (2) between points in (1) above, on the one hand, and, on the other, points in the U.S.

MC 154966, filed May 4, 1981. Applicant: EARNEST H. KIENE & LAWRENCE E. KIENE, d.b.a. KIENE BROTHERS, 506 Crossbow Rd., Huntsville, AR 72740. Representative: Lawrence E. Kiene (same address as applicant), (501) 738–6381. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Swift Dairy & Poultry Company of Huntsville, AR.

MC 155666, filed April 30, 1981. Applicant: ANTHONY P. LUONGO, d.b.a. LUONGO TRUCK LEASING, 704 Belleville Ave., Belleville, NJ 07109. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904, (201) 572–5551. Transporting (1) *roofing and roofing materials* and (2) *machinery* used in the manufacture, distribution and packaging of roofing materials, between the facilities of Owen-Corning Fiberglas Corporation, at points in the U.S. in and east of MN, IA, KS, OK, and TX.

MC 155686, filed April 28, 1981. Applicant: MID-WAY TRANSPORTATION, INC., P.O. Box 756, Hewitt, TX 76643. Representative: Thomas F. Sedberry, P.O. Box 2165, Austin, TX 78768, (512) 476–6083. Transporting (1) *chemicals and related products*, (2) *building materials*, (3) *gypsum and gypsum products*, (4) *metal products*, (5) *paper and paper products* and (6) *refractory and refractory products*, between the facilities of United States Gypsum Company and its subsidiaries in AR, LA, MO, MS, NM, OK and TX, on the one hand, and, on the other, points in AR, LA, MO, MS, NM, OK and TX.

MC 155726, filed April 30, 1981. Applicant: THOMAS & HOWARD COMPANY, INCORPORATED, 5710 Old Concord Rd., P.O. Box 30155, Charlotte, NC 28230. Representative: Bruce E. McRoy, 1845 No. Church St., P.O. Drawer 2427, Rocky Mount, NC 27801 (919) 446–6151. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Quality Beers, Inc. of Hickory, NC, Stewart Supply Company, Inc. of Charlotte, NC and Thomas & Howard Company, Inc. of Newton, NC.

Volume No. OPY–4–128.

Decided: May 8, 1981, by the Commission Review Board No. 2, members Carlton, Fisher and Williams.

MC 139006 (Sub-28), filed May 5, 1981. Applicant: RAPIER SMITH, Rural Route 5, Loretto Rd., Bardstown, KY 40004. Representative: William P. Whitney, Jr. (same address as applicant), (502) 348–5966. Transporting *general commodities* (except classes A and B explosives), between the facilities of Rand McNally & Company and its subsidiaries at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 143336 (Sub-1), filed May 4, 1981. Applicant: BAY RAPID TRANSIT COMPANY, INC., 441 W. Market St., P.O. Box 3258, Salinas, CA 93912. Representative: John Paul Fischer, 256 Montgomery St., 5th Fl., San Francisco, CA 94104 (415) 421–6743. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter round-trip and one way operations, beginning and ending at points in Monterey, San Benito, Santa Cruz and Santa Clara Counties, CA and extending to points in the U.S. (including AK and excluding HI).

MC 152256 (Sub-3), filed April 28, 1981. Applicant: GRAMMER INDUSTRIES, INC., Box 51, Grammer, IN 47236. Representative: Robert B. Herbert, 777 Chamber of Commerce Bldg., Indianapolis, IN 46204, (317) 639–4511. Transporting *Chemicals and related products*, (1) between points in Floyd County, IN, on the one hand, and, on the other, points in TN, and (2) between points in Henderson and Daviess Counties, KY, and Lucas County, OH, on the one hand, and, on the other, points in IN.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81–14503 Filed 5–14–81; 8:45 am]

BILLING CODE 7035–01–M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–89]

Certain Apparatus for the Continuous Production of Copper Rod; Commission Request for Comments Concerning Settlement Agreements

AGENCY: U.S. International Trade Commission.

ACTION: Request for public comments on proposed settlement agreements.

SUMMARY: On April 10, 1981, Southwire Co. of Carrollton, Ga., and Krupp GmbH and Krupp International, Inc. entered into settlements which, if approved, would result in termination of this investigation. This notice contains a synopsis of those agreements and seeks public comments upon them.

DATES: Comments will be considered if received on or before June 15, 1981. Comments should conform with Commission Rule 201.8 (19 CFR 201.8) and should be addressed to Kenneth R. Mason, Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

FOR FURTHER INFORMATION CONTACT: Jeffrey S. Neeley, Esq., Office of the General Counsel, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436; telephone 202–523–0359.

SUPPLEMENTARY INFORMATION: In connection with the Commission's investigation, under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), of alleged unfair methods of competition in the importation or sale of certain apparatus for the continuous production of copper rod in the United States, the complainant, the Commission investigative attorney, and the respondents moved on April 21, 1981, for

an order approving a settlement agreement.

This investigation began with publication by the Commission of a notice in the **Federal Register** on August 13, 1980 (45 FR 53923), stating that an investigation was being instituted to determine:

whether there is a violation of subsection (a) of section 337 in the unauthorized importation of certain apparatus for the continuous production of copper rod, or in their sale, by reason that such apparatus are made in accordance with the claims of U.S. Letters Patent 4,129,170, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States.

Fried. Krupp GmbH of Essen, Federal Republic of Germany and Krupp International, Inc., of Harrison, N.Y. (collectively "Krupp"), were named as respondents. On October 29, 1980, the Commission issued a temporary exclusion order on apparatus that infringe the patent in question, except under a bond of 100 percent *ad valorem*. On February 3, 1981, the Commission voted to suspend this investigation until the date on which the U.S. Court of Customs and Patent Appeals makes its final decision in Appeals Nos. 80–19 and 80–21.

On April 10, 1981, the complainant and respondents entered into settlement agreements which could have the effect of terminating this investigation and settling other outstanding litigation between the parties. On April 21, 1981, the Krupp respondents, complainant Southwire Co., and the Commission investigative attorney filed a joint motion for an order approving the settlement entered into by Krupp and Southwire. A nonconfidential synopsis of that settlement follows:

Synopsis of Settlement Agreements

The two settlements agreement entered into by the parties cover any patent, related technology, or trade secrets of the parties relating to apparatus for the continuous manufacture of copper rod. Under the terms of Agreement #1 Southwire and Krupp grant to each other mutual worldwide licenses for a specified amount of money for each copper rod line of 3000 sq. mm. (5 sq. in.) cast bar area and larger, which either company contracts for during the term of the agreement. Mutual worldwide royalty-free licenses are granted for systems of less than 3000 sq. mm cast bar area.

Agreement #1 also provides that customers of both parties shall be granted royalty-free licenses for such copper rod systems for the full life of the patents, related technology, and trade secrets. Krupp agrees to a credit payment of a specified amount of money on the date that the agreement comes into force. The term of Agreement #1 is 10 years, renewable for 5-year periods by mutual consent. The agreement comes into force upon approval of the United States International Trade Commission, the Commission of the European Community, and, if necessary, the German authorities.

Agreement #2 provides that, as regards copper rod lines contracted for prior to the Agreement, Southwire will not bring suit against Krupp or any of its customers with respect to the use of copper rod lines under any of the Southwire patents now existing or now pending or for misappropriation of Southwire trade secrets. Southwire also agrees to dismiss with prejudice all complaints and appeals against Krupp now pending before any judicial tribunal. Krupp likewise agrees to dismiss all of its complaints and appeals pending against Southwire. Southwire further agrees to take all reasonable actions necessary to permit Krupp's customers or third party suppliers to purchase, install, or import spare or replacement parts for copper rod lines.

In consideration for the convenants and promises, Krupp agrees to pay Southwire a specified amount of money within 15 days of the effective date of the agreement. An addendum to Agreement #2 provides that, if for any reason any governmental authority rejects either of the agreements, the parties agree to return to good faith negotiations to reach a new settlement in light of the position taken by such authority. The addendum also provides that, if Southwire activates any legal or administrative proceedings prior to the settlement coming into force, Southwire will return to Krupp the above-mentioned amount. If Krupp reactivates such proceedings, however, Southwire need not return that money.

COMMENTS REQUESTED: In light of the Commission's duty to consider the public interest in this investigation, the Commission requests written comments from interested persons concerning the effect of the termination of this investigation based upon the settlement agreements upon (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) the production of like or directly competitive articles in the United States, and (4) U.S. consumers. These written comments must be filed with the Secretary to the Commission on or before June 15, 1981. The Commission will consider requests for oral argument or oral presentation on this matter if such requests are received in the Office of the Secretary on or before June 1, 1981. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request *in camera* treatment. Such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. The Commission will either accept such submission in confidence or return it. All nonconfidential written submissions will be open for public inspection at the Secretary's office.

By order of the Commission.

Issued: May 11, 1981.

Kenneth R. Mason,

Secretary.

[FR Doc. 81-14594 Filed 5-14-81; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF JUSTICE

Attorney General

Council on the Role of Courts; Notice of Renewal

In accordance with the provisions of the Federal Advisory Committee Act [5 U.S.C. App. I (Supp. II, 1972)], the Office of Management and Budget (OMB) Circular A–63, and after consultation with OMB, the Attorney General has determined that the renewal of the Council on the Role of Courts is in the public interest in connection with the performance of duties imposed on the Department by law.

The Council will advise the Attorney General on principles for use in determining what disputes should be decided by courts.

The Council will consist of 25 members, with a balanced representation of the judiciary, academia, and the legal profession, all appointed by the Attorney General.

The Council will function solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act. Its charter will be filed under the Act, 15 days from the date of the publication of this notice.

Interested persons are invited to submit comments regarding the renewal of the Council on the Role of Courts to the Committee Management Liaison Officer, Maurice Rosenberg, Special Assistant to the Attorney General, U.S. Department of Justice, Washington, D.C. 20530 Phone (202) 633-2922.

Bruce E. Fein,

Associate Deputy Attorney General.

May 8, 1981.

[FR Doc. 81-14706 Filed 5-14-81; 8:45 am]

BILLING CODE 4410-01-M

Attorney General's Task Force on Violent Crime; Meeting

The Attorney General's Task Force on Violent Crime will meet from 9:00 am until 5:00 pm on June 2 and 3, 1981 in the Ballroom of the Hyatt Wilshire Hotel, 3515 Wilshire Boulevard, Los Angeles, California.

The first day of the meeting will be devoted to taking public testimony on the issue of the exclusionary rule and how it affects successful prosecution of violent crimes. Persons interested in testifying should contact the Committee Management Liaison Officer, Attorney General's Task Force on Violent Crime, U.S. Department of Justice, Washington, D.C. 20530 (telephone 202/633-1617). On the second day of the meeting the Task Force members will discuss and arrive at recommendations to the Attorney General on ways in which the federal government could do more to aid in combatting violent crime within present statutory limitations and resource allocations.

The meeting will be open to the public. Approximately 300 seats will be available for the public and the press on a first-come first-served basis.

Inquiries may be addressed to the Committee Management Liaison Officer at the above address.

Jeffrey Harris,

Executive Director, Attorney General's Task Force on Violent Crime.

[FR Doc. 81-14670 Filed 5-14-81; 8:45 am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

Manufacturer of Controlled Substances; Registration

By Notice dated January 19, 1981, and published in the **Federal Register** on January 27, 1981; (46 FR 8799) Ganes Chemicals, Inc., Lessee of Siegfried Chemicals, Inc., Industrial Park Road, Pennsville, New Jersey 08070, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of dextropropoxyhene, a basic class of controlled substances listed in schedule II.

No comments or objections having been received, and pursuant to Section 303 of the comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations § 1301.54(e), the Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: May 11, 1981.

Peter B. Bensinger,

Administrator, Drug Enforcement Administration.

[FR Doc. 81-14665 Filed 5-14-81; 8:45 am]

BILLING CODE 4410-09-M

Manufacturer of Controlled Substances; Application

Pursuant to § 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on December 19, 1980, M.D. Pharmaceutical, Inc., 3501 West Garry Avenue, Santa Ana, California 92704, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic class of controlled substances listed below:

Drug	Schedule
Methylphenidate (1724)	II
Diphenoxylate (9170)	II

Any other such applicant, and any person who is presently registered with DEA to manufacture such substances, may file comments or objections to the issuance of the above application and may also file a written request for a hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR § 1316.47.

Any such comments, objections or requests for a hearing may be addressed to the Administrator, Drug Enforcement Administration, United States Department of Justice, 1405 I Street, NW., Washington, D.C. 20537, Attention: DEA Federal Register Representative (Room 1203), and must be filed no later than June 18, 1981.

Date: May 11, 1981.

Peter B. Bensinger,

Administrator, Drug Enforcement Administration.

[FR Doc. 81-14666, Filed 5-14-81; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment and Training Administration

Employment Transfer and Business Competition Determinations Under the Rural Development Act; Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 USC 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same areas.

4. The competitive effect upon other facilities in the same industry located in

other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: Administrator, Employment and Training Administration, 601 D Street, N.W., Washington, D.C. 20213.

Signed at Washington, D.C. this 8th day of May 1981.

Luis Sepulveda,

Acting Director, Office of Program Services.

Applications Received During the Week Ending May 9, 1981

Name of Applicant, Location of Enterprise, and Principal Product or Activity

The J. B. Hunt Company, Lowell, Arkansas—Truck & trailer service, warehouse, sales, transportation of goods.
Sylmar Corp., Rifle, Colorado—Construction of a small shopping plaza.
Northern Steel Castings, Inc., Kankakee, Illinois—Manufacture of carbon and low alloy steel castings.
St. Lawrence Pulp and Paper Corp., City of Ogendsburg, New York—Manufacture or recycled wood pulp.
Trinity Foundries, Inc., Syracuse, New York—Manufacture of castings for water mains and other foundry products.

[FR Doc. 81-14515 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-81-20-M]

ASARCO, Inc.; Petition for Modification of Application of Mandatory Safety Standard

ASARCO, Inc., P.O. Box 440, Wallace, Idaho 83873 has filed a petition to modify the application of 30 CFR 57.11-37 (ladderways; requirements) to its Galena Mine located in Shoshone County, Idaho. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the standard that requires a minimum ladderway opening of 24 inches by 24 inches measured from the face of the ladder.

2. Petitioner states that the standard cannot be met in several raises at the mine due to physical size restrictions; enlargement of future raises would significantly increase ground control problems in the highly stressed rock encountered at the mine. In addition, petitioner states that enlargement would result in a substantial diminution of health and safety to miners in the raises.

3. Existing raises are subjected to ground squeeze necessitating constant repair; larger raises would expose repair crews and stope miners to more hazards.

4. For the above reasons, petitioner requests a modification of the present standard to allow a ladderway opening 18 inches by 20 inches.

5. Petitioner states that this proposed modification will provide the same measure of protection to the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 15, 1981. Copies of the petition are available for inspection at that address.

Dated: May 6, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-14646 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-107-C]

Consolidation Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Consolidation Coal Company, Consol Plaza, Pittsburgh, Pennsylvania 15241 has filed a petition to modify the application of 30 CFR 75.305 (weekly examinations for hazardous conditions) to its Maitland Mine located in McDowell County, West Virginia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that intake and return aircourses be examined in their entirety on a weekly basis.

2. The relevant entries of the mine were driven numerous years ago; roof falls have resulted in deteriorated roof conditions. Rehabilitation of these entries would expose miners to hazardous conditions.

3. The return airways are not designated as return escapeways.

4. As an alternate method petitioner proposes to establish and maintain two air monitoring stations at specified locations, and record the results of daily examinations in a book at each location. An increase of 0.5 percent in the methane reading or a reduction in air quantity of 10 percent will result in an immediate investigation.

6. Petitioner states that this proposed alternate method will provide the same measure of protection to the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Adminstration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 15, 1981. Copies of the petition are available for inspection at that address.

Dated: May 6, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-14647 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-19-M]

Occidental Oil Shale, Inc.; Petiton for Modification of Application of Mandatory Safety Standard

Occidental Oil Shale, Inc., Post Office Box 2687, Grand Junction, Colorado 81502 has filed a petition to modify the application of 30 CFR 57.4-58 (underground fires; requirements) to its Logan Wash Operations located in Garfield County, Colorado. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that fires shall not be built underground.

2. Petitioner is under contract with the U.S. Department of Energy (DOE) for engineering development and technical feasibility demonstration of a vertical modified in situ oil shale retorting process (MIS process) at the mine.

3. As an alternate method, petitioner proposes to operate Retort 7 and 8 using a number of safeguards, including

monitoring for various gases such as nitrogen, hydrogen and methane; ventilation proposals; rescue equipment and training; and evacuation and contingency plans.

4. Based on extensive experience over the years, petitioner states that all anticipated relevant factors have been taken into account to guarantee the greatest degree of safety during retort operations and that these will provide miners the same degree of safety as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 15, 1981. Copies of the petition are available for inspection at that address.

Dated: May 6, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-14648 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-43-M

Office of the Secretary

[TA-W-9294]

Cal Custom Accessories, Inc., Hawk Division of Cal Custom/Hawk, Carson, California; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on July 14, 1980 in response to a petition which was filed by the International Brotherhood of Teamsters, Chauffers, Warehousemen and Helpers of America, Local 495 on behalf of workers at the Hawk Division of Cal Custom/Hawk, Cal Custom Accessories, Incorporated, Carson, California. The workers produced diagnostic equipment for autos.

U.S. imports of gauges, which include oil and water gauges, increased both absolutely and relative to domestic shipments in 1979 compared to 1978.

U.S. imports of testing and measuring instruments, which include ammeters, tachometers, tuning lights and exhaust analyzers, increased both absolutely and relative to domestic shipments in 1979 compared to 1978.

Company imports of diagnostic equipment increased in 1979 compared to 1978 and increased in the first half of 1980 compared to the first half of 1979. Company imports of diagnostic equipment, as a percentage of sales, increased in 1979 compared to 1978 and increased in the first half of 1980 compared to the first half of 1979. Production of diagnostic equipment at the Carson plant ceased by the end of May 1980.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with diagnostic equipment for autos produced at the Hawk Division of Cal Custom/Hawk, Cal Custom Accessories, Incorporated, Carson, California contributed importantly to the decline in sales or production and to the total or partial separation of workers of that Division. In accordance with the provisions of the Act, I make the following certification:

All workers of the Hawk Division, Cal Custom/Hawk, Cal Custom Accessories, Incorporated, Carson, California who became totally or partially separated from employment on or after October 28, 1979 and before May 31, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 8th day of May 1981.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 81-14650 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-8768]

Haspel Brothers, Inc., Tylertown, Mississippi; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on June 16, 1980, in response to a worker petition received on May 28, 1980, which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers at Haspel Brothers, Inc., Tylertown, Mississippi. The workers produce men's and ladies' suits.

In a letter dated April 8, 1981, the petitioner requested withdrawal of the petition. On the basis of this withdrawal, continuing the investigation would serve no purpose. Consequently, the investigation has been terminated.

Signed in Washington, D.C., this 7th day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-14651 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-28-M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than May 26, 1981.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment

Assistance, at the address shown below, not later than May 26, 1981.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 11th day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Boonton Molding Co. (workers)	Boonton, N.J	5/4/81	4/22/81	TA-W-12,681	Plastic.
Christopher Dyeing & Finishing (Teamsters)	Paterson, N.J	5/4/81	4/22/81	TA-W-12,682	Dyeing & finishing fabrics.
Ely & Walker of Yazoo, Inc. (company)	Yazoo City, Miss.	5/5/81	4/29/81	TA-W-12,683	Men's & boys' jeans & overalls.
Ked's Corp. (workers)	Lawrence, Mass	5/5/81	4/24/81	TA-W-12,684	Sport footwear.
Libbey Owens Ford Co. (Wkrs., & United Glass Wkers.).	Lathrop, Calif	4/30/81	4/15/81	TA-W-12,685	Laminated glass.
Lloyd's Electronics, Inc. (company)	Edison, N.J	5/1/81	5/1/81	TA-W-12,686	Speakers boxes, turntables.
Mayflower Coat Mfg. Company (workers)	Brockton, Mass	5/5/81	4/30/81	TA-W-12,687	Men's rain coats & topcoats.
Sellner Manufacturing Co., Inc., (workers)	Faribault, Minn	5/5/81	5/1/81	TA-W-12,688	Tilt-A-Whirl amusement riding device & parts.
Avondale Mills (company)	Pell City, Ala	5/5/81	5/1/81	TA-W-12,689	Unfinished woven apparel fabrics.
Ely & Walker of Monterey, Inc. (company)	Monterey, Tenn	5/5/81	4/29/81	TA-W-12,690	Men's & boys' jackets & men's painter jeans.
Engel Industries, Inc. (workers	Merrimack, Mass	5/6/81	5/4/81	TA-W-12,691	Shoe counters—reinforcements.
H. W. Gossard (Lingerie Div.) (workers)	Piggott, Ark	5/5/81	4/22/81	TA-W-12,692	Lingerie.
Prestolite Battery (UAW)	Vincennes, Ind	5/7/81	5/4/81	TA-W-12,693	Lead acid storage batteries, office & plant clerical unit.
Unique Leather, Inc. (ACTWU)	New York, N.Y	5/5/81	4/30/81	TA-W-12,694	Outerwear.
Ford Motor Co., Pittsburg Dealer Development Office (company).	Pittsburgh, Pa	5/8/81	5/4/81	TA-W-12,695	Cars, trucks, vans & general utility vehicles.

[FR Doc. 81-14649 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-10, 220]

Markay Handbags, Inc., Plainfield, New Jersey, New York, New York; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated on August 18, 1980 in response to a petition which was filed on behalf of workers at Markay Handbags, Incorporated, Plainfield, New Jersey and New York, New York. The workers produced handbags.

U.S. imports of handbags increased absolutely and relative to domestic production in 1980 compared to 1979. U.S. imports increased relative to domestic production in 1979 compared to 1978. The ratio of U.S. imports of handbags to domestic production was over 220 percent in each year from 1978 to 1980.

A Department survey revealed that customers accounting for a significant proportion of Markay's sales decline either increased their purchases of imported handbags or increased their reliance on imported handbags in 1980 compared in 1979.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with handbags produced at Markay Handbags, Incorporated, Plainfield, New Jersey contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Markay Handbags, Incorporated, Plainfield, New Jersey and sales offices located in New York, New York who became totally or partially separated from employment on or after January 31, 1980 and before October 31, 1980 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 7th day of May 1981.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 81-14652 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-12,180]

Millington Screw Products, Inc., Millington, Mich.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on January 30, 1981, in response to a petition received on January 26, 1981, which was filed on behalf of workers at Millington Screw Products, Inc., Millington, Michigan.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-9738). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C., this 7th day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-14653 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,638]

National Mines Corp., Beaver Creek Division, Wayland, Kentucky; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on November 10, 1980, in response to a petition received on October 31, 1980, which was filed by the United Mine Workers of America on

behalf of workers at National Mines Corporation, Beaver Creek Division, Wayland, Kentucky.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA–W–11,208). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C., this 7th day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81–14654 Filed 5–14–81; 8:45 am]

BILLING CODE 4510–28–M

[TA–W–11,522]

VRN International Division of Vernitron Corp., St. Petersburg, Fla.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on October 31, 1980 in response to a petition which was filed on behalf of workers at the St. Petersburg, Florida plant of VRN International, a Division of Vernitron Corporation. The workers of the St. Petersburg plant of VRN produce potentiometers.

The investigation revealed that criterion (3) has not been met.

A certification applicable to the petitioning group of workers expired on September 18, 1980. Average sales, production, and employment at the subject firm increased in 1980 compared to 1979. Also, average employment increased during the period September to December, 1980 compared to the like period in 1979. Variations in production and employment levels at the St. Petersburg plant in 1980 are attributable to normal business fluctuations.

The petitioners allege that Vernitron assembled potentiometers in Barbados. Vernitron has operted a plant in Barbados since 1976. There was no evidence that company imports from Barbados adversely affected production and employment at the St. Petersburg plant in 1980.

U.S. imports of total variable resistors (the category includes potentiometers) decreased in quantity in 1979 compared to 1978 and in the first nine months of 1980 compared to the like period in 1979.

Conclusion

After careful review, I determine that all workers of the St. Petersburg, Florida plant of VRN International, a Division of Vernitron Corporation are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., this 7th day of April 1981.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 81–14650 Filed 5–14–81; 8:45 am]

BILLING CODE 4510–28–M

[TA–W–12,081]

Walter Dyer Leather, Inc., Lynn, Mass.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on January 19, 1981, in response to a worker petition received on January 12, 1981, which was filed on behalf of workers at Walter Dyer Leather, Inc., Lynn, Massachusetts.

The petitioner has requested that the petition be withdrawn. Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C., this 7th day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81–14655 Filed 5–14–81; 8:45 am]

BILLING CODE 4510–28–M

Office of Pension and Welfare Benefit Programs

[Prohibited Transaction Exemption 81–37]

Exemption From the Prohibitions for Certain Transactions Involving the Hastings Construction Co., Inc. Profit-Sharing Plan, Located in Hastings, Minn. (Exemption Application No. D–1632)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This temporary exemption permits, for a period of three years, the sales by the Hastings Construction Co., Inc. (the Employer), the sponsor of the Hastings Construction Co., Inc., Profit Sharing Plan (the Plan) of its interests in contracts for deed or residential first mortgage loans (collectively, the Contracts) to the Plan. The exemption also permits the guarantee of the obligation of the Employer in such sales by Paul W. Lawrence (Lawrence), his wife and Donald W. Gustafson (Gustafson).

FOR FURTHER INFORMATION CONTACT: Richard Small of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C–4526, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20216, (202) 523–88881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On March 17, 1981, notice was published in the **Federal Register** (46 FR 17166) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the sanctions resulting from the application section 4975 of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for a period of three years to the sales by the Employer of its interest in the Contracts to the Plan and for the guarantee of the obligation of the Employer in such sales by Lawrence and his wife and Gustafson. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written

request that a public hearing be held relating to this exemption. The applicants have represented that they have met the notice provisions as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply for a period of three years to (1) the sales by the Employer of its interest in the Contracts to the Plan; provided that the terms of the sales are at least as favorable to the Plan as those which the Plan could receive in the same transaction with an unrelated party; and (2) to the guarantee of the obligation of the Employer in such sales by Lawrence and his wife and Gustafson.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 12th day of May, 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs Labor-Management Services Administration, Department of Labor.

[FR Doc. 81-14627 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 81-39]

Exemption From the Prohibitions for Certain Transactions Involving the Employee Group Term Life Plan Maintained by the International Harvester Co., Located in Chicago, Ill. (Exemption Application No. D-2162)

AGENCY: Department of Labor.

ACTION: Grant of Individual Exemption.

SUMMARY: This exemption exempts, under certain conditions, the reinsurance by the Association Life Insurance Company, Inc. (ALIC) of a group term life insurance contract sold to the International Harvester Company (the Employer) on behalf of the Employee Group Term Life Plan (the Plan). ALIC is a party in interest with respect to the Plan.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On January 9, 1981, notice was published in the **Federal Register** (46 FR 2420) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406 (a) and (b) of the Employee Retirement Income Security Act of 1974 (the Act), for transactions described in an application filed on behalf of the Employer and ALIC. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicants informed the Department that they would be unable to notify interested persons of their right to comment and request a hearing within the time period set forth in the proposed exemption. Pursuant to discussions with the Department, the applicants notified interested persons that the period for written comments and requests for a public hearing would be extended until April 9, 1981. The applicants have represented that interested persons were notified, in the manner set forth in the notice of pendency, on or before March 9, 1981.

The Department received four comments from interested persons with respect to the proposed exemption. Two commentators requested a hearing. One of the requests for a hearing was subsequently withdrawn. The Department has declined to hold a hearing in response to the second request since the request raised no issues relevant to the proposed exemption. Two commentators requested information relative to the proposed exemption, and such information was provided by the Department. A comment was submitted by the applicants to correct an error in their application. The application as filed and the exemption proposed by the Department state that the group term life insurance contract was purchased by the Employer from the Aetna Life and

Casualty Company (Aetna). The applicants have informed the Department that the contract had in fact been purchased from the Aetna Life Insurance Company (Aetna Life), a wholly-owned subsidiary of Aetna. The Department has modified the exemption to correct this error.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act does not relieve a fiduciary or other party in interest with respect to a plan to which the exemption is applicable from certain other provisions of the Act. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act.

(2) This exemption is supplemental to, and not in derogation of, any other provisions of the Act, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly the restrictions of section 406(a) and (b) of the Act shall not apply to the reinsurance of risks and the receipt of premiums thereform by ALIC from the group term life insurance contract sold by Aetna Life to the Employer to provide benefits to the Plan, subject to the conditions set forth in the notice of proposed exemption.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transactions to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 12th day of May 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 81-14628 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-29-M

[Prohibited Transaction Exemption 81-38]

Exemption From the Prohibitions for Certain Transactions Involving Lovell's Profit-Sharing Trust Located in Astoria, Oreg. (Exemption Application No. D-2083)

AGENCY: Department of Labor.

ACTION: Grant of Individual Exemption.

SUMMARY: This exemption would exempt the cash sale of two parcels of real property by the Lovell's Profit Sharing Trust (the Plan) to Robert S. Lovell (the Plan Administrator).

FOR FURTHER INFORMATION CONTACT: Alan H. Levitas of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523-8884. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: On March 20, 1981, notice was published in the **Federal Register** (46 FR 17933) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the sanctions resulting from the application of section 4975 of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for a transaction described in an application filed by the Plan Administrator. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicant has represented that it has complied with the requirements of the notification to interested persons as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471,

April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interest of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly the restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the cash sale of two parcels of real property by the Plan to Mr. Robert S. Lovell for $3,100, provided that this amount is not less than the fair market value at the time of sale.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 12th day of May 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 81-14629 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-29-M

[Application Nos. D-2199 and 2200]

Proposed Exemption for Certain Transactions Involving the Gordon Food Service, Inc. Pension Plan and the Gordon Food Service, Inc. Profit Sharing Plan and Trust Located in Grand Rapids, Mich.

AGENCY: Department of Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1954 (the Code). The proposed temporary exemption would exempt (1) for a period of 5 years the proposed loans of money by the Gordon Food Service, Inc. Pension Plan and Trust (the Pension Plan) and the Gordon Food Service, Inc. Profit Sharing Plan and Trust (the Profit Sharing Plan), collectively, (the Plans) to Gordon Food Service, Inc. (the Employer), the sponsor of the Plan; and (2) for the term of such loans the personal guarantees of Paul B. Gordon and John M. Gordon of the obligation of the Employer in such loans. The proposed exemption, if granted would affect the Employer, participants and beneficiaries of the Plans and other persons participating in the transactions.

DATES: Written comments and requests for a public hearing must be received by the Department on or before June 25, 1981.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, Attention: Application Nos. D-2199 and D-2200. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue, NW., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Richard Small of the Department, telephone (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code. The proposed exemption was requested in an application filed by the trustees (the Trustees) of the Plan, pursuant to section 408(a) of the Act and section 4975 (c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Fact and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicant.

1. As of August 2, 1980, the Pension Plan had assets of $2,080,880 and 278 participants. As of August 2, 1980, the Profit Sharing Plan had assets of $5,305,850 and 222 participants. The Trustees are Paul B. Gordon, John M. Gordon and Daniel A Gordon, all of whom are officers and shareholders of the Employer.

2. Since 1967 and continuing to the present, it has been the practice of the Plans to make equipment loans (the Existing Loans) to the Employer. At the present time, there are Existing Loans outstanding in the amount of $484,000 from the Pension Plan and $1,132,000 from the Profit Sharing Plan. All of the Existing Loans were entered into prior to July 1, 1974 and are continuing pursuant to the original loan contract or a renewal thereof. The applicants are not requesting exemptive relief for the Existing Loans as they represent the Existing Loans are subject to the relief provided by section 414 of the Act. All payments of principal and interest on the Existing Loans have been paid in a timely manner. The Existing Loans are secured by security interests in over-the-road, commerical tractors and trailers purchased by the Employer for use in its wholesale distribution business and, at times, hi-lo and fork lift trucks and pallet trucks. The Employer has granted to the Plans security interests in a sufficient amount of equipment so that the fair market value of the collateral is at least equal to 125% of the Existing Loans outstanding. The specific items of equipment used as collateral are adjusted annually and the security interests in any new collateral are perfected annually. The Existing Loans are evidenced by demand promissory notes from the Employer, and are guaranteed by Paul B. Gordon and John M. Gordon.

3. The Trustees are requesting a temporary exemption for a period of 5 years during which time the Plans would be permitted to make additional equipment loans (the Proposed Loans) to the Employer. The 5-year period will begin on the date the exemption for the Proposed Loans is published in the **Federal Register** and the Proposed Loans would be subject to the following conditions.

4. The Proposed Loans will have a maximum length of 5 years and will have quarterly payments of principal and interest. The interest rate on the Proposed Loans will be at a rate equal to 1½% above the prime rate of the Michigan National Bank (the Bank) of Grand Rapids, Michigan and will be adjusted on a quarterly basis. The Proposed Loans will be secured by a security interest in certain equipment (the Equipment). The Equipment will be

over-the-road, commercial tractors and trailers, hi-lo and fork lift trucks and pallet trucks. The applicants represent that the dollar value of the Equipment will always be maintained at an amount at least equal to 150% of the dollar value of the outstanding balance of the Proposed Loans. In addition the Proposed Loans will be backed by the full faith and credit of the Employer and will be personally quaranteed by the principal shareholders of the Employer, Paul B. Gordon and John M. Gordon. The applicants represent that Paul B. Gordon and John M. Gordon each have a net worth in excess of $2,000,000. In addition, no Proposed Loan will be made by a Plan if at the time of the making of the Proposed Loan the total dollar amount of such Proposed Loan together with the dollar amount outstanding on the Existing Loans in such Plan would be greater than 25% of the dollar value of the assets of the Plan making the Proposed Loan.

5. Prior to the Plans entering into any Proposed Loan, an independent fiduciary, the Bank, will certify that such Proposed Loan would be an appropriate investment for the Plan and that the terms of such Proposed Loan are equal to or better than those which the Plan would receive in dealing with an unrelated party. The Bank will also be responsible for monitoring the fair market value of the collateral used in securing the Proposed Loans, for monitoring the payments on the Proposed Loans and for enforcing any rights the Plans have in the Proposed Loans.

6. In summary, the applicants represent that the proposed transactions meet the statutory criteria for an exemption under section 408(a) of the Act because (1) the Trustees represent that the Proposed Loans are in the best interests of the Plans; (2) the Proposed Loans will be approved and monitored by an independent party; (3) it is a temporary exemption; and (4) the Plans will receive a favorable rate of return on an adequately secured investment.

Notice to Interested Persons

Within ten days of its publication in the Federal Register a copy of the notice of pendency and a statement advising interested persons of their right to comment or request a hearing will be mailed to all participants and beneficiaries of the plans.

General Information

The attention of interested persons is directed to the following: (1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees or the employer maintaining the plan and their beneficiaries;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code;

(3) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, the restrictions of sections 406(a), 406(b)(1) and 406(b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code shall not apply: (1) For a period of 5 years to the Proposed Loans by the Plans to the Employer; and (2) for the term of the Proposed Loans to the personal guarantees of Paul B. Gordon and John M. Gordon of the obligation of the Employer in the Proposed Loans provided that the terms and conditions of the Proposed Loans are at least as favorable as those which the Plans would receive from an unrelated party in similar transactions.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 11th day of May 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 81-14628 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-29-M

[Application No. D-2039]

Proposed Exemption for Certain Transactions Involving the Semtner Companies, Inc. Profit Sharing Plan Located in Dallas, Tex.

AGENCY: Department of Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1954 (the Code). The proposed exemption would exempt the proposed $500,000 loan by the Semtner Companies, Inc. Profit Sharing Plan (the Plan) to the Semtner Companies, Inc. (the Employer), the sponsor of the Plan. The proposed exemption, if granted, would affect the participants and beneficiaries of the Plan, the Employer and other persons participating in the transaction.

DATE: Written comments and requests for a public hearing must be received by the Department on or before June 25, 1981.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20216, Attention: Application No. D-2039. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue NW., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Small of the Department, telephone (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of sections 406(a), 406(b)(1) and 406(b)(2) of the Act and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code. The proposed exemption was requested in an application filed by the Employer, pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Facts and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicant.

1. The Plan is a non-contributory profit sharing plan. As of May 27, 1980, the Plan had assets of $1,959,504 and 80 participants. The trustee of the Plan is the First National Bank in Dallas (the Trustee). The Trustee has the responsibility for making the investment decisions for the Plan.

2. Presently, the Employer has a line of credit with the Trustee in the amount of $600,000 for the construction of additional warehouse space (the Addition) which would be used in the business of the Employer. The Employer has arranged for a loan (the Trustee Loan) of $600,000 on such line of credit although no funds have been received to date. The Trustee Loan is collateralized by a first lien on certain real property (the Property) located at 400 S. Hall St. Dallas, Texas. The Property is a warehouse-office building owned by the Employer. Construction has begun on the Addition and since no funds have been advanced on the Trustee Loan the Employer is spending its own funds to meet obligations due on the construction of the Addition.

3. Since the Employer has chosen not to use any funds from the Trustee Loan, the Employer is requesting an exemption that would permit the Employer to borrow $500,000 (the Plan Loan) from the Plan to pay off the expenses it incurred in the construction of the Addition. The Plan Loan would be a 10 year loan with a repayment rate of $50,000 per year plus interest on the unpaid balance. The interest rate on the Plan Loan will be set in accordance with the rate that is normally charged in the Dallas, Texas area by lenders making similar loans, but will never be less than 12% per annum. Such interest rate will be adjusted every six months and will be determined by an independent party. Prior to the Plan entering into the Plan Loan, a party unrelated to the Plan or the Employer, Mr. John B. Gilman (Gilman) of Dallas, Texas will determine whether the Plan should enter into such loan and, if approval is given, will accept the responsibility for approving the 6 month interest adjustments as well as the monitoring of the payments on such loan. Mr. Gilman is the past president of W. D. Felder Cotton Company, Inc. located in Dallas, Texas and presently acts as a corporate agent in Dallas, Texas. In addition, the Trustee must certify that the Plan Loan is in the best interests of the participants and beneficiaries of the Plan and certify that the terms of the Plan Loan are at least equal to those which the Plan could receive in a similar transaction with an unrelated party. On April 15, 1980, the Property was appraised by an independent appraiser, Mr. G. William Maguire, M.A.I. (Maguire) located in Dallas, Texas. Maguire represented that on such date the Property had a fair market value of $1,400,000. The Employer represents that at all times during the Plan Loan, the Employer will maintain collateral for such loan in an amount equal to at least 150% of the outstanding balance of such loan.

5. In summary, the applicant represents that the proposed transaction meets the statutory criteria for an exemption under section 408(a) of the Act because (1) the Trustee represents that the Plan Loan is in the best interests of the Plan; (2) an independent party will approve and monitor the terms of the Plan Loan; (3) the Plan will receive a high rate of interest on the Plan Loan; and (4) the Plan Loan will be adequately collateralized.

Notice to Interested Persons

Within ten days of its publication in the **Federal Register** a copy of the notice of pendency and a statement advising interested persons of their right to comment or request a hearing will be mailed to all participants and beneficiaries of the Plan.

General Information

The attention of interested persons is directed to the following: (1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code;

(3) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). If the exemption is granted, the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the code shall not apply to the Plan Loan of $500,000 by the Plan to the Employer provided that the terms of such loan are at least equal to those which the Plan could receive in a similar transaction with an unrelated party.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 11th day of May 1981.

Ian D. Lanoff,

Administrator; Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor

[FR Doc. 81-14630 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-29-M

[Application No. D-2447]

Proposed Exemption for Certain Transactions Involving the Truman Arnold Distributing Company, Inc. Retirement Trust Located in Texarkana, Tex.

AGENCY: Department of Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1954 (the Code). The proposed exemption would exempt the contribution of a parcel of real property and improvements thereon by the Truman Arnold Distributing Company, Inc. (the Employer) to the Truman Arnold Distributing Company, Inc. Retirement Trust (the Plan). The property would then be leased back to the Employer. The proposed exemption, if granted, would affect the Plan, its participants and beneficiaries, the Employer and others participating in the transactions.

DATES: Written comments and requests for a public hearing must be received by the Department of Labor on or before July 1, 1981.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, Attention: Application No. D-2447. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Pograms, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue, NW., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Mr. Elliot Arditti of the Department of Labor, telephone (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of sections 406(a), 406(b)(1) and (b)(2), and 407(a) of the Act and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code. The proposed exemption was requested in an application filed on behalf of the Plan, pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Facts and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicant.

1. The Plan is a defined contribution plan with 80 participants as of March 12, 1980. Plan assets as of September 30, 1979 were $692,797 with over $410,000 of marketable securities and other liquid assets.

2. The Employer, whose home office is in Texarkana, Texas, owns and operates an interstate chain of convenience stores as well as distribution centers for petroleum products, and is the largest distributor of Conoco petroleum products in the world. Prior to July 1, 1974, the Plan purchased the land and buildings where the home office is located. Since that acquisition, the Employer and its sister corporation, Truman Arnold Transport Company, Inc. have leased this property from the Plan. In 1979, the Employer purchased a parcel of property contiguous with the original parcel of property owned by the Plan. In October of that year, the Employer finished construction of a building on that site. The purchase price of the property was $33,667 and construction costs for the building were $219,372.

3. It is now requested that the Employer be allowed to donate both the land and building to the Plan as a portion of its annual contribution, and then subsequently lease the property back to the Employer at an initial rate of $37,800 per year on a triple net basis. Any taxes, insurance, or other cost of ownership of the property will result in a corresponding increase in the amount of the lease payment. An independent appraisal of the property (discussed below) estimates the gross fair rental value of the property at $38,405 and the net rental value (after expenses) of the property at $34,560. The initial net rental income to the Plan of $37,800 exceeds the net income estimate of the appraiser.

4. An independent fiduciary, the Commercial National Bank in

Shreveport, Louisiana, (the Bank) has been appointed to monitor both the contribution and subsequent leaseback. It will have full authority and responsibility to take all actions necessary to protect the interests of the Plan. The Bank, through its President and Chief Executive Officer, James E. Burt III represents that it is a metropolitan financial institution with over $700 million in assets. It maintains no financial or other relationship with either the Employer or Mr. Truman Arnold individually. The Bank has reviewed the proposed transaction and has determined that the transaction is in the best interests of the Plan and its participants and beneficiaries.

5. An appraisal of the subject property was prepared by Jim Freeman, ASA, CA–S, of P. M. Brown Realtors, Inc. of Texarkana, Texas. Mr. Freeman appraised the property as of November 17, 1980, at $270,000 with the land being valued at $42,300 and the improvements being valued at $227,700. This is an increase of $15,000 over an appraisal completed by Mr. Freeman in February, 1980 covering the same parcel and the improvements on it. In an addendum to the updated appraisal, it was represented by P. M. Brown Realtors, Inc. that the subject property is a multipurpose property that can be easily converted to other uses should the need arise.

6. It is requested that the new facilities be leased to the Employer until September 30, 1984, with three additional five year renewable options exercisable solely at the discretion of the Bank. The monthly lease payment will be established by an independent appraisal conducted once every three years. The Bank will be responsible for selecting the independent appraiser to conduct these appraisals. In no event will the lease payment be less than that of the preceding three year period or less than 14% of the fair market value of the property as established by the independent appraisal. The Employer and Mr. Truman Arnold, individually, agree to indemnify the Plan against any decline in the market value of the property below the Plan's original historical cost basis.

7. The applicant states that this proposed exemption relates solely to the lease of the property to be contributed to the Plan and in no way affects the lease of any property owned by the Plan prior to July 1, 1974. It is fully understood that appropriate action relating to the property under lease prior to July 1, 1974 will have to be taken prior to June 30, 1984 due to the transitional rules contained in section 414 of the Act.

8. In summary, the applicant represents that the proposed contribution of a parcel of real property and the improvements thereon, to the Plan, and the subsequent leaseback of the property to the Employer meets the statutory criteria for an exemption under section 408(a) of the Act because (a) the Bank, as fiduciary for the Plan will take all actions necessary to protect the interest of the Plan, and will have sole and absolute control over the property including, but not limited to the collection of lease payments and the sale or other disposition of the property; (b) the monthly lease payment will be set pursuant to an appraisal conducted once every three years by an independent appraiser who will be selected by the Bank; (c) the lease payments are guaranteed not to fall below those of the preceding three year period or, at a minimum, below 14% of the fair market value of the property; and (d) the Bank represents that the proposed transaction is in the best interest of the Plan and its participants and beneficiaries.

Notice to Interested Persons

Within fifteen days of publication in the **Federal Register**, notice of the proposed exemption will be sent to all Plan participants and beneficiaries with their payroll checks or by U.S. Mail. The notice will include a copy of this notice as published in the **Federal Register** and will be accompanied with a statement that any interested person may comment and/or request that a hearing be held.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code;

(3) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a probibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, the restrictions of sections 406(a), 406(b)(1) and (b)(2), and 407(a) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code shall not apply to the contribution of a parcel of property and the improvements thereon located at South Robison Road, Texarkana, Texas, to the Plan by the Employer, and the subsequent leaseback of that property to the Employer, provided the contribution is valued at its fair market value on the date contributed and the terms of the lease are no less favorable to the Plan than

terms obtainable in an arms-length transaction with an unrelated party.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transactions to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 11th day of May, 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 81-14631 Filed 5-14-81; 8:45 am]

BILLING CODE 4510-29-M

NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES

Humanities Panel; Meetings

AGENCY: National Endowment for the Humanities.

ACTION: Notice of Meetings.

SUMMARY: Pursuant to the provision 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 NW., Washington, DC 20506:

Date: June 1-2, 1981.
Time: 9:00 a.m. to 5:30 p.m.
Room: 807.
Program: This meeting will review applications submitted for Elementary and Secondary Education Program, for projects beginning October 1, 1981.

Date: June 4-5, 1981.
Time: 9:00 a.m. to 5:30 p.m.
Room: 807.
Program: This meeting will review applications submitted for Elementary and Secondary Education Program, for projects beginning October 1, 1981.

Date: June 9-10, 1981.
Time: 9:00 a.m. to 5:30 p.m.
Room: 807.
Program: This meeting will review applications submitted for Elementary and Secondary Education Program, for projects beginning October 1, 1981.

Date: June 11-12, 1981.
Time: 9:00 a.m. to 5:30 p.m.
Room: 1023.
Program: This meeting will review applications submitted for Pilot Grants, Division of Education, for projects beginning after October 1, 1981.

Date: June 15-16, 1981.
Time: 9:00 a.m. to 5:30 p.m.
Room: 1023.
Program: This meeting will review applications submitted for Pilot Grants, Division of Education, for projects beginning after October 1, 1981.

The proposed meetings are 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 meetings 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 would constitute a clearly unwarranted invasion of personal privacy;

(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 these meetings will be closed to the public pursuant to subsection (c) (4), (6) and (9)(B) of section 552b Title 5, United States Code.

Furthur information about these meetings can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, DC 20506, or call (202) 724-0367.

Stephen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 81-14737 Filed 5-14-81; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Minority Programs in Science Education; Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Advisory Committee for Minority Programs in Science Education.
Date and Time: May 28, 1981—1:30 to 5:00 p.m.
Place: National Science Foundation, Room 540, 1800 G Street NW., Washington, D.C. 20550.
Type of Meeting: Open.
Contact Person: Dr. Alphonse Buccino, Director, Office of Program Integration, Directorate for Science and Engineering Education, National Science Foundation, Washington, D.C. 20550 (202) 282-7947.
Summary Minutes: May be obtained from the Contact Person, Dr. Alphonse Buccino, at the above stated address.
Purpose of Meeting: To provide advice regarding minority programs in science education.
Agenda: Consideration of issues regarding Minority Programs in Science Education of interest to the new NSF Committee on Equal Opportunities in Science and Technology.

Reason for late notice: This meeting is planned to immediately follow the first meeting of the new Committee on Equal Opportunities in Science and Technology in order to optimize coordination of the two committees and facilitate transfer of responsibilities.

M. Rebecca Winkler,

Committee Management Coordinator.

May 12, 1981.

[FR Doc. 81-14704 Filed 5-14-81; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee on Metal Components; Addition to Agenda

The following changes have been made to the agenda of the ACRS Subcommittee on Metal Components scheduled for May 19, 1981 which was published Wednesday, April 29, 1981 (46 FR 24047).

(1) The meeting will start at 9:30 a.m. instead of 8:30 a.m.

(2) The Subcommittee will discuss the failures of safety related bolts and bolt assemblies in operating plants as well as discussion of bolt design criteria for plants under construction or plants being designed. In addition, safety issue TASK A-12, Fracture Toughness of Supports will also be discussed. The Subcommittee will also discuss with the NRC Staff thermal shock considerations with regards to reactor pressure vessel integrity.

All other items regarding this meeting remain the same as announced in the **Federal Register** published Wednesday, April 29, 1981, including the location (Room 1046, 1717 H Street NW., Washington, D.C.).

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: May 11, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81-14657 Filed 5-14-81; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Nuclear Safety Research Program; Meeting

The ACRS Subcommittee on the Nuclear Safety Research Program will hold a meeting on June 3, 1981, 8:30 a.m., in Room 1046, 1717 H Street, NW., Washington, D.C. The Subcommittee will discuss the fiscal year 1983 NRC Safety Research Programs and the associated budget. The Subcommittee will discuss also the draft chapters of the ACRS Report to the Commission on NRC's fiscal year 1983 Safety Research Program and Budget.

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 the Subcommittee finds it necessary to discuss information regarding the fiscal year 1983 NRC Safety Research Program and Budget (Sunshine Act Exemption (9)(B)). 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:

Wednesday, June 3, 1981, 8:30 a.m. until the conclusion of business.

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. Sam Duraiswamy (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EDT.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting. The authority for such closure is Exemption (9)(B) to the Sunshine Act, 5 U.S.C. 552b(c)(9)(B).

Dated: May 12, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81-14656 Filed 5-14-81; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Reliability and Probabilistic Assessment; Meeting

The ACRS Subcommittee on the Reliability and Probabilistic Assessment will hold a meeting on June 3, 1981, 3:30 p.m., in Room 1167, 1717 H Street, NW., Washington, DC. The Subcommittee will discuss the portions of the proposed NRC Safety Research Program relating to reliability and probabilistic assessment and the associated budget for FY 1983.

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 the Subcommittee finds it necessary to discuss information regarding the FY 1983 NRC Safety Research Program and Budget (Sunshine Act Exemption (9)(B)). 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:

Wednesday, June 3, 1981, 3:30 p.m. until the conclusion of business.

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. J. Michael Griesmeyer (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EDT. The Designated Federal Employee for this meeting is Mr. Gary Quittschreiber.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting. The authority for such closure is Exemption (9)(B) to the Sunshine Act, 5 U.S.C. 552b(c)(9)(B).

Dated: May 12, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81-14659 Filed 5-14-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-341]

Availability of the Draft Environmental Statement for the Enrico Fermi Atomic Power Plant, Unit No. 2

Notice is hereby given that the Draft Environmental Statement (NUREG-0769) related to the operation of the Enrico Fermi Atomic Power Plant, Unit No. 2 by the Detroit Edison Company has been prepared by the Commission's Office of Nuclear Reactor Regulation. The Enrico Fermi Atomic Power Plant is located on Lake Erie in Monroe County, Michigan.

The Draft Environmental Statement (NUREG-0769) is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555 and in the Monroe County Library System, Reference Department, 3700 South Custer Road, Monroe, Michigan 48161. The Draft Environmental Statement is also being made available at the Office of Intergovernmental Relations, Department of Management and Council of Governments, 8th Floor, Book Building, 1249 Washington,

Boulevard, Detroit, Michigan 48226. Request for copies of NUREG–0769 should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Technical Information and Document Control.

Interested persons may submit comments on this statement for the Commission's consideration. Federal, State and specified local agencies are being provided with copies of this Draft Environmental Statement (local agencies may obtain these documents upon request).

Comments by Federal, State and local officials, or other members of the public received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and in the Monroe County Library System, Reference Department, 3700 South Custer Road, Monroe, Michigan 48161. Upon completion of comments submitted with respect to the Draft Environmental Statement, NUREG–0769, the Commission's staff will prepare a Final Environmental Statement, the availability of which will be published in the **Federal Register**. Comments are due by June 29, 1981.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 8th day of May, 1981.

For the Nuclear Regulatory Commission.

B. J. Youngblood,

Chief, Licensing Branch No. 1, Division of Licensing.

[FR Doc. 81-14660 Filed 5-14-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-382]

Availability of the Draft Environmental Statement for Waterford Steam Electric Station, Unit 3

Notice is hereby given that a Draft Environmental Statement (NUREG–0779) has been prepared by the Commission's Office of Nuclear Reactor Regulation related to the proposed operation of the Waterford Steam Electric Station, Unit 3 by the Louisiana Power and Light Company. The proposed station is located in St. Charles Parish, Louisiana.

This Draft Environmental Statement (DES) addresses the aquatic, terrestrial, radiological, social and economic costs and benefits associated with normal station operation. Also considered are station accidents, their likelihood of occurrence and their consequences. Finally, the statement presents an updated discussion of need for the facility based on information available in 1980.

This DES is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and in the University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana. Request for copies of the DES should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Technical Information and Document Control.

Interested persons may submit comments on this DES for the Commission's consideration. Federal, State, and specified local agencies are being provided with copies of the DES (local agencies may obtain these documents upon request).

Comments by Federal, State and local officials, or other members of the public received by the Commission will be made available for public inspection at the Comission's Public Document Room in Washington, D.C. and the University of New Orleans Library. After consideration of the comments submitted on the DES the Commission's staff will prepare a Final Environmental Statement, the availability of which will be published in the **Federal Register**. Comments are due by June 29, 1981.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 8th day of May, 1981.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Acting Chief, Licensing Branch No. 3, Division of Licensing.

[FR Doc. 81-14661 Filed 5-14-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-395 OL]

South Carolina Electric and Gas Co., et al. (Virgil C. Summer Nuclear Station, Unit 1); Assignment of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(2), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this operating license proceeding: Alan S. Rosenthal, Chairman, Dr. John H. Buck, Christine N. Kohl.

Dated: May 11, 1981.

C. Jean Bishop,

Secretary to the Appeal Board.

[FR Doc. 81-14662 Filed 5-14-81; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

Federal Employees Health Benefits Program; Termination of Group Health of El Paso's Participation in the Program

AGENCY: Office of Personnel Management.

ACTION: Notice of health plan termination.

SUMMARY: Pursuant to the authority contained in Section 8902 of Title 5, United States Code, the Office of Personnel Management hereby announces that the participation of Group Health of El Paso, Incorporated, El Paso, Texas, in the Federal Employees Health Benefits (FEHB) Program has been terminated.

EFFECTIVE DATE: April 18, 1981.

FOR FURTHER INFORMATION CONTACT: Mary Saunders, Compensation Group, Comprehensive Plans Division, Washington, D.C. 20415, 202–632–6177.

SUPPLEMENTARY INFORMATION: Due to the termination of Group Health of El Paso effective April 18, 1981, each Federal employee or annuitant enrolled in the plan who wishes to continue coverage under the FEHB Progam must change to another plan offered in the enrollment area of the plan, which is El Paso County, Texas. The effective date of the change will be the first day of the first pay period beginning on or after April 18, 1981. To effect this change in health plans, the employee or annuitant should submit a completed Standard Form 2809 to his or her personnel office or retirement system.

Office of Personnel Management.

Kurt M. Springmann,

Assistant Issuance System Manager.

[FR Doc. 81-14604 Filed 5-14-81; 8:45 am]

BILLING CODE 6325-01-M

Federal Employees Health Benefits Program; Termination of South County Health Care Plan's Participation in the Program

AGENCY: Office of Personnel Management.

ACTION: Notice of health plan termination.

SUMMARY: Pursuant to the authority contained in Section 8902 of Title 5, United States Code, the Office of Personnel Management hereby announces that the participation of the South County Health Care Plan, Annapolis, Maryland, in the Federal Employees Health Benefits (FEHB) Program has been terminated. The South County plan was a participating plan under the Blue Cross and Blue Shield Comprehensive Medical Plans Network.

EFFECTIVE DATE: April 18, 1981.

FOR FURTHER INFORMATION CONTACT: Mary C. Workman, Compensation Group, Comprehensive Plans Division, Washington, D.C. 20415, 202–632–6177.

SUPPLEMENTARY INFORMATION: Due to the termination of the South County Health Care Plan effective April 18, 1981, each Federal employee or annuitant enrolled in the plan who wishes to continue coverage under the FEHIB Program must change to another plan offered in the area. The effective date of the change will be the first day of the first pay period beginning on or after April 18, 1981. To effect this change in health plans, the employee or annuitant should submit a completed Standard Form 2809 to his or her personnel office or retirement system.

OFFICE OF PERSONNEL MANAGEMENT.

Kurt M. Springmann,

Assistant Issuance System Manager.

[FR Doc. 81-14603 Filed 5-14-81; 8:45 am]

BILLING CODE 6325-01-M

Privacy Act of 1974; Amendment to an Existing Routing Use

AGENCY: Office of Personnel Management.

ACTION: Notice; proposed amendment to a routing use for an existing system of records.

SUMMARY: The purpose of this document is to propose an amendment to a routine use for the Office's General Personnel Records system (OPM/GOVT–1). The amended routine use, once in effect, will permit the disclosure of data from the Official Personnel Folder (or other record covered by OPM/GOVT–1) to an agency, either in response to an agency's request, or at the initiation of the agency maintaining the record, when information is needed for a lawful, statutory, administrative, or investigative purpose of either agency.

COMMENT DATE: Any interested party may submit written comments regarding this proposal. To be considered, comments must be received on or before June 15, 1981.

ADDRESS: Address comments to: Deputy Assistant Director for Work Force Information, Office of Personnel Management (Room 6429), 1900 E Street, N.W., Washington, D.C. 20415. Comments received will be available for public inspection at the above address from 9 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: John Sanet, Work Force Records Management Branch (202) 254–9790.

SUPPLEMENTARY INFORMATION: The published description of the affected system, General Personnel Records (OPM/GOVT–1), appears in the Federal Register of November 25, 1980 (45 FR 78415) as routine use "m" (45 FR 78417.

Background

Recently the General Counsel's office of the Federal Aviation Administration (FAA), U.S. Department of Transportation, informed OPM that the National Transportation Safety Board (NTSB) has encountered difficulty in obtaining the Official Personnel Folders (OPFs) of Air Traffic Controllers employed by FAA. These OPFs are needed by the NTSB in order to carry out its lawful investigative functions concerning transportation accidents. While the FAA recognizes NTSB's need to review the records of the Air Traffic Controllers (training records in particular), FAA believes that these records currently cannot be provided due to the disclosure prohibitions of the Privacy Act.

As system manager for OPM/GOVT–1 General Personnel Records system that includes the OPF, OPM was requested by FAA to determine whether records within that system of records could be disclosed at the present time. If these records currently could not be disclosed, FAA requested that OPM publish a routine use to permit the disclosure of information in these types of situations.

OPM determined that the disclosure prohibitions of the Privacy Act do not presently permit the FAA to make the OPFs of its employees available to the NTSB. The FAA proffered language to OPM to establish a routine use that would allow a Federal agency to provide an official of another Federal agency information needed to perform his or her official duties regarding the investigation of any transportation accident within its jurisdiction.

It is OPM's judgement that, rather than establish a specific routine use to only cover investigations of transportation accidents, a revision of routine use "m" to OPM/GOVT–1 is appropriate. At the present time, routine use "m" permits and agency to disclose information to a requesting agency in connection with the hiring of an individual, the issuing of a security clearance, the conducting of a security or suitability investigation, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency when the information is relevant and necessary to the requesting agency's decision on the involved matter before it.

Under the proposed amendment to the existing routine use, and agency will be permitted to provide to another agency in the executive, legislative, or the judicial branch, or the District of Columbia Government, information it possesses, either in response to a request or at the initiation of the agency maintaining the material, information in connection with the lawful statutory, administrative, or investigative purposes of the agency.

By amending routine use "m," an agency will be able to either provide to, or obtain from, another agency information from those records located with the OPM/GOVT–1 system, when it is needed to accomplish a lawful purpose of that agency if that disclosure of this record (i.e., the use of the record) is compatible with the purpose for which it is collected.

This proposed amendment is designed to cover those instances where an agency is charged with investigating a situation and needs access to certain material within OPM/GOVT–1 system of records, or where the agency possessing the record does not have authority to investigate a particular situation, but knows of another agency that has such authority, yet the level of the situation is not at such a stage that a potential violation of civil or criminal law is evident. (In the latter circumstance, routine use "k" for this system of records would permit disclosure of material without the data subject's prior consent.)

Amendment to an existing routine use: The language that follows will be substituted for the present routine use "m" (which will be amended by the adoption of this notice) in the Office of Personnel Management's General Personnel Rcords system (OPM/GOVT–1). The current notice of this sysem is published at 45 FR 78378 et seq. and routine use "m" is specifically published at 45 FR 78417 (November 25, 1980). The amended routine use "m" reads as follows:

* * * * *

m. To disclose to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government in response to its request, or at the initiation of the agency maintaining the records, information in connection with the hiring of an employee; the issuance of a security clearance; the conducting of a security or suitability investigation of an individual; the classifying of jobs; the letting of a contract; the issuance of a license, grant, or other benefit by the requesting agency; or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

The comment period on this change to an existing routine use ends at the close of business 30 days after the date of this notice (June 15, 1981). Unless a notice to the contrary is published, this amendment to routine use "m" will become effective 30 days after the end of the comment period. When this change to an existing routine use becomes effective, the present routine use "m" for this system of records will cease to exist.

Office of Personnel Management.

Kurt M. Springmann,

Assistant Issuance System Manager.

[FR Doc. 81-14742 Filed 5-14-81; 8:45 am]

BILLING CODE 6325-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 11769; 812-4858]

Active Assets Government Securities Trust; Filing of Application for Order Exempting Applicant

May 11, 1981.

Notice is hereby given that Active Assets Government Securities Trust ("Applicant"), Five World Trade Center, New York, New York 10048, an open-end, diversified, management company registered under the Investment Company Act of 1940 ("Act"), filed an application on application on April 7, 1981, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a–4 and 2c–1 thereunder, to the extent necessary to permit Applicant to value its assets using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was organized as a Massachusetts business trust on March 30, 1981, and that its investment adviser is Dean Witter Reynolds InterCapital Inc. ("Adviser"). Applicant further states that its shares will be offered exclusively to participants in the Active Assets Account program ("AAA") of Dean Witter Reynolds Inc. ("Dean Witter"), a broker-dealer registered under the Securities Exchange Act of 1934. According to the application, an AAA account will be an integrated financial services account offered by Dean Witter to its customers, which will permit a customer to effectively utilize the free credit cash balances in his or her Dean Witter securities margin account ("Securities Account") by automatically investing such balances on a daily basis in the fund (three will be offered one of which is the Applicant) of his or her choice and earning a return on the investment pending utilization of such monies either in the Securities Account or through a VISA check/credit card account maintained by Bank One of Columbus, N.A., Columbus, Ohio.

Applicant represents that its investment objective is to provide as high a level of current income consistent with preservation of capital and maintenance of liquidity by investing in a variety of money market instruments maturing in one year or less. Applicant states that it intends to invest in securities guaranteed or issued by the United States Government or its agencies or instrumentalities and certificates of deposit issued by United States regulated banks and savings and loan associations and fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. According to the application, Applicant may also enter into repurchase agreements with respect to its portfolio securities, but that any repurchase agreements maturing in more than seven days are limited to 10% of Applicant's total assets. Applicant further states that it may enter into reverse repurchase agreements with respect to its portfolio securities.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by an investment company's board of directors.

Rule 22c–1 provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security.

Rule 2a–4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purpose of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a–4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by an investment company's board of directors. Prior to the filing of the application, the Commission expressed its view that, among other things, Rule 2a–4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and it would be inconsistent generally with the provisions of Rule 2a–4 for a "money market" fund to value its portfolio instruments with over 60-day maturities on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Applicant requests an exemption from the provisions of Section 2(a)(41) of the Act, and Rules 2a–4 and 22c–1 thereunder, to the extent necesssary to permit it to value its portfolio securities using the amortized cost method of valuation. In support of its request, Applicant represents that its board of trustees has determined that, absent unusual circumstances, amortized cost value represents fair value of its portfolio securities and that the amortized cost method of valuation is preferable and appropriate for the Applicant. Applicant states that valuation of its assets on the amortized cost basis enables the maintenance of a stable price per share while at the same time allows a flow of investment income less subject to fluctuation than under procedures whereby dividends are to be adjusted by realized and unrealized gains and losses, and thus will benefit its shareholders. Applicant further states that maintaining a constant net asset value per share by utilizing the amortized cost method of valuation will facilitate the proper functioning of the

AAA program. In addition, Applicant states that it is the Adviser's experience with respect to securities within the Applicant's investment policy, that there is a negligible discrepancy between market value and the amortized cost value of a security maturing in 120 days or less.

Section 6(c) of the Act provides, in part, that upon application the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that its application meets the standards of Section 6(c) of the Act in light of its management policies, and consents to the imposition of the following conditions to any order granting the requested relief:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, the board of trustees of Applicant undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at $1.00 per share.

2. Included within the procedures to be adopted by the board of trustees of the Applicant shall be the following:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from the $1.00 amortized cost price per share, and the maintenance of records of such review.[1]

(b) In the event such deviation from the $1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes the extent of any deviation from the $1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments; withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share: *Provided, however,* That Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.[2]

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1 above, and will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of its board of trustees' considerations and actions taken in connection with the discharge of their responsibilities, as set forth above, to be included in the minutes of the boards of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which its board of trustees determines present minimal credit risks, and which are of "high quality" as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by its board of directors.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N–1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than June 5, 1981, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14673 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[1] To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of money market instruments published by reputable sources.

[2] In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

[Release No. 11770; 812-4857]

Active Assets Money Trust; Filing of Application for Order Exempting Applicant

May 11, 1981.

Notice is hereby given that Active Assets Money Trust ("Applicant"), Five World Trade Center, New York, New York 10048, an open-end, diversified, management company registered under the Investment Company Act of 1940

("Act"), filed an application on April 7, 1981, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a–4 and 22c–1 thereunder, to the extent necessary to permit Applicant to value its assets using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was organized as a Massachusetts business trust on March 30, 1981, and that its investment adviser is Dean Witter Reynolds InterCapital Inc. ("Adviser"). Applicant further states that its shares will be offered exclusively to participants in the Active Assets Account program ("AAA") of Dean Witter Reynolds Inc. ("Dean Witter"), a broker-dealer registered under the Securities Exchange Act of 1934. According to the application, an AAA account will be an integrated financial services account offered by Dean Witter to its customers, which will permit a customer to effectively utilize the free credit cash balances in his or her Dean Witter securities margin account ("Securities Account") by automatically investing such balances on a daily basis in the fund of his or her choice (three will be offered one of which is the Applicant) and earning a return on the investment pending utilization of such monies either in the Securities Account or through a VISA check/credit card account maintained by Bank One of Columbus, N.A., Columbus, Ohio.

Applicant represents that its investment objective is to provide as high a level of current income as is consistent with preservation of capital and maintenance of liquidity by investing in a variety of money market instruments maturing in one year or less. Applicant states that it intends to invest in United States Government securities, bank obligations, commercial paper and corporate obligations maturing in one year or less and certificates of deposit issued by United States regulated banks and savings and loan institutions and which are fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. According to the application, Applicant may also enter into repurchase agreements with respect to its portfolio securities, but that any repurchase agreements maturing in more than seven days are limited to 10% of Applicant's total assets.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by an investment company's board of directors.

Rule 22c–1 provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security.

Rule 2a–4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purpose of distribution, redemption and repurchase shall be an amount that reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a–4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by an investment company's board of directors. Prior to the filing of the application, the Commission expressed its view that, among other things, Rule 2a–4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and it would be inconsistent generally with the provisions of Rule 2a–4 for a "money market" fund to value its portfolio instruments with over 60-day maturities on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Applicant requests an exemption from the provisions of Section 2(a)(41) of the Act, and Rules 2a–4 and 22c–1 thereunder, to the extent necessary to permit it to value its portfolio securities using the amortized cost method of valuation. In support of its request, Applicant represents that its board of trustees has determined that, absent unusual circumstances, amortized cost value represents fair value of its portfolio securities and that the amortized cost method of valuation is preferable and appropriate for the Applicant. Applicant states that valuation of its assets on the amortized cost basis enables the maintenance of a stable price per share while at the same time allows a flow of investment income less ms, and thus will benefit its shareholders. Applicant further states that maintaining a constant net asset value per share by utilizing the amortized cost method of valuation will facilitate the proper functioning of the AAA program. In addition, Applicant states that it is the Adviser's experience with respect to securities within the Applicant's investment policy, that there is a negligible discrepancy between market value and the amortized cost value of a security maturing in 120 days or less.

Section 6(c) of the Act provides, in part, that upon application the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that its application meets the standards of Section 6(c) of the Act in light of its management policies, and consents to the imposition of the following conditions to any order granting the requested relief:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to applicant's investment adviser, the board of trustees of Applicant undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at $1.00 per share.

2. Included within the procedures to be adopted by the board of trustees of the Applicant shall be the following:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from the $1.00 amortized cost price per share,

and the maintenance of records of such review.[1]

(b) In the event such deviation from the $1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes the extent of any deviation from the $1.00 amortized cost price per share may result in material dilution or other unfail results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments, withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share: *Provided, however,* That Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio which exceeds 120 days.[2]

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1 above, and will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of its board of trustees' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the boards of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which its board of trustees determines present minimal credit risks, and which are of "high quality" as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by its board of trustees.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N–1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than June 5, 1981, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14074 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[1] To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of money market instruments published by reputable sources.

[2] In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

[Release No. 11771; 812-4856]

Active Assets Tax-Free Trust; Filing of Application for Order

May 11, 1981.

Notice is hereby given that Active Assets Tax-Free Trust ("Applicant"), Five World Trade Center, New York, New York 10048, an open-end, diversified, management company registered under the Investment Company Act of 1940 ("Act"), filed an application on April 7, 1981, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a–4 and 22c–1 thereunder, to the extent necessary to permit Applicant to value its assets using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was organized as a Massachusetts business trust on March 30, 1981, and that its investment adviser is Dean Witter Reynolds Inter Capital Inc. ("Adviser"). Applicant further states that its shares will be offered exclusively to participants in the Active Assets Account program ("AAA") of Dean Witter Reynolds Inc. ("Dean Witter"), a broker-dealer registered under the Securities Exchange Act of 1934. According to the application, an AAA account will be an integrated financial services account offered by Dean Witter to its customers that will permit a customer to effectively utilize the free credit cash balances in his or her Dean Witter securities margin account ("Securities Account") by automatically investing such balances on a daily basis in the fund (three will be offered one of which is the Applicant) of his or her choice and earning a return on the investment pending utilization of such monies either in the Securities Account or through a VISA check/credit card account maintained by Bank One of Columbus, N.A., Columbus, Ohio.

Applicant represents that its investment objective is to provide as high a level of daily income exempt from Federal income tax as is consistent with stability of principal and maintenance of liquidity. Applicant states that it intends to invest at least 80 percent of its assets in municipal bonds with remaining maturity of less than one year and which are rated, on the date of purchase, Aaa or Aa by Moody's Investors Service, Inc. ("Moody's") or AAA or AA by Standard & Poor's

Corporation ("S&P"); municipal notes rated MIG–1 or MIG–2 by Moody's on the date of purchase; and municipal commercial paper rated P–1 or P–2 by Moody's or A–1 or A–2 by S&P. Applicant further states that should any of these securities be not rated, Applicant will only invest in them if they are determined to be of comparable quality as determined by its board of trustees. According to the application, Applicant may also enter into repurchase agreements with respect to its portfolio securities, but that any repurchase agreements maturing in more than seven days are limited to 10 percent of Applicant's total assets. Applicant further states that it may purchase securities on a "when-issued" basis. Applicant states that it may invest in taxable securities under one or more of the following circumstances: to maintain a defensive posture, to maintain liquidity for the purpose of meeting redemptions, pending settlement of purchases of portfolio securities and pending investment of proceeds of sale of its shares or of portfolio securities.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by an investment company's board of directors.

Rule 22c–1 provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security.

Rule 2a–4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purpose of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a–4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by an investment company's board of directors. Prior to the filing of the application, the Commission expressed its view that, among other things, Rule 2a–4 under the Act requires that portfolio instruments of "money market" funds be valued with references to market factors, and it would be inconsistent generally with the provisions of Rule 2a–4 for a "money market" fund to value its portfolio instruments with over 60–day maturities on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Applicant requests an exemption from the provisions of Section 2(a)(41) of the Act, and Rules 2a–4 and 22c–1 thereunder, to the extent necessary to permit it to value its portfolio securities using the amortized cost method of valuation. In support of its request, Applicant represents that its board of trustees has determined that, absent unusual circumstances, amortized cost value represents fair value of its portfolio securities and that the amortized cost method of valuation is preferable and appropriate for the Applicant. Applicant states that valuation of its assets on the amortized cost basis enables the maintenance of a stable price per share while at the same allows a flow of investment income less subject to fluctuation than under procedures whereby dividends are to be adjusted by realized and unrealized gains and losses, and thus will benefit its shareholders. Applicant further states that maintaining a constant net asset value per share by utilizing the amortized cost method of valuation will facilitate the proper functioning of the AAA program. In addition, Applicant states that it is the Adviser's experience with repect to securities within the Applicant's investment policy, that there is a negligible discrepancy between market value and the amortized cost value of a security maturing in 120 days or less.

Section 6(c) of the Act provides, in part, that upon application the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that its application meets the standards of Section 6(c) of the Act in light of its management policies, and consents to the imposition of the following conditions to any order granting the requested relief:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, the board of trustees of Applicant undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at $1.00 per share.

2. Included within the procedures to be adopted by the board of trustees of the Applicant shall be the following:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from the $1.00 amortized cost price per share, and the maintenance of records of such review.[1]

(b) In the event such deviation from the $1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes the extent of any deviation from the $1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments; withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per

[1] To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of money market instruments published by reputable sources.

share; provided, however, that Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.[2]

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1 above, and will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of its board of trustees' considerations and actions taken in connection with the discharge of their responsibilities, as set forth above, to be included in the minutes of the boards of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which its board of trustees determines present minimal credit risks, and which are of "high quality" as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by its board of trustees.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N-1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than June 5, 1981, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14675 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[2] In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

[Release No. 17786; SR-Amex-81-5]

American Stock Exchange, Inc.; Order Approving Proposed Rule Change

May 8, 1981.

On April 7, 1981, the American Stock Exchange, Inc. ("Amex"), 86 Trinity Place, New York, New York 10006, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) ("Act") and Rule 19b-4 thereunder, copies of a proposed rule change which amends its rules to provide for the implementation and operation of the Opening Automated Report Service ("OARS"), an electronic system to store and automatically report executions of market orders for equity securities received before the opening of trading.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by issuance of a Commission Release (Securities Exchange Act Release No. 17710, April 13, 1981), and by publication in the Federal Register (46 FR 22519, April 17, 1981). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requriements of Section 6 and the rules and regulations thereunder.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of the notice of filing thereof, in that the system proposed by the Amex is identical to one proposed and implemented by the New York Stock Exchange, Inc. ("NYSE") which previously was published for public comment for the requisite number of days.[1] No comments were received with respect to that filing.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14676 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17766; 812-4828]

Anchor National Life Insurance Co. and Interplan Variable Account; Application for an Order Granting Exemptions

May 8, 1981.

Notice is hereby given that Anchor National Life Insurance Company (the "Company"), a stock life insurance company established under the laws of the State of California, and Interplan Variable Account (the "Variable Account"), Camelback at 22nd Street, Phoenix, Arizona, a separate account of the Company registered under the Investment Company Act of 1940 ("Act") as an open-end management investment company, (hereinafter "Applicants") filed an application on February 23, 1981 and an amendment thereto on April 14, 1981 for an order of the Commission pursuant to Section 6(c) of the Act granting exemptions from Sections 2(a)(32), 2(a)(35), 22(c), 27(c)(1), 27(c)(2), 27(d) of the Act and Rule 22c-1 thereunder, to the extent necessary, to permit the transactions described below. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

[1] Notice of the NYSE proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 34-17014, July 20, 1980) and by publication in the Federal Register (45 FR 51326, August 1, 1980). Notice of the order approving the NYSE rule change was given by a Commission Release (Securities Exchange Act Release No. 17132, September 8, 1980).

Background

Anchor National Life Insurance Company is a stock life insurance company organized under the laws of the State of California in April, 1965. The Company established the Variable Account on November 18, 1977 pursuant to the provisions of California law. The Variable Account was established to act as the funding entity for the Individual Single Purchase Payment Variable Annuity Contracts ("Contracts") to be issued by the Company.

Purchase payments under the Contracts will be allocated to the Variable Account. The Variable Account invests in an internationally diversified portfolio of fixed income securities denominated in foreign currencies as well as the U.S. dollar.

The Contracts may be purchased under a Single Purchase Payment Plan for a minimum purchase payment of $5,000. Subsequent purchase payments may be made only with the consent of the Company.

The Contracts will be offered without the imposition of a sales charge deduction at time of sale. However, the Contracts contain a provision which imposes a deferred sales charge in the event there is a surrender in the early years of the Contract. The charge is referred to as a Contingent Deferred Sales Charge ("Charge") and is intended to reimburse the Company for expenses incurred which are related to Contract sales. The Charge is deducted, except as noted below, in the event of a partial or complete surrender.

It is equal to five percent (5%) of the lesser of purchase payments made during the seven (7) years immediately preceding the valuation period during which request for surrender is received by the Company or the amount surrendered. During any Contract Year on a non-cumulative basis the Contract Owner may, not more frequently than annually, surrender an amount up to ten percent (10%) of the Contract Value without incurring a Charge; any surrender in excess thereof will be subject to the applicable Charge.

The Contracts will be sold by licensed insurance agents in those states where the Contracts may be lawfully sold. Such agents will be registered representatives of broker-dealers registered under the Securities Exchange Act of 1934 which are members of the National Association of Securities Dealers, Inc. The Bank of New York, or its London branch, acts as custodian of all securities and cash of the Variable Account purchased or obtained outside the United States, except securities purchased in the Pacific Basin which will be held by a sub-custodian.

The Company has primary responsibility for all administration of the Contracts. The Company purchases Contract administrative services from Bradford Trust Company of Boston ("Contract Administrator"). As compensation for its services, the Contract Administrator is paid on a monthly basis a Contract Administrative Charge by the Variable Account at an annual rate of $25 per Contract in force. The Company also deducts premium taxes where applicable. Finally, a Mortality Risk Premium is charged against the Variable Account and deducted on a daily basis which is equal on an annual basis to 1.25% of the average net asset value of the Variable Account.

Applicants agree that if the exemptions requested in the application are granted they shall remain in effect only so long as there is no increase in such charges.

Contingent Deferred Sales Charge

Section 2(a)(35)

Section 2(a)(35) defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested or held for investment by the issuer less any portion of such difference deducted for trustees' or custodians' fees, insurance premiums, issue taxes or administrative expenses or fees which are not properly chargeable to sales or promotional expenses.

Applicants submit that the proposed Charge is consistent with the intent of the definition of sales load contained in the Act. The Charge would be imposed by the Company to reimburse it for expenses related to the sale of the Contracts, which the Applicants submit is within the Section 2(a)(35) definition of sales load but for the timing of the imposition of the charge.

Nevertheless, Applicants have requested an exemption from the provisions of Section 2(a)(35) to the extent such exemption may be necessary to implement the proposed pricing of their Contracts.

Section 22(c) and Rule 22c-1

Rule 22c-1, promulgated under Section 22(c) of the Act, in pertinent part, prohibits a registered investment company issuing a redeemable security from selling, redeeming or repurchasing any such security except at a price based on the current net asset value of such security. When the Contract Owner withdraws all or a part of the Contract Value, the proceeds paid on such surrender will be based on the current net asset value. The Charge will be deducted at the time of redemption in arriving at the Contract Owner's proportionate share or account value.

While Applicants do not believe that the imposition of the Charge is violative of Section 22(c) or Rule 22c-1, they have requested an exemption from the provisions of Section 22(c) and Rule 22c-1 thereunder, to the extent necessary, to offer the Contracts as proposed.

Sections 26(a)(2)(C) and 27(c)(2)

Section 27(c)(2) prohibits a registered investment company or depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than sales loads, on such certificates are deposited with a trustee or custodian having the qualifications prescribed in Section 26(a)(1) and are held by such trustee or custodian under an agreement containing substantially the provisions required by Sections 26(a)(2) and 26(a)(3) of the Act.

Section 26(a)(2)(C) of the Act provides, in substance, that no payment to the depositor or principal underwriter of a unit investment trust shall be allowed the custodian bank as an expense, except a fee, not exceeding such reasonable amounts as the Commission may prescribe, as compensation for performing bookkeeping and other administrative services normally performed by the custodian.

Applicants allege that the Charge to be imposed (if any) upon the surrender of the Contracts issued with respect to the Separate Account is designed to recover distribution costs relating to the sales of the Contracts. The Contracts merely defer the time when the sales charge may be imposed.

Applicants further allege that since there is nothing in the Act to suggest that if Contingent Defferred Sales Charges were being used at the time the Act was promulgated, that deductions for such sales charges would not have been permitted, and, since it is in the Contract Owners' best interests that the entire amount of their purchase payments be invested at the time when made, they have requested an exemption from the provisions of Sections 26(a)(2)(C) and 27(c)(2) of the Act, to the extent necessary, in order to permit the offer and sale of the Contracts subject to the Charge as described above.

Sections 2(a)(32) and 27(d)

Section 2(a)(32) of the Act, in pertinent part, defines "redeemable security" as any security under the terms of which the holder, upon its presentation to the issuer, is entitled to receive approximately his proportionate share of the issuer's current net assets or the cash equivalent thereof.

Section 27(d) of the Act, in pertient part, requires that the holder of a periodic payment plan certificate be able to surrender the certificate under certain circumstances with the recovery of certain front-end sales charges. Applicants assert that the Contracts offered are not periodic payment contracts but request exemption from such Sections, to the extent necessary, to offer the Contracts. Applicants submit that the imposition of the Charge does not violate Sections 2(a)(32) and 27(d).

Applicants assert that Sections 2(a)(32) and 27(d) contemplate the assessment of an initial sales load and that under the Contracts the net amount invested is the gross purchase payments. Thus, the owner's proportionate share or account value would be the gross purchase payments, plus or minus any increase or decrease in value less the charge. Applicants assert that deferring the imposition of the charge in no way restricts the contract owner from receiving his proportinate share or account value upon surrender. Applicants contend that the charge is contingent upon an event which might never occur, and that the purchaser's initial amount invested is maximized, thus providing a benefit to the purchaser. Applicants have requested an exemption from the provisions of Sections 2(a)(32) and 27(d), to the extent necessary, to permit the imposition of the Contingent Deferred Sales Charge and to offer the Contracts.

Section 27(c)(1)

27(c)(1) of the Act, in pertinent part, prohibits any registered investment company issuing periodic payment certificates, or depositor or underwriter of such company, from selling any such certificate unless it is a redeemable security. Applicants assert that the Contracts issued are not periodic payment plans but nevertheless request an exemption, to the extent necessary, to offer the Contracts.

Applicants submit that the Charge is not a restriction on redemption within the meaning of Section 2(c)(1) since it does not operate to restrict contract redeemability during the accumulation period. Applicants assert that deferring the imposition of the sales charge in no way restricts the Contract Owner from receiving his proportionate share or current value on surrender and has the effect, through deferral of sales charge until Contract Value is withdrawn, of increasing the Contract Value available for redemption. However, Applicants have requested an exemption from the operation of the provisions of Section 27(c)(1), to the extent necessary, to permit the Charge to be imposed only upon redemption or partial withdrawal of contract value.

Annual Administrative Charge

As previously noted, the Contracts are subject to an annual administrative charge of $25. In addition, the Variable Account will reimburse the Contract Administrator for certain out-of-pocket expenses (i.e., postage, envelopes, forms and telephone charges). If the value of a Contract is surrendered for its full value, the administrative charge, in most instances, will be deducted from the owner's redemption proceeds.

Because the provisions of the Act discussed above under the heading "Contingent Deferred Sales Charge" may be said to be equally applicable in this situation Applicants hereby request an exemption from the provisions of Sections 2(a)(32), 22(c), 26(a)(2)(C), 27(c)(1), 27(c)(2), 27(d) and Rule 22c–1, to the extent necessary, to permit the deduction of the annual administrative charge under the circumstances described.

Payment of Contract Fees and Charges

Sections 26(a) and 27(c)(2)

Section 26(a)(2)(C) of the Act, as here pertinent, provides, in substance, that no payment to the depositor or principal underwriter of a unit investment trust shall be allowed the custodian bank as an expense, except a fee, not exceeding such reasonable amounts as the Commission may prescribe, as compensation for performing bookkeeping and other administrative services normally performed by the custodian.

Section 26(a)(2)(D) further provides that the custodian have possession of all securities and other property in which the funds of the trust are invested subject only to the charges and collections allowed under clauses (A), (B) and (C) of Section 26(a)(2) until distribution thereof to the security holders of the trust. Section 27(c)(2) applies the same restrictions to periodic payment plan certificates.

The Applicants request an exemption from the provisions of Sections 26(a) and 27(c)(2), to the extent necessary, to permit the deduction by the Company and the payment to the Company of an annual administrative charge, the Mortality Risk Premium and any premium tax, as set forth above.

The Applicants consent that the foregoing requested exemptions from Sections 26(a) and 27(c)(2) may be made subject to the following conditions: (1) That the deductions under the Contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe and the Commission may reserve jurisdiction for such purpose; and (2) that the payment of sums and charges out of the assets of the Separate Account shall not be deemed to be exempted from regulation by the Commission by reason of the requested order: *Provided*, That the Applicants' consent to this condition shall not be determined to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets, other than the charges for administrative services, and the Applicants reserve the right in any proceeding before the Commission, or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges.

Section 6(c)

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transactions or any class or classes or persons, securities, or transactions from any provision of the Act or any rule or regulation under the Act if, and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, no later than May 29, 1981 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his/her interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he/she may request that he/she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As

provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following May 29, 1981 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered will receive any notice and orders in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14677 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17787; SR-CBOE-81-2]

Chicago Board Options Exchange, Inc.; Order Approving Proposed Rule Change

May 8, 1981.

On February 18, 1981, the Chicago Board Options Exchange, Incorporated, LaSalle at Jackson, Chicago, Illinois 60604, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) ("Act") and Rule 19b-4 thereunder, copies of a proposed rule change to amend certain rules relating to its GNMA options program, including the supervision and testing of sales personnel, separate account approval and the surveillance of corporate affiliates of GNMA options market makers.

Notice of the proposed rule change together with the terms of substance was given by publication of a Commission release (Securities Exchange Act Release No. 17646, March 20, 1981) and by publication in the **Federal Register** (46 FR 19125, March 27, 1981). Comments were solicited on the proposed rule change but none were received.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14678 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22043; 70-6593]

Colonial Gas Energy System, et al.; Proposed Corporate and Financial Simplification of System

May 8, 1981.

In the matter of Colonial Gas Energy System, 73 East Merrimack Street, Lowell, Massachusetts 01853; Lowell Gas Company, 73 East Merrimack Street, Lowell, Massachusetts 01853; Cape Cod Gas Company, P.O. Box 1360, Hyannis, Massachusetts 02601.

Colonial Gas Energy System, ("Colonial"), a holding company and Massachusetts business trust, Cape Cod Gas Company ("Cape Cod"), a wholly owned Massachusetts retail gas utility and Lowell Gas Company ("Lowell"), a Massachusetts retail gas utility (93 percent of its common stock owned by Colonial), have applied under Sections 6(a), 7, 9(a)(2), 10 and 12(b) of the Public Utility Holding Company Act of 1935 ("Act") for the necessary authorizations under the Act to consolidate Colonial with Lowell and Cape Code on the terms described herein.

On October 7, 1977, Colonial filed an application for exemption under Section 3(a)(1) of the Act (File No. 31-763), which is pending. There will be no holding company if the proposed transactions are consummated.

The following table sets forth the capital structure of Colonial, Lowell, Cape Cod, and Colonial consolidated as of December 31, 1980:

	Colonial (parent)	Lowell	Cape Cod	Consolidated
Long term debt—subs[1]		$24,655	$13,276	$39,448
Term loan	$7,036			7,036
Short term debt		12,250	4,020	16,270
Funded debt[1]	7,036	36,905	17,296	62,754
Redeemable preferred		3,014	1,079	4,093
Convertible preferred	5,550			5,550
Minority interest		[2]293		[2]1,293
Owned by Colonial		[3]18,130	12,291	
Common equity	23,061			23,061
	35,647	59,342	30,666	96,751

[1] Includes $3.3 million of 1981 maturities.
[2] Includes $1.1 million of junior preferred stock.
[3] Would be offered 2 shares of common stock or $18.65 cash.

To comply with the laws governing merger and consolidation of public utilities, Colonial will become a public utility corporation under Massachusetts law. Colonial will be merged into Lowell, which will assume the term loan and Colonial's other liabilities. Holders of Colonial convertible preferred stock, will become Lowell preferred stockholders junior to Lowell's redeemable preferred stock. The Colonial common shareholders will receive Lowell common shares, without other change in terms or status. The Lowell common shares issued to the six holders of an aggregate of 691,860 shares of Colonial common stock who have waived, through 1988, a portion of the dividends which may be declared in that period, will be designated Class A shares, and the terms of the waiver will be incorporated into the articles of merger.

Upon merger, present minority shareholders of Lowell will receive two shares of common stock in the surviving corporation for each present Lowell share, unless they elect to have Lowell purchase their shares for $18.65 per share. The application requests approval for the acquisition of these minority shares by Lowell.

After the merger into Lowell, Cape Cod will merge into Lowell and Lowell's name will be changed to Colonial Gas Company ("Colonial Gas"). The redeemable preferred stock of Cape Cod would rank on a parity with the existing redeemable preferred of Lowell both as to dividends and liquidation rights, but senior to the shares of convertible preferred stock and common stock issued to the Colonial shareholders. Colonial Gas will have a Lowell Gas Division and Cape Cod Gas Division to carry on the present operations of Lowell and Cape Cod, respectively. The merger of Colonial into Lowell is not conditioned upon the consummation of the Cape Cod merger.

Both mergers require the approval of the Massachusetts Department of Public Utilities and the requisite vote of the shareholders of the merging companies.

Colonial proposes to effectuate through the transactions described

herein the corporate and financial simplification contemplated by the program filed on June 30, 1978, pursuant to a requirement of the Stipulation entered into with the Division of Corporate Regulation which provided that Colonial file a program for financial simplification.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by June 1, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-declarants at the addresses specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14679 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

May 11, 1981.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Bairnco Corporation, Common Stock, $.05 Par Value (File No. 7-5915)

National Convenience Stores Inc., Common Stock, $41 ⅔ Par Value (File No. 7-5914)

These securities are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before June 2, 1981 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintainance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14680 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-17791; File No. SR-NASD-81-6]

National Association of Securities Dealers, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Proposed rule change by National Association of Securities Dealers, Inc., relating to changes in plans and specifications of certain NASD examinations. Comments requested on or before June 5, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on April 27, 1981, the National Association of Securities Dealers, Inc., filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The plans and specifications of the Series 6—Investment Company Products/Variable Contracts Representative Examination, and Series 22—Direct Participation Programs Representative Examination are modified to provide for an extension of testing time from two hours to two hours, fifteen minutes.

II. Self-Regulatory Organization's Statements Regarding the Proposed Change

In its filling with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The proposed rule change will provide persons seeking qualification in the two classes of limited representatives with additional time to complete the examinations. The Association's Board of Governors believes that NASD Qualification Examinations should not be speed tests, and, based on past candidate performances, that this additional time will permit the great majority of candidates to terminate their sessions on their own accord.

B. Self-Regulatory Organization's Statement on Burden on Competition

Since this amendment only extends the time for taking the Series 6 and 22 qualification examinations, the Association does not envision an impact on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commisison Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments,

all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any persons, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commisison's Public Reference Section, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before June 5, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 11, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14681 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17779; SR-NYSE-81-12]

New York Stock Exchange, Inc.; Filing of Proposed Rule Change and Order Approving Proposed Rule Change

May 8, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act"), notice is hereby given that on May 5, 1981, the New York Stock Exchange, Inc. ("NYSE") Eleven Wall Street, New York, New York 10005, filed with the Commission copies of a proposed rule change which would amend paragraph .40 of the NYSE's Rule 103A, the "sunset" provision, to extend the rule's effectiveness from May 15, 1981 to August 15, 1981. [1] Rule 103A provides for the evaluation of specialist performance and establishes a non-disciplinary procedure for the reallocation of stocks due to substandard specialist performance. The NYSE previously filed with the Commission a proposal (SR-NYSE-81-11) to delete the "sunset" provision of Rule 103A in order to make the rule permanent. [2] This proposal is now under consideration by the Commission.

Interested persons are invited to submit written data, views and arguments concerning the submission within 21 days from the date of this publication. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, DC 20549. Reference should be made to File No. SR-NYSE-81-12.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and of all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, NW, Washington, D.C.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges and in particular, the requirements of Section 6, and the rules and regulations thereunder.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the dat of publication of notice of filing thereof, in that the two-year pilot program under Rule 103A expires on May 15, 1981, unless extended. The Commission believes that it is appropriate to continue the program on a pilot basis while it considers the NYSE's proposal (SR-NYSE-81-11) to make Rule 103A permanent.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change referenced above be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14682 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

---

[1] Rule 103A was approved by the Commission as a two-year pilot program, terminating on May 15, 1981, 44 FR 100 (May 22, 1979).

[2] Notice of publication of this filing was given by a Commission release (Securities Exchange Act Release No. 17750, April 23, 1981) and by publication in the **Federal Register** (46 FR 24351, April 30, 1981).

[1] Rule 103A was approved by the Commission as a two-year pilot program, terminating on May 15, 1981, 44 FR 100 (May 22, 1979).

[2] Notice of publication of this filing was given by a Commission release (Securities Exchange Act Release No. 17750, April 23, 1981) and by publication in the **Federal Register** (46 FR 24351, April 30, 1981).

[Release No. 22041; 70-6280]

Northeast Nuclear Energy Co.; Proposal To Increase Borrowing Levels Under Existing Nuclear Fuel Financing Arrangements

May 8, 1981.

Northeast Nuclear Energy Company ("NNEC"), P.O. Box 270, Hartford, Connecticut 06101, a subsidiary of Northeast Utilities, a registered holding company, has filed a post-effective amendment to an application-declaration previously filed with this Commission pursuant to Sections 6(a), 7, 9(a), 10 and 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 44 and 50(a)(2) promulgated thereunder.

By an order dated May 24, 1979 (HCAR No. 21060) in this matter, NNEC was authorized to enter into a trust arrangement with Manufacturers Hanover Trust Company, not in its individual capacity but solely as trustee ("Trustee"). NNEC assigned to the Trustee all of its rights in certain nuclear fuel and nuclear fuel contracts. The Trustee agreed either to reimburse NNEC for payments made to fuel vendors under the nuclear fuel contracts or to make such payments directly to the vendors. The Trustee finances such payments through the sale of the Trust's commercial paper notes, backed by irrevocable letters of credit of Manufacturers Hanover Trust Company, acting in its individual capacity ("Bank"). If the Trustee cannot sell the commercial paper notes, the Bank is obligated to make loans to the Trustee which are sufficient to enable the Trustee to make nuclear fuel payments to NNEC or to fuel vendors.

The Bank's commitment to extend credit to the Trustee is presently limited to a total commitment of $50,000,000 aggregate principal outstanding at any one time. It is proposed that such commitment be increased to $60,000,000 in order to accommodate increased nuclear fuel expenses. It is also proposed that the amount of certain secured obligations of the Trustee to the Bank be increased to $60,000,000 to reflect the increase in the Bank's commitment.

The application-declaration and amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by June 1, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address

specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14683 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11767; 812-4778]

Philadelphia Life Insurance Co. and Philadelphia Life Separate Account A; Application for an Order Granting Exemptions

May 8, 1981.

Notice is hereby given that Philadephia Life Insurance Company ("Philadelphia Life") a legal reserve stock life insurance company incorporated under the laws of the Commonwealth of Pennsylvania and Philadelphia Life Separate Account A ("Separate Account A"), 111 North Borad Street, Philadelphia, Pennsylvania 19107, a separate account of Philadelphia Life registered under the Investment Company Act of 1940 (the "Act") as a unit investment trust (collectively "Applicants"), filed an application on December 5, 1980 and an amendment thereto on February 4, 1981, pursuant to Section 6(c) of the Act, for an order granting exemptions from the provisions of Sections 2(a)(32), 2(a)(35), 22(c), 26(a)(1), 26(a)(2)(C), 26(a)(2)(D), 27(c)(1), 27(c)(2) and 27(d) of the Act, and Rule 22c-1 thereunder, and pursuant to Section 11 of the Act with respect to certain offers of exchange, insofar as such exemptions are necessary to permit the transactions described below. All interested persons are referred to the Application on file with the Commission for a statement of representations contained therein which are summarized below.

Separate Account A will initially issue only single premium deferred variable annuity contracts ("Contracts"), without an initial sales charge, but which will provide for a Contingent Sales Charge Reimbursement ("Contingent Sales Charge"). The Contracts will allow the purchaser ("Contract Owner") to direct that the single premium payment made under the terms of the Contract be invested in shares of one or more of four open-end, diversified investment companies known as Pliyield Fund, Inc., Plitrend Fund, Inc., Pligrowth Fund, Inc., and Plimoney Fund, Inc. (hereinafter collectively referred to as the "PLI Funds").

A minimum single purchase payment of $3,000 is required to purchase a Contract. Contract purchasers will not pay a sales charge at the time of purchase but will pay a Contingent Sales Charge if a full or partial redemption of a Contract is made within a specified period of time after purchase, except in the case of a partial surrender of up to eight percent (8 percent) of the single premium payment as hereinafter described. The Contingent Sales Charge will be applied against the proceeds of redemption at a rate starting at six percent (6 percent) during the first full Contract year, and declining one percent (1 percent) per year thereafter until the sixth year. At no time will the Contingent Sales Charge ever exceed six percent (6%) of the purchase payment. During the seventh and subsequent full Contract year(s), there is no charge in the event of a redemption. After a Contract has been in force for a full Contract year (12 months) a Contract Owner may surrender up to eight percent (8%) of the single premium purchase payment each Contract year without the proceeds of redemption being subject to the Contingent Sales Charge which would otherwise be applicable. This right of surrender is noncumulative. The Contingent Sales Charge is retained by Philadephia Life to reimburse it for the expenses incurred in connection with the sale of the Contracts. These expenses include commissions, promotional costs, administration and the like.

Prior to annuitization, the Contracts will be subject to a fixed annual Administrative Expense Deduction of $25. This Administrative Expense Deduction will reimburse Philadelphia Life for its administrative expenses incident to contract issue and maintenance. Such charge is solely to reimburse Philadelphia Life for accumulated administrative expenses. Philadelphia Life will also deduct a daily asset charge against Separate Account A equal on an annual basis to 1.0% per annum for the assumption of the mortality and administrative expense risks. Philadelphia Life has allocated .4% of the asset charge to mortality risk premium and the remaining .6% to expense risk.

Section 2(a)(35)

Section 2(a)(35) of the Act defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested, less any portion of such difference deducted for trustee's or custodian's fees, insurance premiums, issue taxes, or "administrative expenses or fees which are not properly chargeable to sales or promotional activities."

Applicants state that the definition of sales load contained in Section 2(a)(35) contemplates that any deduction therefor will be made from the security purchaser's investment at the time when the Contract is purchased. However, the Contingent Sales Charge (if any) that would be made upon the surrender of a Contract for redemption would be applied to pay sales expenses including the administrative expenses and fees which are properly chargeable to sales or promotional activities theretofore incurred in connection with the offer and sale of the Contracts. Applicants contend that the fact that the sales charge is deducted from the Contract proceeds of redemption rather than from the purchase payment initially made to acquire the Contract, does not change its essential character. Accordingly, Applicants have requested an exemption from the provisions of Section 2(a)(35) of the Act, to the extent necessary, in order to permit the offer and sale of the single premium contracts with a Contingent Sales Charge.

Section 22(c) and Rule 22c-1

Section 22(c) of the Act and Rule 22c-1 thereunder prohibit a registered investment company issuing redeemable securities from selling, redeeming, or repurchasing any such security except at a price based upon the current net asset value of such security. Because the Contingent Sales Charge is deducted from the amount that the Contract Owner receives upon redemption, it may be said that the Contract Owner does not receive an amount equal to the current net asset value of his Contract. Applicants submit, however, that the deduction of a Contingent Sales Charge at the time the Contract is submitted for redemption, as opposed to the deduction of such charge at the time that the investment is initially made, does not prevent the Contract Owner from receiving the current net asset value of his Contract upon redemption. The entire amount of the Contract purchase payment will be invested until the Contract is annuitized or until redemption. By virtue of the fact that no

sales charge will be made if the Contract is annuitized under an annuity option involving life contingencies or if redemption, in whole or part, is effected after six full Contract years, the proposed arrangement is more beneficial to the Contract Owner. Finally, the maximum amount to which such charge may apply is the single premium payment paid for the Contract.

Applicants have requested an exemption from the provisions of Section 22(c) and Rule 22c–1 thereunder, to the extent necessary, in order to permit the offer and sale of the Contracts with a Contingent Sales Charge.

Sections 26(a)(1), 26(a)(2)(D) and 27(c)(2)

In pertinent part, Section 27(c)(2) of the Act prohibits a registered investment company and any depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a trustee or custodian having the qualifications prescribed in Section 26(a)(1) and held under an agreement containing, in substance, the provisions required by Sections 26(a)(2) and 26(a)(3) of the Act.

Section 26(a)(1) requires the trustee or custodian to be a bank which meets certain financial standards. Section 26(a)(2)(D) of the Act requires, in part, that the custodian shall have possession of all the securities and other property in which the funds of the unit investment trust are invested. Applicant proposes to hold in custody for safekeeping the property and assets of Separate Account A and is therefore requesting an exemption from the cited provisions of the Act in order that it may do so.

In support of the requested exemptions from the foregoing provisions of the Act, Applicant states that it is subject to extentive supervision and control by the Pennsylvania Insurance Commissioner and the comparable official of each state in which it does business. Such supervision requires Philadelphia Life to file complete and detailed periodic reports. Applicant also states that the activities of Philadelphia Life are subject to review by the Pennsylvania Insurance Department and its representatives at all times and are subject to comprehensive examinations periodically. Further, Philadelphia Life, under the arrangement for recordkeeping will either maintain itself or through an agent a record of all purchases and redemptions of PLI Fund shares with respect to Separate Account A.

Under the foregoing circumstances, the Applicants contend that the dangers against which Section 26(a) and 27(c)(2) are directed are not present. Applicant has thus requested an exemption from the provisions of Sections 26(a)(1), 26(a)(2)(D) and 27(c)(2) of the Act in order that Philadelphia Life may perform the safekeeping and other functions normally performed by a custodian with respect to Separate Account A.

Sections 26(a)(2)(C) and 27(c)(2)

As stated above, Section 27(c)(2) of the Act provides, in part, that a periodic payment plan certificate company or a depositor or underwriter for such a company are prohibited from selling any such certificates unless, among other things, the proceeds of all payments, other than the sales load, on the certificates are deposited with a trustee or custodian.

Section 26(a)(2)(C) of the Act provides that no payment to the depositor of, or principal underwriter for, a registered unit investment trust (or to any affiliated person or agent of such depositor or principal underwriter) shall be allowed the trustee or custodian as an expense except for payment of a fee, not exceeding such reasonable amount as the Commission may prescribe as compensation for performing bookkeeping and other administrative services of a character normally performed by the trustee or custodian.

Applicants allege that the Contingent Sales Charge to be imposed (if any) upon the surrender of the Contracts is designed to recover distribution costs relating to the sales of the Contracts. The Contracts merely defer the time (if any) when the sales charge may be imposed. Applicants further contend that it is in the Contract Owners' best interests that the entire amount of their purchase payments be invested at the time when made. Therefore, Applicants have requested an exemption from the provisions of Section 26(a)(2)(C) and 27(c)(2) of the Act, to the extent necessary, in order to permit the offer and sale of the single premium Contracts subject to the Contingent Sales Charge described.

Sections 26(a) and 27(c)(2)

Section 26(a)(2)(D) further provides that the Custodian have possession of all securities and other property in which the funds of the trust are invested subject only to the charges and collections allowed under clauses (A), (B) and (C) of Section 26(a)(2) until distribution thereof to the security holders of the trust.

The Contracts provide that there shall be deducted a fixed, annual Administrative Expense Deduction of $25. There shall also be deducted a 1% asset charge which will be paid to Philadelphia Life for providing mortality and expense guarantees.

Applicants have requested an exemption from the provisions of Sections 26(a) and 27(c)(2) to the extent necessary to permit (1) the deduction by Philadelphia Life of the annual Administration Expense Deduction, to be paid to Philadelphia Life, and the fee of Philadelphia Life for providing the mortality and expense undertakings, and (2) depending on the requirements of the particular state, either (a) the deduction from purchase payments where made and payment of applicable annuity premium taxes to such state by Philadelphia Life or (b) the deduction of such taxes by Philadelphia Life from the value of the Contract account and the payment of such taxes to such state at the time when an annuity is effected.

Applicant has consented that all of the foregoing requested exemptions from Sections 26(a)(1), 26(a)(2) and 27(c)(2) be made subject to the following conditions:

(a) the charges to Contract Owners for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose; and

(b) the payment of sums and charges out of Separate Account A shall not be deemed to be exempted from regulation by the Commission by reason of the requested order; provided, that Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets other than charges for administrative services, and Applicant reserves the right in any proceeding before the Commission, or in any suit or action in any court, to asset that the Commission has not authority to regulate the payment of such other sums or charges.

Section 27(c)(1)

Section 27(c)(1) of the Act, in pertinent part, makes it unlawful for any registered investment company issuing periodic payment plan certificates, or for any depositor or underwriter of such company, to sell any such certificate unless it is a redeemable security.

Applicants contend that the imposition of a Contingent Sales Charge upon the proceeds of redemption is not a restriction on redemption within the meaning of Section 27(c)(1). The Contract Owner is not prohibited in any way from tendering his Contract for redemption. The absence of an initial

sales charge on the Contracts and the presence of a Contingent Sales Charge upon a redemption during the years that the charge is applicable has no meaningful bearing on the subject of redeemability. Applicants further assert that the redemption price of the Contracts is based upon a determination of the Separate Account's net asset value in a manner consistent with the provisions of the Act, and the contingency of the sales charge feature can operate as a benefit to the Contract Owner.

Nevertheless, Applicants have requested an exemtion from the provisions of Section 27(c)(1) to the extent that one is deemed necessary, in order to permit the offer and sale of the Contracts with a Contingent Sales Charge.

Section 2(a)(32) and Section 27(d)

Section 2(a)(32) of the Act, in substance, defines a redeemable security as a security under the terms of which the holder is entitled to receive approximately his proportionate share of the issuer's current net assets, or the cash equivalent thereof. Section 27(d) of the Act, in substance, requires that the holder of a periodic payment plan certificate be able to surrender his certificate within a specified time and receive the value of his account and the return of sales charges in excess of a certain percentage. Section 2(a)(32) and 27(d) therefore, contemplate the deduction of sales charges from purchase payments at the time they are made.

Applicants state that the fact that the sales charges are not deducted from the amount initially invested does not change the essential nature of the deduction being made and does not alter the fact that the investor in fact receives his proportionate share of the issuer's current net assets and the value of his account upon redemption. Applicants maintain that the Contingent Sales Charge pricing structure will be advantageous to the Contract purchaser since it will permit the entire purchase payment (except where state premium tax deduction is required) to be invested through Separate Account A. Accordingly, the purchaser will have the opportunity to have his entire purchase payment benefit from any investment growth in the Separate Account. Applicants believe that this arrangement is preferable to that which imposes an initial sales charge upon a variable annuity contract purchase price since the effect of such charge is to reduce the amount initially invested. Applicants further state that Contract purchasers will have the advantage of never having their accumulations subject to the Contingent Sales Charge if they make no withdrawals under their Contracts during the periods for which the charges are applicable or if they annuitize. Finally, Applicants state that the Contract Owner is, upon redemption, entitled to his proportionate share of interest at the time of redemption. The Contingent Sales Charge arrangement defers the timing of the sales charge and further makes it possible that such charge will never be imposed. Applicants believes that this is an obvious benefit to the Contract purchaser, as compared to a contract with an initial sales charge.

Therefore, Applicants have requested, to the extent necessary, an exemption from the provisions of Section 2(a) (32) and 27(d) of the Act to permit the offer and sale of the Contracts with a Contingent Sales Charge.

Sections 11(a) and 11(c)

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or any principal underwriter for such a company to make or cause to be made, an offer to the holder of a security of such company, or of any other open-end investment company, to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that, irrespective of the basis of exchange, the provisions of Section 11(a) shall be applicable to any type of offer of exchange of the securities of a registered unit investment trust for the securities of any other investment company.

The purchaser of a Contract has the right, from time to time and at any time, to exchange that part of the value of his account represented by shares of one of the PLI Funds for the shares of any of the other PLI Funds at net asset value. Therefore, because the shares of one PLI Fund may be freely exchanged for the shares of another PLI Fund at net asset value, Applicants believe that the provisions of Section 11(a) are inapplicable to any such exchange. Further, the Contract Owner physically retains the same variable annuity contract after any such exchange that he had before the exchange was made; thus, there is no exchange of the variable annuity contract itself and, therefore, Applicants are of the view that the provisions of Section 11(c) of the Act are inapplicable to the right of exchange described above.

However, it may be said that a different Contract is involved after an exchange of the Contract's underlying investment medium and, therefore, an exchange of variable annuity contracts has technically taken place.

Applicants disagree and do not believe that the facts surrounding an exchange of the underlying investment medium causes any such exchange of Contracts to occur. However, in order to avoid any question, Applicants have requested an exemption from the provisions of Section 11, to the extent necessary, in order that Applicants may offer Contracts with the above stated transfer provisions without any deductions being made.

Conclusion

Section 6(c) of the Act provides, in part, that the Commission, may conditionally or unconditionally exempt any person, security or transaction or any class or classes of persons, securities or transactions from any provisions of the Act and the Rules promulgated thereunder if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

For the above stated reasons, the Applicants submit that the exemptions requested hereunder pursuant to Section 6(c) and the approval requested under Section 11 are appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 1, 1981 at 5:30 p.m., submit to the Commission, in writing a request for a hearing on the matter accompanied by a statement as to the nature of his/her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he/she may request that he/she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exhange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following

June 1, 1981 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14685 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17788; SR-PDTC-81-1]

Philadelphia Depository Trust Co. ("PDTC"); Order Approving Proposed Rule Change

May 8, 1981.

On March 16, 1981, the Philadelphia Depository Trust Company, 17th Street and Stock Exchange Place, Philadelphia, PA 19103, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act") and Rule 19b-4 thereunder, copies of a proposed rule change that would establish a $15.00 fee for providing to issuers a securities position listing requested under Rule 17Ad-8.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 34-17668, March 30, 1981) and by publication in the **Federal Register** (46 FR 20356, April 3, 1981). No written comments were received by the Commission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to clearing agencies and, in particular, the requirements of Section 17A and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above mentioned rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14684 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17789; SR-SCCP-81-1]

Stock Clearing Corporation of Philadelphia ("SCCP"); Order Approving Proposed Rule Change

May 8, 1981.

On March 16, 1981, the Stock Clearing Corporation of Philadelphia, 17th Street and Stock Exchange Place, Philadelphia, PA 19103, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act") and Rule 19b-4 thereunder, copies of a proposed rule change that would establish a $15.00 fee for providing to issuers a securities position listing requested under Rule 17Ad-8.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 34-17669, March 30, 1981) and by publication in the **Federal Register** (46 FR 20357, April 3, 1981). No written comments were received by the Commission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to clearing agencies and, in particular, the requirements of Section 17A and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above mentioned rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-14686 Filed 5-14-81; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF STATE

[Public Notice 757]

Participation of Private-Sector Representatives on U.S. Delegations

As announced in Public Notice No. 623 (43 FR 37783), August 24, 1978, the Department is submitting its April 1981 list of U.S. accredited Delegations which included private-sector representatives.

Publication of this list is required by Article IV(c)(4) of the guidelines published in the **Federal Register** on August 24, 1978.

Dated: May 8, 1981.

John W. Kimball,

Director, Office of International Conferences.

United States Delegation to the Joint Working Party of Committees on Capital Movements and Invisibles Transactions and Insurance Organization for Economic Cooperation and Development (OECD) Paris, April 23-24, 1981

Representative

Albert N. Alexander, Director, International Services Division, Department of Commerce

Alternate Representative

Stephen Altheim, U.S. Mission to the OECD, Paris

Private Sector Adviser

Ronald K. Shelp, Vice President, American International Underwriters Corporation, New York, New York

United States Delegation to the Annual Meeting of the North Pacific Fur Seal Commission (NPFSC) Tokyo, April 13-17, 1981

Representative

The Honorable Carmen J. Blondin, United States Commissioner and Director, Office of International Fisheries Affairs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

Alternate Representative

Charles H. Meacham, Deputy United States Commissioner, Anchorage, Alaska

Advisers

Raymond V. Arnaudo, Office of Fisheries Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State

Charles W. Fowler, Program Manager, Fur Seal Research, National Marine Mammal Laboratory, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Seattle, Washington

Robert Iverson, Regional Fisheries Attache, United States Embassy, Tokyo

Douglas W. McCaleb, Foreign Affairs Officer, Office of International Fisheries Affairs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

Private Sector Advisers

Adrian Malovidov, Vice President, Aleut Community, St. Paul, Minnesota

Pamela Williams, Center for Environmental Education, Washington, D.C.

United States Delegation to the International Tin Council Commodities London, April 7-10, 1981

Representative

Ralph Johnson, Chief, Industrial and Strategic Minerals, Bureau of Economic and Business Affairs, Department of State

Alternate Representative

Marc Santucci, Office of the U.S. Trade Representative, Executive Office of the President

Advisers

Paul Pilkauskas, American Embassy, London
William Sugg, Office of Commodity Policy, Department of Commerce

Private Sector Advisers

Daniel McEvoy, Amalgament Incorporated, New York, New York
William A. Silverstein, Vice President, Associated Metals and Minerals Corporation, New York, New York
Roy S. Somogye, American Iron and Steel Institute, Washington, D.C.

United States Delegation to the 18th Meeting of the North Atlantic Systems Planning Group of the International Civil Aviation Organization (ICAO) Paris, March 30–April 10, 1981

Representative

John Matt, Office of Intenational Aviation, Federal Aviation Administration

Advisers

Ward J. Baker, Colonel, Headquarters, United States Air Force, Washington, D.C.
Allen C. Busch, Federal Aviation Administration Technical Center, Atlantic City, New Jersey
Jerald Davis, Office of Flight Operations, Federal Aviation Administration
Kenneth L. Fisher, Air Traffic Service, Federal Aviation Administration
Howard Rubinstein, Federal Aviation Administration Air Traffic Service, New York, New York

Private Sector Adviser

Neil W. Polhemus, Professor, Princeton University

United States Delegation to the Forty-Fourth Session of the Maritime Safety Committee (MSC), Intergovernmental Maritime Consultative Organization (IMCO), London, March 30–April 3, 1981

Representative

Henry H. Bell, Rear Admiral, USCG, Chief, Office of Merchant Marine Safety, United States Coast Guard, Department of Transportation

Alternate Representatives

Clyde T. Lusk, Jr., Rear Admiral (Selectee), USCG, Deputy Chief, Office of Merchant Marine Safety, United States Coast Guard, Department of the Treasury
Daniel F. Sheehan, Technical Adviser, Office of Merchant Marine Safety, United States Coast Guard, Department of Transportation

Advisers

Ronald K. Kiss, Assistant Administrator for Shipbuilding and Operations, Maritime Administration, Department of Commerce
Gerard P. Yoest, International Affairs Staff, United States Coast Guard, Department of Transportation

Private Sector Advisers

John F. Fay, Acting Secretary-Treasurer, Seafarers International Union of North America, Brooklyn, New York
William H. Hannan, Vice President, American Bureau of Shipping, New York, New York
Donald C. Hintze, Captain USCG (Ret.), National Ocean Industries Association, Washington, D.C.
Edward H. Middleton, Technical Adviser, Maritime Institute for Research and Industrial Development, Washington, D.C.

United States Delegation to the International Coffee Organization, Council Commodities, London, March 26–April 3, 1981

Representative

Rollinde Prager, Office of the U.S. Trade Representative, Executive Office of the President

Alternate Representative

Paul Pilkauskas, American Embassy, London

Advisers

Ralph Ives, Office of Commodity Policy, Department of Commerce
James Woolwine, Tropical Products Division, Bureau of Economic and Business Affairs, Department of State

Private Sector Advisers

George Boecklin,, President, National Coffee Association, New York, New York
Edward Rosen, President, Coffee Division, ACLI International, Inc., White Plains, New York
Andrew Scholtz, President, Scholtz and Company, New York, New York
Marvin Schur, President, J. Aron and Company, New York, New York

United States Delegation to the Fourth Session, United Nations Conference on an International Code of Conduct For the Transfer of Technology, United Nations Conference On Trade and Development (UNCTAD), Geneva, March 23–April 10, 1981

Representative

William R. Brew, Deputy Director, Office of Business Practices, Bureau of Economic and Business Affairs, Department of State

Alternate Representative

David L. Stewart, Office of the Legal Adviser, Department of State

Advisers

W. David Braun, Antitrust Division, Department of Justice
Edith Bruce, United States Mission, Geneva
Dieter Hoinkes, United States Patent and Trademark Office, Department of Commerce
Richard P. Schepard, Special Consultant, Department of State

Private Sector Advisers

Robert Muir, National Association of Manufacturers, Washington, D.C.
Lawrence Pearson, Council of the Americas, New York, New York

[FR Doc. 81-14622 Filed 5-14-81; 8:45 am]

BILLING CODE 4710-19-M

[Public Notice 756]

Revocation of Certain Nonimmigrant Visas

Notice is hereby given that on this date I, Diego C. Asencio, Assistant Secretary of State for Consular Affairs, acting in pursuance of the authority conferred by section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) and by delegation of authority No. 74 have revoked all nonimmigrant visas issued to nationals of Libya pursuant to section 101(a)(15)(A) of the Immigration and Nationality Act.

This action has been taken because of the general pattern of unacceptable conduct by the People's Bureau of the Socialist People's Libyan Arab Jamahiriya which is contrary to United States interests and in violation of acceptable norms of diplomatic behavior. It is also based on the refusal of Libyan authorities to agree to our request for a protective power to represent United States interests in Tripoli.

Dated: May 6, 1981.

Diego C. Asencio,

Assistant Secretary of State for Consular Affairs.

[FR Doc. 81-14623 Filed 5-14-81; 8:45 am]

BILLING CODE 4710-06-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Supplement to Department Circular Public Debt Series—No. 14-81]

Bonds of 2006-2011; Interest Rates

May 8, 1981.

The Secretary announced on May 7, 1981, that the interest rate on the bonds designated Bonds of 2006–2011 described in Department Circular—Public Debt Series—No. 14–18 dated April 30, 1981, will be 13–7/8 percent. Interest on the bonds will be payable at the rate of 137/8 percent per annum.

Paul H. Taylor,

Fiscal Assistant Secretary.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the departmental procedures applicable to such regulations.

[FR Doc. 81-14669 Filed 5-14-81; 8:45 am]

BILLING CODE 4810-40-M

Bureau of Alcohol, Tabacco and Firearms

[Notice No. 81-2; REF: ATF O 1100.122A]

Delegation by the Director of Certain Authorities Relating to the Right to Financial Privacy Act of 1978; Delegation Order

1. *Purpose.* This order delegates certain authorities vested in the Director by Treasury Department Directive TD 90-22.A To Regulatory Enforcement, Criminal Enforcement, Internal Affairs, and administrative personnel.

2. *Scope.* This directive applies to the Office of Regulatory Enforcement, the Office of Animal Enforcement, the Office of Internal Affairs, and the Office of Administration.

3. *Cancellation.* ATF O 1100.122, dated 3/21/80, is cancelled.

4. *Background.* The Right to Financial Privacy Act of 1978, 12 U.S.C. 3401-3422, Title XI of the Financial Institutions Regulatory and Interest Rate Control Act of 1978, Public Law No. 95-630, 92 Stat. 3641, imposes new requirements on Government access to financial information from financial institutions and other government agencies. Previously, authority to perform functions under the ACT had been delegated only to Regulatory Enforcement and administrative personnel. This order further delegates such authority to Regulatory Enforcement auditors and to Criminal Enforcement and Internal Affairs personnel.

5.*Delegations.* Under the authority vested in the Director by Treasury Department Directive TD 90-22.A, dated March 28, 1979, the authority to take final action on the following matters is delegated to:

a. *Regional Regulatory Administrators.* The following acts should be carried out with the advice of regional counsel:

(1) To apply to the appropriate U.S. attorney who may petition in the United States district court for delay in notice to the customer and to issue post-notice to the consumer that there has been a court-ordered delay under 12 U.S.C. 3409.

(2) To certify that delay in obtaining access to customer financial records as required by the special procedures provision in 12 U.S.C. 3414(b) would create imminent danger of (a) physical injury to any person, (b) serious property damage, or (c) flight to avoid prosecution, so that governmental access to customer account records may lawfully be provided by the financial institution.

(3) To issue administrative summonses, otherwise within the regional regulatory administrator's authority, and proper notice to the customer under 12 U.S.C. 3405.

(4) To issue formal written requests and proper notice to the customer under 12 U.S.C. 3408 and 31 CFR Part 14.

(5) To issue notice to the customer regarding judicial subpoenas as required by 12 U.S.C. 3407.

(6) To transfer customer record informaiton to another agency or department and to issue proper notice to the customer concerning such matters under 12 U.S.C. 3412.

(7) To request account information under 12 U.S.C. 3413(g).

(8) To isue notice to the customer that no legal proceeding is contemplated as required in 12 U.S.C. 3410(d).

(9) to certify in writing to a financial institution that all applicable provisions of the right to Financial Privacy Act of 1978 have been complied with under 12 U.S.C. 3403(b).

(b.) *Inspectors and Auditors (Regulatory Enforcement).* To obtain customer authorizations given under 12 U.S.C. 3404(a) and to certify in writing under 12 U.S.C. 3403(b) that all applicable provisions of the Right to Financial Privacy Act of 1978 have been complied with regarding customer-authorized disclosures.

c. *Special Agents in Charge.* The following acts should be carried out with the advice of the regional director of investigations and regional counsel:

(1) To apply to the appropriate U.S. attorney who may petition in the United States district court for delay in notice to the customer and to issue post-notice to the customer that there has been a court-ordered delay under 12 U.S.C. 3409.

(2) To certify that delay in obtaining access to customer financial records as required by the special procedures provision in 12 U.S.C. 3414(b) would create imminent danger of (a) physical injury to any person, (b) serious property damage, or (c) flight to avoid prosecution, so that governmental access to customer account records may lawfully be provided by the financial institution.

(3) To issue formal written requests and proper notice to the customer under 12 U.S.C. 3408 and 31 CFR Part 14.

(4) To issue notice to the customer regarding judicial subpoenas as required by 12 U.S.C. 3407.

(5) To transfer customer record information to another agency or department and to issue proper notice to the customer concerning such matters under 12 U.S.C. 3412.

(6) To request account information under 12 U.S.C. 3413(g).

(7) To issue notice to the customer that no legal proceeding is contemplated as required in 12 U.S.C. 3410(d).

(8) To certify in writing to a financial institution that all applicable provisions of the Right to Financial Privacy Act of 1978 have been complied with under 12 U.S.C. 3403(b).

(9) To obtain customer authorizations given under 12 U.S.C. 3404(a).

(10) To issue notice to the customer regarding search warrants as required by 12 U.S.C. 3406(b).

(11) To issue delayed notice to the customer regarding search warrants under 12 U.S.C. 3406(c).

d. *Regional Inspectors (Internal Affairs).* To carry out the same responsibilities as those delegated to the special agents in charge in paragraph 5c. These acts should be carried out with the advice of the Chief, Internal Investigations Division, and regional counsel.

e. *Chief, Planning and Budget Branch (Administration).* To gather and submit to the Assistant Secretary (Enforcement and Operations), for inclusion in the annual report to Congress required by 12 U.S.C. 3421(b), information concerning the number of requests for records made during the preceding calendar year according to type, and other related information pertinent to the implementation of the Right to Financial Privacy Act of 1978.

6. *Redelegation.* a. The authorities in paragraphs 5a(1), 5a(2), 5a(3), 5b, 5c, 5d and 5e may not be redelegated.

b. The authorities in paragraphs 5a(4), 5a(5), 5a(6), 5a(7), 5a(8) and 5a(9) may be redelegated but not lower than the position of chief, technical services, or chief, field operations.

7. *For information contact.* Regulations and Procedures Division, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, (202) 566-7828.

8. *Effective Date.* This order becomes effective on May 15, 1981.

9. *Approval.*

G. R. Dickerson,

Director.

May 11, 1981.

[FR Doc. 81-14712 Filed 5-14-81; 8:45 am]

BILLING CODE 3810-31-M

VETERANS ADMINISTRATION

Cooperative Studies Evaluation Committee; Meeting

The Veterans Administration gives notice under Public Law 92-463 that a meeting of the Cooperative Studies

Evaluation Committee, authorized by 38 U.S.C. 4101, will held in Room 119 of the Veterans Administration, 810 Vermont Avenue, NW, Washington, DC, 20420, on July 9 and 10, 1981. The meeting will be for the purpose of reviewing proposed cooperative studies and advising the Veterans Administration on the relevance and feasibility of the studies, the adequacy of the protocols, the scientific validity and the propriety of technical details, including involvement of human subjects. The Committee advises the Director, Medical Research Service, through the Chief of the Cooperative Studies Program, on its findings.

The meeting will be open to the public up to the seating capacity of the room from 8 to 8:30 a.m., on July 9 and 10, to discuss the general status of the program. To assure adequate accommodations, those who plan to attend should contact Dr. James A. Hagans, Coordinator of the Committee, Veterans Administration Central Office, Washington, DC (202–389–3702) prior to June 26.

The meeting will be closed from 8:30 a.m. to 4:15 p.m. on July 9, and from 8:30 a.m. to 1:45 p.m on July 10, for consideration of specific proposals in accordance with provisions set forth in subsection 10(d) of Pub. L. 92–463, as amended by section 5(c) of Pub. L. 94–409, and subsections (c)(6) and (c)(9)(B) of section 552b, title 5, United States Code. During this portion of the meeting, discussions and decisions will deal with qualifications of personnel conducting the studies and the medical records of patients who are study subjects, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dated: May 8, 1981.

Rufus H. Wilson,

Acting Administrator.

[FR Doc. 81-14640 Filed 5-14-81; 8:45 am]

BILLING CODE 8320-01-M

Education Addition to Building No. 2 Veterans Administration Medical Center St. Louis, Mo.; Finding of No Significant Impact

The Veterans Administration (VA) has assessed the potential environmental impacts that may occur as a result of the construction of an Education Addition to Building No. 2, at the Veterans Administration Medical Center (VAMC), St. Louis, Missouri.

This project proposes construction of a building addition to the Research and Education Building No. 2 and Interior Renovations for Education and Medical Media Production. New construction will provide 6,300 gross square feet of space for an auditorium convertible to a series of conference classrooms. Renovation of Building No. 2 will provide facilities to alleviate the space deficiency at the present time.

No alternatives were considered. The site chosen is the only available land adjacent to Building No. 2. If the NO-ACTION alternative was selected, the existing space deficiency for education facilities would continue to hamper the effective operation of this station.

Development of the project will have impacts on the human and natural environment affecting air quality relative to construction dust, soil erosion and visual effects related to building design. In relation to both construction and operation, the project will be built in accordance with applicable federal, state, and local air quality standards.

Mitigation will occur during project development. Construction contract documents will include environmental protection specifications. This section specifically addresses the actions which will be undertaken to avoid adverse environmental effects and the impacts identified above.

The significance of the identified impacts has been evaluated relative to the considerations of both context and intensity, as defined by the Council on Environmental Quality (40 CFR § 1508.27).

This Environmental Assessment has been performed in accordance with the requirements of the National Environmental Policy Act Regulations, Sections 1501.3 and 1508.9, Title 40, Code of Federal Regulations. A "Finding of No Significant Impact" has been reached based on the information presented in this assessment.

The assessment is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office: Mr. Willard Sitler, P.E., Director, Office of Environmental Affairs (003A), Room 950, Veterans Administration, 1425 K Street, NW., Washington, D.C., (202–389–2526). Questions or requests for single copies of the Environmental Assessment may be addressed to: Director, Environmental Affairs Office (003A), 810 Vermont Avenue, NW., Washington, D.C. 20420.

Dated: May 8, 1981.

Rufus H. Wilson,

Acting Administrator.

[FR Doc. 81-14638 Filed 5-14-81; 8:45 am]

BILLING CODE 8320-01-M

Laundry Consolidation, Veterans Administration Medical Center, St. Albans Division, Brooklyn, N.Y.; Finding of No Significant Impact

The Veterans Administration (VA) has assessed the potential environmental impacts that may occur as a result of the new laundry building of approximately 50,000 gross square feet proposed for construction at the Veterans Administration Medical Center (VAMC), St. Albans Division, Brooklyn, New York.

The project will include construction of a two story laundry building, service drive area, and a new service entrance road. In addition, new connections to existing utilities, including water supply and electrical supply, will be provided for. Total project costs are currently placed at approximately 12.3 million dollars, with an additional 1.1 million for technical services.

Three different sites were considered for location of the laundry at the Medical Center. Site A, located near the existing boiler plant, has good utility availability and access. This area compliments the existing service area and offers good security. Site B, southwest of the main hospital building would require a longer service road and is not directly adjacent to utility service connections. Site C, directly west of the main hospital, is furthest removed from the service area of the Medical Center requiring long utility connections and would generate the need for the laundry service vehicles to travel onsite and would require widening of existing roads and relocation of utilities.

Site A is considered the most desirable site functionally and would have the fewest disruptions to the existing operations of the VA Medical Center.

The proposed project will create an increased demand on water supply and electricity. Additional truck traffic will occur, with three (3) tractor trailer deliveries daily. These vehicles will create additional vehicle noise on Baisley Boulevard, but not in excess of the New York City's noise ordinance requirements.

Mitigation incorporated into the project development will include actions to avoid temporary air quality degradation due to construction and limited soil erosion. Construction contract documents will include Environmental Protection Specifications, Section EP, which specifically addresses the actions which will be undertaken to avoid adverse environmental effects.

In addition, operational/design mitigation includes the use of a high

efficiency recycling laundry system to conserve on water usage.

The significance of the identified impacts has been evaluated relative to the considerations of both context and intensity, as defined by the Council on Environmental Quality (40 CFR §1508.27).

This Environmental Assessment has been performed in accordance with the requirements of the National Environmental Policy Act Regulations, Sections 1501.3 and 1508.9, Title 40, Code of Federal Regulations. A "Finding of No Significant Impact" has been reached based on the information presented in this assessment.

The assessment is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office: Mr. Willard Sitler, P.E., Director, Office of Environmental Affairs (003A), Room 950, Veterans Administration, 1425 K Street NW., Washington, D.C., (202)-389-2526. Questions or requests for single copies of the Environmental Assessment may be addressed to: Director, Environmental Affairs Office (003A), 810 Vermont Avenue NW., Washington, D.C. 20420.

Dated: May 8, 1981.

Rufus H. Wilson,

Acting Administrator.

[FR Doc. 81-14639 Filed 5-14-81; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 94
Friday, May 15, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Federal Deposit Insurance Corporation	1, 2
Federal Home Loan Bank Board	3
Federal Reserve System (Board of Governors)	4
Occupational Safety and Health Review Commission	5
Securities and Exchange Commission	6, 7
Nuclear Regulatory Commission	8

1

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:00 a.m. on Tuesday, May 19, 1981, members of the Board of Directors of the Federal Deposit Insurance Corporation will meet to hear oral argument on the findings of fact, conclusions of law, and recommended decision of an administrative law judge issued in connection with cease-and-desist proceedings pending against an insured State nonmember bank pursuant to section 8(b) of the Federal Deposit Insurance Act (12 U.S.C. 1818(b)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street, N.W., Washington, D.C.

The meeting will be closed to public observation pursuant to subsections (c)(6), (c)(8), (c)(9)(A)(ii), and (d)(4) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), (c)(9)(A)(ii), and (d)(4)).

Dated: May 12, 1981.

Federal Deposit Insurance Corporation.

Noyle L. Robinson,

Executive Secretary.

[S-764-81 Filed 5-13-81; 10:33 am]

BILLING CODE 6714-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 11:00 a.m. on Wednesday, May 20, 1981, members of the Board of Directors of the Federal Deposit Insurance Corporation will meet to hear oral argument on the findings of fact, conclusions of law, and recommended decision of an administrative law judge issued in connection with termination-of-insurance proceedings pending against an insured State nonmember bank pursuant to section 8(a) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, N.W., Washington, D.C.

The meeting will be closed to public observation pursuant to subsections (c)(6), (c)(8), (c)(9)(A)(ii), and (d)(4) of the "Goverment in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), (c)(9)(A)(ii), and (d)(4)).

Dated: May 12, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-765-81 Filed 5-13-81; 10:33 am]

BILLING CODE 6714-01-M

3

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 10:00 A.M., Thursday, May 21, 1981.

PLACE: 1700 G St. N.W., Board Room, 6th Floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

MATTERS TO BE CONSIDERED: The following items are to be considered for the open meeting.

Proposed Merger—Security Savings and Loan Association, Kent, Washington into Pacific First Federal Savings and Loan Association Tacoma, Washington.

Request for Futher Extension of Time to Comply with the Conditions of FHLBB RES. No. 79-466 RE: Bank Membership and Insurance of Accounts—County Savings and Loan Association (In Organization) Santa Barbara, California.

Application for Bank Membership—Stoneham Co-operative Bank, Stoneham, Massachusetts.

Final Branch Location—Rossville Federal Savings and Loan Association Rossville, Georgia.

Branch Office Application—Security Federal Savings and Loan Association Pampa, Texas.

Request for a Commitment to Insure Accounts—Great Western Savings and Loan Association Grand Junction, Colorado (New Stock Association).

Change of Name—San Diego Federal Savings and Loan Association, San Diego, California.

Branch Office Application—First Federal Savings and Loan Association of Fayetteville, Fayetteville, Arkansas.

Modification of Merger Condition—Orangeburg Savings and Loan Association Orangeburg, South Carolina into Standard Federal Savings and Loan Association, Columbia, South Carolina.

Limited Facility Application—Morsemere Federal Savings and Loan Association Fort Lee, New Jersey.

Preliminary Application for Conversion on Basis of Merger; Maintenance of Branch Office; Cancellation of Membership and Insurance—Sheldon Building and Loan Association, Sheldon, Illinois, into Iroquois Federal Savings and Loan Association, Wateseka, Illinois.

Proposed Merger; Maintenance of Branch Offices; Cancellation of Membership and Insurance and Transfer of Stock—Jefferson Federal Savings and Loan Association Louisville, Kentucky, into Future Federal Savings and Loan Association, Louisville, Kentucky.

Branch Office Application—First Federal Savings and Loan Association of Hanover, Hanover, Pennsylvania.

Amendment to Resolution No. 79-244 Service Corporation—Pennsylvania Mortgage Insurance Company (PAMICO) Blue Bell, Pennsylvania.

Service Corporation Activity (Underwriting Credit Life, Mortgage Life, Title Health and Accident Insurance)—Pennsylvania Mortgage Insurance Company (PAMICO), Blue Bell, Pennsylvania.

Reconsideration of Board Denial of Charter Amendment—Pioneer Federal Savings and Loan Association, Hopewell, Virginia.

Change of Name—American Federal Savings and Loan Association of Central Iowa, Des Moines, Iowa.

Request to Operate Branch Office in Temporary Location—Midwest Federal Savings and Loan Association, Minot, North Dakota.

Conversion to Federal Association Merger and Retention of Facilities—Melrose Savings Melrose Park, Illinois, into The Talman Home Federal Savings and Loan Association of Illinois, Chicago, Illinois.

Holding Company Acquisition and Merger—Imperial Corporation of America, San Diego, California, to acquire, USLIFE

Savings and Loan Association Los Angeles, California, and merge said savings and loan with Imperial Savings and Loan Association, San Francisco, California.

No. 434, May 13, 1981.

[S-762-81 Filed 5-13-81; 9:31 am]

BILLING CODE 6720-01-M

4

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 10:00 a.m., Wednesday, May 20, 1981.

PLACE: 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph P. Coyne, Assistant to the Board; (202) 452-3204.

James McAfee,

Assistant Secretary of the Board.

May 12, 1981.

[S-763-81 Filed 5-13-81; 10:33 am]

BILLING CODE 6210-01-M

5

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 23868, April 28, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m. on May 21, 1981.

CHANGES IN THE MEETING: This meeting has been rescheduled for 10 a.m. on May 22, 1981.

Dated: May 13, 1981.

[S-766-81 Filed 5-13-81; 12:44 pm]

BILLING CODE 7600-01-M

6

SECURITIES AND EXCHANGE COMMISSION.

Notice is hereby given, pursuant to the provision of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of May 18, 1981, in Room 825, 500 North Capitol Street, Washington, D.C.

A closed meeting will be held on Tuesday, May 19, 1981, at 10:00 a.m. An open meeting will be held on Thursday, May 21, 1981, at 10:00 a.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(4)(8)(9)(i) and (10).

Chairman Shad and Commissioners Loomis, Evans, Friedman, and Thomas determined to hold the aforesaid meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, May 19, 1981, at 10:00 a.m., will be:

Formal orders of investigation.
Institution of injunctive actions.
Settlement of injunctive actions.
Litigation matters.
Institution of administrative proceeding of an enforcement nature.
Institution and settlement of administrative proceedings of an enforcement nature.
Settlement of administrative proceeding of an enforcement nature.
Freedom of Information Act appeals.
Proposed order in administrative proceeding, opinion.

The subject matter of the open meeting scheduled for Thursday, May 21, 1981, at 10:00 a.m., will be:

1. Consideration of whether to affirm action, taken by the Duty Officer, authorizing Richard J. Kanyon, Director of the Commission's Office of Administrative Services, to testify and produce documents in response to a subpoena served upon the Commission by the plaintiff in *James H. Schropp* v. *Halifax Engineering, Inc., et al.* For further information, please contact Douglas J. Scheidt at (202) 272-2454.

2. Consideration of whether to grant the appeal of Karen L. Smith from the determination of the Freedom of Information Act Officer denying her access to certain investigatory files concerning OKC Corporation and its chief executive officer, Cloyce K. Box, pursuant to Exemption 7(a) of the FOIA, 5 U.S.C. 552(b)(7)(A). For further information, please contact Andrew W. Sidman at (202) 272-2454.

3. Consideration of whether to affirm action, taken by the Duty Officer, authorizing the staff to file its comments, as *amicus curiae*, in *Danmar Associates* v. *Porter*, in response to a request by the Court for Commission comments regarding the reasonableness of the size of an award of attorney's fees after settlement of class action litigation. For further information, please contact Stephen E. Cavan at (202) 272-2454.

4. Consideration of whether to affirm action, taken by the Duty Officer, authorizing a response to a request for comments on H.R. 2512, the "Nuclear Powerplant Property Damage Insurance Act of 1981," made by Chairman Dingell of the House Energy and Commerce Committee. For further information, please contact Alan Rosenblat at (202) 272-2428.

5. Consideration of what response to make to Congressman Green's request for its comments on H.R. 1397, a bill to encourage savings and capital formation by offering a bonus payment to modest-income people who purchase certain savings certificates or make certain investments. For further information, please contact Diane G. Klinke at (202) 272-2419.

6. Consideration of whether to issue an order declaring that Panhandle Eastern Pipe Line Company and certain of its subsidiaries are not gas utility companies pursuant to Section 2(a)(4) of the Public Utility Holding Company Act of 1935. For further information, please contact Aaron levy at (202) 523-5691.

7. Consideration of whether to grant the application filed by Georgia Power Company, an electric utility subsidiary of The Southern Company, a holding company registered under the Public Utility Holding Company Act of 1935, seeking authorization to issue and sell at competitive bidding up to $125,000,000 principal amount of first mortgage bonds. A request for hearing and other relief with respect to the proposal has been filed by three shareholders of The Southern Company. For further information, please contact Kenneth D. Israel at (202) 523-5686.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Marcia MacHarg at (202) 272-2468.

May 12, 1981.

[S-760-81 Filed 5-12-81; 4:45 pm]

BILLING CODE 8010-01-M

7

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: [46 FR 25594 5/7/81].

STATUS: Closing meeting.

PLACE: Room 824, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Tuesday, May 5, 1981.

CHANGES IN THE MEETING: Additional item.

The following additional item will be considered at a closing meeting scheduled for Wednesday, May 13, 1981, following the 2:30 p.m. open meeting:

Litigation matter.

Chairman Shad and Commissioners Loomis, Evans, Friedman, and Thomas determined that Commission business required the above change and that no earlier notice thereof was possible.

AT TIMES CHANGES IN COMMISSION PRIORITIES REQUIRE

ALTERATIONS IN THE SCHEDULING OF MEETING ITEMS. FOR FURTHER INFORMATION AND TO ASCERTAIN WHAT, IF ANY, MATTERS HAVE BEEN ADDED, DELETED OR POSTPONED, PLEASE CONTACT: Art Delibert at (202) 276–2467.

May 12, 1981.

[S–761–81 Filed 5–12–81; 4:45 pm]

BILLING CODE 6010–01–M

8

NUCLEAR REGULATORY COMMISSION.

DATE: Tuesday, May 19, 1981.

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: Tuesday, May 19.

10:00 a.m.—1. Discussion of Revised Licensing Procedures.

2:00 p.m.—1. Discussion and Possible Vote on Full-Power Operating License for Salem-2.

ADDITIONAL INFORMATION: By a vote of 4–0 on May 12, 1981, the Commission determined pursuant to 5 U.S.C. 552b(e)(1) and § 9.107(a) of the Commission's Rules, that Commission business required that affirmation of Goldsmith FOIA Appeal, FOIA Appeal—Attorney Conduct in Diablo Canyon Proceeding, and Review of ALAB–637 (partially closed—Exemption 10), held that day, be held on less than one week's notice to the public.

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.

Walter Magee,

Office of the Secretary.

May 12, 1981.

[S–767–81 Filed 5–13–81; 3:55pm]

BILLING CODE 7590–01–M

federal register

Friday
May 15, 1981

Part II

Department of Labor

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

New General Wage Determination Decisions

None.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Alaska: AK81–5110	Apr. 10, 1981.
Arizona: AZ81–5101	Jan. 30, 1981.
Florida: FL79–1118	Aug. 17, 1979.
Hawaii: HI81–5106	Mar. 6, 1981.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

California:	
CA80-5114(CA81-5119)	Apr. 18, 1980.
CA80-5147(CA81-5120)	Nov. 28, 1980.
Connecticut: CT80-2074(CT81-3032)	Aug. 15, 1980.
Kansas: KS79-4107(KS81-4033)	Nov. 14, 1979.
Maryland: MD81-3005(MD81-3031)	Feb. 6, 1981.
Ohio: OH80-2002(OH81-2024)	Feb. 1, 1980.

Signed at Washington, D.C. this 8th day of May 1981.

Dorothy P. Come,

Assistant Administrator, Wage and Hour Division.

BILLING CODE 4510-27-M

MODIFICATION PAGE 1

DECISION NUMBER AK81-5110 Mod. #2
(46 FR 21526 - April 10, 1981)

STATEWIDE, ALASKA	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Sprinkler Fitters	$ 22.51	.95	1.40		.08

DECISION NUMBER AZ81-5101 Mod. #5
(46 FR 10078 - January 30, 1981)

STATEWIDE, ARIZONA					
CHANGE:					
Sprinkler Fitters	$16.65	.95	1.40		.08

DECISION NO. FL79-1118 - MOD. #8
(44 FR 48564 - August 17, 1979)
Pinellas County, Florida

Change:					
Bricklayers	12.25	.60	.80		.10
Plumbers; Pipefitters & A/C Heating Mechanics	14.03	.70	1.10		.10

MODIFICATION PAGE 2

DECISION NUMBER HI81-5106 Mod. # 2
(46 FR 15650 - March 6, 1981)

STATEWIDE, HAWAII	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DELETE:					
POWER EQUIPMENT OPERATORS:					
ASPHALT PAVING GROUP:					
Asphalt Raker	$ 9.80	1.35	2.80	a	
Asphalt Roller	10.76	1.35	2.80	a	
Asphalt Spreader	11.08	1.35	2.80	a	
ADD:					
POWER EQUIPMENT OPERATORS:					
ASPHALT PAVING GROUP:					
Asphalt Spreader Oper.	12.58	1.35	2.75	a	
Roller Operator:					
Over 5 tons	12.26	1.35	2.75	a	
5 tons and under	11.03	1.35	2.75	a	
Screedman	11.61	1.35	2.75	a	
Asphalt Raker	11.30	1.35	2.75	a	
Hand Roller	10.80	1.35	2.75	a	
CHANGE:					
POWER EQUIPMENT OPERATORS:					
DREDGING: Hydraulic Suction Dredges; Clamshell Dredges; Boat Opers; Derricks.					
Group 1	13.75	1.35	2.80	.95	.05
Group 2	13.24	1.35	2.80	.95	.05
Group 3	12.69	1.35	2.80	.95	.05
Group 4	11.03	1.35	2.80	.95	.05
Group 5	11.03	1.35	2.80	.95	.05
Group 6	11.03	1.35	2.80	.95	.05
Group 7	13.50	1.35	2.80	.95	.05
Group 8	12.58	1.35	2.80	.95	.05
Group 9	13.20	1.35	2.80	.95	.05
Group 10	11.03	1.35	2.80	.95	.05
Sprinkler Fitters	15.80	.95	1.40		.08

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Amador, Calaveras, Contra Costa, Del Norte, El Dorado, Humboldt, Marin, Mariposa, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo Santa Clara, Santa Cruz, Solano, Sonoma, Sutter, Tuolumne, Yolo, and Yuba

DECISION NUMBER: CA81-5119

DATE: Date of Publication

Supersedes Decision No. CA80-5114 dated April 18, 1980, in 45 FR 26610

DESCRIPTION OF WORK: Residential Projects consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$20.11	$1.25	$1.45		.11
BOILERMAKERS	17.11	1.30	1.25	1.00	.04
BRICKLAYERS; Stonemasons:*					
Area 1	14.42	1.50	2.13	1.18	.05
Area 2	17.05	1.50	1.40		
Area 3	16.70	1.70	1.30		
Area 4	16.11	1.30	1.71		.25
Area 5	15.18	1.82	1.45		
Area 6	14.45	1.65	1.25		.05
Area 7	15.79	1.41	2.10		.05
BRICK TENDERS:*					
Area 1	12.14	1.15	1.90		
Area 2	12.13	1.15	1.90		
Area 3	13.73	1.30	1.75		
CARPENTERS:					
Carpenters	15.35	1.605	1.95	1.35	.09
Hardwood Floor Layers; Power Saw Operator; Saw Filers; Shinglers; Steel Scaffold Erectors and/or Steel Shoring Erectors	15.50	1.605	1.95	1.35	.09
Millwrights	15.85	1.605	1.95	1.35	.09
Calaveras, Mariposa, Merced and Tuolumne Cos.: Carpenters	15.35	1.605	1.95	1.35	.09
CEMENT MASONS:					
Cement Masons	13.70	1.65	1.75	1.90	.08
Mastic; Magnesite; All Composition Masons	13.95	1.65	1.75	1.90	.08
Men working from swinging or Slip Form Scaffolds	13.95	1.65	1.75	1.90	.08
DRYWALL INSTALLERS	15.88	1.605	1.95	1.35	.09

*See AREA Descriptions - Page 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:*					
Area 1:					
Electricians	$19.46	$1.30	3%+2.90		.082
Cable Splicers	21.89	1.30	3%+2.90		.082
Area 2:					
Electricians	13.60	1.25	3%+3.50		.10
Cable Splicers	20.46	1.25	3%+3.50		.10
Area 3:					
Electricians	17.43	.99	3%+1.37		.08
Cable Splicers	19.07	.99	3%+1.37		.08
Area 4:					
Electricians	18.06	1.34	3%+2.40		1/4%
Cable Splicers	20.12	1.34	3%+2.40		1/4%
Area 5:					
Electricians	18.61	1.40	3%+2.50		.10
Cable Splicers	20.61	1.40	3%+2.50		.10
Area 6:					
Electricians	15.16	1.10	3%+3.33		.04
Cable Splicers	16.37	1.10	3%+3.33		.04
Area 7:					
Electricians	17.85	1.26	3%+1.50		.04
Cable Splicers	19.64	1.26	3%+1.50		.04
Area 8:					
Electricians	17.57	1.15	3%+2.00		1/4%
Cable Splicers	19.33	1.15	3%+2.00		1/4%
Area 9:					
Electricians	17.51	1.15	3%+2.00		.15
Cable Splicers	19.70	1.15	3%+2.00		.15
Area 10:					
Cable Splicers	17.57	1.47	3%+2.10		.05
Cable Splicers	19.77	1.47	3%+2.10		.05
Area 11:					
Electricians	18.90	1.62	3%+3.00		.13
Cable Splicers	21.26	1.62	3%+3.00		.13
Area 12:					
Electricians	17.51	1.15	3%+4.38		.15
Cable Splicers	19.70	1.15	3%+4.38		.15
Area 13:					
Electricians	20.77	1.42	3%+1.935		.10
Cabel Splicers	23.36	1.42	3%+1.935		.10
Area 14:					
Electricians	19.35	1.32	3%+2.75		.05

*See AREA Descriptions - Page 3

AREA DESCRIPTIONS

BRICKLAYERS; Stonemasons:
Area 1: Del Norte, Humboldt, Marin, Napa, San Francisco, San Mateo, Solano, and Sonoma Counties
Area 2: Alameda and Contra Costa Counties
Area 3: Mariposa and Merced Counties
Area 4: El Dorado, Nevada, Placer, Sacramento, Sutter, Yolo, and Yuba Counties
Area 5: Monterey and Santa Cruz Counties
Area 6: San Benito and Santa Clara Counties
Area 7: Amador, Calaveras, San Joaquin, and Tuolumne Counties

BRICK TENDERS:
Area 1: Amador, El Dorado, Nevada, Placer, Sacramento, and Yolo Counties
Area 2: San Francisco and San Mateo Counties
Area 3: Calaveras and San Joaquin Counties

ELECTRICIANS:
Area 1: Alameda County
Area 2: Amador, Sacramento, Sutter, Yolo, and Yuba Counties; El Dorado, Nevada, and Placer Counties (those portions west of the Main Sierra Mountain Watershed)
Area 3: Lake Tahoe Area
Area 4: Calaveras and San Joaquin Counties
Area 5: Contra Costa County
Area 6: Del Norte and Humboldt Counties
Area 7: Marin and Sonoma Counties
Area 8: Mariposa, Merced, and Tuolumne Counties
Area 9: Monterey County
Area 10: Napa and Solano Counties
Area 11: Santa Clara County
Area 12: San Benito and Santa Cruz Counties
Area 13: San Francisco County
Area 14: San Mateo County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTRORS:					
Elevator Constructors	$19.99	1.195	.95	a	.035
Helpers	70%JR	1.195	.95	a	.035
Probationary Helpers	50%JR				
GLAZIERS:*					
Area 1	17.72	1.13	2.71		.10
Area 2	15.11	1.40	2.10	1.854	
Area 3	12.90	1.00	1.38	1.47	.05
IRONWORKERS:					
Fence Erectors	13.46	1.39	3.11	2.15	.07
Reinforcing; Ornamental; Structural	14.35	1.39	3.11	2.15	.07
LATHERS:*					
Area 1	14.51	1.31	2.00		.10
Area 2	12.35	.86	1.30		.01
Area 3	13.70	.93	.55		.01
Area 4	15.71	1.02	1.35		.01
Area 5	11.30	.68	.55		.01
Area 6	15.93	1.36	2.50	1.00	.035
Area 7	15.27	1.20	1.30		.05
Area 8	11.85				
Area 9	11.92	.82	2.50	1.50	.02
PAINTERS:*					
Area 1:					
Brush	12.49	1.10	3.24	1.11	
Spray; Sheetrock Tapers; Swing Stage; Scaffold; Sandblaster; Structural Steel	12.89	1.10	2.34	1.11	
Area 2:					
Brush	12.51	1.55	1.00	1.00	.02
Swing Stage, Paperhangers, Bosun Chair, Steam Cleaning and Water Blasting	14.51	1.55	1.00	1.00	.02
Spray, Sandblasting	14.01	1.55	1.00	1.00	.02
Area 3:					
Brush	18.34	1.50	2.00		
Spray	18.84	1.50	2.00		
Tapers	19.14	1.50	2.00		

*See AREA Descriptions - Page 6

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 4:					
Brush	$14.43	.70	.75		.02
Spray; Structural Steel; Tapers	14.93	.70	.75		.02
Area 5:					
Brush	17.40	1.50	2.00	1.00	.06
Spray	17.54	1.50	2.00	1.00	.06
Tapers	17.84	1.50	2.00	1.00	.06
Area 6:					
Brush; Por Tender; Rollers	9.35	.65	.70		
Spray; Sandblasters; Structural Steel; Swing Stage; Tapers	9.60	.65	.70		
Area 7:					
Brush	17.89	1.50	2.00	1.00	.04
Spray	17.59	1.50	2.00	1.00	.04
Tapers	17.89	1.50	2.00	1.00	.04
Area 8:					
Brush	10.10	1.00	.50		
Spray; Sandblasters; Structrual Steel; Swing Stage; Tapers; Paperhangers	10.35	1.00	.50		
PLASTERERS:*					
Area 1	14.32	1.20	2.80		.03
Area 2	12.40	1.45	1.75	1.75	
Area 3	14.51	1.00	1.35		.01
Area 4	13.21	1.21	2.15		.03
Area 5	11.60	1.13	.95	1.25	.01
Area 6	12.75	1.20	2.75	2.00	
Area 7	16.08	1.15	3.90		.06
Area 8	12.45	1.31	2.20	1.65	.03
PLUMBERS:*					
Area 1	18.85	1.05	2.74		.16
Area 2	19.92	1.65	2.84		.26

*See AREA Descriptions - Page 6

AREA DESCRIPTIONS

GLAZIERS:
Area 1: Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz Counties; Solano County (southwest from east of Fairfield); and Sonoma County
Area 2: Amador, Calaveras, El Dorado, and Mariposa Counties; Merced County (north of the City of Livingston); Nevada, Placer, Sacramento, Yolo, and Yuba Counties
Area 3: Remaining portions of Merced County

LATHERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Humboldt, Nevada, Placer, and Tehama Counties
Area 3: Calaveras and San Joaquin Counties
Area 4: Marin and Sonoma Counties
Area 5: Monterey and Santa Cruz Counties
Area 6: San Francisco and San Mateo Counties
Area 7: San Benito and Santa Clara Counties
Area 8: Mariposa, Merced and Tuolumne Counties
Area 9: Amador, El Dorado, Sacramento, and Yolo Counties

PAINTERS:
Area 1: Amador, Calaveras, and San Joaquin Counties
Area 2: Mariposa, Merced, and Tuolumne Counties
Area 3: Monterey, San Benito, San Mateo, Santa Clara and Santa Cruz Counties (excluding portions of the Lake Tahoe Area)
Area 4: Lake Tahoe Area
Area 5: Marin, San Francisco, and Sonoma Counties
Area 6: Sutter and Yuba Counties
Area 7: Alameda, Contra Costa, El Dorado, Napa, Nevada, Placer, Sacramento, Solano, and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area)
Area 8: Del Norte and Humboldt Counties

PLASTERERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Fresno County
Area 3: Monterey County
Area 4: Amador, Calaveras, El Dorado, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, and Yuba Counties
Area 5: Del Norte, Humboldt, Marin, Napa, Solano, and Sonoma Counties
Area 6: Mariposa, Merced, and Tuolumne Counties
Area 7: San Francisco and San Mateo Counties
Area 8: San Benito, Santa Clara, and Santa Cruz Counties

PLUMBERS:
Area 1: Alameda County
Area 2: Contra Costa County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters:*					
Area 1	$17.69	$1.56	$2.10		.14
Area 2	16.09	1.13	1.00		.10
Area 3	21.21	2.76	2.58		.20
Area 4	19.99	1.30	2.39		.16
Area 5	18.01	1.44	2.75		.25
Area 6	17.50	1.88	2.42		.10
Area 7	20.74	1.65	2.39		.22
Area 8	15.35	1.27	3.15		.10
ROOFERS:*					
Area 1:					
Roofers	13.82	1.27	2.10	1.50	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	14.07	1.27	2.10	1.50	.10
Bitumastic; Enamelers; Pipewrappers; Coal tar built up	15.82	1.27	2.10	1.50	.10
Area 2:					
Roofers (slate, tile and composition and built up)	15.35	1.34	1.25		
Felt Machine Operator	12.30	.98	.67		
Area 3:					
Roofers	14.51	1.32	1.00		.10
Area 4:					
Roofers	13.44	1.10	1.65	2.43	.10
Mastic Workers; Kettlemen (2 kettle w/o pumps)	13.69	1.10	1.65	2.43	.10
Bitumastic; Enamelers; Pipewrappers; Coal tar Pitch	15.44	1.10	1.65	2.43	.10
Area 5:					
Roofers	10.32	.40	.75	.35	
Area 6:					
Roofers	13.30	1.40	1.15		
Area 7:					
Roofers	13.54	1.06	1.70	2.45	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	13.79	1.06	1.70	2.45	.10
Bitumastic; Enamelers; Pipewrappers; Coal tar	15.54	1.06	1.70	2.45	.10

*See AREA Descriptions - Page 9

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:* (Cont'd)					
Area 8:					
Roofers	$13.80	$1.19	$1.70	$2.00	.10
Enamelers and Pitch	15.80	1.19	1.70	2.00	.10
Area 9:					
Roofers; Kettleman (1 kettle)	12.88	.99	1.68		
SHEET METAL WORKERS:*					
Area 1	13.10	1.23	2.52	12%	.05
Area 2	14.23	1.23	2.00		.01
Area 3	13.68	1.23	2.21		.13
Area 4	15.71	1.23	2.33		.04
Area 5	16.06	1.30	3%+2.46		.16
Area 6	19.51	1.23	2.47		.20
Area 7	14.78	1.33	2.00		.16
SOFT FLOOR LAYERS:*					
Area 1:	14.76	.89	1.60	1.25	.10
Area 2	16.16	1.00	1.75	1.55	.17
Area 3	16.16	1.00	1.75	1.55	.17
SPRINKLER FITTERS:*					
Area 1	20.73	1.65	2.60		.14
Area 2	20.03	.95	1.40		.08
STEAMFITTERS:*					
Area 1	15.68	1.51	2.60		.02
Area 2	12.75	1.12	2.65		.10
TERRAZZO WORKERS:					
Area 1	17.05	1.50	1.40		.05
Area 2	11.80	.80	.90		.25
TILE SETTERS:*					
Area 1	15.25	1.19	1.62	2.00	1.15
Area 2	16.64	1.41	1.35		.04
Area 3	14.75	1.50	1.00		.05
Area 4	16.73	1.64	1.79		
TILE FINISHERS:*					
Area 1	13.10	1.25	.89	1.31	.03
Area 2	9.40	.95		1.00	

*See AREA Descriptions - Pages 9 and 10

FOOTNOTE:
a. Employer contributes 8% of basic hourly rate for over 5 years' service and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A thru F

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day

AREA DESCRITPIONS

PLUMBERS; Steamfitters:
Area 1: Amador County (northern half); El Dorado, Sacramento, Yolo, Nevada and Placer Counties (excluding Lake Tahoe Area)
Area 2: Lake Tahoe Area
Area 3: Marin, San Francisco, and Sonoma Counties
Area 4: San Benito, and Santa Clara Counties
Area 5: San Mateo County
Area 6: Amador County (southern half); Calaveras, Mariposa, Merced, Monterey, San Joaquin, Santa Cruz, Sutter, Tuolumne, and Yuba Counties
Area 7: Napa and Solano Counties
Area 8: Del Norte and Humboldt Countier

ROOFERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Calaveras, Mariposa, Merced, San Joaquin, and Tuolumne Counties
Area 3: El Dorado, Placer, Sutter, and Yuba Counties
Area 4: Marin, Napa, Solano, and Sonoma Counties
Area 5: Del Norte and Humboldt Counties
Area 6: Monterey and Santa Cruz Counties
Area 7: San Francisco and San Mateo Counties
Area 8: Amador, Sacramento, and Yolo Counties
Area 9: San Benito and Santa Clara Counties

SHEET METAL WORKERS:
Area 1: Alameda, Contra Costa, Napa, and Solano Counties
Area 2: Calaveras and San Joaquin Counties
Area 3: Amador, El Dorado, Nevada, Placer, Sacramento, Sutter, Yolo, and Yuba Counties
Area 4: Mariposa, Merced, and Tuolumne Counties
Area 6: San Mateo County
Area 7: Del Norte, Humboldt, Marin, San Francisco, and Sonoma Counties

AREA DESCRIPTIONS (Cont'd)

SOFT FLOOR LAYERS:
Area 1: Amador, Calaveras, and Merced Counties (east of the San Joaquin River); San Joaquin, Sacramento, Sutter, Tuolumne, Yolo, and Yuba Counties; El Dorado, Nevada, and Placer Counties (those portions excluding the Lake Tahoe Area)
Area 2: Lake Tahoe Area
Area 3: Alameda, Contra Costa, Marin, Merced, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma Counties

SPRINKLER FITTERS:
Area 1: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties
Area 2: Remaining Counties

STEAMFITTERS:
Area 1: Alameda and Contra Costa Counties
Area 2: Del Norte and Humboldt Counties

TERRAZZO WORKERS:
Area 1: Alameda, Contra Costa, Del Norte, Humboldt, Marin, Napa, San Francisco, San Mateo, Solano, and Sonoma Counties
Area 2: El Dorado, Nevada, Placer, Sacramento, Sutter, Yolo, and Yuba Counties

TILE SETTERS:
Area 1: Alameda, Contra Costa, Del Norte, El Dorado, Humboldt, Marin, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Solano, Sonoma, Sutter, Yolo, and Yuba Counties
Area 2: Amador, Calaveras, San Joaquin, and Tuolumne Counties
Area 3: Mariposa and Merced Counties
Area 4: Monterey and Santa Cruz Counties

TILE FINISHERS:
Area 1: Alameda, Contra Costa, Del Norte, Humboldt, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Sonoma, and Solano Counties
Area 2: Amador, Calaveras, El Dorado, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, and Yuba Counties

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.19	$1.30	$ 1.75	$1.40	.10
Group 1(a)	12.415	1.30	1.75	1.40	.10
Group 1(b)	12.69	1.30	1.75	1.40	.10
Group 1(c)	12.24	1.30	1.75	1.40	.10
Group 1(d)	12.44	1.30	1.75	1.40	.10
Group 1(e)	12.74	1.30	1.75	1.40	.10
Group 1(f)	12.775	1.30	1.75	1.40	.10
Group 1(g)	12.39	1.30	1.75	1.40	.10
Group 2	12.04	1.30	1.75	1.40	.10
Group 3	11.94	1.30	1.75	1.40	.10
GUNNITE					
Group 1	12.65	1.30	1.75	1.40	.10
Group 2	12.06	1.30	1.75	1.40	.10
Group 3	11.94	1.30	1.75	1.40	.10

LABORERS

Group 1: Asphalt Ironers and Rakers; Barko, Wacker and similar type Tampers; Buggymobile; Chainsaw, Faller, Logloader and Bucker; Compactors of all types; Concrete and Magnesite Mixer, 1/2 yard and under; Concrete Pan work; Concrete Saw; Concrete Sander; Cribber and/or Shoring; Cut Granite Curb Setter; Form Raisers; Slip Forms; Green Cutters, Headerboardmen, Hubsetters, Aligners; Jackhammer Operators; Jacking of pipe over 12 inches; Jackson and similar type Compactors; Kettlemen, Potmen, and men applying asphalt, lay-kold, creosote, lime, caustic and similar type materials; Lagging, Sheeting, Whaling, Bracing, Trenching-jacking, Hand-guided Lagging Hammer; Magnesite, Epoxyresin, Fibergalss, and Mastic Workers (wet or dry); Pavement Breakers and Spaders, including Tool Grinder; Pipelayers, Caulkers; Banders; Pipewrappers, Conduit Layers, Plastic Pipelayers; Post Hole Diggers - air, gas and electric; Power Broom Sweepers; Power Tampers of all types (except as shown in Group 2); Ram Set Gun and Stud Gun; Riprap/Stonepaver and Rock-slinger, including placing of sacked concrete and/or sand (wet or dry); Rotary Scarifier, Multiple Head Concrete Chipper; Davis Trencher - 300 or similar type (and all small Trenchers); Roto and Ditch Witch; Roto-tiller; Sandblasters, Potman, Gunman; Nozzleman; Signalling and Rigging; Tank Cleaners; Tree Climbers: Vibra-screed - Bull Float in connection with Laborer's work; Vibrators; Dri-pak-it Machine; High Pressure Blow Pipe (1½" or over, 100 lbs. pressure or over); Hydro Seeder and similar type; Laser Beam in connection with Laborer's work

Group 1(a): Joy Drill Model TWM-2A; Gardener-Denver Model DH143 and similar type Drills; Track Drillers; Jack Leg Drillers; Diamond Drillers; Wagon Drillers; Mechanical Drillers - all types regardless of type or method of power; Multiple unit Drills; Blasters and Powdermen; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High Scalers (including drilling of same); Tree Topper; Bit Grinder

Group 1(b): Sewer Cleaners

Group 1(c): Burning and Welding

Group 1(d): Repair Trackmen and Rod Beds (cut and cover work of subway after the temporary cover has been placed)

Group 1(e): Laborers on General Construction work on or in Bell Hole Footings and Shaft

Group 1(f): Wire Winding Machine in connection with Guniting or Shotcrete - Aligner

LABORERS: (Cont'd)

Group 1(g): Contra Costa County Only: Pipelayers; Caulkers, Banders; Pipewrappers, Conduit Layers and Plastic Pipelayers; Pressure Pipe Tester, no joint pipe and stripping of same, including repair of voids, Precast Manhole Setters, Cast-in-place, Manhole Form Setters

Group 2: Asphalt Shovelers; Cement Dumpers and handling dry cement or gypsum; Choke-setter and Rigger (clearing work); Concrete Bucker Dumper and Chuteman; Concrete Chipping and Grinding; Concrete Laborers (wet or dry); Drillers' Tenders; Chuck Tender; Nozzleman, Adductors; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete construction; Pittsburgh Chipper, and similar type Brush Shredders; Sloper, Singlefoot, hand held, Pneumatic Tamper; All Pneumatic, air, gas, and electric tools; Jacking of pipe under 12 inches

Group 3: All Cleanup work of debris, grounds and buildings including but not limited to street cleaners; Cleaning and washing windows; Construction Laborers including bridge and General Laborers; Dumpman, Load Spotter; Fire Watcher; Street Cleaners; Gardeners; Horticultural and Landscape Laborers; Jetting; Limbers; Brush Loaders; Pilers, Maintenance Landscape Laborers on new construction; Maintenance, Repair Trackmen and Road Beds; Streetcar and Railroad construction Track Laborers; Temporary air and water lines, Victaulic or similar; Tool Room Attendant; Fence Erectors; Guardrail Erectors; Pavement Markers (Button Setters)

GUNNITE

Group 1: Nozzleman (including Gunman, Potman); Rodmen; Groundman

Group 2: Reboundman

Group 2: General Laborers

POWER EQUIPMENT OPERATORS	Basic Hourly Rates AREA 1	Basic Hourly Rates AREA 2	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.08	$14.08	$2.09*	$3.00	$1.55	.34
Group 2	12.49	14.49	2.09*	3.00	1.55	.34
Group 3	12.74	14.74	2.09*	3.00	1.55	.34
Group 4	13.39	15.39	2.09*	3.00	1.55	.34
Group 5	13.64	15.64	2.09*	3.00	1.55	.34
Group 6	13.82	15.82	2.09*	3.00	1.55	.34
Group 7	14.00	16.00	2.09*	3.00	1.55	.34
Group 8	14.52	16.52	2.09*	3.00	1.55	.34
Group 9	14.78	16.78	2.09*	3.00	1.55	.34
Group 10	15.04	17.04	2.09*	3.00	1.55	.34
Group 10-A	15.18	17.18	2.09*	3.00	1.55	.34
Group 11	15.39	17.39	2.09*	3.00	1.55	.34
Group 11-A	16.75	18.75	2.09*	3.00	1.55	.34
Group 11-B	17.09	19.09	2.09*	3.00	1.55	.34
Group 11-C	17.46	19.46	2.09*	3.00	1.55	.34

*Includes $.44 per hour to Pensioned Health and Welfare Fund.

See AREA Descriptions following TRUCK DRIVERS

POWER EQUIPMENT OPERATORS
AREAS I and II

Group 1: Assistant to Engineers (Brakeman; Fireman; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (Heavy Duty Repair shop parts room)

Group 2: Compressor Operator; Concrete Mixer (up to and including 1 yard); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Operator (concrete plant); Pump Operator; Spreader Boxman (with screed); Tar Pot Fireman (power agitated)

Group 3: Box Operator (bunker); Helicopter Radioman (Signalman); Motorman; Locomotive; Oiler, Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (maximum digging capacity 3 feet depth); Tugger Hoist, single drum; Truck Crane Oiler

Group 4: Ballast Jack Tamper; Ballast Regulator; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Operator (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Lubrication and Service Engineer (mobile and grease rack); Material Hoist (1 drum); Shuttlecar; Tie spacer; Towermobile

Group 5: Compressor Operator (over 2); Concrete Mixers (over 2 yards); Concrete Pumps or Pumpcrete Guns; Generators; Grouting Machine; Press-weld (air operated); Pumps (over 2); Welding Machines (powered other than by electricity)

POWER EQUIPMENT OPERATORS (Cont'd)
(Areas I and II) (Cont'd)

Group 6: BLH Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to Waterliners, Wagon Drills or Jackhammers); Gradesetter, Grade Checker (mechanical or other-wise); Highline Cableway Signalman; Locomotives (steam or over 30 tons); Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete); (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burn, Curb and/or Curb and Gutter Machine, concrete or asphalt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene and similar)(asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine; Perault, CRC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small rubber tired Tractor; Surface Heater

Group 7: Concrete Conveyor or Concrete Pump, truck or equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-hammer (or similar); Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar); Mine or Shaft Hoist; Mixermobile; Pavement Breaker with or without compressor combination; Pavement Breaker, truck mounted with compressor combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C.); Self-propelled Elevating Grade Plane; Slusher Operator; Small tractor (with boom); Soil Tester; Truck type loader; Instrumentman

Group 8: Armor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Laying Machine; Combination Slusher and Motor Operator; Concrete Batch Plant (multiple units); Dozer; Heading Shield Operator; Heavy Duty Repairman and/or Welder; Ken Seal Machine (or similar); Kolman Loader; Loader (up to 2 yards); Mechanical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber tired earth moving equipment (up to and including 45 cu. yds. "struck" m.r.c.); Euclids, T-Pulls, DW-10, 20, 21 and similar; Rubber tired Dozer; Self-propelled Compactor with Dozer; Sheepfoot; Timber Skidder (rubber tired or similar equipment); Tractor drawn Scraper; Tractor Trenching Machine; Tri-batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar pugmill equipment)

POWER EQUIPMENT OPERATORS (Cont'd)
(Areas I and II) (Cont'd)

Group 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (Gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-lift or similar (20 ft. or over); Mucking Machine (rubber tire, rail or track type); Tractor (with boom)(D-6 or larger and similar)

Group 10: Boom-type Backfilling Machine; Bridge Crane; Carylift or similar); Chemical Grouting Machine, truck mounted; Combination Backhoe and Loader (up to and including 1/2 cu. yd. m.r.c.); Derrick (2 operators required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-more Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill (including caisson foundation work and Euclid Loader and similar type; Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine; (Vagtborg and similar types); Loader (2 yds. up to and including 4 yds.); Locomotive (100 tons) (single or multiple units); Multiple engine earthmoving Machine (Euclids, Dozers, etc.)(no tandem scraper); Pre-stress Wire Wrapping Machine; Reservoir-debris tug (self-propelled.floating); Rubber-tired Scraper, self-loading (paddle wheels, etc.); Shuttle Car (reclaim station); Single engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurries or other automatic type); Tractor, compressor drill combination; Track Laying type earth moving machine (single engine with Tandem Scrapers); Train Loading Station; Trenching Machine, multi-engine with sloping attachment, Jeffco or similar; Vacuum Cooling Plant; Whirley Crane up to and inlcuidng 25 tons); Chief of Party

Group 10-A: Backhoe (hydraulic) (up to and including 1 cu. yd. m.r.c.); Backhoe (cable) (up to and including 1 cu. yd. m.r.c.); Combination Backhoe and Loader over 3/4 cu. yd. m.r.c.); Continuous Flight Tie Back Auger (up to and including 1 cu. yd.)(Crane attached); cranes (not over 25 tons, Hammerhead and Gantry); Gradealls (up to and including 1 cu. yd.); Power Shovels, Clamshells, Draglines, (up to and including 1 cu. yd. m.r.c.); Power Blade (single engine); Self-propelled boom-type lifting device (centermount)(over 10 tons); Rubber-tired Scraper, self-loading (paddle wheel twin engine); CMI Dual Lane Auto Grader SP30 or similar

POWER EQUIPMENT OPERATORS (Cont'd)
(Areas I and II) (Cont'd)

Group 11: Automatic Concrete Slip Form Paver; Automatic Railroad Car Dumper; Canal Trimmer; Canal Trimmer w/ditching attachments; Cranes (over 25 tons up to and including 125 tons); Continuous Flight Tie Back Auger over 1 cu. yd. (including crane); Drott Travelift 650-A-1 or similar (45 tons or over); Euclid Loader when controlled from the Pullcat; Highline Cableway (over 5 tons); Loader (over 4 yds. up to and including 12 cu. yds.); Miller Formless M900 Sloper Paver or similar; Power blade (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Grade-alls (over 1 yd. and up to and including 7 cu. yds. m.r.c.); Rubber tired earth moving machines (multiple propulsion power units and two or more scrapers)(up to and including 75 cu. yds. "struck" m.r.c.); Self-propelled Compactor (with multiple propulsion power units); Single engine rubber-tired earthmoving machines (with Tandem Scrapers); Slip Form Paver (concrete or asphalt); Tandem Cats; Tower Cranes Mobile, including rail mounted; Trencher (pulling attached shield); Universal Liebher and Tower Cranes (and similar types); Wheel Excavator (up to and including 750 cu. yds. per hour); Whirley Crane (over 25 tons)

Group 11-A: Band Wagons (in conjunction with Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds.; up to and including 18 cu. yds.); Power Shovels and Draglines (over 7 cu. yds. m.r.c.); Rubber Tired multi-purpose earth moving machines (2 units over 75 cu. yds. "struck" m.r.c.); Wheel Excavator (over 750 cu. yds. per hour)

Group 11-B: Loader (over 18 cu. yds.)

Group 11-C: Operator of Helicopter (when used in erection work); Remote controlled Earthmoving equipment

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or Manhaul Driver; Concrete Pump Machine; Concrete Pump Truck (when flat rack truck is used appropriate flat rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete truck (under 4 yds. water level); Escort or Pilot Car Driver; Hipper Truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickups; Skids (debris box, under 4 yds. water level); Team Drivers; Trucks (dry pre-batch Concrete Mix, under 4 yds. water level)	$10.725	$1.395	.75	$1.00	
TEAMSTER Oiler and/or Greaser	10.80	1.385	.75	1.00	
BULK CEMENT SPREADER (w/wo auger, 4 yds. and under 6 yds. water level); Dump (4 yds. and under 6 yds. water level); Dumpcrete (4 yds. and under 6 yds. water level); Dumpster (4 yds. and under 6 yds. water level); Skids (debris box 4 yds. and under 6 yds. water level); Single unit flat rack (2 axle unit); Industrial Lift truck (mechanical tailgate); Trucks (dry pre-batch concrete mix, 4 yds. and under 6 yds. water level)	10.82	1.395	.75	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
JETTING TRUCK and WATER TRUCK (under 2,500 gallons)	$10.825	$1.395	.75	$1.00	
ROAD OIL TRUCK OR BOOT Man	10.845	1.395	.75	1.00	
LIFT JITNEYS, Fork Lift	10.855	1.395	.75	1.00	
TRANSIT MIX, AGITATOR (under 6 yds.)	10.875	1.395	.75	1.00	
FUEL AND/OR GREASE TRUCK Driver or Fuelman	10.89	1.395	.75	1.00	
VACUUM TRUCK under (3,500 gallons)	10.905	1.395	.75	1.00	
SCISSOR TRUCK: Single unit flat rack (3 axle unit); Industrial Lift Truck (mechanical tailgate); Small rubber tired tractor (when used within teamsters' jurisdiction)	10.92	1.395	.75	1.00	
JETTING TRUCK & WATER TRUCK (2,500 gallons under 4,000 gallons)	10.935	1.395	.75	1.00	
COMBINATION WINCH TRUCK WITH HOIST; Transit, Mix Agitator (6 yds. and under 8 yds.)	10.975	1.395	.75	1.00	
VACUUM TRUCK (3,500 gallons and under 5,500 gallons)	10.985	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
RUBBER-TIRED MUCK CAR (not self-loaded)	$10.995	$1.395	.75	$1.00	
BULK CEMENT SPREADERS (w/wo auger, 6 yds. and under 8 yds. water level); Dump (6 yds. and under 8 yds. water level); Dumpcrete (6 yds. and under 8 yds. water level); Dumpster (6 yds. and under 8 yds. water level); Skids (debris box, 6 yds. and under 8 yds. water level); Trucks (dry pre-batch concrete mix, 6 yds. and under 8 yds. water level)	11.02	1.395	.75	1.00	
A-FRAME, WINCH TRUCKS; Buggymobile; Jetting and water truck (4,000 gals. and under 5,000 gals); Rubber tired Jumbo	11.035	1.395	.75	1.00	
HEAVY DUTY TRANSPORT (high bed)	11.04	1.395	.75	1.00	
ROSS HYSTER and SIMILAR STRADDLE CARRIER	11.065	1.395	.75	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds.)	11.075	1.395	.75	1.00	
VACUUM TRUCK (5,500 gals. and under 7,500 gals.)	11.085	1.395	.75	1.00	
JETTING TRUCK & WATER TRUCK (5,000 gals. and under 7,000 gals.)	11.135	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
COMBINATION BOOTMAN and ROAD OILER	$11.165	$1.395	.75	$1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	11.175	1.395	.75	1.00	
BULK CEMENT SPREADER (w/wo auger, 8 yds. and including 12 yds. water level); Dump (8 yds. and including 12 yds. water level); Dumpcrete (8 yds. and including 12 yds. water level); Self-propelled street sweeper with self-contained refuse bin; Skids (debris box, 8 yds. and including 12 yds. water level); Snow go and/or snow plow; Truck (dry pre-batch concrete mix, 8 yds. and including 12 yds. water level); Dumpster (8 yds. and including 12 yds. water level	11.26	1.395	.75	1.00	
HEAVY DUTY TRANSPORT (Gooseneck Lowbed)	11.27	1.395	.75	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 14 yds.)	11.275	1.395	.75	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AMMONIA NITRATE DISTRIBUTOR DRIVER and Mixer; Bulk Cement Spreader (w/wo auger, over 12 yds. and including 18 yds. water level); Dump (over 12 yds. and including 18 yds. water level); Dumpcrete (over 12 yds. and including 18 yds. water level); Dumpster (over 12 yds. and inlcuding 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. and including 18 yds. water level)	$11.30	$1.395	.75	$1.00	
DOUBLE GOOSENECK (7 or more axles); Heavy Duty Transport Tiller Man	11.32	1.395	.75	1.00	
P.B. OR SIMILAR TYPE SELF-LOADING TRUCK	11.36	1.395	.75	1.00	
TRANSIT MIX AGITATOR (over 14 yds. through 16 yds.)	11.375	1.395	.75	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo auger, over 18 yds. and including 24 yds. water level); Combination dump and dump trailer; Dump (over 18 yds. and including 24 yds. water level); Dumpcrete (over 18 yds. and including 24 yds. water level); Dumpster (over 18 yds. and including 24 yds. water level); Skid (debris box, over 17 yds. and including 24 yds. water level); Transit Mix Agitator (over 12 yds. through 15 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. and including 24 yds. water level)	$11.405	$1.395	.75	$1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo auger, over 24 yds. and including 35 yds. water level); Dump (over 24 yds. and including 35 yds. water level); Dumpcrete (over 24 yds. and including 35 yds. water level); Dumpster (over 24 yds. and including 35 yds. water level); DW 10's, 20's, 21's and other similar Cat type, Terra Cobra, LeTourneapulls, Tournarocker, Euclid and similar type equipment when pulling fuel and/or grease trailers or other misc. trailers; Skids (debris box, over 24 yds. and including 35 yds, water level); Truck (dry pre-batch concrete mix, over 24 yds. and including 35 yds. water level)	$11.46	$1.395	.75	$1.00	
TRUCK REPAIRMAN	11.395	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo auger, over 35 yds. and including 50 yds. water level); Dump (over 35 yds. and including 50 yds. water level); Dumpcrete (over 35 yds. and including 50 yds. water level); Dumpster (over 35 and including 50 yds. water level); Skids (debris box, over 35 yds. and including 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. and including 50 yds. water level)	$11.61	$1.395	.75	$1.00	
DW 10's, 20's, 21's and other similar Cat type, Terra Cobra, LeTourneau Pulls, Tournorocker, Euclid and similar type equipment when pulling Aqua/Pak or water tank trailers	11.71	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
BULK CEMENT SPREADER w/wo auger, over 50 yds. and under 65 yds. water level); Dump (over 50 yds. and under 65 yds. water level); Dumpcrete (over 50 yds. and under 65 yds. water level); Dumpster (over 50 yds. and under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skids (debris box, over 50 yds. and under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. and under 65 yds. water level)	$11.76	$1.395	.75	$1.00	
BULK CEMENT SPREADER (w/wo auger, over 65 yds. and including 80 yds. water level); Dump (65 yds. and including 80 yds. water level); Dumpcrete (over 65 yds. and including 80 yds. water level); Dumpster (65 yds. and including 80 yds. water level); Skids (debris box, 65 yds. and including 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. and including 80 yds. water level)	11.91	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
BULK CEMENT SPREADER (w/wo auger, over 80 yds. and including 95 yds. water level); Dump (over 80 yds. and including 95 yds. water level); Dumpcrete (over 80 yds. and including 95 yds. water level); Dumpster (over 80 yds. and including 95 yds. water level); Skids (debris box, over 80 yds. and including 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. and including 95 yds. water level)	$12.06	$1.395	.75	$1.00	

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS

*AREA 1: All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Diablo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings County and the Southerly boundray of Tulare County, to the S.E. corner of township 24S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,
Thence Northerly crossing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.W. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (Cont'd)

Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.E. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern line of township 12N to the Eastern boundary of the State of California,
Thence Northwesterly, thence Northerly along the Eastern boundary of the State of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 27N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Easterly to the S. E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (Cont'd)

AREA 1: (Cont'd)

Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 8W,
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 12W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Daiblo baseline and Meridian:
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning which portion is a part of Area 2.
AREA 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline and meridian:
Thence Easterly along the Southerly line of township 2N, to the S.W. corner of township 2N, range 1W,

CARIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (Cont'd)

*AREA 1: (Cont'd)

Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E. corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, range 1E,
Thence Westerly along the Northerly line to township 10N, into the Pacific Ocean.
AREA 1 also includes that portion of Northern California included within the following line:
Commencing at the NOrtherly boundary of the State of California at the N.W. corner of township 48N, range 7W, Mt. Diablo baseline and Meridian:
Thence Southerly to the S.E. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W, on the Northerly boundary of the State of California,
Thence Westerly along the Northerly boundary of the State of California to the point of beginning.

**AREA 2: All areas not included within AREA 1 as defined.

SUPERSEDEAS DEICISON

STATE: California

COUNTIES: Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo Santa Barbara and Ventura

DECISION NUMBER: CA81-5120 DATE: Date of Publication

Supersedes Decision No. CA80-5147, dated November 28, 1980, in 45 FR 79275

DESCRIPTION OF WORK: Residential Projects consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
ASBESTOS WORKERS	$17.74	$1.30	$1.45	$1.00	.07
BOILERMAKERS	17.61	1.30	1.25	1.00	.04
BRICKLAYERS: Stoneamsons:*					
Area 1	16.09	1.13	1.34		.12
Area 2	15.45	1.15	1.65		.07
Area 3	15.25	1.15	2.20		.05
Area 4	15.89	1.50	2.35		.10
Area 5	15.47	1.45	2.00		.06
BRICK TENDERS	11.23	1.25	2.90	1.20	.12
CARPENTERS:					
Carpenters	13.81	1.63	2.21	1.00	.10
Saw Filers *	13.89	1.63	2.21	1.00	.10
Table Power Saw Operators	13.91	1.63	2.21	1.00	.10
Shinglers; Piledrivermen, bridge or dock Carpenters; Derrick Bargemen; Rock Slinger	13.94	1.63	2.21	1.00	.10
Hardwood Floor Layers	14.01	1.63	2.21	1.00	.10
Pneumatic Nailer	14.06	1.63	2.21	1.00	.10
Millwrights	14.31	1.63	2.21	1.00	.10
CEMENT MASONS:					
Cement Masons	13.61	1.30	1.85	1.25	.08
Cement Floating and Troweling Machine	13.86	1.30	1.85	1.25	.08
DRYWALL INSTALLERS	14.63	1.63	2.21	1.00	.09
ELECTRICIANS:*					
Area 1:					
Electricians	15.98	.75	3%+1.71		.09
Cable Splicers	16.28	.75	3%+1.71		.09
Area 2:					
Electricians; Technicians	22.05	1.10	3%+2.15		.15
Cable Splicers	24.26	1.10	3%+2.15		.15
Area 3:					
Electricians; Technicians	18.30	1.10	3%+2.15		.15
Cable Splicers	20.13	1.10	3%+2.15		.15
Area 4:					
Electricians	15.67	1.15	3%+2.70		.12
Cable Splicers	15.97	1.15	3%+2.70		.12

*See AREA Descriptions - Page 4

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
ELECTRICIANS:* (Cont'd)					
Area 5:					
Electricians	$18.09	.81	3%+1.45		.02
Cable Splicers	18.92	.81	3%+1.45		.02
Area 6:					
Electricians	16.41	.85	3%+2.60		.04
Cable Splicers	16.91	.85	3%+2.60		.04
Area 7:					
Electricians	14.90	1.21	3%+2.90		.04
Cable Splicers	15.40	1.21	3%+2.90		.04
Area 8:					
Electrcians	18.18	1.23	3%+1.50		.03
Cable Splicers	20.00	1.23	3%+1.50		.03
Area 9:					
Electricians	20.80	1.30	3%+1.50		.03
Cable Splicers	22.30	1.30	3%+1.50		.03
Area 10:					
Electricians	18.05	1.30	3%+1.50		.03
Cable Splicers	19.55	1.30	3%+1.50		.03
Area 11:					
Electricians	19.11	1.20	3%+2.25		.02
Cable Splicers	21.02	1.20	3%+2.25		.02
ELEVATOR CONSTRUCTORS:*					
Area 1:					
Elevator constructors	15.41	1.045	.82	a	.035
Helpers	70%JR	1.045	.82	a	.035
Probationary Helpers	50%JR				
Area 2:					
Elevator Constructors	16.37	.895	.82	a	.035
Helpers	70%JR	.895	.82	a	.035
Probationary Helpers	50%JR				
GLAZIERS:*					
Area 1	14.18	1.10	3.00	.07	
IRONWORKERS:					
Fence Erectors	13.46	1.39	3.26	2.15	.07
Ornamental; Reinforcing; Structural	14.35	1.39	3.26	2.15	.07
IRRIGATION and LAWN SPRINKLERS:*					
Area 1	11.12	10%	16%	13%	1½%

*See AREA Descriptions - Page 4

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LATHERS:*					
Area 1	$12.58	$1.15	$1.85	.90	.05
Area 2	14.00	1.26	1.99		.03
Area 3	15.63	1.63	2.21	1.00	.10
Area 4	13.60	.95	1.70	1.00	.03
Area 5	14.11	.90	1.41	1.03	.01
PAINTERS:*					
Area 1:					
Brush; Paint Burners Iron, steel and bridge (swing stage); Sheet Rock Taper	15.06	1.23	1.53	.75	.07
Brush (swing Stage); Spray	16.06	1.23	1.53	.75	.07
Steeplejack	15.30	1.23	1.53	.75	.07
Area 2:	16.71	1.23	1.53	.75	.07
Brush	14.31	1.29	1.33	.75	.10
Structural steel; Painter Burner	14.43	1.29	1.33	.75	.10
Tapers	14.91	1.29	1.33	.75	.10
Brush swing stage (13 stories or less); Paperhangers; Sandblasters	14.56	1.29	1.33	.75	.10
Area 3:					
Brush	11.53	.80	1.00	1.10	.03
Brush or Roller, swing stage; Paperhangers; Taping Joint Sheet Rock	11.78	.80	1.00	1.10	.03
Spray; Sandblasters	12.28	.80	1.00	1.10	.03
Area 4:					
Brush; Pot Tender	14.98	1.25	1.83		.03
Paperhangers; Paste Machine Operators; Iron and steel	15.23	1.25	1.85		.03
Spray; Taper; Sandblasters	15.48	1.25	1.83		.03
Steeplejack	15.98	1.25	1.83		.03

*See AREA Descriptions - Page 4

AREA DESCRIPTIONS

BRICKLAYERS; Stonemasons:
Area 1: Imperial County
Area 2: Los Angeles and Orange Counties
Area 3: Riverside and San Bernardino Counties
Area 4: Santa Barbara and San Luis Obispo Counties
Area 5: Ventura County

ELECTRICIANS:
Area 1: Imperial County
Area 2: Kern County (China Lake Naval Ordnance Test Station, Edwards Air Force Base)
Area 3: Kern County (Remainder of County)
Area 4: Los Angeles County
Area 5: Orange County
Area 6: Riverside County
Area 7: San Bernardino County
Area 8: San Luis Obispo County
Area 9: Santa Barbara County (Vandenberg Air Force Base)
Area 10: Santa Barbara (Remainder of County)
Area 11: Ventura County

ELEVATOR CONSTRUCTORS:
Area 1: Imperial County; Kern County (south of Tehachapi Range); Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties
Area 2: Kern County (north of Tehachapi Range)

GLAZIERS:
Area 1: Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo, and Ventura Counties

IRRIGATION and LAWN SPRINKLERS:
Area 1: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Brabara, and Ventura Counties

LATHERS:
Area 1: Kern County
Area 2: Los Angeles County (except City of Lancaster)
Area 3: Ventura County
Area 4: Orange County
Area 5: Riverside County

PAINTERS:
Area 1: Imperial, Orange, and Riverside Counties; Los Angeles County (Pomona Area); San Bernardino County (excluding western portion)
Area 2: Kern County (Lancaster, Mohave, Palmdale, China Lake Naval Ordnance Test Station and Edwards Air Force Base); Los Angeles County (except Pomona Area); San Bernardino (west of a line north of Trono including China Lake Area, Johannesburg, Boron, south including the Wrightwood area)
Area 3: Kern County (Remainder of County)
Area 4: San Luis Obispo, Santa Barbara, and Ventura Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:*					
Area 1	$16.495	$1.08	$1.85		.12
Area 2	19.70				
Area 3	16.7[illegible]	1.30	3.00		.02
Area 4	16.15	1.25	2.00		
Area 5	18.28				
PLASTERERS' TENDERS:*					
Area 1	13.77	1.25	2.90	1.40	
Area 2	14.25	1.25	2.90	1.20	
Area 3	11.25	1.25	2.90	1.20	
Area 4	13.625	1.25	2.90	1.20	
Area 5	12.48	1.25	2.90	1.20	
Area 6	13.83	1.25	2.90	1.20	
Area 7	15.73	1.25	2.60	1.20	
PLUMBERS:*					
Area 1	15.25	16%	16%	13%	3/4%
Area 2	15.88	1.05	2.25	1.45	.17
REFRIGERATION and AIR CONDITIONING:*					
Area 1	10.70	.96	.85	1.00	.05
Area 2	13.82	2.00	2.00	1.52	.30
ROOFERS:*					
Area 1	12.79	.80	1.05	1.00	
Area 2	12.55	.90	.60		.05
Area 3	13.68	1.17	2.60		.065
Area 4	13.68	1.17	1.20		.065
Area 5	14.65	.80	1.25	1.50	
SHEET METAL WORKERS:*					
Area 1	16.34	1.20	2.64		.04
Area 2	16.73	1.20	2.13		.04
Area 3	16.70	1.20	2.62		.10
Area 4	14.16	1.14	2.64		.09
Area 5	15.30	1.14	1.91		.16
Area 6	16.37	1.20	2.52		.06
SOFT FLOOR LAYERS:*					
Area 1	11.52	.81	1.45		.10
Area 2	14.72	.86	1.30	.88	.08
Area 3	13.40	.90	.90	1.25	.09
SPRINKLER FITTERS:*					
Area 1	20.03	.95	1.40		.08
Area 2	16.83	.83	1.05		.09

*See AREA DESCRIPTIONS Page 6

AREA DESCRIPTIONS

PLASTERERS:
Area 1: Los Angeles and Orange Counties
Area 2: Imperial, Riverside, and San Bernardino Counties
Area 3: Ventura County
Area 4: Santa Barbara County
Area 5: San Luis Obispo County

PLASTERERS' TENDERS:
Area 1: Imperial, Riverside, and San Bernardino Counties
Area 2: Kern County (China Lake Naval Ordnance Test Station, Edwards Air Force Base)
Area 3: Kern County (Remainder of County)
Area 4: Los Angeles and Orange Counties
Area 5: San Luis Obispo County
Area 6: Santa Barbara County
Area 7: Ventura County

PLUMBERS; Steamfitters:
Area 1: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties
Area 2: Kern County

REFRIGERATION and AIR CONDITIONING:
Area 1: Riverside and San Bernardino Counties
Area 2: Los Angeles and Orange Counties

ROOFERS:
Area 1: Imperial County
Area 2: Kern County
Area 3: Los Angeles, Orange, and Ventura Counties
Area 4: San Luis Obispo and Santa Barbara Counties
Area 5: Riverside and San Bernardino Counties

SHEET METAL WORKERS:
Area 1: Imperial County
Area 2: Kern County (Remainder of County); and Los Angeles County (that portion north of a straight line drawn between Gorman and Big Pines)
Area 3: Los Angeles County (Remaining portion)
Area 4: Orange County
Area 5: Riverside and San Bernardino Counties
Area 6: San Luis Obispo, Santa Barbara, and Ventura Counties

SOFT FLOOR LAYERS:
Area 1: Imperial County
Area 2: Los Angeles, Orange, Riverisde, Santa Barbara, San Luis Obispo, San Bernardino, and Ventura Counties
Area 3: Kern County

SPRINKLER FITTERS:
Area 1: Imperial and Kern Counties; Orange County (except Santa Ana); Riverside County; San Bernardino County (except Ontario); San Luis Obispo, Santa Barbara, and Ventura Counties (except Santa Paula, Point Mugu and Port Hueneme)
Area 2: Los Angeles County(Los Angeles City and area within 25 miles, and Pomona); Orange County (Santa Ana); San Bernardino (Ontario); and Ventura County (Santa Paula, Point Mugu and Port Hueneme)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TILE SETTERS:*					
Area 1	$12.69	.81	$1.17		.08
Area 2	13.81	1.06	1.40		.10
Area 3	15.89	1.50	2.35		.10
Area 4	14.60	1.15	2.20		
Area 5	14.15	.65	.65		
TILE FINISHERS:*					
Area 1	9.96	1.39	1.30		.13
*See AREA Descripitons - below					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. Employer contribures 8% of basic hourly rate for over 5 years' service and 6% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A thru F.

AREA DESCRIPTIONS

TILE SETTERS:
Area 1: Imperial County
Area 2: Los Angeles, Orange, and Ventura Counties
Area 3: San Luis Obispo and Santa Barbara Counties
Area 4: Riverside and San Bernardino Counties
Area 5: Kern County

TILE FINISHERS:
Area 1: Los Angeles, Orange, and Ventura counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
General Clean-up Laborers	$ 9.63	$1.25	$2.90	$1.20	
Group 1	10.63	1.25	2.90	1.20	.12
Group 2	10.78	1.25	2.90	1.20	.12
Group 3	10.98	1.25	2.90	1.20	.12
Group 4	11.28	1.25	2.90	1.20	.12
Group 5	11.48	1.25	2.90	1.20	.12
GUNNITE LABORERS:					
Nozzlemen and Rodmen	12.62	1.25	2.90	1.20	
Gunmen	11.97	1.25	2.90	1.20	
Reboundmen	10.91	1.25	2.90	1.20	
Vandenberg Air Force Base, Point Arguello, Camp Roberts, Naval Ordnance Test Station, Edwards Air Force Base:					
General Clean-up Laborer	11.63	1.25	2.90	1.20	
Group 1	12.63	1.25	2.90	1.20	.12
Group 2	12.78	1.25	2.90	1.20	.12
Group 3	12.98	1.25	2.90	1.20	.12
Group 4	13.28	1.25	2.90	1.20	.12
Group 5	13.48	1.25	2.90	1.20	.12
GUNITE LABORERS:					
Nozzlemen and Rodmen	12.62	1.25	2.90	1.20	
Gunmen	11.97	1.25	2.90	1.20	
Reboundmen	10.91	1.25	2.90	1.20	

Group 1: Boring Machine Tender (outside); Cleaning and handling of panels Forms; Concrete Screeding for rough strike-off; Concrete, water curing; Demolition Laborer, the cleaning of brick and lumber; Dry packing of concrete, plugging or Shee-bolt Holes; Fire Watcher, Limbers, Brush Loaders, Pilers and Debris Handlers; Flagman, gas, oil and/or water Pipe Line Laborer; Laborer, general or construction; Laborer, Landscaping; Laborer, Jetting; Laborer, temporary water and air lines; Material Houseman (walls, slabs, floors and decks); Rigging and Signaling Scaler; Slip Form Raisers; Slurry Seal Crews (Mixer Operator, Applicator Operator, Squeegee Man, Shuttle Man, Top Man); Striper asphalt, concrete or other paved surfaces; Tarman and Mortar Man; Tool Crib or Tool House Laborer; Traffic Delineating Device Applicator; Window Cleaner; Wire Mesh Pulling, all concrete pouring operations

LABORERS (Cont'd)

Group 2: Asphalt Shoveler; Cement Dumper (on 1 yard or larger Mixer and handling bulk cement); Cesspool Digger and Installer; Chuck-tender; Chute Man, pouring concrete, the handling of the Chute from Readymix Trucks, such as walls, slabs, decks, floors, foundations, footings, curbs, gutters and sidewalks; Concrete Curer-Impervious Membrane and Form Oiler; Cutting Torch Operator (demolition); Fine Grader, highways and street paving, airport, runways, and similar type heavy construction; Gas, oil and/or water pipeline Wrapper - Pot Tender and Form Man; Guinea Chaser; Headerboard Man - asphalt; Laborer, packing rod steel and pans; Power Broom Sweepers (small); Riprap Stonepaver, placing stone or wet sacked concrete; Roto Scraper and Tiller; Sandblasters (Pot Tender); Septic Tank Digger and Installer (Leadman); Tank Scaler and Cleaner; Tree Climber, Faller, Chain Saw Operator, Pittsburgh Chipper and similar type Brush Shredders; Underground Laborer, including Caisson Bellower

Group 3: Asphalt Raker, Luteman, Ironer and Asphalt Spreader Boxes (all types); Buggymobile Man; Concrete Core Cutter, Grinder or Sander; Concrete Cutting Torch; Concrete Saw Man, cutting, scoring old or new concrete; Driller; Jackhammer, 2½ ft. drill steel or longer; Dri-Pak-it Machine; Gas, oil and/or Water Pipe-line Wrapper, 6" pipe and over by any method, inside and out; Hydro Seeder and similar type; Impact Wrench, multi-plate; Kettle-men, Potmen, and men applying asphalt, lay-kold, creosote, lime caustic and similar type materials ("applying" means applying, dipping, brushing or handling of such materials for pipe wrapping and waterproofing); Operators of pneumatic, gas electric tools, Vibrating Machines, Pavement Breakers, Air Blasting, Come-alongs, and similar mechanical tools not separately classified herein; Pipelayer's Backup Man, coating, grouting, making of joints, sealing, caulking, diapering and including Rubber Gasket Joints, Pointing and any and all other services; Rock Slinger; Rotary Scarifier or Multiple Head Concrete Chipping Scarifier; Steel Headerboard Man and Guideline Setter; Tampers, Barko, Wacker and similar type; Trenching Machine, hand propelled

Group 4: Cribber, Shorer, Lagging, Sheeting and Trench Bracing, hand-guided Lagging Hammer; Head Rock Slinger; Laser Beam; Over-size Concrete Vibrator Operator, 70 lbs. and over; Pipelayer, including water, sewage, solid, gas or air; Prefabricated Manhole Installer; Sandblaster (Nozzleman), water blasting; Welding in connection with Laborer's work

Group 5: Blasters Powderman, all work of loading holes, placing and blasting of all powder and explosives of whatever type, regardless of method used for such loading and placing; Driller: All power drills, excluding Jackhammer, whether Core, Diamond, Wagon, Track, Multiple Unit, and any and all types of mechanical drills

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$13.60	$1.10	$2.65	.90	.14
Group 2	13.88	1.10	2.65	.90	.14
Group 3	14.17	1.10	2.65	.90	.14
Group 4	14.31	1.10	2.65	.90	.14
Group 5	14.53	1.10	2.65	.90	.14
Group 6	14.64	1.10	2.65	.90	.14
Group 7	14.76	1.10	2.65	.90	.14
Group 8	14.93	1.10	2.65	.90	.14
Group 9	15.06	1.10	2.65	.90	.14

Group 1: Brakeman; Compressor (less than 600 C.F.M.); Engineer Oiler; Generator; Heavy Duty Repairman; Helper; Pump; Signal-man; Switchman

Group 2: Compressor (600 C.F.M. or larger); Concrete Mixer, skip type, Conveyor; Fireman; Hydrostatic Pump; Oiler Crusher (asphalt or concrete plant); Plant Operator; Generator, Pump or compressor; Rotary Drill Helper (Oilfield); Skiploader, wheel type up to 3/4 yard without attachments; Soils Field Technician; Tar Pot Fireman; Temporary Heating Plant; Trenching Machine Oiler; Truck Crane Oiler

Group 3: A-Frame or Winch Truck; Elevator Operator (inside); Equip-ment Greaser (rack); Ford Ferguson (with dragtype attachments); Helicopter Radioman (ground); Power Concrete Curing Machine; Power Concrete Saw; Power driven Jumbo Form Setter; Ross Carrier (job site); Stationary Pipe Wrapping and Cleaning Machine

Group 4: Asphalt Plant Fireman; Boring Machine; Boxman or Mixer-man (apshalt or concrete); Chip Spreading Machine; Concrete Pump (small portable); Bridge type Unloader and Turntable; Dinkey Loco-motive or Motorman (up to and including 10 tons); Equipment Greaser (Greaser Truck); Helicopter Hoist; Highline Cableway Signalman; Hydra-Hammer-Aero Stomper; Power Sweeper; Roller (compacting); Screed (asphalt or concrete); Trenching Machine (up to 6 feet)

POWER EQUIPMENT OPERATORS (Cont'd)

Group 5: Asphalt Plant Engineer; Backhoe (up to and including 3/4 yard); Batch Plant; Bit Sharpener; Concrete Joint Machine (canal and similar type); Concrete Planer; Deck Engine; Derrick Man(Oilfield type); Drilling Machine Operator (including water wells); Forklift (under 5 ton capacity); Hydrographic Seeder Machine (straw, pulp or seed); Machine Tool Operator; Maginnis Internal Full Slab Vibrator; Mechanic Berm, Curb or Gutter (asphalt or concrete); Mechanical Finisher (concrete-Clary, Johnson, Bidwell, or similar); Pavement Breaker (truck mounted); Road Oil Mixing Machine; Roller (asphalt or finish); Rubber-tired Earth Moving Equipment (single engine, up to and including 25 yards struck); Self-propelled Tar Pipelining Machine; Slip Form Pump (power driven hydraulic lifting device for concrete forms); Skiploader (Crawler and wheel type, over 3/4 yard and up to and including 1½ yards); Stinger Crane (Austin-Western or similar type); Tractor, Bulldozer, Tamper Scraper (single engine, up to 100 HP, flywheel and similar types, up to and including D-5 and similar types); Tugger Hoist, 1 drum; Tunnel Locomotive (over 10 tons up to and including 30 tons); Welder-general

Group 6: Asphalt or Concrete Spreading (tamping or finishing); Asphalt Paving Machine (Barber Greene or similar type); Bridge Crane Operator; Cast-in-place Pipe Laying Machine; Combination Mixer and Compressor (Gunite work); Compactor, self-propelled; Concrete Mixer - paving; Concrete Pump (truck mounted); Crane Operator up to and including 25 ton capacity)(Long-boom pay applicable); Crushing Plant; Drill Doctor; Elevating Grader Forklift (over 5 tons); Grade Checker; Grade-all; Grouting Machine; Heading Shield; Heavy Duty Repairman; Hoist Operator (Chicago Boom and similar type); Kolman Belt Loader and similar type; LeTourneau Blob Compactor or similar type; Lift Mobile; Lift Slab Machine (Vagtborg and similar types); Loader (Athey, Euclid, Sierra and similar type); Material Hoist; Mucking Machine (1/4 yard rubber tired, rail or track or similar type); Pneumatic Heading Shield (tunnel); Pumpcrete Gun; Rotary Drill (excluding Caisson type); Rubber-tired Earth Moving Equipment (single engine, Caterpillar, Euclid, Athey Wagon, and similar types with any and all attachments, over 25 yards struck); Rubber-tired Scraper (self-loading paddle wheel type, John Deere, 1040 and similar single unit); Skiploader (Crawler and wheel type, over 1½ yards, up to and including 6½ yards); Surface Heaters and Planer; Trenching Machine (over 6 feet depth capacity); Tower Crane; Tractor Compressor Drill Combination; Tractor (any type larger than D-5-100 flywheel HP and over, or similar); Bulldozer, Tamper, Scraper and Push Tractor (single engine); Tractor (boot attachments); Traveling Pipe Wrapping, Cleaning and Bending Machine; Tunnel Locomotive (over 30 tons); Shovel, Backhoe, Dragline, Clamshell (over 3/4 yard and up to 5 cu. yds. M.R.C.) (Long-boom pay applicable); Self-propelled Curb and Gutter Machine

POWER EQUIPMENT OPERATORS (Cont'd)

Group 7: Crane, over 25 ton up to and including 100 tons M.R.C. (Long boom pay applicable); Derrick Barge (Long boom pay applicable); Dual Drum Mixer; Heavy Duty Repairman, Welder combination; Hoist, Stiff-legs, Guy Derrick or similar type, up to and including 100 tons (Long boom pay applicable); Monorail Locomotive (diesel, gas or electric); Motor Patrol-blade Operator (single engine); Multiple Engine Tractor (Euclid and similar type, except Quad 9 Cat); Rubber-tired Earth Moving Equipment (single engine, over 50 yds. struck); Rubber-tired Earth Moving Equipment (multiple engine, Euclid, Caterpillar and similar) (over 25 yards and up to 5 cu. yds. struck); Shovel, Backhoe, Dragline, Clamshell (over 5 cu. yds. M.R.C.) (Long boom pay applicable); Tower Crane Repairman; Tractor Loader (Crawler and wheel type, over 6½ yards); Welder, certified; Woods Mixer and similar Pugmill Equipment

Group 8: Auto Grader; Automatic Slip Form; Crane-over 100 tons (Long-boom pay applicable); Hoist, Stiff Legs, Guy Derrick or similar types (capable of hoisting 100 tons or more) (Long boom pay applicable); Mass Excavator, less than 750 cu. yds.; Mechanical Finishing Machine; Mobile Form Traveler; Motor Patrol, multi-engine; Pipe Mobile Machine; Rubber-tired Earth Moving Equipment (multiple engine, Euclid, Caterpillar and similar type, over 50 cu. yds. struck); Rubber-tired Self-loading Scraper (paddle wheel, auger type self-loading, 2 or more units); Rubber-tired Scraper, pushing one another without Push Cat. Push-pull (50¢ per hour additional to base rate); Tandem Equipment (2 units only); Tandem Tractor (Quad 9 or similar type); Tunnel Mole Boring Machine

Group 9: Canal Liner; Canal Trimmer; Helicopter Pilot; Highline Cableway; Remote Controlled Earth Moving Equipment ($1.00 per hour additional to base rate); Wheel Excavator (over 750 cu. yds.)

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.91	$1.25	$1.33	$1.35	.15
Group 2	12.99	1.25	1.33	1.35	.15
Group 3	13.05	1.25	1.33	1.35	.15
Group 4	13.14	1.25	1.33	1.35	.15
Group 5	13.17	1.25	1.33	1.35	.15
Group 6	13.19	1.25	1.33	1.35	.15
Group 7	13.23	1.25	1.33	1.35	.15
Group 8	13.24	1.25	1.33	1.35	.15
Group 9	13.29	1.25	1.33	1.35	.15
Group 10	13.32	1.25	1.33	1.35	.15
Group 11	13.37	1.25	1.33	1.35	.15
Group 12	13.39	1.25	1.33	1.35	.15
Group 13	13.44	1.25	1.33	1.35	.15
Group 14	13.69	1.25	1.33	1.35	.15
Group 15	13.94	1.25	1.33	1.35	.15
Group 16	14.04	1.25	1.33	1.35	.15
Group 17	14.14	1.25	1.33	1.35	.15
Group 18	14.44	1.25	1.33	1.35	.15
Group 19	14.94	1.25	1.33	1.35	.15

Group 1: Warehouseman and Teamster

Group 2: Driver of vehicle or combinations of vehicles of 2 axles (including all vehicles less than 6 tons); Traffic Control Pilot Car, excluding moving heavy equipment permit load

Group 3: Truck mounted power Broom

Group 4: Drivers of vehicles or combination of vehicles of 3 axles

Group 5: Bootman; Cement Distributor; Fuel Truck; Road Oil Spreader Truck; Water Truck, 2 axle

Group 6: Dump, or less than 16 yards

Group 7: Transit-mix, under 3 yards, Dumpcrete, less than 6½ yards

Group 8: Truck Repairman Helper

Group 9: Water Truck, 3 or more axles

TRUCK DRIVERS (Cont'd)

Group 10: PB and similar type truck when performing within the Teamsters' jurisdiction; Pipeline and Utility working Truck including Winch, but limited to truck applicable to Pipeline and Utility work, where a composite crew is used; Slurry Driver; Truck Greaser and Tireman (50¢ per hour addition for Tireman)

Group 11: Transit-Mix, 3 yards or more; Dumpcrete, 6½ yards and over

Group 12: Driver or vehicle or combination of vehicles of 4 or more axles

Group 13: Dump, 16 yards but less than 25 yards

Group 14: A-Frame or Swedish Crane, or similar type of equipment Driver; Fork Lift Driver; Ross Carrier, highway

Group 15: All off-highway equipment within Teamsters' jurisdiction (off highway combination of vehicles or equipment with multiple power sources, $1.00 per hour additional); Dump, 25 yds. or more; Truck Repairman

Group 16: Truck Repairman Welder

Group 17: Low Bed Driver, 9 axle or over

Group 18: Water Pull, single engine with attachments

Group 19: Water Pull, twin engine with attachments

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Connecticut

COUNTIES: Hartford, Middlesex, New Haven, New London, and Tolland

DECISION NUMBER: CT81-3032

DATE: Date of Publication

Supersedes Decision No. CT80-2074 dated August 15, 1980, in 45 FR 54602

DESCRIPTION OF WORK: Building Projects (excluding single family homes and apartments up to and including 4 stories); Heavy Projects (excluding tunnel construction); and Highway Projects

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:*					
Area 1	$14.04	.85	$1.46		
Area 2	11.95	1.04	1.40		.01
Area 3	13.18	1.45	1.63		
BOILERMAKERS	14.63	1.275	1.46		.03
BRICKLAYERS; CEMENT MASONS; FINISHERS; MARBLE MASONS; PLASTERERS; STONEMASONS; TERRAZZO WORKERS and TILE SETTERS:*					
Building Construction:					
Area 1	11.05	.75	.75		
Area 2	11.05	.75	.75		
Area 3	11.05	.75	.75		
Area 4	11.05	.75	.75		
Area 5	11.05	.75	.75		
Area 6	11.05	.75	.75		
Area 7	11.05	.75	.75		
Area 8	11.05	.75	.75		
Heavy and Highway Construction	12.15	.75	.75	b	
CARPENTERS; MILLWRIGHTS; PILEDRIVERMEN: RESILIENT FLOOR LAYERS:					
Area 1:					
Building Construction	12.75	.90	.90		.10
Heavy and Highway Construction	12.55	.90	.90		.10
Area 2:					
Building Construction	12.95	.90	.65		.05
Heavy and Highway Construction	12.80	.90	.65		.05
Area 3:					
Building Construction	12.90	.90	.65	c	e
Heavy and Highway Construction	12.80	.90	.65	c	e
Area 4:					
Building Construction:					
Carpenters	12.90	.90	.65		.03
Millwrights	13.40	.90	.65		.03
Heavy and Highway Construction	12.80	.90	.65		.03

*See AREA Descriptions Pages 2 and 3

AREA DESCRIPTIONS

ASBESTOS WORKERS:

Area 1: HARTFORD COUNTY: Avon, Berlin, Bloomfield, Bristol, Burlington, Canton, East Hartford, West Windsor, Farmington, Glastonbury, Hartford, Manchester, Marlborough, New Britain, Newington, Plainville, Rocky Hill, Simsbury, Southington, South Windsor, West Hartford, Wethersfield, and Windsor Townships; MIDDLESEX and NEW HAVEN COUNTIES; NEW LONDON COUNTY: Bozrah, Colchester, East Lyme, Franklin, Groton, Lebanon, Lyme, Montville, New London, Norwich, Old Lume, Salem, Sprague, and Waterford Townships; TOLLAND COUNTY: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Tolland, Vernon, and Willington Townships

Area 2: HARTFORD COUNTY: East Granby, Enfield, Granby, Hartland, Suffield, and Windsor Locks Townships; TOLLAND COUNTY: Somers, Stafford and Union Townships

Area 3: NEW LONDON COUNTY: Griswold, Ledyard, Lisbon, North Stonington, Preston, Stonington, and Voluntown Townshps

BRICKLAYERS; CEMENT MASONS; GINISHERS; MARBLE MASONS; PLASTERERS; STONEMASONS; TERRAZZO WORKERS and TILE SETTERS:
(Building Construction):

Area 1: HARTFORD COUNTY: Avon, Bloomfield, Burlington, Enfield, East Granby, East Hartford, Farmington, Glastonbury, Granby, Hartford, Hartland, Manchester, Marlborough, Rock Hill, Simsbury, South Windsor, Suffield, Thompsonville, West Hartford, Wethersfield, Windsor, and Windsor Locks Townships; TOLLAND COUNTY: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Somers, Stafford, Storrs, Tolland, Union, Vernon and Willington Townships

Area 2: HARTFORD COUNTY: Berlin, New Britain, Newington, and Southington Townships; NEW HAVEN COUNTY: Meriden, Wallingford, Cheshire (north of Route 68)

Area 3: HARTFORD COUNTY: Canton Township

Area 4: MIDDLESEX and NEW LONDON COUNTIES

Area 5: NEW HAVEN COUNTY: Bethany, Branford, East Haven, Guilford, Hamden, Madison, New Haven, North Brandford, North Haven, Orange, West Haven, Woodbridge, Remainder of Milford and Cheshire Townships

Area 6: NEW HAVEN COUNTY: Ansonia, Derby, Oxford, Seymour, and Southbury Townships

Area 7: HARTFORD COUNTY: Bristol and Plainville Townships; NEW HAVEN COUNTY: Beacon Falls, Middlebury, Mixville, Naugatuck, Prospect, Waterbury, and Wolcott Townships

Area 8: NEW HAVEN COUNTY: Milford (west of Indian River to the Orange Town Line)

AREA DESCRIPTIONS (Cont'd)

CARPENTERS; MILLWRIGHTS; PILEDRIVERMEN; RESILENT FLOOR LAYERS:
Area 1: HARTFORD COUNTY: Hartford, West Hartford, Avon, Farmington, Simsbury, Bloomfield, Windsor, East Granby, Granby, Windsor Locks, Suffield, Enfield, East Windsor, South Windsor, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, and Hartland Townships; TOLLAND COUNTY: Stafford, Somers, Tolland, Ellington, Bolton and Vernon Townships
Area 2: HARTFORD COUNTY: New Britain, Newington, Berlin, Southington, Plainville, Burlington, Canton and Bristol Townships; NEW HAVEN COUNTY: Meriden, Wallingford, New Haven, East Haven, Branford, Guilford, Madison, North Branford, North Haven, Hamden, West Haven, Orange (east of Orange Center Road and North of Route 1; also north of Route 1 and east of the Oyster River), Cheshire, Waterbury, Wolcott, Middlebury, Southbury, Naugatuck, Prospect, Bethany, Beacon Falls, and Woodbridge Townships; and MIDDLESEX COUNTY
Area 3: NEW HAVEN COUNTY: Milford, Oxford, Derby, Seymour, Ansonia, Orange (that part south of Route 1 and West of the Oyster River
Area 4: NEW LONDON COUNTY; TOLLAND COUNTY: Mansfield, Union, Willington, Coventry, Hebron, Columbia, and Andover

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:*					
Area 1	$14.55	$1.20	3%+1.25		1/4%
Area 2	13.28	.85	3%+.40		.03
Area 3	12.80	1.22	3%+.60		1/8%
Area 4	13.05	1.50	3%+1.60		1/2%
Area 5	14.85	1.07	3%+.65		1/4%
ELEVATOR CONSTRUCTORS:					
Elevator Constructors	12.745	1.195	.95	a+b+h	.035
Helpers	8.92	1.195	.95	a+b+h	.035
Probationary Helpers	6.37				
GLAZIERS:*					
Area 1	12.33	1.10	.47	i	.01
Area 2	11.66	.84	2.15	.35+i	
IRONWORKERS:					
Ornamental; Reinforcing; Structural and Precast Concrete Erection	14.75	1.03	1.45	j	.10
LATHERS:*					
Area 1	11.15	.50	.40		.01
Area 2	10.60	.50	.50		.01
Area 3	9.90	.50	.30		.01
Area 4	10.85		.25		.01
Area 5	10.00	.75	.50		.01
LINE CONSTRUCTION:					
Linemen	13.50	.70	3%+.75	1	
Equipment Operators	11.55	.70	3%+.75	1	
Driver Groundman	10.35	.70	3%+.75	1	
TRAFFIC CONTROL and HIGHWAY LIGHTING:					
Lineman and Cable Splicer	12.95	.70	3%+.75		
Groundman	8.90	.70	3%+.75		
Groundman Truck Driver	9.92	.70	3%+.75		
Equipment Operator	11.07	.70	3%+.75		
PAINTERS:					
Bridge; Structural Steel	14.20				
Sandblasting or power tools	15.20				
Spray	17.70				

*See AREA Descriptions Page 5

AREA DESCRIPTIONS

ELECTRICIANS:
Area 1: NEW HAVEN COUNTY: Milford Township
Area 2: HARTFORD COUNTY: Suffield, and Enfield (portion of Thompsonville West of George Washington Road and north of Hazard Avenue)
Area 3: HARTFORD COUNTY: Hartland Township; NEW HAVEN COUNTY: Beacon Falls, Middlebury, Naugatuck, Oxford, Prospect, Seymour, Southbury, Waterbury, and Wolcott Townships
Area 4: HARTFORD COUNTY: Remainder of County; MIDDLESEX COUNTY: Cromwell, Middlefield, Middletown and Portland Townships; NEW LONDON COUNTY: Bozrah, Colchester, Franklin, Lisbon, Montville, North Stonington, Norwich, Griswold, Lebanon, Ledyard (except Submarine Base), Preston, Salem, Sprague, Stonington, and Voluntown Townships; and TOLLAND COUNTY
Area 5: MIDDLESEX COUNTY: Remainder of County; HARTFORD COUNTY: Berlin, Bristol, New Britian, Newington, Plainville, and Southington Townships; NEW HAVEN COUNTY: Remainder of County; NEW LONDON COUNTY: Fishers Island, Sound Old Lyme, Groton, Waterford, and Ledyard (Submarine Base Only)

GLAZIERS:
Area 1: NEW HAVEN COUNTY: Except Wallingford Township
Area 2: HARTFORD COUNTY; MIDDLESEX COUNTY: New Haven and Wallingford Townships; NEW LONDON and TOLLAND COUNTIES

LATHERS:
Area 1: HARTFORD COUNTY: Windsor Locks, Granby, Windsor, New Britain, and Plainville Townships; NEW LONDON COUNTY: Groton, Mystic, and Norwick Townships; MIDDLESEX COUNTY: Deep River, Middletown, and Haddam Townships; TOLLAND COUNTY: Tolland and Rockville Townships
Area 2: HARTFORD COUNTY: Bristol, Southington, New Haven, Cheshire, Meriden, Middlebury, Naugatuck, Oxford, Prospect, Southbury, Waterbury and Wolcott Townships
Area 3: HARTFORD COUNTY: Avon, Berlin, Bloomfield, Burlington, Canton, E. Granby, East Hartford, Farmington, Glastonbury, Granby, Hartford, Manchester, Marlborough, New Britain, Newington, Plainville, Rocky Hill, Simsbury, South Windsor, West Hartford, Windsor, and Windsor Locks Townships; MIDDLESEX COUNTY: Cromwell, East Haddam, East Hampton, Middlefield, Middletown, and Portland Townships; NEW LONDON COUNTY: Bozrah, Colchester, East Lyme, Franklin, Grofton, Lebanon, Lisbon, Lyme, Salem, Sprague, and Waterford Townships; TOLLAND COUNTY: Andover, Bolton, Columbia, Coventry, Hebron, Mansfield, and Vernon Townships
Area 4: HARTFORD COUNTY: Broad Brock, Enfield, Hazardville, Melrose, Suffield, Thompsonville, and Warehouse Point Townships; TOLLAND COUNTY: Crystal Lake, North Somers, Somers, Stafford, Stafford Springs, Straffordville, and Union Townships
Area 5: MIDDLESEX COUNTY: Chester, Clinton, Deep River, Durham, Essex, Haddam, Killingworth, Old Saybrook, and Westbrook Townships; NEW HAVEN COUNTY: Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, Wallingford, West Haven, and Woodbridge Townships

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 1:					
Brush	$11.05	.50	.65	m	
Taping	11.55	.50	.65	m	
Spray and Epoxy	13.55	.50	.65	m	
Area 2:					
Brush; Tapers	11.00	1.20	1.10		
Paperhangers	11.50	1.20	1.10		
Riding Steel; Steam-cleaning; Sandblasting; Tank; Towers; and Hazardous Work	11.58	.95	.70		
Spray	14.00	.95	.70		
Area 3:					
Brush, Roller; Taping	10.85	1.10	.80		
Spray	13.50	1.10	.80		
Epoxy	10.45	1.10	.80		
Paperhanging	11.35	1.10	.80		
Work over 60' and Boat-swain Chair; Open Steel	16.28	.80	.45		
Swing Stage 40-60	11.85	.80	.45		
Area 4:					
Brush	13.00	.50	1.00	n	.01
Hand Roller; Paperhangers	13.50	.50	1.00	n	.01
Epoxy	15.00	.50	1.00	n	.01
Structural Steel	14.00	.50	1.00	n	.01
Spray	17.00	.50	1.00	n	.01
Area 5:					
Brush; Sandblasting	11.45	.50	.60		.02
Tapers	11.80	.50	.60		.02
Paperhangers	11.95	.50	.60		.02
Spray	14.10	.50	.60		.02
Structural steel	11.70	.50	.60		.02
Area 6:					
Brush	9.20	.50	.70		
Paperhangers and Tapers	9.45	.50	.70		
Spray	14.18	.50	.70		

*See AREA Descriptions Page 7

AREA DESCRIPTIONS

PAINTERS:
Area 1: NEW HAVEN COUNTY: Milford Township (up to Gulf Street)
Area 2: HARTFORD COUNTY: Avon, Bloomfield, Broad Brook, Canton, East Granby, East Hartford, East Windsor, Enfield, Farmington, Glastonbury, Granby, Hartford, Manchester, Marlborough, Rocky Hill, Poquonock, Simsbury, South Windsor, Suffield, South Manchester, West Hartford, West Simsbury, Wetherfield, Windsor, and Windsor Locks Townships; TOLLAND COUNTY: Andover, Ashford, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Rockville, Strafford, Somers, Tolland, Union, Vernon, and Willington Townships
Area 3: HARTFORD COUNTY: Berlin, Bristol, East Berlin, Forestville, Hartland, Kensington, Milldale, New Britain, Plainville, Plantsville, Southington, and Unionville Townships; NEW HAVEN COUNTY: Cheshire, Guilford, Madison, Meriden, and Wallingford Townships; MIDDLESEX COUNTY: Chester, Clinton, Cromwell, Deep River, Durham, East Haddam, East Hampton, Essex, Haddam, Higganum, Ivoryton, Killingworth, Middlefield, Middletown, Moodus, Norfolk, Portland, Saybrook, and Westbrook Townships
Area 4: NEW HAVEN COUNTY: Ansonia, Beacon Falls, Derby, Oxford, and Seymour Townships
Area 5: NEW HAVEN COUNTY: Bethany, Branford, East Haven, Hamden, Milford, (south on Gulf Street), New Haven Orange, West Haven, Woodrbidge, and Woodmount Townships
Area 6: NEW HAVEN COUNTY: Middlebury, Naugatuck, Prospect, Roxbury, Southbury, Thomaston, Washington, Waterbury, Watertown, Wolcott and Woodbury Townships

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 7:					
Brush	$12.95	.80	.90		.01
Paperhangers	13.91	.80	.90		.01
Sign	13.91	.80	.90		.01
Taping	13.91	.80	.90		.01
Roller	13.46	.80	.90		.01
Structural Steel	13.76	.80	.90		.01
Spraying Oil Paint	16.11	.80	.90		.01
Spraying Epoxy	18.64	.80	.90		.01
Residential	10.95	.80	.90		.01
PLUMBERS:*					
Area 1	12.76	1.10	1.39		.15
PLUMBERS; Steamfitters:*					
Area 1	13.34	.75	.80	4%	.01
Area 2	12.85	.75	.80	o	.02
Area 3	11.03	.75	.70	p	.03
Area 4	13.90	.75	.80	q	.07
Area 5	14.77	.80	1.00	r	.05
Area 6	11.60	.88	.70	s	.05
ROOFERS:*					
Area 1	14.15	1.35	.45		
Area 2:					
Composition	11.85	.575	.85	.55	
Slate, Tile	11.35	.575	.85	.55	
SHEET METAL WORKERS	13.24	.81	1.28		.09
SPRINKLER FITTERS	14.00	.85	1.20		.08
STEAMFITTERS:*					
Area 1	13.57	1.16	1.51		.13
TILE, MARBLE, and TERRAZZO FINISHERS	9.55	.50	.50		

*See AREA Descriptions - Page 9

AREA DESCRIPTIONS

PAINTERS: (Cont'd)
Area 7: NEW LONDON COUNTY: Colchester, East Lyme, Montville, New London, Norwich, and Stonington Townships

PLUMBERS:
Area 1: HARTFORD COUNTY: Avon, Bloomfield, Burlington, Canton, East Granby, East Hartford, East Windsor, East Enfield, Farmington, Glastonbury, Granby, Hartford, Manchester, Malborough, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, West Hartford, Wethersfield, Windsor, and Windsor Locks Townships; MIDDLESEX COUNTY: Chester, Cromwell, Deep River, East Haddam, East Hampton, Haddam, Maromas (Atomic River Project); Middlefield, Middletown, and Portland Townships: TOLLAND COUNTY: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Somers, Strafford, Storrs, Tolland, Union, Vernon, and Wellington Townships

PLUMBERS; Steamfitters:
Area 1: NEW HAVEN COUNTY: Milford Township
Area 2: HARTFORD COUNTY; Southington Township; MIDDLESEX COUNTY: Durham Township; NEW HAVEN COUNTY: Cheshire, Mer Wallingford Townships
Area 3: HARTFORD COUNTY; Berlin, Bristol, East Berlin, Kensington, New Britain, Newington, and Plainville Townships
Area 4: MIDDLESEX COUNTY: Clinton, Killingworth, and South Westbrook Townships; NEW HAVEN COUNTY: Branford, Derby, East Haven, Orange, West Haven, and Woodbridge Townships
Area 5: MIDDLESEX COUNTY; Essex, Ivoryton, Old Saybrook, and Saybrook Townships; NEW LONDON COUNTY: Bozrah, Colchester, East Lyme, Montville, New London, North Stonington, Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown, and Waterford Townships
Area 6: NEW HAVEN COUNTY: Ansonia, Beacon Falls, Bethany, Naugatuck, Oxford, Prospect, and Seymour Townships; NEW HAVEN COUNTY: Middlebury, Southbury, South Britain, Waterbury, and Wolcott Townnships; HARTFORD COUNTY: Hartland Township

ROOFERS:
Area 1: NEW HAVEN COUNTY: Ansonia, Beacon Falls, Bethany, Brandford, Derby, East Haven, Guilford, Hamden, Madison, Milford, Middlebury, Naugatuck, New Haven, North Bramford, North Haven, Orange, Oxford, Seymour, Union City, West Haven, and Woodbridge Townships
Area 2: HARTFORD and MIDDLESEX COUNTIES; NEW HAVEN COUNTY: Cheshire, Meriden, Prospect, Wallingford, and Wolcott Townships; NEW LONDON and TOLLAND COUNTIES

STEAMFITTERS:
Area 1: HARTFORD COUNTY: Avon, Bloomfield, Burlington, Canton, East Granby, East Hartford, East Windsor, Enfield, Farmington, Glastonbury, Granby, Hartford, Manchester, Marlborough, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, West Hartford, Wethersfield, Windsor, and Windsor Locks Townships; MIDDLESEX COUNTY: Chester, Cromwell, Deep River, East Haddam, Hampton, Haddam, Maromas (Atomic River Project), Middlefield, Middletown, and Portland Townships; TOLLAND COUNTY: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Somers, Stafford, Storrs, Tolland, Union, Vernon, and Wellington Townships

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. 7 Paid Holidays: A through F, and Good Friday
b. 1 Paid Holiday: Good Friday. Employee must work 3 days during the work week in which the holiday falls, if scheduled, and if scheduled, the working day before and the working day after the holiday
c. 4 Paid Holidays: B, C, D, and Good Friday. Employee must be employed 14 consecutive days immediately, prior to the holiday
d. 3 Paid Holidays: C, D, and E
e. $100.00 per year
f. 3 Paid Holidays: B, C, and D
g. 6 Paid Holidays: A through F
h. Employer contributes 8% of basic hourly rate for 5 years or more of service or 6% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.
i. 9 Paid Holidays: A through F, Washington's Birthday, Good Friday, and Columbus Day
j. The last 4 hours on Christmas Eve is a paid half day, if employee has worked 5 consecutive days prior to Christmas Eve
k. 9 Paid Holidays: A through F, Washington's Birthday, Good Friday, and Christmas Eve provided the employees has worked 45 full days for the employer during the 120 days prior to the holiday and is available for work the day preceding and following the holiday.
l. 9 Paid Holidays: A through F, Washington's Brithday, Good Friday, and a floating holiday per year provided the employee has been employed for a period of 5 working days prior to the holidays and works the scheduled work days immediately preceding and following the holidays.
m. 2 Paid Holidays: C and D providing the employee works the day before and the day after the holiday.
n. 6 Paid Holidays: A, B, C, D, E, and Good Friday, providing the employee works the day before and the day after the holiday
o. 1 Paid Holiday: D
p. Paid Holidays: D and the Friday after Thanksgiving is a paid half day, and December 24th, provided it falls on a working day, is a paid half day.
q. 3½ Paid Holidays: C, D, E, and the half day Friday after Thanksgiving
r. 1 Paid Holiday: D
s. 2 Paid Holidays: B, D, and half day paid holiday the Friday after Thanksgiving, and the last working day before Christmas, and Good Friday paid half day.

DECISION NO. CT81-3032	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
LABORERS (Building Construction):					
Laborer	8.65	.65	.80		.10
Asphalt rakers, concrete & power buggy ops, concrete saw ops, chain saw ops, fence & guard rail erectors, form setters, pipelayers, dry stone wall builders, mason tenders, pneumatic drill ops, pneumatic gas & electric drill ops, powdermen & wagon drill operators and Precast erectors	8.90	.65	.80		.10
Air track operators, block pavers; and curb setters, sandblasters, wagon drill operators	9.15	.65	.80		.10
Open air caisson, cylindrical work and boring crew:					
Top man	8.65	.65	.80		.10
Bottom man	9.15	.65	.80		.10

DECISION NO. CT81-3032	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
LABORERS (Heavy and Highway Construction):					
Laborers	10.00	.65	.80		.10
Acetylene burners; Asphalt raker; chain saw operator; Concrete & power buggy operators; Concrete saw operators; fence & guard rail erectors; form setters; hand operated concrete vibrator operators; hand operated vibratory compactor operators; Mason tenders; pipelayers; pneumatic gas & electric drill operators; powdermen & wagon drill operators	10.25	.65	.80		.10
Air track operators; block paver; curb setters	10.50	.65	.80		.10
Blasters	10.75	.65	.80		.10
Open air caisson, cylindrical work and boring crew:					
Top man	8.65	.65	.80		.10
Bottom man	9.15	.65	.80		.10

DECISION NO. CT81-3032	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
Building Construction					
Derrick, hoisting engineer 2 drums and over, hoisting structural steel, pile driver & setting stone	15.29	1.20	1.25	a	.20
Dragline forklift - over 5' lift, front end loader - 7 cy. or over, gradall, hoisting engineer (all types of equipment where a drum and cable are used to hoist, pull, motive power or operation), Koehring scooper loader and/or hoe, master mechanic, shovel, & tower crane	15.14	1.20	1.25	a	.20
Maintenance engineer	15.00	1.20	1.25	a	.20
Central mix operator, Coleman loader and screening plant or similar equipment, combination hoe and loader over ½ yd, conveyoes - regardless of motive power, front end loader 3 cy. up to 7 cy. joy drill limited to joy heavy weight champion or equivalent, mucking machine, post hole digger, pumpcrete machine, rock boring machine, vibratory hammer, welder & well digger	14.65	1.20	1.25	a	.20
Asphalt spreader	14.35	1.20	1.25	a	.20
Bulldozer, Carry-all Operators, Grader, & Scraper pan	14.26	1.20	1.25	a	.20
Combination hoe and loader machine, concrete mixer - 5 bags and over, front end loader under 3 cy., power-stone spreader	14.20	1.20	1.25	a	.20

DECISION NO. CT81-3032	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Fork lift not over 4', & Steam Jenny	14.05	1.20	1.25	a	.20
Mechanical Heater	12.82	1.20	1.25	a	.20
Roller	13.91	1.20	1.25	a	.20
Dinky machine, power pavement breaker	13.68	1.20	1.25	a	.20
Fireman (High Pressure)	12.53	1.20	1.25	a	.20
Oiler	11.88	1.20	1.25	a	.20

Crane with boom, excluding jib, over 150' - $.25 extra

Crane with boom, excluding jib, over 200' - $.50 extra

FOOTNOTE:

a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Good Friday

DECISION NO. CT81-3032

POWER EQUIPMENT OPERATORS Heavy & Highway	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	15.33	1.20	1.25	a	.20
CLASS 2	15.11	1.20	1.25	a	.20
CLASS 3	14.67	1.20	1.25	a	.20
CLASS 4	14.40	1.20	1.25	a	.20
CLASS 5	14.18	1.20	1.25	a	.20
CLASS 6	13.93	1.20	1.25	a	.20
CLASS 7	13.63	1.20	1.25	a	.20
CLASS 8	12.40	1.20	1.25	a	.20
CLASS 9	12.55	1.20	1.25	a	.20
CLASS 10	13.04	1.20	1.25	a	.20
CLASS 11	13.53	1.20	1.25	a	.20
CLASS 12	11.91	1.20	1.25	a	.20
CLASS 13	12.95	1.20	1.25	a	.20
CLASS 14	7.88	1.20	1.25	a	.20
Crane with 150' boom $.25 extra					
Crane with 200' boom $.50 extra					

CLASS 1: Erecting and handling structural steel; front end loader (7 cy. or over)
CLASS 2: Piledriver; power shovel and crane; dragline; gradall; trenching machine; lighter derrick; paver (concrete); derrick (stiff leg and guy); steel pile sheeting; koehring loader (scooper) master machine
CLASS 3: Drill (joy heavy weight champion or equivalent); side boom; loader (euclid): mucking machine; pumpcrete; rock and earth boring machine; Post hole digger; well digger; & hammer (vibratory) central mix; combination hoe & loader (over ¾ yd.)
CLASS 4: Asphalt spreader
CLASS 5: Front end loader (3 yds. or over); grader; power stone spreader; combination hoe and loader
CLASS 6: Asphalt roller; bulldozer; carryall; maintenance engineer; concrete mixer (5 bags and over); welder
CLASS 7: Front end loader (under 3 yds.); roller; power chipper; fork lift; finishing machine; asphalt plant; power pavement breaker; dinky machine
CLASS 8: Compressor; pump
CLASS 9: Fireman (high pressure)
CLASS 10: Well point system
CLASS 11: Compressor battery
CLASS 12: Oiler
CLASS 13: Batch plant; bulk cement plant
CLASS 14: Track backhoe oiler

FOOTNOTE:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Good Friday

DECISION NO. CT81-3032

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	10.26	1.14	1.20	a	
CLASS 2	10.36	1.14	1.20	a	
CLASS 3	10.46	1.14	1.20	a	
CLASS 4	10.41	1.14	1.20	a	
CLASS 5	10.51	1.14	1.20	a	
CLASS 6	10.56	1.14	1.20	a	

CLASS 1: Two axle trucks; helpers
CLASS 2: Three axle trucks; two axle ready mix
CLASS 3: Four axle trucks; heavy duty trailer-up to 40 tons
CLASS 4: Three axle ready mix
CLASS 5: Four axle ready-mix; specialized earth moving equipment other than conventional tye on-the road trucks and semi-trailer (including Euclids)
CLASS 6: Heavy duty trailer-40 tons and over

FOOTNOTE:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, CHristmas Day, and Good Friday

SUPERSEDEAS DECISION

STATE: KANSAS

COUNTIES: DOUGLAS, JEFFERSON, LEAVENWORTH, MIAMI & SHAWNEE

DECISION NO. KS81-4033

DATE: Date of Publication

Supersedes Decision No. KS79-4107, dated November 14, 1979, in 44 FR 72816

DESCRIPTION OF WORK: Highway construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
CARPENTERS & PILEDRIVERMEN:					
Zone 1	$ 9.15	.40	.75		.05
Zone 2	12.80	.60	.50		.07
Zone 3	9.40	.40	.75		
AREAS COVERED BY CARPENTERS & PILEDRIVERMEN ZONES:					
Zone 1 - Douglas, Shawnee & Jefferson Counties.					
Zone 2 - Leavenworth County					
Zone 3 - Miami County					
CEMENT MASONS:					
Zone 1 - Leavenworth & Miami Counties	10.20	.40	.50	1.25	
Zone 2 - Douglas & Shawnee Counties	10.25	.40	.35		
Zone 3 - Jefferson County	8.85	.40	.35		
ELECTRICIANS:					
Zone 1 - Leavenworth County (Delaware, High Prairie, Kickapoo & Leavenworth Twps.)	14.68	.69	3%+.90	7%	.12
Zone 2 - Douglas, Jefferson Miami, Shawnee & the remainder of Leavenworth Co.	14.50	.75	3%+.70		.10
IRONWORKERS	12.35	.80	1.50	1.00	.05
LABORERS:					
Areas covered by laborers:					
Zone 1 - Jefferson County					
Zone 2 - Douglas & Shawnee Counties					
Zones 3 - Leavenworth County					
Zone 4 - Miami County					
Group 1					
Zone 1	7.00	.70	.50	.50	.05
Zone 2	7.80	.70	.50	.50	.05
Zone 3	7.80	.60	.60	.50	.05
Zone 4	7.00	.70	.50	.50	.05
Group 2					
Zone 1	7.15	.70	.50	.50	.05
Zone 2	7.95	.70	.50	.50	.05
Zone 3	7.95	.60	.60	.50	.05
Zone 4	7.15	.70	.50	.50	.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
Group 3					
Zone 1	$ 7.25	.70	.50	.50	.05
Zone 2	8.05	.70	.50	.50	.05
Zone 3	8.05	.60	.60	.50	.05
Zone 4	7.25	.70	.50	.50	.05
Group 4					
Zone 1	7.40	.70	.50	.50	.05
Zone 2	8.20	.70	.50	.50	.05
Zone 3	8.20	.60	.60	.50	.05
Zone 4	7.40	.70	.50	.50	.05

CLASSIFICATION DEFINITIONS - Laborers:

Group 1 Board Mat Weavers & Cable Tiers, Georgia Buggy (manually operated), Mixerman--no skip lift, Salamander Tenders, Track Men, Tractor Swamper, Truck Pumper, Wire Mesh Setter, Water Pump up to 4 inches, and all other general laborers.

Group 2: Air Tool Operators, Cement Handlers, (bulk), Chain Saw, Georgia Buggy (mechanically operated), Grademen, Hot Mastic Kettlemen, Crusher Feeder, Joint Man, Jute Man, Mason Tender, Material Batch Hopper & Scale Man, Mixer Man, Pier Hole Man working 10 feet deep, Pipelayer--Drianage (concrete and/or corrugated metal), Signal Man (crane), Truck Dumper--dry batch, Vibrator Operator, Wagon & Churn Drill Operator.

Group 3: Asphalt Raker, Barco Tamper, Concrete Saw, Creosote Material--Handling, and Applying, Nozzle Burner (Cutting Torch and Burning Bar).

Group 4: Conduit Pipe, Water and Gas Distribution Lines, Tile & Duct Line Setter, Form Setter & Liner on Concrete Paving, Powderman, Sandblasting & Gunite Nozzleman, Sanitary Sewer Pipe Layer, Steel Plate Structure Erectors.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION:					
Zone 1 - Leavenworth County - north of Fairmont Stranger, and Tanganoxie Townships					
Lineman	$14.32	.45	.25+3%		½%
Lineman Operator	13.33	.45	.25+3%		½%
Groundman powderman	9.94	.45	.25+3%		½%
Groundman	9.44	.45	.25+3%		½%
Zone 2 - Douglas, Jefferson, Miami, Shawnee Counties & remainder of Leavenworth County:					
Lineman	13.17	.45	3%		½%
Cable Splicer*	13.83	.45	3%		½%
Groundman	8.19	.45	3%		½%
Powderman *	10.91	.45	3%		½%
Line Truck & Equipment Operator	10.91	.45	3%		½%
POWER EQUIPMENT OPERATORS:					
Zone 1 -Leavenworth County:					
Group 1	13.10	1.00	1.25	1.05	.15
Group 2	12.85	1.00	1.25	1.05	.15
Group 3	12.15	1.00	1.25	1.05	.15
Mechanic's helper	10.65	1.00	1.25	1.05	.15
Oiler	9.03	1.00	1.25	1.05	.15
Oiler Driver, all types	11.15	1.00	1.25	1.05	.15

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS:

Group 1 - Asphalt paver and spreader; asphalt plant console operator, auto grader; back hoe; blade operator, all types; boiler-2; booster pump on dredge; boring machine (truck or crane mounted); bulldozer operator; clamshell operator; compressor maintenance operator-2; concrete plant operator-central mix, concrete mixer paver; crane operator; derrick or derrick trucks; Ditching machine; dragline operator; dredge engineman, dredge operator; drillcat with compressor mounted on cat; drilling or boring machine, rotary , self-propelled, high loader-fork lift; locomotive operator, standard gauge; Mechanics and welders; maintenance operator; mucking machine; pile driver operator, pitman crane operator; pump-2; quad-trac;

CLASSIFICATION DEFINITIONS (CONT'D)

POWER EQUIPMENT OPERATORS: Group 1 Cont'd scoop operator-all types; scoops in tandem; self-propelled rotary drill (Leroy or equal-not air trac); shovel operator; side discharge spreader; sideboom cats, skimmer scoop operator, slip-form paver (CMI, REX, or equal); throttle man; truck crane; welding machine maintenance operator-2; hoisting engine-2;active drums.

Group 2 - "A" frame truck, asphalt hot mix silo, asphalt plant fireman, drum or boiler, asphalt plant mixer operator, asphalt plant man, asphalt roller backfiller operator; chip spreader, concrete batch plant, dry-power operated, concrete mixer operator, skip loader, concrete pump operator, crusher operator; elevating grader operator, greaser, hoisting engine-1 drum, Latourneau rooter, multiple compactor, pavement breaker, self-propelled of the hydra-hammer or similar type, power shield, pug mill operator, stump cutting machine, towboat operator, tractor operator-over 5 h.p..

Group 3 - Boilers-1; chip spreader (front man) churn drill operator, compressor maintenance operator-1; concrete saws, self-propelled, conveyor operator, distributor operator, finishing machine operator, fireman, rig, float operator, form grader operator, pump; pump maintenance operator, other than dredge; roller operator, other than high type asphalt; screening and washing plant operator; self-propelled street broom or sweeper; siphons and jets; sub-grading machine operator; tank car heater operator-combination boiler and booster; tractor-50 h.p. or less without attachments; vibrating machine operator, hot hand; welding machine maintenance operator-1.

Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) feet or more in length or depth will be paid fifty (50) cents per hour above the regular classification.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Jefferson & Miami Counties					
Group 1	$8.60	.50	1.00	.75	.10
Group 2	8.35	.50	1.00	.75	.10
Group 3	8.10	.50	1.00	.75	.10
Group 4	7.85	.50	1.00	.75	.10
Group 5	7.50	.50	1.00	.75	.10
Group 6	7.60	.50	1.00	.75	.10

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS:
Group 1 - Master Mechanic.
Group 2 - Asphalt paver and spreader, backhoe, boring machine, blades, all types, clamshell, concrete mixer paver operator, concrete plant operator (automatic), crane, truck crane, pitman crane, hydro crane or any machine with power swing, derrick or derrick trucks, dragline operator, dredge operator, dozer, ditching machine, euclid loader, hoist-2 active drums; loader, all types, mechanic or welder, mixermobile, mulit-unit scraper, piledriver operator, power shovel operator, quad track; scoop operators, all types; sideboom cat-cherry picker; skimmer scoop operator; pushcat operators.
Group 3 - Asphalt plant operator, elevating grader operator.

Group 4 - A-frame truck; asphalt roller operator; asphalt plant boiler fireman, backfiller operator, barber green loader, boiler-other than asphalt, bull float operator, churn drill operator, compressor operator (1); concrete central plant operator, concrete mixer operator, skip; concrete pump operator, crusher operator, distributor operator, finish machine operator-concrete; fireman other than asphalt, flex plane operator, fork lift, form grader operator; greaser; hoist-1 drum; jeep ditching machine; pavement breaker, self-propelled (of the hydra hammer or similar type); pump operator, 4" or over, two; pump operator, other than dredge screening and wash plant operator, small machine operator; spreader box operator, self-propelled; tractor operator over 50 h.p.; self-propelled roller operator, other than asphalt siphons and jets; subgrading machine operator, tank car heater operator, combination booster and boilers, towboat operator, vibrating machine operator, not hand.
Group 5 - Concrete gang saw, self-propelled (con-cut); conveyor operator; harrow, disc. seeder; oiler, tractor operator, 50 h.p. or less without attachments.
Group 6 - Oiler, motor crane.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: (Cont'd)					
Douglas & Shawnee Counties:					
Group 1	$11.80	.85	1.00		.15
Group 2	11.55	.85	1.00		.15
Group 3	11.30	.85	1.00		.15
Group 4	11.05	.85	1.00		.15
Group 5	10.70	.85	1.00		.15
Group 6	10.80	.85	1.00		.15

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS:
Group 1 - Master Mechanic.
Group 2 - Asphalt paver and spreader, backhoe, boring machine, blades, all types, clamshell, concrete mixer paver operator, concrete plant operator (automatic), crane, truck crane, pitman crane, hydro crane or any machine with power swing, derrick or derrick trucks, dragline operator, dredge operator, dozer, ditching machine, euclid loader, hoist-2 active drums; loader, all types, mechanic or welder, mixermobile, mulit-unit scraper, piledriver operator, power shovel operator, quad track; scoop operators, all types; sideboom cat-cherry picker; skimmer scoop operator; pushcat operators.
Group 3 - Asphalt plant operator, elevating grader operator.

Group 4 - A-frame truck; asphalt roller operator; asphalt plant boiler fireman, backfiller operator, barber green loader, boiler-other than asphalt, bull float operator, churn drill operator, compressor operator (1); concrete central plant operator, concrete mixer operator, skip; concrete pump operator, crusher operator, distributor operator, finish machine operator-concrete; fireman other than asphalt, flex plane operator, fork lift, form grader operator; greaser; hoist-1 drum; jeep ditching machine; pavement breaker, self-propelled (of the hydra hammer or similar type); pump operator, 4" or over, two; pump operator, other than dredge screening and wash plant operator, small machine operator; spreader box operator, self-propelled; tractor operator over 50 h.p.; self-propelled roller operator, other than asphalt siphons and jets; subgrading machine operator, tank car heater operator, combination booster and boilers, towboat operator, vibrating machine operator, not hand.
Group 5 - Concrete gang saw, self-propelled (con-cut); conveyor operator; harrow, disc. seeder; oiler, tractor operator, 50 h.p. or less without attachments.
Group 6 - Oiler, motor crane.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
Zone 1 - Leavenworth County:					
Group 1	$8.89	.75	1.00	.75	
Group 2	9.09	.75	1.00	.75	
Group 3	9.40	.75	1.00	.75	
Group 4	9.55	.75	1.00	.75	
Group 5	8.665	.75	1.00	.75	

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:
Group 1 - One team; station wagons; pickup trucks; material trucks, single axle; tank wagon drivers, single axle.
Group 2 - Material trucks, tandem, two teams, semi-trailers, winch trucks-fork trucks; distributor drivers and operators; agitator and transit mix tank wagon drivers, single axle; tank wagon drivers; tandem or semi-trailer; insley wagons, dump trucks, excavator 5 cu. yds. and over; dumpsters; half-tracks; speedace; euclids and other similar excavating equipment.
Group 3 - A-frame, lowboy, boom truck drivers.
Group 4 - Mechanics and welders.
Group 5 - Mechanics' helpers, oilers and greasers.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
TRUCK DRIVERS: Cont'd)					
Douglas & Shawnee Counties:					
Group 1	$ 8.25	.40	.50		
Group 2	8.35	.40	.50		
Group 3	8.50	.40	.50		

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:
Group 1 - Pickups, panel trucks, station wagons, flat beds, dump and batch trucks single axle.
Group 2 - Tandem trucks, warehousemen or partsmen, mechanic helpers and servicemen.
Group 3 - Lowboys; semi-trailers, all transit mixer trucks, (single or tandem axle); A-frame and winch trucks when used as such; euclid, end and bottom dump; tourna ockers; atheys, dumpsters and similar off-road equipment and mechanics on such equipment.

Zone 3 - Miami County	8.35	.75	1.00	.75	

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5(a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: MARYLAND COUNTIES: ALLEGANY AND GARRETT

DECISION NO.: MD81-3031 DATE: DATE OF PUBLICATION

Supersedes Decision No. MD81-3005 dated February 6, 1981 in 46 FR 11479

DESCRIPTION OF WORK: Building Construction (does not include Single family homes and apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
ASBESTOS WORKERS	13.47	.85	1.25		
BOILERMAKERS	14.275	1.275	1.00		.04
BRICKLAYERS, MARBLE MASONS, STONE MASONS, TERRAZZO WORKERS, AND TILE SETTERS	12.29	.80	1.00		
CARPENTERS	12.29	.80	1.15		.04
CEMENT MASONS AND PLASTERERS	14.26	.75			
ELECTRICIANS:					
Allegany County	12.70	.90	3%+.70		.75%
Garrett County	13.10	.90	3%+.70		.75%
ELEVATOR CONSTRUCTORS:					
Elevator Constructors	11.70	1.195	.82	a+b	.035
Elevator Constructors' Helpers	8.19	1.195	.82	a+b	.035
Elevator Constructors' Helpers (Probationary)	5.85				
GLAZIERS	12.44	1.02	1.35	1.23	.02
IRONWORKERS:					
Structural, Ornamental, & Reinforcing	13.61	.80	1.55		
LATHERS	9.25		.35		.01
LINEMEN-Allegany and Garrett (east of Rte. 219) Counties					
Linemen	13.70	.90	3%+.70		.75%
Equipment Operator	13.02	.90	3%+.70		.75%
Truck Driver	8.91	.90	3%+.70		.75%
Groundmen	8.91	.90	3%+.70		.75%
LINEMEN-Garrett County (west of Rte. 219)					
Linemen	14.10	.90	3%+.70		.75%
Equipment Operator	13.42	.90	3%+.70		.75%
Truck Driver	9.31	.90	3%+.70		.75%
Groundmen	9.31	.90	3%+.70		.75%
MILLWRIGHTS	12.72	.80	1.15		.04

DECISION NO. MD81-3031

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush, rollers, wall covering hangers, & installation of seamless type floors	8.95		.50		
Spray, sandblasting & use of flame burning & power tools	9.95		.50		
Toxic materials-bush & roller	9.45		.50		
Toxic materials-spray	10.45		.50		
PILEDRIVERMEN	12.66	.80	1.15		.04
PLUMBERS & STEAMFITTERS	12.80	.50	.85	1.00	.05
ROOFERS:					
Composition	11.90	.75	.40		
Mopmen-composition	12.15	.75	.40		
Slaters	12.05	.75	.40		
SHEET METAL WORKERS	14.64		.36		.12
SPRINKLER FITTERS	13.90	.85	1.20		.08

FOOTNOTES:

a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

b. Employer contributes 4% of basic hourly rate for 5 years of service or more and 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

DECISION NO. MD81-3031

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
Group I	10.40	.90	1.55		
Group II	10.43	.90	1.55		
GRoup III	10.56	.90	1.55		
Group IV	10.63	.90	1.55		
Group V	10.70	.90	1.55		
Group VI	10.80	.90	1.55		
Group VII	11.38	.90	1.55		
Group VIII	10.93	.90	1.55		
Group IX	10.93	.90	1.55		

LABORERS CLASSIFICATION DEFINITIONS

Group I - Unskilled & landscape workers
Group II - Handy man, tool checker, dump men & spotter
Group III - Power tool operators, mortar mixer by hand, scaffold builder, hod carrier, concrete puddler, rammer, pipelayers, chainman - rodman, grade checker, masons' & plasterers' tenders, tampers, & gunnite laborers on scaffolds
Group IV - Mortar mixer by machine
Group V - Large wacker
Group VI - Blaster/dynamite, & wagon drill operators (air track)
Group VII - Tunnel workers: Caisson, driller, & mucker
Group VIII - Tunnel workers: Unskilled laborers
Group IX - Gunnite workers: Nozzlemen & gun operators

POWER EQUIPMENT OPERATORS:					
Group I	11.14	.95	1.00		.13
Hourly additional pay for long boom cranes (including jibs), pile driver machines with leads:					
130' to 169' plus $ .40					
170' to 209' plus .60					
210' to 249' plus .80					
250' to 299' plus 1.00					
300' and over plus 1.25					
Group II	10.71	.95	1.00		.13
Group III	10.37	.95	1.00		.13
Group IV	10.37	.95	1.00		.13
Group V	10.01	.95	1.00		.13
Group VI	9.66	.95	1.00		.13
Group VII	11.54	.95	1.00		.13

DECISION NO. MD81-3031

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

Group I - Backfiller, backhoe, concrete mixing plants, batching plants, cable way, derrick, derrick boat, dragline, elevating grader, compressors (2 or more), space heaters, hoist (2 active drums or more), pile driving machine, power crane, power shovel, standard guage locomotive, trenching machine, tunnel mucking machine, whirley rig, certified welders, concrete paver, double concrete pump, front end loader (1 3/4 yds. and over), over 4 welders top scale (more than 6, another man), Eimco type overhead loader, wellpoint system, mighty with compressor, twin engine scraper (25 yds. and over), mechanic, mechanic's welder, grader

Group II - Tractor with attachments (2 or more), bulldozer

Group III - Concrete mixer, concrete pump, one drum hoist, narrow guage locomotive, power roller, asphalt spreader, pumps (not exceeding 4), well drill, engine drivern welders (not exceeding 4) single compressors (over 210 C.F.M.), steam hammer, pile extractor, conveyor, stone crushed, hi-lift, front end loader (under 1 3/4 yards), excavating scoop

Group IV - Finishing machine, bull float, longitudinal float, screeding machine concrete spreader, sub grader

Group V - Fireman, truck crane oiler, wheel tractor, grease truck operator

Group VI - Oiler, greaser, mechanic's helpers, single compressor (up to 210 C.F.M.)

Group VII - Operators handling or setting steel, stone, prestressed concrete or machinery, tower cranes

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
TRUCK DRIVERS:					
Group I	10.49	1.10	1.35		
Group II	10.67	1.10	1.35		
Group III	10.91	1.10	1.35		
Group IV	11.13	1.10	1.35		
Group V	11.41	1.10	1.35		

DECISION NO. MD81-3031

TRUCK DRIVERS CLASSIFICATION DEFINITIONS

Group I - Dumpmen and flagmen

Group II - Pick-ups, dump (under 5 yds., capacity), stright trucks

Group III - Helpers, panel trucks, straight trucks with multiple axle, dumpsters (under 5 yds., capacity, transit mix, dumps (5 to 9 yds., capacity), flatbody material trucks (straight jobs), greasers, tiremen, mechanics' helpers, rubber-tired (towing & pushing flatbody vehicles), form trucks

Group IV - Dump trucks (10 to 15 yds., capacity)

Group V - Dump trucks (over 15 yds., capacity), bottom and end dump euclids, all other euclid type trucks, turnarockers, ross carriers, athey wagons, A-frame, mechanics, semi-trailers or tractor-trailers, low boys, asphalt distributors, agitator mixer, dumpcretes, or batch trucks, specialized earth moving equipment, off-highway tandem back-dump, twin engine equipment and double hitched equipment (where not self-loaded)

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NO.: OH81-2024
COUNTIES: *SEE BELOW
DATE: Date of Publication
Supersedes Decision No. OH80-2002 dated February 1, 1980 in 45 FR 7470
DESCRIPTION OF WORK: Residential Construction Projects consisting of single family homes and apartments up to and including 4 stories

*GREENE, MIAMI, MONTGOMERY, & PREBLE

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$6.63				
BRICKLAYERS; Blocklayers	8.50				
CARPENTERS	6.30				
CEMENT MASONS	8.44				
DRYWALL HANGERS	7.55				
DRYWALL FINISHERS/TAPERS	7.00				
ELECTRICIANS	6.40				
INSULATORS	5.47				
LABORERS	5.54				
PAINTERS, Brush	5.80				
PLUMBERS; Pipefitters	7.29				
ROOFERS	6.00				
SHEET METAL WORKERS	6.66				
SOFT FLOOR LAYERS	7.10				
TILE SETTERS	7.60				
TRUCK DRIVERS	5.54				
POWER EQUIPMENT OPERATORS:					
Backhoes	7.80				
Bulldozers	7.00				
Front End Loaders	7.02				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

[FR Doc. 81-14423 Filed 5-14-81: 8:45 am]

BILLING CODE 4510-27-C

federal register

Friday
May 15, 1981

Part III

Department of Commerce

National Oceanic and Atmospheric Administration

Taking of Marine Mammals Incidental to Commercial Fishing Operations

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

Taking of Marine Mammals Incidental to Commercial Fishing Operations

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final decision, issuance of permit and final rule.

SUMMARY: This final decision establishes regulations to govern the taking of marine mammals incidental to Japanese high seas salmon fishing in the North Pacific Ocean, and in the U.S. Fishery Conservation Zone (FCZ). The regulation provides for a general permit to be issued under the Marine Mammal Protection Act allowing the taking of 5,500 Dall porpoise, 450 northern fur seals, and 25 northern sea lions each year for the period 1981–1983. The National Marine Fisheries Service will monitor the affected fishery to insure that the quotas are not exceeded. A permit allowing such taking is issued.

DATES: The decision and revised § 216.24 becomes effective June 10, 1981. The general permit becomes effective on June 10, 1981.

ADDRESSES: Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Richard B. Roe, Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235. Telephone: 202–634–1792; office location: Room 412, Page Building 2, 3300 Whitehaven Street, NW., Washington, D.C.

A Final Environmental Impact Statement (FEIS) has been filed with the Environmental Protection Agency simultaneously with this decision and can be reviewed by contacting Richard B. Roe at the addresses given.

SUPPLEMENTARY INFORMATION: On February 4, 1981 (46 FR 10785) NOAA published a Notice of Receipt of Permit Application, Notice of Formal Hearing, Notice of Formal Hearing Procedures, and a Notice of Proposed Regulation. The proposal and other relevant available information were reviewed in a formal hearing before Administrative Law Judge (ALJ) Frank W. Vanderheyden in Seattle, Washington, on March 5 and 6, 1981, in accordance with 5 U.S.C. 556 and 557 and 16 U.S.C. 1373(d) and the rules published at 46 FR 10785, February 4, 1981. Opening briefs were filed on March 20, 1981, reply briefs on March 31, 1981, oral argument held on April 1, 1981, and exceptions filed on April 29, 1981.

The following parties participated in the hearing: The Federation of Japanese Salmon Fisheries Cooperative Association (FJS); the Marine Mammal Commission (MMC); the Environmental Defense Fund (EDF); and the Assistant Administrator for Fisheries of NOAA. The recommended decision of the ALJ was issued on April 24, 1981.

I am now publishing the final decision and regulation governing the taking of marine mammals incidental to commercial fishing operations, and issuing the related MMPA permit. As provided in 50 CFR 216.24(c)(6)(v), I am waiving the usual fee for certificates of inclusion issued under this permit.

I have determined that the requirements of Executive Order 12291 are inapplicable to this regulation since it is an administrative action governed by the provisions of 5 U.S.C. 556 and 557.

I have also determined according to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, that this action does not impose significant economic impacts on a substantial number of small entities. To the extent that an impact exists, it would be beneficial to the entities involved because it permits fishing operations to continue in the U.S. FCZ.

The permit authorized by this action imposes reporting requirements on foreign nationals. These reports are needed to determine when the quota established in this regulation is reached as well as to obtain important information regarding Dall porpoise and the fishery interaction with this marine mammal. I am submitting the appropriate information under Section 3507(g) of the Paperwork Reduction Act, 44 U.S.C. 3507(g), to obtain an expedited review and approval of these reporting requirements by the Office of Management and Budget before the permit becomes effective on June 10, 1981. Authorization of this collection of information prior to expiration of the 60-day review period is necessary because the regulation and accompanying permit must be effective on June 10, 1981 to allow the Japanese mothership fishery to continue its salmon gill net operations in the U.S. FCZ this season. We were unable to comply with the 60-day review period because of the schedule for the formal rulemaking.

Because of this emergency and because this regulation has been subject to formal rulemaking procedures pursuant to 5 U.S.C. 556 and 557 and 45 FR 10785 in which the applicant and members of the public have fully participated, I for good cause find that a delay of 30 days in effectiveness under 5 U.S.C. 553 is impracticable and contrary to the public interest. This regulation, therefore, becomes effective on June 10, 1981.

(Marine Mammal Protection Act (16 U.S.C. 1361 et seq.))

Dated: May 8, 1981.

James P. Walsh,

Acting Administrator.

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

§ 216.24 [Amended]

1. 50 CFR 216.24(d)(5) is amended by adding a new subdivision (vii) reading as follows:

* * * * *

(d) * * *

(5) * * *

(vii) The number of Dall porpoise *(Phocoenoides dalli)* killed or seriously injured by Japanese vessels shall be limited to 5,500 animals per year. Any permit issued under this regulation shall indicate the measures by which the permit holder shall comply with the reporting requirements of paragraph (d)(5)(v) of this section. Any incidental take permit issued under this regulation shall allow retention of marine mammals for scientific research purposes and not require a separate permit under paragraph (d)(5)(iv).

Decision of the Administrator

A. Background

This decision concerns taking by the Japanese commercial salmon fishery of marine mammals, primarily Dall Porpoise *(Phocoenoides dalli)*, incidental to its gill net operations within and outside the United States fishery conservation zone (FCZ) in the North Pacific Ocean and Bering Sea.

In 1952, the United States, Japan, and Canada executed the International Convention for the High Seas Fisheries of the North Pacific Ocean (INPFC). (*1*) Under this agreement, Japan agreed to abstain from fishing for salmon in certain areas of the North Pacific Ocean and in the Bering Sea. In 1978, the INPFC was renegotiated in recognition of the authority of the United States, Japan and the Soviet Union to manage their fishery resources within their respective 200-mile fishing conservation zones. The Protocol amending the INPFC (*2*) permitted the Japanese mothership fishery to fish for salmon inside the U.S. FCZ. The North Pacific Fisheries Act of 1954, (*3*) implementing the INPFC, was

amended in 1978 to reflect the Protocol and exempted Japanese vessels fishing for salmon within the U.S. FCZ from the incidental take permit requirements of the Marine Mammal Protection Act of 1972 (MMPA) until June 9, 1981. The Act also provided that after June 9, 1981, the taking of marine mammals incidental to Japanese fishing operations within the U.S. FCZ would be regulated by the MMPA.

The Protocol called for a program of coordinated scientific research on marine mammals caught while fishing for anadromous fish species. In 1978, the United States and Japan entered into a cooperative research program to assess the status of Dall porpoise and the extent of incidental take, as well as to develop methods to minimize such taking. Reports on the research conducted through 1979 are now available.

1. *MMPA Requirements.* The MMPA is based on a concern that certain species of marine mammals are depleted or are in danger of depletion (*4*) and the belief that those animals should not be allowed to diminish below their optimum sustainable population (OSP). (*5*) The Act establishes a moratorium on the taking of marine mammals in the United States FCZ which the Secretary of Commerce may waive for takings incidental to commercial fishing operations.

The taking of marine mammals must be in accordance with permits issued by the National Oceanic and Atmospheric Administration pursuant to Section 1374 and regulations promulgated in accordance with Section 1373 of the Act. (*6*) A permit may be granted only if the Secretary finds it would not be to the disadvantage of those species or population stocks. (*7*)

This determination must be based on the best scientific evidence available and must be consistent with the purposes and policies of the Act. The determination of disadvantage to a porpoise stock is based on OSP. When a population is below OSP, it is depleted. No takings may be permitted on depleted stocks. If a stock is not depleted, before takings are permitted, the Secretary must publish and make publicly available certain information on the stocks and the impact of taking on the OSP of the affected stocks. (*8*) If takings are allowed, the Act directs that "[i]n any event it shall be the immediate goal that the incidental kill or incidental serious injury of marine mammals permitted in the course of commercial fishing operations be reduced to insignificant levels approaching a zero mortality and serious injury rate." (*9*) The authority of the Secretary of Commerce to administer the Act and to make these determinations has been delegated to the NOAA Administrator. (*10*)

2. *The Permit Application and Proceedings.* On January 19, 1981 the Federation of Japan Salmon Fisheries Cooperative Associations (*11*) (Federation) submitted an application for an incidental take permit, Category 5, "Other Gear" salmon drift gill net. The permit application requests a three (3) year term (1981–1983) and estimates that the maximum number of marine mammals the Japanese salmon fishery expects to take incidentally on a yearly basis in the U.S. FCZ is as follows: Dall porpoise, 5,500; harbor porpoise (*Phocoena phocoena*), 50; Pacific white-sided dolphin (*Lagenorynchus obliquidens*), 25; killer whale (*Orcinus orca*), 25; Steller sea lion (*Eumetopias jubatus*), 25; and northern fur seal (*Callorhinus ursinus*), 450.

On February 4, 1981, the Agency published a proposed regulation that included statements required by the Act. (*12*) Simultaneously, a Draft Environmental Impact Statement (DEIS), filed with the Environmental Protection Agency on January 15, 1981, was made available to other Federal agencies and the general public for comment. The February 4, 1981, proposal contemplated granting the Japanese Salmon fishery a general permit for an annual incidental take of 5,500 Dall porpoise in the U.S. FCZ over the next three years. In addition, the Agency announced its determination that a formal hearing before an Administrative Law Judge (ALJ) was necessary to review the population status of Dall porpoise. (*13*) Formal reviews on the other mammals were found unnecessary or not possible: The Steller sea lion and northern fur seal had been previously reviewed, (*14*) and insufficient information existed in the permit application and in scientific literature to attempt review of the other animals. Absent a review, NMFS is unable to grant incidental take permits under the MMPA, and consequently the Applicant's request for a permit covering harbor porpoise, Pacific white-sided dolphin, and killer whale remains unprocessed.

The proposed regulation and all relevant information were reviewed on the record in a hearing held pursuant to 5 U.S.C. 556 and 557. (*15*) The hearings were conducted in Seattle, Washington, on March 5 and 6, 1981. The Assistant Administrator for Fisheries of NOAA, the Marine Mammal Commission, the Federation, and the Environmental Defense Fund (EDF) participated in the hearings.

3. *Issues Considered at the Formal Hearing.* The hearings focused on the following issues and facts: (a) Estimates of existing population levels of Dall porpoise; and (b) the expected impact of the proposed regulations on the OSP of Dall porpoise. These issues involved consideration of (1) whether the scientific evidence was sufficient to make any of the required MMPA findings, (2) future scientific research needs, and (3) the means available to the applicant, if any, to reduce further the mortality of Dall porpoise.

4. *Recommended Decision.* The ALJ issued his recommended decision on April 24, 1981 concluding that:

> Based upon the substantial evidence in the record as a whole, it is the Recommended Decision in this matter that the proposed amendment to the regulations of the National Marine Fisheries Service permitting the taking of Dall porpoise incidental to the commercial salmon fishing operations for the gill net salmon fishing season within the U.S. fishery conservation zone beginning 1981, and continuing through the same fishing season for 1983, be adopted as the final regulations, as amended by any finding of fact, conclusions of law, recommendations, and conditions herein.

The Environmental Defense Fund and the Japan Salmon Fisheries Cooperative Association submitted exceptions to the Assistant Administrator for Fisheries on April 29, 1981. On May 5, 1981, the Marine Mammal Commission filed a motion to strike ex parte communications in the Federation's response to the recommended decision.

B. Decision

1. *Summary of the Decision.* I find, based on the record of the hearing, the ALJ's recommended decision, the exceptions filed thereto and the Final Environmental Impact Statement (FEIS), that the Dall porpoise stock is not depleted and that an allowable take of these animals will not be to the disadvantage of the stock. The record before me indicates that an annual incidental take quota of 5,500 Dall porpoise over the next three years will maintain the stock at or above the minimally acceptable OSP level, and is consistent with the policies and purposes of the Act.

I further find that an annual quota of 5,500 Dall porpoise is economically and technologically feasible and should be set for the three-year period, 1981–1983. The record does not indicate that the 5,500 quota can be reduced technologically at this time. I am directing NMFS to monitor the incidental take of Dall porpoise by the Federation pursuant to the permit issued

today. This permit directs the Federation to conduct research and to report to NOAA on an annual basis regarding its gear research efforts.

The permit and accompanying regulations allow no takings of harbor porpoise, Pacific white-sided dolphin, or killer whale. Takings of these marine mammals are in violation of and subject to prosecution under the MMPA.

The permit directs the applicant to allow monitoring of its incidental take of marine mammals in U.S. waters, conduct gear research, and close its fishing season in U.S. waters when its quota is reached.

2. *Detailed findings.* The recommended decision of the ALJ is attached. In reaching my decision, I adopt and incorporate by reference, unless specifically noted otherwise, the findings of fact, conclusions of law and accompanying rationale of the ALJ. My comments on the recommended decision and the supporting evidence specifically address only points of difference between my decision and that of the ALJ, and issues of importance requiring further elaboration. My discussion follows the format of the recommended decision beginning with Part II of that decision.

a. *Population Estimates*

I adopt the ALJ's approach in determining whether the allowed incidental taking will be to the disadvantage of the marine mammal population stocks. It is consistent with the approach NOAA has taken in a previous rulemaking under the Act (*17*) and, based on the record, is the best scientific method available. (*18*)

(1) Present Population Level

Stock Classification

I adopt the ALJ's finding and supporting rationale that the best scientific evidence available supports the conclusion that only the North Pacific/Bering Sea/Gulf of Alaska stock (North Pacific stock) is affected by the Japanese mothership fishery. (*19*) My decision on Dall porpoise concerns only this stock.

Area

I adopt the ALJ's finding and supporting rationale that the best estimate of area is 3,262,683 square miles. (*20*)

Density

I adopt the ALJ's finding and supporting rationale that the 1978 data is more reliable than that for 1979 and that the line transect model will produce the more reliable estimate of the density of Dall porpoise. (*21*)

The ALJ found that the density figure equals 0.2818 Dall porpoise per square nautical mile throughout the entire region. This figure, based on NOAA data, represents the 1978 density of Dall porpoise in the west-central North Pacific. (*22*) NOAA's evidence indicates that densities varied between the four areas surveyed within the region. (*23*) Utilizing area specific density factors when available provides more accurate population estimates and is consistent with NOAA's approach in previous rulemakings under the Act. (*24*) I find, therefore, that the NOAA area specific density estimates represent the best scientific evidence available on Dall porpoise density.

Present Population of Dall Porpoise

Despite the above finding on density, I adopt the ALJ's 1978 population estimate of 919,424 for the Northern Pacific stock. Utilizing the differing densities for each of the four survey areas, NOAA's expert witness calculated the 1978 Dall porpoise population to be 920,000. (*25*) This result varies insignificantly with the ALJ's figure and has no effect on the outcome of the decision. (*27*)

(2) Initial Population Level

I adopt the finding and supporting rationale of the ALJ that estimating the initial population level requires back calculation—beginning with the present estimated population level, adding the estimated annual incidental kill and subtracting the estimated net annual reproduction. (*28*)

Natural Mortality Rate (M)

I adopt the ALJ's finding of 0.13 natural mortality rate. I find on the record, however, that 0.13 is based on an analogy of body sizes among various stocks of animals not on empirical data. (*29*)

Gross Annual Reproductive Rate (rmax)

Maximum Net Reproductive Rate (Rmax)

I adopt the ALJ's finding that the maximum net reproductive rate (Rmax) of the Northern Pacific stock of Dall porpoise is 0.04. (*30*) This rate is consistent with the range of possible values NOAA suggested (.02 to .12) (*31*) and is supported by the overall testimony in the record.

I note that NOAA found a 0.04 Rmax for *Stenella* dolphins in the Eastern Tropical Pacific in a previous rulemaking. (*32*) The record suggests that Rmax may vary among Dall porpoise and the various *Stenella* dolphins. My decision today does not imply that such variation does not exist.

In addition, one witness suggested using a Rmax of 0.057 based on work done by International Whaling Commission scientists on large whales. (*33*) I find the evidence supporting this value insufficient for its use in the calculations. Moreover, this witness utilized 0.04 in his calculations to determine the initial population level for Dall porpoise. (*34*) I recognize that further research is necessary to determine more accurately the Rmax for Dall porpoise and direct NMFS to continue efforts to assess this parameter.

Incidental Kill Rate (Kt)

Mothership Fishery

I adopt the ALJ's finding and supporting rationale regarding the Japanese mothership salmon fishery incidental kill rate of 0.94 porpoise per set of gill net. (*35*)

Land-based Salmon Gill Net Fishery

I adopt the ALJ's finding and supporting rationale that the land-based salmon fishery incidental kill rate is 0.94 porpoise per set of gill net. No independent observations of the land-based fishery operations exist and evidence estimating the amount of take within this fishery is weak. Dr. Ohsumi's testimony (*36*) suggests that this rate is 60% of the mothership salmon fishery. NOAA's evidence indicated that the rate may equal the mothership fishery but recognized problems in applying a uniform rate over the entire fishery. Conversely, no evidence suggested the rates were not uniform. Absent independent observations of the land-based fishery operations, I find that the land-based salmon fishery incidental kill rate is 0.94 porpoise per set of gill net. (*37*)

Constancy of Kt

I adopt the ALJ's finding and supporting rationale concerning the consistency of the incidental take rate. (*38*)

Calculated Initial Population

I adopt the ALJ's initial population estimate of 1,354,000. (*39*)

b. *Optimum Sustainable Population*

I adopt the ALJ's finding and supporting rationale that the population of the Northern Pacific stock of Dall porpoise is not depleted and that it is permissible to allow some taking of Dall porpoise. (*40*) The current 1980 population of this stock is 68.8 percent of its preexploitation population and above the minimally accepatable OSP level.

c. *Quota and the Projected Impact of Allowed Takings*

I adopt the ALJ's finding and supporting rationale that it is technologically feasible for the Federation to operate a full-effort fishing season while not exceeding the requested quota of 5,500. (*41*)

I further adopt the ALJ's finding and supporting rationale that the total allowable incidental kill of Dall porpoise within the United States FCZ which would maintain at its current level the population of the Northern Pacific stock is greater than the requested quota. This indicates that the allowable take of 5,500 Dall porpoise will not only maintain the stock at its current level, but will also allow it to grow.

Upon making a finding of non-depletion, the MMPA requires me to determine whether the requested quota can be further reduced. (*42*)

Based on the record, I find that the requested quota cannot be further reduced at this time. I am directing, however, the permit applicant to engage in gear research aimed at reducing Dall porpoise mortality and to report annually on its findings to NMFS.

d. *Conditions*

I concur with the ALJ that to make more accurate future determinations and to maintain the North Pacific Ocean stock of Dall porpoise within the range of OSP, a greater research effort is needed to obtain more and precise data. Mindful of this need and of my authority under the Act to impose terms and conditions on incidental take permits, I adopt, unless specifically stated otherwise, the conditions recommended by the ALJ.

(1) Research and Implementation of Modifications

I adopt the ALJ's findings, recommendations and supporting rationale regarding further research including, but not limited to:

(a) Improved survey coverage over the entire range of the affected Dall porpoise stock;

(b) More information on gross annual reproductive rates, natural mortality rates, the maximum net productivity level, and the rate of incidental kill;

(c) Studies on the ecology of Dall porpoise; and

(d) Research and reporting on, as well as implementation of gear modifications to reduce the take of marine mammals.

I have directed NMFS to make every effort to satisfy these research needs and expect full cooperation from the applicant. The conditions in the permit issued today are designed to develop this information.

I also adopt the ALJ's recommendation regarding reporting requirements; condition 9 of the permit issued today specifically covers these requirements in detail.

(2) Monitoring

The issue of extent of observer coverage is a difficult one. The ALJ based his recommendation for 10% observer coverage upon the testimony of a NOAA scientist who stated such coverage would provide a 95% confidence level that the quota would not be exceeded. The record provides no evidence concerning the confidence levels other observer coverage might provide. I agree that better data on incidental take by the mothership fleet is essential and find that an effective monitoring program must be conducted to obtain this data. The MMPA, however, does not dictate that the management regime implemented by the Agency attain a specific confidence level, and I believe that the appropriate confidence level should be determined by the Agency. The Agency should have the discretion to determine what confidence level and coverage is necessary for it effectively to monitor compliance with the quota. Accordingly, I am directing the National Marine Fisheries Service to implement an effective monitoring program to ensure that the quota is not exceeded. The permit can be conditioned on an annual basis to require the appropriate observer coverage. Due to funding constraints placed on the Agency, I also adopt the ALJ's recommendation that the applicant fund the observer program.

The ALJ recommended that the Federation consent to placing observers on its vessels in the land-based fleet. I reject this finding because there is no evidence in the record that the Federation has responsibility or authority over the land-based fishery. (*43*)

(3) Incidental Take Reporting Requirements

I adopt the ALJ's recommendation regarding incidental take reporting requirements. The requirements are incorporated into the permit issued today.

e. *Seabirds*

Judge Vanderheyden strongly recommended that monitorings and research be carried out to ascertain more precisely the magnitude and significance of the incidental seabird mortality associated with the gill net fishery.(*44*) The record indicates that the Japanese salmon gill net fishery takes large numbers of many species of seabirds. The takings may be threatening some of the populations.

In view of the primary marine mammal management objective of the MMPA—to maintain the health and stability of the marine ecosystem. (*45*) I concur with the ALJ's research recommendation.

I recognize, however, the difficulty in establishing such a research program for 1981. A scientifically valid seabird mortality monitoring system may require much experimentation and, thus, months to develop and implement. Although I am not making seabird research a condition of the permit, I strongly encourage the applicant to cooperate with the U.S. and Japanese governments in development and implementation of an appropriate research program. NMFS is prepared to participate, to the extent possible, in developing such a program.

f. *Duration of the Permit*

Finally, I adopt the ALJ's finding and supporting rationale that a three-year permit will best serve to improve the data base while allowing sufficient time for research aimed at improving the fishing gear to reduce the incidental kill and serious injury rate to levels approaching zero. No evidence shows that it is economically and technologically feasible at this time to reduce the incidental take quota below 5,500 over the next three years. Although the 1981 observation and research data is expected to contribute important information on this question, more data are needed to obtain meaningful answers. Issuing the three-year permit will also significantly reduce the costs and administrative burdens involved in the required permit proceedings. Furthermore, if subsequent research results reveal that it is economically and technologically feasible to reduce the quota, the quota will be modified accordingly and the regulation and permit amended before initiation of the 1982 and 1983 fishing seasons.

C. Required Statements

Section 103(d) of the MMPA requires the publication of the following statements: (a) Estimated existing levels of the species and population stocks of the marine mammals concerned; (b) a statement of the expected impact on the optimum sustainable population (OSP) of such species or population stocks; (c) a statement describing the evidence before the agency; and (d) any studies made by or for the agency and any recommendations made by or for the agency or the Marine Mammal Commission, if any. The following table satisfies the first two requirements.

Stock	Present population	Present OSP status	OSP status at end of 1983
Dall porpoise	920,000	Within	Within.

The reference noted in the February 4, 1981 **Federal Register** notice (*46*) and the record compiled in this administrative proceeding satisfy the final two statements.

D. Regulation

The regulation proposed by the Agency on February 4, 1981 (46 FR 10785) is hereby adopted, based on full consideration of the record, the recommended decision and my foregoing final decision. I have considered the alternatives contained in the FEIS and the DEIS and have concluded that the regulation adopted is the environmentally preferred alternative and represents the best approach of permitting the incidental take under the MMPA.

E. Consultation

The Act requires that I consult with the Marine Mammal Commission (MMC) in promulgating regulations. The MMC was consulted prior to publication of the proposal, was a party to the proceedings, and filed briefs with the ALJ.

Additionally, I have consulted with the Secretary of Commerce on this decision.

F. Attachments

The permit to be issued to the Federation of Japan Salmon Fisheries Cooperative Association as a result of this decision and the recommended decision of ALJ Frank Vanderheyden is attached.

G. Effective Date

The permit issued today becomes effective June 10, 1981.

Dated: May 7, 1981.

James P. Walsh,

Acting Administrator.

References

(*1*) 4 U.S.T. 380, T.I.A.S. 2786; 205 U.N.T.S. 65.

(*2*) T.I.A.S. 9842.

(*3*) 16 U.S.C. 1021 *et seq.*

(*4*) The term "depletion or depleted" means any case in which the Secretary, after consultation with the Marine Mammal Commission and the Committee of Scientific Advisors on Marine Mammals determines that the number of individuals within a species or population stock—

(A) has declined to a significant degree over a period of years;

(B) has otherwise declined and that if such decline continues, or is likely to resume, such species would be subject to the provisions of the Endangered Species Act of 1973; or

(C) is below the optimum carrying capacity for the species or stock within the environment.

16 U.S.C. 1362(1).

(*5*) The Act defines optimum sustainable population (OSP) as:

* * * With respect to any population stock, the number of animals which will result if the maximum productivity of the population or the species, keeping in mind the optimum carrying capacity of the habitat and the health of the ecosystem of which form a constituent element.

16 U.S.C. 1362(9).

A working definition of this term was published in 50 CFR 216.3 (1977) by the National Marine Fisheries Service:

* * * 'Optimum sustainable population' is a population size which falls within a range from the population level of a given species or stock which is the largest supportable within the ecosystem to the population level that results in maximum net productivity. Maximum net productivity is the greatest net annual increment in population numbers or biomass resulting from additions to the population due to reproduction and/or growth losses due to natural mortality.

(*6*) 16 U.S.C. 1374; 16 U.S.C. 1373, 50 CFR Part 216 (1979).

(*7*) 16 U.S.C. 1373(a).

(*8*) 16 U.S.C. 1373(d). These procedural requirements have been complied with and are published below.

(*9*) 16 U.S.C. 1371(a)(2).

(*10*) DOO 25–5A, Section 301.V., June 3, 1977.

(*11*) 9th Floor, San Kaido Building, 9–13, Alaska 1–Chrome, Minato-ku, Tokyo, Japan.

(*12*) 46 FR 10785 (February 4, 1981).

(*13*) *Id.*

(*14*) 44 FR 1540 (January 11, 1979); 45 FR 21844 (December 10, 1980).

(*15*) The hearings were also conducted pursuant to procedural rules published on February 4, 1981, 46 FR 10785.

(*16*) Footnote omitted.

(*17*) 45 FR 72178 (October 31, 1980).

(*18*) Recommended Decision, at 14 [hereinafter cited as R.D.].

(*19*) R.D., at 15. Contrary to the ALJ's recommendation, I find based on evidence in NOAA Exhibit 3 and NOAA Exhibit 7, that there are at least three stocks of Dall porpoise.

(*20*) R.D., at 16.

(*21*) R.D., at 20–21.

(*22*) NOAA Exhibit 4, at 20, Table 5.

(*23*) *Id.*

(*24*) See 45 FR 72178, 72181–92 (October 31, 1980).

(*25*) NOAA Exhibit 4, at 20, Table 5. Other estimates of present population suggested were: 837,460 (Federation Exhibit 6, at 20); 1,500,000 [Tr., pp. 140–42]; 5,090,000 (Federation Exhibit 4, at 6).

(*26*) Footnote omitted.

(*27*) R.D., at 21.

(*28*) R.D., at 22.

(*29*) R.D., at 23.

(*30*) R.D., at 26.

(*31*) NOAA Exhibit 3.

(*32*) 45 FR 72184, October 31, 1980.

(*33*) Federation Exhibit 4, at 12.

(*34*) *Id.*

(*35*) R.D., at 28.

(*36*) Federation Exhibit 4.

(*37*) R.D., at 30.

(*38*) R.D., at 31.

(*39*) R.D., at 32.

(*40*) R.D., at 32.

(*41*) R.D., at 33.

(*42*) 16 U.S.C. 1371(a)(2).

(*43*) Federation exceptions to the recommended decision, at 13.

(*44*) R.D., at 42.

(*45*) 16 U.S.C. 1361(6).

(*46*) 46 FR 10785, February 4, 1981.

Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Washington, D.C.; General Permit; Category 5: Other Gear

The Federation of Japan Salmon Fisheries Cooperative Association, Sankaido Building, 9–13 Akasaka 1-chome, Minato-ku, Tokyo, Japan, is hereby issued a General Permit for the taking of marine mammals incidental to the course of commercial fishing, in Category 5: Other Gear, subject to the provisions of the Marine Mammal Protection Act of 1972 as amended (16 U.S.C. 1374(h)); the regulations governing the incidental taking of marine mammals (50 CFR Section 216.24); and the terms and conditions hereinafter set out.

A. Limitations on Take

1. The annual incidental take of marine mammals by certificate holders is limited to the following number and species:

a. 5,500 Dall's porpoise (*Phocoenoides dalli*)

b. 450 northern fur seals (*Callorhinus ursinus*)

c. 25 northern (Steller) sea lions (*Eumetopias jubatus*)

2. No marine mammals of a species listed as threatened or endangered under the endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), or designated as depleted under the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), or for which a take limit has not been authorized, may be taken.

3. No marine mammal may be taken under this permit unless a Memorandum of Understanding between the Government of the United States of America and the Government of Japan and supporting Agreements, as required, have been approved and signed by both Governments.

B. Conditions

1. Marine mammals may only be taken under the authority of this permit by operators of vessels that have been granted a Certificate of Inclusion by the Assistant Administrator for Fisheries, National Marine Fisheries Service, in accordance with 50 CFR 216.24. A Certificate and a translated copy of this permit must be in the possession of the vessel operator at all times while fishing within the U.S. Fishery Conservation Zone.

2. This permit shall be valid for a 3-year period from 0001 hours, June 10, 1981, to 2400 hours, June 9, 1984, subject to annual review by the Assistant Administrator for Fisheries. This review will be based in part on reports required herein and on other information available to the Assistant Administrator for

Fisheries. The terms, conditions, limitations on take, number of observers, and duration may be modified by the Assistant Administrator for Fisheries in such manner as he deems consistent with and necessary to carry out the purposes of the Marine Mammal Protection Act of 1972.

3. At any time the Assistant Administrator for Fisheries has reason to believe that the date on which the allowed take set forth in the General Permit can be determined, he will notify the Permit Holder by any appropriate means and prohibit the further take of the affected species after that date. The Permit Holder shall be responsible for notifying all Certificate Holders of the date upon which no further take is authorized.

4. Marine mammals taken as authorized herein may be taken in the North Pacific Ocean and Bering Sea incidental to the Japanese mothership salmon gillnet fishery within the Fishery Conservation Zone of the United States as provided for in the Annex To The Protocol Amending The International Convention For The High Seas Fisheries Of The North Pacific Ocean.

5. Each Certificate Holder shall:

a. Return dead marine mammals incidentally entangled in gillnets of catcher boats for collection of biological data samples, when feasible and consistent with the laws of both countries.

b. Take every possible step to minimize the killing or serious injury of marine mammals during fishing operations.

c. Maintain a log of all instances in which marine mammals are taken. The log must include for each set:

(i) The location, time, and date of each taking of a marine mammal;

(ii) The species and number of all marine mammals that become entangled and are lost (drop out) as gillnets are hauled, become entangled but escape alive or are released alive during hauling, or captured and brought on board during hauling;

(iii) A description of the circumstances which led up to and caused death or injury; and

(iv) Any other information requested of the Certificate Holder by the Permit Holder.

d. Submit records required by B.5.c. above on a daily basis to the U.S. Government observer onboard each mothership operating within the U.S. Fishery Conservation Zone, or

e. Submit records required by B.5.c. above on a daily basis to the duly authorized Japanese national onboard each mothership operating outside the U.S. Fishery Conservation Zone.

f. Accept a duly authorized representative of the United States Government onboard the certificated vessel to make observations of incidental take and to record data on environmental conditions and on gear characteristics.

6. The Permit Holder shall assist the U.S. Government observers to report by radio on a daily basis to the United States, information on the take of marine mammals and any other data collected under B.5. herein.

7. The Permit Holder shall assist as requested in meeting the objectives of the research program agreed to by the Governments of the United States of America and Japan.

8. The Permit Holder shall provide for and fund marine mammal observers to allow for monitoring and research activities.

9. Reports:

a. Within 30 days of the close of each mothership salmon fishery season, the Permit Holder will submit to the Assistant Administrator for Fisheries, a report detailing what gear modifications were tested either by operating catcherboats or by research vessels performing under actual fishing conditions; the percentage of the catcherboats which operated with modified gear; the effect such modified gear had on both the incidental taking of Dall porpoise and other marine mammals; the effect the modified gear had on the catch of the various target species of salmon; the cost of producing the modified equipment for that season; and a best estimate of the cost for making the modified gear which produced the most favorable results in quantity great enough to outfit the entire fleet.

b. Within 30 days of the close of each mothership salmon fishery, the Permit Holder will submit to the Assistant Administrator for Fisheries the number and species of all marine mammals taken by each mothership fleet.

10. The Holder of this General Permit, and of each Certificate of Inclusion issued hereunder, shall not transfer or assign the General Permit or Certificate of Inclusion to any other person.

Dated: May 7, 1981.

William H. Stevenson,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

Department of Commerce

National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Washington, D.C.

Recommended Decision [1] of Frank W. Vanderheyden, Administrative Law Judge

In the matter of proposed regulations to govern the taking of marine mammals incidental to commercial Salmon fishing operations Docket No. MMPAH 1981-1.

Appearances:

Ronald S. Naveen, Esquire, Office of the General Counsel, 3300 Whitehaven Street, NW., Washington, D.C. 20235, for the National Marine Fisheries Service and the National Oceanic and Atmospheric Administration.

John A. Hodges, Esquire, Peabody, Rivlin, Lambert & Meyers, 1150 Connecticut Avenue, NW., Suite 1200, Washington, D.C. 20036, for the Federation of Japan Salmon Fisheries Cooperative Association.

Robert Eisenbud, Esquire, General Counsel, Marine Mammal Commission, 1625 I Street, NW., Washington, D.C. 20006, for the Marine Mammal Commission.

Curtis N. Epperson, Esquire, Epperson and O'Shea, Suite 300, The Globe Building, 9725 SE. 36th Street, Mercer Island, Washington 98040, for the Environmental Defense Fund.

Table of Contents

Introduction

I. Background
- A. Salmon fishery
- B. Scientific Cooperation
- C. Socio-Economic Importance
- D. Permit Application

II. Marine Mammal Protection Act

III. Incidental Take of Marine Mammals
- A. Generally
- B. Mothership Fishery
- C. Land-based Fishery

IV. Population Estimates
- A. Present Population Level
- 1. Stock Classification
- 2. Area
- 3. Density
  - a. Strip Transect Model
  - b. Line Transect Model
- 4. Present Population of Dall Porpoise
- B. Initial Population Level
- 1. Natural Mortality Rate
- 2. Gross and Net Reproductive Rates
- 3. Incidental Kill Rate
  - a. Mothership Fishery
  - b. Land-based Fishery
  - c. Constancy of Kill Rate
- 4. Calculated Initial Population

V. Optimum Sustainable Population

VI. Quota

VII. Conditions
- A. Continued Efforts to Reduce Incidental Take
- 1. Research
- 2. Monitoring
- 3. Seabirds
- 4. Attainment of Quota

VIII. Duration of Permit

IX. Recommended Decision

Introduction

Public hearings, concerning the application of the Federation of Japan Salmon Fisheries Cooperative Association (Federation) for a general permit under the Marine Mammal Protection Act to allow the taking of marine mammals incidental to this commerical fishery, were held before the undersigned administrative law judge appointed pursuant to 5 U.S.C. 3105 of the Administrative Procedure Act (APA). The hearings took place in Seattle, Washington, on March 5 and 6, 1981. They were conducted in accordance with §§ 556 and 557 of the APA, and with regulations promulgated for an expedited proceeding. 46 FR 10785 (February 4, 1981.) The record consists of 475 pages of transcript and 26 exhibits. Interpreters were used in those instances where some witnesses spoke only the Japanese language.

Opening briefs were served on March 20, 1981, reply briefs on March 31, 1981, and oral argument was had on April 1, 1981. The Recommended Decision is sought within 23 days thereafter. All parties who appeared filed briefs and participated in oral argument. Matters raised in briefs have been

[1] In keeping with the expedited nature of this proceeding, any exceptions to this Recommended Decision, together with supporting briefs, must be filed with the Director, National Marine Fisheries Service, within five (5) days of the service date shown above. An original and one copy of the Exceptions shall be served on the Director, with copies to all parties and the undersigned.

considered, and unless discussed specifically below are either rejected or not considered of sufficient import for particular mention in resolving the issues concerned in the proposed regulations.

Findings of Fact and Conclusions of Law

I. Background

A. Salmon Fishery

The Dall porpoise mortality question is interrelated with the Japanese salmon fishery. This fishery has a history in Japan extending from the 19th centry, with its beginnings off the Sakhalin and Kurile Islands and the Maritime Provisions of Siberia. It developed into both coastal and factory-ship type operations. Following the hostilities of World War II, and with the signing of the United States/Japanese Peace Treaty in May, 1952, Japan resumed the salmon fishery. However, due to the loss of its historical inshore fishery sites in Siberia, Japan developed a high seas salmon fishery in the form of mothership and land-based fisheries. Also in May, 1952, the United States, Japan and Canada executed the International Convention for the High Seas Fisheries of the North Pacific Ocean (INPFC).[2] At this time, there was no Pacific salmon fishery in international waters except for U.S. and Canadian offshore troll fishing, and little was known about the oceanic migration, and exploitation on the high seas of Asiatic and North American salmon stocks. Among other purposes, the INPFC was to examine these questions. Additionally, Japan agreed to abstain from fishing for salmon in the North Pacific Ocean east of a line at 175° W. longitude and in the Bering Sea. Japan and the U.S.S.R. entered into a Fisheries Treaty in 1956, which provided for annually negotiated catch quotas for salmon caught on the high seas adjacent to Soviet territorial waters, for the mothership and land-based fisheries. Stemming from this Treaty, Japan was prohibited from salmon fishing throughout the Sea of Okhotsh in 1959, and in 1962 this exclusion was extended to all Northwest Pacific waters.

In 1976, Congress passed the Fishery Conservation and Management Act (FCMA), 16 U.S.C. 1801, *et seq.*, which established a 200 mile fishery conservation zone (FCZ). Japan and the Soviet Union also established similar conservation zones. As a result, the INPFC was renegotiated in recognition of the authority of these coastal nations to manage their fishery resources within the FCZ, and also to consider the known distribution of salmon of North American origin. This Protocol,[3] amending the INPFC, permitted fishing by the Japanese mothership inside the FCZ of the U.S. The abstention line was moved to 175° E. longitude, with the exception of a portion of the North Central Bering Sea outside the U.S. FCZ. Additional areas where North American salmon and marine mammals were protected included approximately 775,000 square miles outside the U.S. FCZ. The Protocol also called for a scientific program of coordinated scientific research on marine mammals caught while fishing for anadromous fish species. The Japanese fleet, in return, was allowed to fish for salmon in 70,000 square miles inside the U.S. FCZ.

An Annex to the Protocol provided that the requirement by the U.S. of Japanese vessels engaged in the salmon fishery within the U.S. FCZ to have on board a Certificate of Inclusion relating to the incidental taking of marine mammals be suspended until June 9, 1981. During this period the U.S. and Japan were to conduct research to determine the effect of Japanese salmon fishery on the marine mammal population, and to work to reduce or eliminate the incidental catch of marine mammals in the fishery. The North Pacific Fisheries Act of 1954, 16 U.S.C. 1021, *et seq.*, implemented the INPFC and was amended in 1978 to reflect the Protocol and its Annex concerning marine mammal research. This Act also provided that after June 9, 1981, the taking of marine mammals incidental to fishing operations by Japanese vessels within the U.S. FCZ shall be regulated by the Marine Mammal Protection Act of 1972, 16 U.S.C. 1361, *et seq.*

B. Scientific Cooperation

Scientific cooperation between the U.S. and Japan has been carried out, in part, in the following manner:

Scientific teams, each composed of one marine biologist and one salmon observer were assigned to four Japanese motherships in the 1978 fishing season, to gather information on incidental take of porpoise and to obtain biological specimens for estimating life history.

A U.S.-Japanese Cooperative Research Program on Dall porpoise is conducted under the auspices of the INPFC. The project investigates abundance, food habits, population dynamics and other related aspects of the biology of Dall porpoise. In 1979 and 1980, in addition to eight vessels for salmon research, the Japanese dedicated a vessel to porpoise research at their own expense.

The cost of the dedicated vessel for the years 1979 and 1980, borne by the Japanese, has totaled about $700,000. In addition, the cost to the Japanese for observers from 1978–1980 has been $187,968.

During the 1980 fishing season, some experimental operations were carried out with modified nets into which nylon air-tube threads were partially interwoven. By such procedure, it was thought the porpoise may more easily detect the presence of the gill nets. However, the data collected to date has been inconclusive on the effectiveness of such a procedure. Additional research by the Japanese is planned for 1981 and onward.

C. Socio-Economic Importance of Salmon to Japan

For many years, salmon has been a traditional seafood for the Japanese people. It is a necessary festive fish for the New Year's season. In Japan's northern climate, it is an important fat and protein resource for weathering the cold; in the warm weather, salted salmon is favored as an appetizer. Concerning the economic importance of the salmon fishery to Japan, the production of the mothership salmon fishery in recent years has ranged between $80 and $90 million annually, representing approximately 14 to 17 percent of Japan's total salmon fishery. Additionally, approximately 280,000 Japanese workers and their families are involved directly or indirectly with the mothership salmon fishery. Their 1977 total annual earnings amounted to $1.7 billion.

D. Permit Application

By letter dated January 14, 1981, and attachment, the Federation, pursuant to Section 1374 of the Marine Mammal Protection Act (MMPA)[4] and the appropriate regulations promulgated in accordance with Section 1373, filed an application for an incidental take permit, Category 5, "Other Gear" salmon drift gill net. The permit application requests a three year term (1981–1983) and estimates that the maximum number of marine mammals expected to be incidentally taken on a yearly basis by the Japanese salmon fishery within the U.S. FCZ as follows: Dall porpoise (*Phocoenoides dallii*), 5,500; harbor porpoise (*Phocoena phocoena*), 50; Pacific white-sided dolphin (*Lagenorynchus obliquidens*), 25; killer whale (*Orcinus orca*), 25; Steller sea lion (*Eumetopias jubatus*), 25; and northern fur seal (*Callorhinus ursinus*), 450. (46 FR 10785, Feb. 4, 1981; NOAA Ex. 1.)

Only the Dall porpoise is substantively involved in this proceeding, because of the minimal incidental takings of the other marine mammals. If the permit application is granted as requested for the Dall porpoise, 50 CFR 216.24(d)(5) would be amended by adding a new subparagraph (vii) reading as follows:

(5) * * *

(vii) The number of Dall's porpoise (*Phocoenoides dallii*) killed or seriously injured by Japanese vessels shall be limited to 5,500 animals per year. Any permit issued under this regulation shall indicate the measures by which the permit holder shall comply with the reporting requirements of paragraph (d)(5)(v) of this section. Any incidental take permit issued under this regulation shall allow retention of marine mammals for scientific research purposes and not require a separate permit under paragraph (d)(5)(iv).

In addition, should the application be granted, it must include certain conditions enumerated hereafter.

II. Marine Mammal Protection Act

The Act establishes a moratorium on the taking[5] and importing of marine mammals which may be waived to allow marine mammals to be incidentally taken in the course of commercial fishing operations. The taking of marine mammals is to be in accordance with permits issued by the National Marine Fisheries Service (NMFS)

[2] 4 U.S.T. 380; T.I.A.S. 2786; 205 U.N.T.S. 65.

[3] T.I.A.S. 9842.

[4] 16 U.S.C. 1361, *et seq.* (Hereinafter, the title number of the U.S. Code, and the word "Act" will be omitted in referencing sections of the statute.)

[5] The term "take" has a meaning much broader than killing a marine mammal. "Take" means to "harass, hunt, capture or kill, or to attempt to harass, hunt, capture or kill any marine mammal." 16 U.S.C. 1362 (13).

pursuant to Section 1374, subject to regulations promulgated in accordance with Section 1373. In pertinent part, subsection (a) of the latter section directs that the Secretary (of Commerce) "on the basis of the best scientific evidence available" shall prescribe such regulations concerning the taking of marine mammals which will "insure that such taking will not be to the disadvantage of those species and population stocks * * *." Section 1373(b) provides that in prescribing regulations full consideration shall be given to all factors which may affect marine mammals including, but not limited to, the effect of such regulations on:

(1) Existing and future levels of marine mammal species and population stocks;

(2) Existing international treaty and agreement obligations of the United States;

(3) The marine ecosystem and related environmental considerations;

(4) The conservation, development, and utilization of fishery resources; and

(5) The economic and technological feasibility of implementation.

Section 1371(a)(2) declares, in part, that an immediate goal is to reduce the incidental kill or serious injury of marine mammals permitted in the course of commercial fishery operations to insignificant levels approaching a zero mortality and serious injury rate.

Congress, in pertinent part, found in Section 1361(2) of the Act that marine mammals should not be permitted to diminish below their "optimum sustainable population" (OSP). This term is defined in Section 1362(9) to mean that with respect to any population stock, the number of animals which will result in the "maximum productivity" of the population, keeping in mind the "optimum carrying capacity" of the habitat and the health of the ecosystem of which they form a constituent element. In Section 1362(8) "optimum carrying capacity" is defined to mean the ability of a given habitat to support the OSP of a species or stock in a healthy state without diminishing the ability of the habitat to continue that function. In further clarification, OSP is defined as "a population size which falls within a range from the population level of a given species or stock which is the largest supportable within the ecosystem to the population level that results in maximum net productivity." (41 FR 55538, Dec. 21, 1976; 50 CFR 216.3.) In further refinement, "maximum net productivity" (MNP or MNPL) is said to be the greatest annual increment to the population due to reproduction and growth less losses due to natural mortality. MNP is interpreted as being the lower limit of the range of OSP. (45 FR 72178, Oct. 31, 1980.)

III. The Incidental Take of Marine Mammals in the Salmon Fishery

A. Generally

The types of Japanese salmon fisheries which affect the Dall porpoise are the mothership and land-based operations. Both fisheries utilize salmon gill nets. In such method, a salmon gill net, 8 meters deep and 15 kilometers long, is set along the surface of the water at dusk and retrieved in the morning, in order to take advantage of the nature of salmon to approach the surface at night to feed. It is known that salmon feed on zooplankton, myctophid fish and small squid which come up near the surface at dark. The normal soaking time of the nets in the sea is an average of 11 to 12 hours. The evidence is strong that Dall porpoise, seeking to feed on some of the same food as the salmon, become accidentally entangled in the drift gill net and drown or suffocate. Mortality from the gill nets also results to sea birds on a large scale, and to some other marine mammals on a much smaller level than to Dall porpoise.

The following restrictions are placed on mothership gill nets as a result of a Protocol to the Japan/U.S.S.R. Fishery Cooperative Agreement:

(1) The length of the gill net set by each catcher boat is not to exceed 15 kilometers (8.2 nautical miles.)

(2) The interval between any two net sets should be at least 8 kilometers (4.37 nautical miles) in any direction.

(3) Under normal conditions the drift gill net hangs from the surface to about 6 to 8 meters (about 19 to 26 feet) deep in the water. The mesh size is to be at least 65 mm. (2.6 inches) for about 60 percent of the total number of nets, and the remainder 60 mm. (2.4 inches).

The salmon are caught by entangling their gills in the meshes of the net. One or more radio beacons are attached to the gill net, as well as light buoys and flags, to aid in locating it for retrieval. The use of gill nets is a passive fishing method to be distinguished from the tuna purse seine fishery in the eastern tropical Pacific Ocean where tuna fish are actively encircled by nets.

Dall porpoise comprise by far the largest part of the marine mammals incidentally taken by gill net fisheries. As a result of both the salmon fishery period and areas being reduced under the INPFC, and the Japan/U.S.S.R. Agreement, it is difficult for the Japanese gill net fishery to select fishing grounds or to adjust the periods of fishing operations to avoid some incidental taking of Dall porpoise.

The entanglement in gill nets of Dall porpoise, or other marine mammals, reduces the efficiency of the Japanese salmon fishery operations because the entanglement of the marine mammals: (1) Damages the nets, (2) disentangles or scares away salmon which otherwise may have been caught, (3) increases the difficulty of hauling in the nets due to the added weight of the entangled marine mammals.

B. Mothership Fishery

The Japanese mothership salmon fishery has as its objective salmon originating in the Asian continent, mainly from the U.S.S.R. At the peak of its operation in the 1950's, Japan utilized 16 motherships and 577 catcher boats. However, with area and seasonal restrictions, these operations have been reduced drastically. Currently, there are a total of 172 catcher boats directly engaged in fishing for salmon, and four motherships which receive their catches. These vessels make up four fleets, each fleet consisting of one mothership and 43 catcher boats operating as a unit.

The total catch of salmon by the Japanese mothership salmon fishery, in the period from 1952–1980 is estimated to be over 678 million fish, ranging from a high in 1957 of over 50 million, to a low in 1980 of over 7 million salmon.

C. Land-based Fishery

The major ports of the Japanese land-based salmon fishery are located on the Islands of Hokaido, Kushiro and Nemuro. The fleet operates in the northwest Pacific waters for about a month before returning to their home ports. This fleet generally fishes south of the motherships' area. Another major distinction between the land-based and that of the mothership fleets is that in the case of the latter, the catch is returned every day to the mothership where it is quickly frozen. In the land-based fishery, all the catch taken during the month is stored on the vessel until taken to port. the most common vessels used in this fleet range from 60 to 80 tons in weight, while the catcher boats in the mothership weigh around 96 tons. In this fishery, the space between the nets is 6 kilometers, as distinguished from 8 in the mothership endeavors. Also, in the land-based fishery, the mesh size of the gill net should be over 55 mm. Though the figure was higher in previous years, there were 209 medium sized vessels in the land-based fleet in 1980.

In the land-based fishery, the total number of salmon caught from 1952 to 1980 was about 844 million, with a high in 1959 of over 46 million. In 1980, the estimated catch was about 16½ million fish.

IV. Population Estimates

In order to grant a permit to allow the Japanese mothership salmon fishery to take Dall porpoise incidental to its commercial fishing operation, Section 1373(a) commands that it must be determined, based on the best scientific evidence available, that incidental takings of the marine mammals will not be disadvantageous to the population stock. Determining the effect of the regulations on existing and future levels of marine mammals and population stocks requires an assessment of: (1) Present abundance of Dall porpoise, (2) its pre-exploitation stock size, (3) OSP, and (4) the projected impact of the allowed takings.

A. Present Population Level

(1) *Stock Classification.* In order to ascertain the impact that the Japanese mothership salmon fishery's permitted kill of Dall porpoise will have on the species, it is necessary to make a finding concerning what porpoise-types comprise these stocks and whether the fishery involved affects one or more stocks. It also must be determined how many stocks are affected in order to calculate both the present and the pre-exploitation population levels of the Dall porpoise.

The evidence supports the conclusion that there are three stocks of Dall porpoise: (1) Japanese Pacific coastal stock composed mostly of *Phocoenoides dallii truei*, (2) the Sea of Japan and Okhotsk Sea stock consisting of *Phocoenoides dallii*, and (3) the west-central North Pacific/Bering Sea/Gulf of Alaska stock composed of *Phocoenoides dallii*.

There is an assertion that the Sea of Japan/Okhotsk Sea stock commingle with he North Pacific/Bering Sea/Gulf of Alaska stock.

However, this contention is not supported by evidence which would indicate the extent of purported commingling or that these groups of Dall porpoise do not belong to separate stocks that occasionally overlap in their range, but do not interbreed. More research needs to be conducted in order to more competently ascertain the stock situation. There is a dearth of evidence for including the Japanese Pacific coastal stock in the population calculations.

It is found that the best scientific evidence available supports the conclusion that only the North Pacific/Bering Sea/Gulf of Alaska stock (North Pacific stock) is affected by the Japanese mothership salmon fishery.

(2) *Area.* The area inhabited by Dall porpoise affected by the Japanese salmon gill net fishery has been estimated from a low of 3,262,683 square miles to a high of 4,300,000 square miles. The lower figure rests upon the premise that only Dall porpoise inhabiting the North Pacific, the Bering Sea and the Gulf of Alaska are affected by the Japanese mothership salmon fisheries. The higher number is based upon the argument that not only are the North Pacific stock affected, but also those Dall porpoise occupying the Okhotsk Sea.

It is found that the lower figure of 3,262,683 square miles is the best estimate. This finding is based not only upon the finding that only the North Pacific stock is affected, but also on an acceptance on the part of one of the Federation's expert witnesses of excluding porpoise in the Seas of Japan and Okhotsk from his population estimates. (FJS Ex. 6, p. 20).

(3) *Density.* The next step in assessing the present population level is to determine the density of porpoise in the area affected by the Japanese mothership salmon fishery. This is done by multiplying the area occupied by the North Pacific stock of Dall porpoise by their density in that region. Two methods of statistical analysis were utilized to determine density of the porpoise in their inhabited space: A strip transect and a line transect. Both of these models are based on certain assumptions, and both introduce certain biases due to observer efficiency and undetected movement of the porpoise.

(a) *Strip Transect Model.* The strip transect model functions by counting all of Dall porpoise sighted within a strip extending a certain distance from the survey ship. During the 1978 and 1979 surveys, 100 meter, 200 meter, and 400 meter strips were used. By determining how many of these porpoise were sighted within a certain strip, it is possible to statistically extrapolate the total number of Dall porpoise present in the total area which they inhabit.

One assumption upon which the strip transect model is based is that all of the porpoise within the strip are sighted. If this supposition is not met, then the estimates obtained from this method are invalid. A factor related to the possibility of not sighting porpoise within a strip is that the sighting efficiency decreases with an increase in distance from the vessel. If the probability of sighting animals decreases with distance from the survey ship, the assumption of the strip transect model that all animals within the defined strip-width are sighted is violated. As a result, using a strip-width greater than 200 meters may result in a density estimate which is biased downwards, and therefore a lower estimate of abundance is obtained. Thus, a strip-width of 200 meters would yield a less biased estimate of abundance.

Another premise upon which the strip transect model rests is that the porpoise do not move before being sighted. However, there is much evidence that Dall porpoise do move and are, indeed, attracted to vessels. Such an occurrence decreases the confidence one can place in the strip transect model for estimating the present population of Dall porpoise.

(b) *Line Transect Model.* The line transect model functions by recording the number of Dall porpoise sighted and their right angle distance to the line, the line being the path of the survey vessel. The line transect model does not rely upon strips; any and all porpoise sighted are used in the model. Again, by using this data it is possible to statistically extrapolate the total number of Dall porpoise which occur in the total area which they inhabit.

The line transect model is based on the following four assumptions, listed in the order of their importance:

(a) All animals within the range of vision of the vessel are seen;

(b) The animals do not move before being detected and none is counted twice;

(c) Distances and angles are measured exactly, so that neither measurement nor rounding errors are introduced;

(d) Sightings are independent events. For example, the sighting of one porpoise or one school does not increase the probability of sighting another.

Examination discloses that assumptions (a), (b) and (d) are common to both the strip and the line transect model. As such, none of these three assumptions can be utilized to suggest that one model is superior to the other. Further, the degree to which any of these three assumptions may or may not be breached is equal for both models.

Assumption (c), that distances and angles are measured exactly, is critical. The measurement of distance at sea is extremely difficult. Dall porpoise swim swiftly, sometimes attaining speeds as high as 30 knots. Also to be weighed are the speed and yawing of the vessel, and the lack of resolution of rangefinders at distances in excess of a few hunderd meters. The aforementioned all combine to increase the possibility that this assumption is violated to some degree.

It is contended that these measurement problems will tend to increase the variance (reliability) of the estimate, but will not necessarily change the magnitude. Notwithstanding, one great advantage that the line transect model holds over the strip transect method is that all data can be utilized in the line transect model while some data must be discarded when using the strip transect procedure.[6] This data is disregarded within the strip. In theory, the line transect model does not have this disadvantage.

Clearly, the estimation of the density of Dall porpoise from shipboard surveys is not without problems. The waters are further muddied by alleged problems concerning the quality of the 1978, as opposed to the 1979, data. Observers in 1978 were, ostensibly, less trained and experienced than those in 1979. However, there was much less survey effort in 1979 than 1978. The data base in 1978 was four times greater than that of 1979. Such a sizeable difference is a salient consideration, with variance (reliability) sensitive to data base size. An estimate resting upon the 1979 data is less reliable than that for 1978, due to the former's smaller base.

It is found that the line transect model minimizes the bias introduced by observer inefficiencies and permits the use of all the sighting information in the survey, and that such method will produce the optimum estimate in terms of reliability. It is also found that the density determined by the 1978 line transect model analysis is the more reliable figure. Using the 1978 data, it is further found that based upon the best scientific evidence available, the density figure equals 0.2818 Dall porpoise per square nautical mile. (NOAA Ex. 4, p. 20, Table 5.)

It should be noted that this finding does not discredit the strip transect model as a scientific population estimation technique. Further research in years ahead may demonstrate much improvement in the reliability of population estimates derived from the strip transect model. The finding here that the line transect model produces the optimum estimate in terms of reliability is based upon the evidence within the record, and should in no way prejudice the consideration of strip transect estimates in future proceedings.

(4) *Present Population of Dall Porpoise.* The population of Dall porpoise is equal to the area times the density of Dall porpoise in that area. Having found the area inhabited by the North Pacific stock to be 3,262,683 square nautical miles, and the density to be 0.2818 porpoise per square nautical mile within that region, the calculated 1978 population of Dall porpoise equals 919,424.

At this point, it is important to consider how this figure compares with the estimates produced by the other analyses. A calculated present low population of 460,100 was determined by employing the 1978 strip transect model, based upon a 400 meter strip. At the other end of the range is an estimated population of 5,090,400, resting upon witness Ohsumi's 1980 estimate extrapolated to 4,300,000 square nautical miles. This is a range in population by a factor of about 10. The spread, however, was much narrower according to other estimates: 575,000 to 2,327,100 porpoise. The great discrepancy existing between the estimates is understandable considering the task. However, the calculated 1978 figure of 919,424 is supported by the weight of the evidence, and this is found to be the population of the Dall porpoise in 1978. Using the data upon which the 1978 population finding is made, the 1980, or more current

[6] For example, utilizing a 400 m strip, a porpoise sighted at a 450 m right angle distance will not be included in the data. Such a sighting, however, would be included in the line transect method.

population is found to be approximately 931,500.[7]

B. *Initial Population Level.* In order to estimate the initial population level, one must calculate backwards, starting with the present estimated population level, adding the recorded annual incidental kill rate (k_t) and substracting the net annual recruitment rate (R_{max}). The reliability of such a back calculation is directly related to the reliability of the factors involved in the equation: present population estimate (N_t), discussed above, natural mortality rate (M), gross annual reproductive rate (r_{max}) and maximum net reproductive rate (R_{max}), and incidental kill rate (k_t). These last four factors will be treated individually.

(1) *Natural Mortality Rate (M).* The record supports a rate of 13 percent for natural mortality of the Dall porpoise. The foundation for this declared rate rests with witness Ohsumi (1979). Though widely accepted and utilized in calculations, this 13 percent figure is not derived from direct study of species mortality. Rather, it is information based upon empirical data of Dall porpoise by body size and body count.

The figure is of critical importance to the back calculation and the final determination of the status of the stock. However, one witness to this proceeding testified that "[o]ur data do not lend themselves to clear estimates of the rate of natural mortality, so we rely on Dr. Ohsumi's estimate that the natural mortality is about 13 percent of the population per year." (NOAA Ex. 9, p. 3.) Though the figure is not a "clear estimate," it is assumed to have been constant for the past 28 years in order to calculate the initial (1952) population. The reliability of this figure is in doubt, especially as to its constancy over the years from 1952. Notwithstanding this weakness, and in light of the need for further research into the question of the natural mortality rate, the record evidence supports this figure. It is observed further that the 13 percent is not unreasonable, and the record does not contain any allegation to that effect. It is found that the natural mortality rate for Dall porpoise is 13 percent. This is based on the only scientific evidence available in the record which, with more research, may or may not disclose to be the "best" evidence available.

(2) *Gross Annual Reproductive Rate* (r_{max}). *Maximum Net Reproductive Rate* (R_{max}).— The gross annual reproductive rate is the ratio of the total of all individuals added to a population by birth or immigration to the total number of individuals in that population. The maximum net reproductive rate (R_{max}) is derived by substracting the natural mortality rate (M) from the gross annual recruitment rate (r_{max}), or $R_{max} = r - M$.

Once again there is a wide range in the suggested values of the gross annual reproductive rates. The gross annual reproductive rates presented in the evidence varied from 0.15 to 0.36. This results in a range of R_{max} from 0.02 to 0.23.

This high estimate of 0.36, derived from the 1979 survey, is higher than gross annual reproductive rates estimated for other species of porpoise. This may be due to an overrepresentation in the indicental take of pregnant females, who may be concentrating in the fishing area, or may possible indicate an annual reproductive cycle. There is some evidence that the oceanic areas employed by the Japanese mothership salmon fishery overlap with the calving grounds of Dall porpoise. If this is the case, a bias would be introduced which would tend to increase the calculated rate. A 36 percent rate of gross annual reproduction was not accepted by the National Marine Mammal Laboratories because " * * * it resulted in an unrealistic maximum net recruitment rate of 0.23." This high rate was also criticized as being unacceptable when compared to *Stenella* porpoise which inhabit the eastern Tropical Pacific. There was no credible evidence in support of using this high rate.

The next lower rate, that derived from the 1978 Japan-U.S. research program, is 0.25, which results in an R_{max} of 0.12, by subtracting natural mortality (M) from the gross annual reproductive rate (r_{max}). This figure was accepted by the Federation as being the upper bound in estimating the pre-exploitation population level of Dall porpoise. It was also accepted by the NMFS as being the most reasonable rate, based on comparisons with other porpoise, especially the *Stenella*.

However, this same witness testified that "[g]iven the quantity and quality of the data we had, we are almost certain—grasping for straws." (Tr. 428.) This witness went on to testify, "We purposely used a value that we knew, or assumed to be biased, on the high side, to represent the upper limits of the range." The evidence shows that 0.25 for the gross annual reproductive rate with the resultant 0.12 maximum net recruitment rate is the upper bound of the possible reproductive range for Dall porpoise.

The lower bound of the gross annual reproductive rate range was alleged to be 0.15, or a maximum net reproductive rate of 0.02. This rate, however, is lower than what was administratively found for the net reproductive rate for porpoise in the eastern Tropical Pacific. (45 FR 72184, Oct. 31, 1980.) An R_{max} of 0.04, was also utilized by witness Ohsumi in his calculations to determine the initial population level for Dall porpoise, referring to this rate as "conservative but previously accepted rate" for the R_{max} for tropical porpoise and great whales.

There was some testimony concerning the similarities and differences between *Stenella* porpoise of the eastern Tropical Pacific, which has an R_{max} of 0.04, and Dall porpoise. However, there is no convincing evidence that the differences between these two species support utilizing the other end of the extreme, an R_{max} of 0.12, for the back calculation. In fact, the one witness arguing in favor of this high rate of R_{max}, 0.12, acknowledged that he did not have an estimate based on the data for recruitment. (Tr. 405.)

Many witnesses indicated some willingness to accept an R_{max} rate of 0.04, and a key witness for the Federation utilized this rate in his calculations. Keeping in mind the lack of reliable data on this critical factor in population dynamics, and the conservative approach of the Act, it is found that the gross annual reproduction rate for the Dall porpoise is 0.17 with a resultant R_{max} (net reproductive rate) of 0.04.

(3) *Incidental Kill Rate* (k_t). While a consideration of maximum net reproductive rate measures births and deaths from natural causes, it does not account for removals from the population caused by fishing mortality. This factor requires an estimate of the number of animals killed in the salmon gill net fisheries since its initiation in 1952. The chosen estimate is then utilized in the back calculations according to the population dynamics model set forth in NOAA Exhibit 14, and accepted by the Federation.[8]

Both the Japanese mothership and land-based salmon fishery affect the Dall porpoise population by incidentally taking Dall porpoise of the North Pacific stock.

(a) *Mothership Fishery.* The estimate of incidental take of Dall porpoise per set of gill net (k_t) range from a low of 0.06 to 0.10, to a high of 2.6. The low reported rates stem from a misunderstanding of the word "take" as used in the Act and the Memorandum of Understanding negotiated and signed by the U.S. and Japan in 1978. As a result, the Japanese did not report animals as "taken" animals that were shaken or dropped out of the gill nets. (FJS Ex. 1, p. 11.) The animals reported taken were only those actually returned on board the mothership for examination by U.S. biologists. It is expected that such a misunderstanding will not be repeated. However, it must be made clear at this point, that a porpoise which gets entangled in the net is presumed not to survive the ordeal. Taking this into consideration, the Federation readjusted its k_t rate, and derived a mothership rate of 0.94 porpoise killed per set of net. (FJS Ex. 4, p. 17.)

The high estimate of 2.6 porpoise killed per set was determined from data collected by U.S. observers aboard the vessel dedicated to marine mammal research. The reliability of this k_t rate is questionable, however. For example, the net was set in three separate pieces rather than in one piece as is the normal commercial practice. The additional pieces or ends allegedly caused a higher rate of entanglement per set. Further, the 2.6 figure was derived from a very few observations, 10 sets, resulting in an extremely high variance associated with this estimate.

There is a lack of convincing evidence to support the 2.6 rate. It is found that the best estimate for the incidental take rate of Dall porpoise by the Japanese mothership salmon fishery is 0.94 porpoise taken per set of gill net.

(b) *Land-based Salmon Gill Net Fishery.* There have been no independent observations of the land-based fishery operations, and therefore no reliable

[7] See Appendix A, Part (b), for formulae used in these calculations.

[8] The formula shown on FJS Ex. 4, p. 11, for a back calculation of initial population is the same as the formula shown in NOAA Ex. 3, p. 36. However, it is noted that these formulae are different from that shown in NOAA Ex. 14. It appears that the first two formulae are apparently for future year calculations, while the last formula is designed for back calculation, and has been utilized in this proceeding. (Appendix A, part (a).)

estimates of incidental take of Dall porpoise in this fishery. A k_t rate of 0.584 was utilized by the Federation, based on the assumption that the landbased k_t is 60 percent of the mothership rate.[9] However, there was an absence of evidence concerning whether the land-based fishery employed different gear than that used in the mothership fishery. Without this knowledge, there is no support for the 0.564 assumption in the land-based fishery. Also, because the take and effort of the land-based fishery in 1978 was concentrated in the area adjacent to and south of the mothership fishery, similar take levels in the two fisheries are not unlikely. Since there has been no independent observations of the land-based fishery operations, the differences in the incidental take levels cannot be explained. If there were reporting inaccuracies of the incidental take rate as in the mothership fishery, then the take may be higher—similar to that of the mothership fishery.

In light of the aforementioned, it is found, (1) both fisheries should be taken into account when determining the total take rate of Dall porpoise for purposes of the back calculation, and (2) the take rate of the mothership and land-based fisheries is the same: 0.94 porpoise per set of gill net.[10]

(c) *Constancy of* k_t. It is open to question whether the take rate has remained constant from 1952 to the present. In that no evidence was submitted concerning how this assumption should be modified, the undersigned is constrained to accept the constancy of the rate while recognizing the frailty of it. The same observation applies to much of the other data and assumptions in the record.

(4) *Calculated Initial Population.* Based upon these findings, $N_{1980}=931,500$ (rounded), $R_{max}=0.04$, $r_{max}=0.17$, $M=0.13$, and $k_t=0.94$ times the total number of sets for both the land-based and the mothership gill net fisheries (Appendix B), the calculated initial population (1952) of the North Pacific stock of Dall porpoise was approximately 1,354,000.[11]

V. Optimum Sustainable Population

The statutory definitions of OSP and MNPL have been noted earlier. The issue presented by the definition of the latter is determining what population level results in the MNPL. In the specifics of this proceeding, what is the MNPL for the North Pacific stock of Dall porpoise? The NMFS has assumed that the MNPL level for the North Pacific stock of Dall porpoise is 60 percent. This figure has also been accepted by the Federation, and employed by it in making back calculations.

The validity of 60 percent did not go unquestioned, however. At one point, it was characterized as "expeditious." (Tr. 413.) Elsewhere, the same witness admitted that in the final analysis, 60 percent may not be the correct figure for Dall porpoise. (Tr. 417.) Notwithstanding the doubts expressed concerning the 60 percent level, it remains the only credible evidence in the record. It is found that the maximum net productivity level for the North Pacific stock of Dall porpoise is 60 percent of its initial, preexploitation, population.

The current population (1980) of approximately 931,500 is .688 of the Dall porpoise preexploitation (1952) population of 1,354,000, and therefore 8.8 percent above the MNPL of 60 percent. As such, the North Pacific Ocean stock of Dall porpoise is not depleted.

VI. Quota and the Projected Impact of Allowed Takings

Having found that the best estimate of the stock is 8.8 percent above the maximum net productivity level of 60 percent, it is permissible to allow some taking of Dall porpoise. The Federation has requested a quota of 5,500 for each of the next three years. Close scrutiny must be paid to this request. The Federation concedes that "* * * more than 60 percent of the annual catches (of the mothership fleet) in 1978–80 were made within the United States FCZ". (FJS Ex. 2, p. 8.) Reference is made to Table 6 of that Exhibit, and calculations of the data provided there show that for the years 1978–80, an average of 68 percent of the mothership fleet's annual catches occurred within the U.S. FCZ.

The most recent data submitted by the Federation (FJS Ex. 4, p. 17) discloses that there were 8,729 boat-days of fishing effort by the mothership fleet for the entire 1979 season. Assuming that the boat-days of effort for 1981 will be substantially similar as that of 1979, then 68 percent of the 8,729 boat-days should occur within the United States FCZ. This projects to approximately 5,930 boat-days of effort in the United States FCZ. Using the methodology presented in FJS Exhibit 4, page 17, this amount of effort should be multiplied by 0.94, the kill rate per boat-day of effort, resulting in an estimated kill total of 5,575 Dall porpoise. This is slightly greater than the Federation's permit request of 5,500. Based upon the Federation's data, it is technologically feasible for it to operate a full-effort fishing season while not exceeding this requested quota of 5,500.

Section 1373(a) requires that the taking "not be to the disadvantage" of the species, and further, that such a taking "will be consistent with the purposes and policies set forth" in the section of Congressional findings and declaration of policy set forth in Section 1361. Further, Section 1373(d)(2) states that the Secretary of Commerce is required to publish, *inter alia*, a statement of the expected impact of the proposed regulations on the optimum sustainable population of such species or population stock.

Accordingly, it is necessary to determine what degree of impact the 5,500 take-rate will have on the North Pacific Ocean stock of Dall porpoise.

Having found that the best estimate of the stock is 8.8 percent above its maximum net productivity level of 60 percent of the initial population, the calculated number of Dall porpoise that may be allowed to be taken, *without causing the current population to decline*, is approximately 21,763 (Appendix C). This represents a total take from the entire stock population, and both the land-based and mothership gill net fisheries will incidentally take from this stock.

If the fishing effort (boat-days) for the land-based fishery and the mothership fishery will be the same in 1981 as it was in 1979, as shown in the most recent data available in FJS Exhibit 4, page 17, that is, the mothership fishery accounting for approximately 54 percent of the total effort, then the mothership fishery should not exceed 54 percent of 21,763, *in order to keep the population from decreasing*. This results in a Japanese mothership salmon fishery total incidental take of 11,752. However, it is necessary to break this down further, for this 11,752 figure is calculated for the entire mothership fishery effort for the full season, in areas 1, 2, 3, 4, and 5 as shown in FJS Ex. 1, Figure 1. The permit request is only for fishing conducted within the U.S. FCZ, however, which is area 4. (Transcript, Oral Argument, page 15.)[12]

As noted previously, the anticipated fishing effort of the Japanese mothership salmon fishery within the United States FCZ is 68 percent of the total fishing effort for this fleet. When calculated, 68 percent of 11,752 allows a take of 7,991 Dall porpoise within the United States FCZ *in order to keep the population from decreasing*. This is some 45 percent larger than the requested quota. Thus, according to the findings based upon the best scientific evidence available in the record, the total allowable incidental kill, within the United States FCZ, of Dall porpoise which would maintain the population of the North Pacific Ocean stock at its current level, is greater than the requested quota. I find, therefore, that by allowing a total of 5,500 Dall porpoise to be taken, within the U.S. FCZ, the population is expected to increase. I further find and conclude that the expected impact of these regulations will not be to the disadvantage of this popuation stock of Dall porpoise, and that they are consistent with the purposes and policies set forth in the Act.

VII. Conditions

A. Continued Efforts to Reduce the Rate of Incidental Take of Dall Porpoise

A three-year U.S.-Japanese research program was established in 1978 to study the effects of the incidental take by the Japanese high seas salmon fisheries on marine

[9] This value is based upon a report that the taking of porpoise by salmon research vessels in the land-based fishing area is 60 percent of that recorded in the mothership area. (FJS Ex. 4, p. 9.) The evidence offered to support this value, however, is less than persuasive.

[10] In order to compute the back-calculation based upon k_t (kill rate) of 0.94 porpoise per set of gill net by both the land-based and mothership salmon fisheries, the table presented in FJS Exhibit 4, p. 17, was adjusted to reflect this finding. Further, because the Okhotsk Sea stock was found to be separate from the North Pacific stock, and unaffected by the Japanese mothership salmon fishery, the "boat-days" of effort in the Okhotsk Sea, years 1955–1958, were not included in the adjusted k_t rate. See Appendix B for a list of the adjusted k_t rate used for this decision.

[11] See Appendix A, part (a) for the formula used in these back calculations.

[12] Note that the maps presented in FJS Exhibit 2, Figure 2 and FJS Exhibit 1, Figure 1, number the fishing areas involved differently. Area 2 of FJS Exhibit 2, Figure 2 is the same as Area 4 of FJS Exhibit 1, Figure 1 and is the area inside the U.S. FCZ.

mammal populations, and methods to reduce or eliminate the incidental take. The program included estimating an annual take rate in the Japanese mothership fishery, and collecting of marine mammal sighting data aboard Japanese salmon research vessels and U.S. Platforms of Opportunity Program vessels to determine the distribution, movements and abundance of Dall porpoise. Also involved were a collection of biological samples and information from all Dall porpoise incidentally taken by the Japanese mothership salmon fishery, and studies of entanglement, gear and marine mammal behavior aboard a dedicated vessel chartered by the Japanese Fisheries Agency. The NMFS can be assured of the continued abundance and health of the North Pacific Ocean stock of Dall porpoise only if the Federation, in cooperation with the Japanese government and its fisheries agency, and the United States Government, continue this joint research effort.

The findings made in this decision rely upon numerous variables: R_{max}, r_{max}, M, k_t, density of porpoise, area inhabitated by the stock, and MNPL. However, the quality of this available scientific data, while adequate to make findings, is something less than ideal. In order to more accurately make future determinations and to ensure the maintenance of the North Pacific Ocean stock of Dall porpoise within the range of OSP, as required by the Act, a greater effort is needed to obtain more and precise data. With this objective in mind, and in accordance with Section 1374(b)(2)(D) of the Act, the following conditions should be attached to the granting of the permit to the Federation:

(1) *Research.* Further research is necessary in order to determine with reasonable certainty that there is only one stock of Dall porpoise affected by the Japanese mothership salmon fishery. At a very minimum, and among other steps to be taken, available skeletal materials must be examined and similar specimens must be collected from areas of the fishery where sample sizes are inadequate, such as the Bering Sea and the land-based salmon fishery area. In addition to skeletal analysis, tissue samples from incidentally taken Dall porpoise must be collected for electrophoretic analysis.

Additionally, there must be improved survey coverage over the entire range of the affected stock(s) of Dall porpoise in order to improve the estimates of the density of these porpoise, on an area-by-area basis. Improved estimates of density will result in improved estimates of present population levels.

More and exact information is needed on gross annual reproductive rates, natural mortality rates, the maximum net productivity level, and the rate of incidental kill for both the mothership and land-based salmon gill net fisheries. Also, research must continue on the question of whether the Dall porpoise are attracted to vessels. This introduces problems of biases which need to be answered in order to gather reliable data.

Further and *immediate* studies on the ecology of Dall porpoise are needed to provide information on behavioral factors that will improve the design of net gear that would reduce the rate of entanglement. The studies should be carried out within a fixed time frame, and experimental tests should be conducted immediately thereafter.

The record is devoid of solid evidence concerning whether it is technologically feasible to reduce the 5,500 annual quota, and a finding cannot be made in this regard. However, the Federation must give great emphasis to research into the modification of salmon fishing gear to reduce the incidental take of not only the Dall porpoise, but all marine mammals.

Only by research into gear modification and implementation will the NMFS be able to make progress towards the goal of reducing the rate of serious injury and mortality to insignificant levels approaching zero. It is a disturbing observation that the coefficient of incidental kill rate utilized in this proceeding was assumed constant throughout the 28-year history of this fishery. This is directly contra to the statutory goal. The Federation is strongly directed to employ modified gear which will reduce incidental kill rates in the mothership fishery, and encouraged to do likewise in its land-based fishery.

As a further condition to issuing the permit, the Federation must supply the NMFS with a report, within one month of the close of each mothership salmon fishery season, concerning: what gear modifications were tested either by operating catcher boats or by research vessels performing under actual fishing conditions, the percentage of the catcher boats which operated with modified gear, the effect such modified gear had on both the incidental taking of Dall porpoise and other marine mammals, the effect the modified gear had on the catch of the various target species of salmon, the cost of producing the modified equipment for that season, and a best estimate of the cost for making the modified gear which produced the most favorable results in quantity great enough to outfit the entire fleet.

(2) *Monitoring.* Better data on incidental take by both the mothership and land-based fleets are essential. As a minimum, there should be observers on 10 percent of the catcher boats of the mothership fleet. The Federation should consent to a similar arrangement for its vessels in the land-based fleet, operating outside the FCZ. However, presently only $60,000 is budgeted through June 1981, by the NMFS for the observer program and activities related to Dall porpoise. This sum is woefully inadequate for any monitoring scheme and guarantees the impossibility of a NMFS mechanism for advising the permittee when the 5,500 level has been reached, or to determine the level of take outside the FCZ in order to assess the cumulative impact of taking upon the affected population. Considering the paucity of present funds, and the apparent absence of funds for 1982 or 1983, the financial burden at this time of providing for monitoring must fall to the Federation. The granting of a permit to the Federation is conditioned upon its funding the aforementioned 10 percent observer program. As an additional condition to the permit, Federation is charged with notifying the NMFS concerning the total kill of Dall porpoise at the end of the annual fishing season.

(3) *Seabirds.* The record shows that there are a large number of seabirds taken each year as a result of the salmon gill net fishery. Possibly sixteen species[13] are incidentally taken, with a yearly take estimated to be between 200,000 and 700,000 birds. Since 1952, an estimated 4.7 million seabirds have been killed in Japanese gill nets. In that the primarily affected species of birds have low reproductive rates, this high estimated mortality rate could have serious impact on the populations of some sea-birds. Such a situation could have a significant effect on their ecosystem as a whole, including both the salmon species and Dall porpoise, of which these seabirds are an integral part.

In prescribing regulations, the Act directs that full consideration shall be given to all factors which may affect the extent to which these marine mammals may be taken. One factor to be considered is existing international treaty and agreement obligations of the United States. (Section 1373(b)(2)). The Convention for the Protection of Migratory Birds and Birds in Danger of Extinction, and their Environment[14] (Convention) is just such an international obligation. This Convention, in force between Japan and the United States, prohibits the taking of any migratory birds which are listed in its Annex. Thirteen of the species listed in footnote 13 are on the Annex.

Although full consideration is to be given to this treaty, this consideration is to be given with a view toward setting a take quota for marine mammals-in this instance, Dall porpoise. Consideration has been given. However, while the Secretary of Commerce must consider relevant international agreements, he is without jurisdiction under the Act to promulgate regulations concerning seabirds. This jurisdiction lies within the Department of Interior. (16 U.S.C. 704.)

Notwithstanding, it is strongly recommended that monitorings and research be carried out to ascertain more precisely the magnitude and significance of the incidental seabird mortality associated with the gill net fishery. This research should include a systematic sampling effort to determine the magnitude and species composition of the seabird mortality. Further, cooperation between the Governments of Japan and the United States should be encouraged to implement a banding program to determine which populations or breeding colonies are being affected, and to what degree. This suggested research and monitoring, however, cannot be made a condition of the permit being granted.

(4) *Attainment of Quota.* In order to enforce the allowed limit of incidental take of Dall porpoise, there must be a central reporting office, upon one of the motherships, manned by a U.S. observer, to which each of the observers must report their observations of incidental take rate. The skippers of catcher boats without observers must also report the number of Dall porpoise incidentally taken

[13] These are the Laysan Albatross, Northern Fulmar, Fleshfooted Shearwater, Sooty Shearwater, Short-tailed Shearwater, Fork-tailed Storm-petrel, Common Murre, Thick-billed Murre, Ancient Murrelet, Parakeet Auklet, Cassim's Auklet, Least Auklet, Crested Auklet, Rhinoceros Auklet, Horned Puffin and Tufted Puffin.

[14] 25 U.S.T. 3329; T.I.A.S. 7790 (1972).

by that boat's gill net. Thus, each catcher boat should report to a central office aboard a mothership its total incidental take. Reports should be made daily to this central office. If circumstances make daily reporting impossible, reports should be made as frequently as possible.

Upon the attainment of 5,500 incidentally taken Dall porpoise within the U.S. FCZ, the Japanese mothership salmon gill net fishery is to immediately cease its operations within the U.S. FCZ.

VIII. Duration of Permit

The Federation has requested a three year term in which to operate under the permit. Various reasons are presented by two of the parties concerning why the duration of the permit should be limited to a shorter time period. The thrust of these reasons is that the Federation has not made an effort to test specific gear modification to reduce the rate of incidental kill of Dall porpoise, that the data base upon which the determinations of present, initial and optimum sustainable populations and the permitted quota are based is weak, and that the commitment of the Federation to improve the data base and the fishing gear with a view to reducing the incidental kill and serious injury rate to insignificant levels approaching zero is irresolute.

I am not persuaded to so limit the duration of the permit. Concededly, the data base is weak. However, it will not be sufficiently improved with a single year's additional data. If the permit process were to be repeated in one year, many of the same weaknesses would continue to exist because much reliance would still be placed upon old and incomplete data, while at the same time the same issues would be repetitively, and redundantly, litigated. Little would be gained. Further, the conditions attached to this permit which call for continued and increased research into the population dynamics and ecology of Dall porpoise will assure an improved data base. The same holds true for the conditions which call for continued and increased monitoring of the kill and serious injury rate of Dall porpoise incidental to this fishery, and for those which call for continued and increased research into fishing gear modifications with a view to the reduction of the mortality and serious injury rate to insignificant levels approaching zero.

Granting the permit, with the aforementioned conditions, for three years will give both the Governments of Japan, and the United States, and the Federation more time to devote to research, while providing long-term stability coupled with intelligent planning. Finally, if for any reason it is found that modifications to the regulations must be made in midcourse, a statutory basis in Section 1373(e) exists for such revision. It is found and concluded that the three year permit applied for will best serve improving the data base while allowing sufficient time for research aimed at improving the fishing gear in order to reduce the incidental kill and serious injury rate to insignificant levels approaching zero.

IX. Recommended Decision

Based upon the substantial evidence in the record as a whole, it is the Recommended Decision in this matter that the proposed amendment to the regulations of the National Marine Fisheries Service permitting the taking of Dall porpoise incidental to the commercial salmon fishing operations for the gill net salmon fishing season within the U.S. fishery conservation zone beginning 1981, and continuing through the same fishing season for 1983, be adopted as the final regulations, as amended by any findings of fact, conclusions of law, recommendations, and conditions herein.

Decided at Washington, D.C., this 24th day of April 1981.

Frank W. Vanderheyden,
Administrative Law Judge.

Appendix A

Part (a)

The equation (NOAA Ex. 14) accepted to compute backward in time to determine the initial, pre-exploitation, population is:

$$N_t = \frac{N_{t+1} + k_t + \frac{(r_t - M)(k_t)}{2}}{1 + (r_t - M)} \quad (1)$$

Where:

$$r_t = r_{max} - (r_{max} - M)\left[\frac{N_t}{N_{max}}\right]^{2.39} \quad (2)$$

And:
k_t = insidental kill rate
M = natural mortality
t = year being calculated
N_{max} = Maximum population the ecosystem can support.[1]

Part (b)

In order to calculate forward in time, equation (1) above is solved for N_{t+1}:

$$N_{t+1} = N_t + N_t(r_t - M) - k_t - \frac{(r_t - M)(k_t)}{2}$$

where r_t is the same as equation (2) above.

Appendix B

Year	Effort (boat-days)[1] Mothership	Land-based	Estimated take (k_t)[2] Excluding Okhotsk
1952	4,308	2,668	6,557
1953	9,329	8,786	17,028
1954	18,127	9,476	25,947
1955	31,981	14,950	44,115
1956	39,637	10,166	46,815
1957	25,707	10,626	34,153
1958	35,478	11,066	43,768
1959	25,408	14,880	37,871
1960	23,123	15,840	36,625
1961	17,610	16,620	32,176
1962	21,297	14,520	33,668
1963	21,578	16,980	36,245
1964	25,340	17,580	40,345
1965	22,654	19,762	39,871
1966	18,185	16,818	32,903
1967	17,878	15,816	31,484
1968	20,205	16,394	34,403
1969	20,631	16,503	34,906
1970	19,420	12,988	30,464
1971	19,528	12,525	30,128
1972	19,682	13,517	31,207
1973	19,921	15,087	32,908
1974	18,253	15,784	31,995
1975	18,732	15,709	32,375
1976	21,246	15,590	34,626
1977	12,946	9,751	21,335
1978	8,385	8,841	16,192
1979	8,729	7,545	15,298

[1] In order for this back-calculation to be accurate, it is important that the calculated 1952 population (N_t where t = 1952) be equal to the estimated maximum population which the ecosystem can support (N_{max}). Thus, in the equation for r_t when t = 1952, (N_t/N_{max}) must equal 1.0, which results in $(N_t/N_{max})^{2.39}$ also equalling 1.0.

Appendix B—Continued

[1] Mothership and Land-Based effort as shown in FJS Exhibit 4, page 17, Table 3.
[2] Estimated take equals (Mothership effort × 0.94) plus (Land-Based effort × 0.94).

Appendix C

In order to determine the number of porpoise which can be taken without causing a reduction in their population level, N_{t+1} is considered equal to N_t. Equation (1), Appendix A, Part (a), is then solved for k_t:

If:

$$N_{t+1} = \frac{N_t + k_t + \frac{(r_t - M)(k_t)}{2}}{1 + r_t - M}$$

then, solving for k_t:

$$k_t = \frac{N_{t+1}[r_t - M]}{1 + \frac{(r_t - M)}{2}}$$

where r_t is computed according to Equation (2) of Appendix A, Part (a).
Because:
$N_{t+1} = N_t = 931{,}410$
M = 0.13
$r_t = 0.1536417$

$$k_t = \frac{931{,}410\,(0.1536417 - 0.13)}{1 + \frac{(0.1536417 - 0.13)}{2}}$$

$k_t = 21763.$

[FR Doc. 81-14595 Filed 5-14-81; 8:45 am]

BILLING CODE 3510-22-M

federal register

Friday
May 15, 1981

Part IV

Department of Agriculture

Federal Grain Inspection Service

Fees for Original Inspection, Official Weighing, and Supervision of Weighing Services

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

7 CFR Part 800

Fees for Original Inspection, Official Weighing, and Supervision of Weighing Services

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Emergency final rule.

SUMMARY: The Federal Grain Inspection Service (FGIS or Service) is reducing the fees for original inspection, official weighing, and supervision of weighing services performed by FGIS in the United States. Recent estimates of cost and revenue indicate that FGIS has adequate operating reserves to operate through the end of fiscal year 1981.

EFFECTIVE DATE: May 31, 1981.

FOR FURTHER INFORMATION CONTACT: John W. Marshall, Director, Inspection Division, telephone, (202) 447–8497, or George T. Lipscomb, Director, Weighing Division, telephone, (202) 382–1731, USDA, FGIS, 1400 Independence Avenue SW., Washington, D.C. 20250.

SUPPLEMENTARY INFORMATION: This emergency final action is issued in conformance with Executive Order 12291 and has been determined to be "nonmajor."

David R. Galliart, Acting Administrator, FGIS, has determined that a situation exists which warrants the publication of this final action without the opportunity for a public comment period in order to effectuate, at the earliest possible date, a reduction in fees for original inspection, official weighing, and supervision of weighing services performed by FGIS in the United States. It is in the public interest to effect this reduction at the earliest possible date. The authorization to establish such fees is prescribed in Sections 7(j) and 7A(1) of the United States Grain Standards Act, as amended (7 U.S.C. 79(j), 79a(1))(Act). The reduction in fees is based on facts within the knowledge of FGIS.

Pursuant to the administrative procedures provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect to this final action are impracticable, unnecessary, and contrary to the public interest; and good cause is found for making this final action effective May 31, 1981.

David R. Galliart, Acting Administrator, FGIS, has also determined that this action will not have a significant economic impact on a substantial number of small entities because most users of the service do not meet the requirements for small entities as defined in the Regulatory Flexibility Act (Pub. L. 96–354, 94 Stat. 1164–1170). Further, this action reduces the cost of these official services to all users.

Fees for Original Inspection, Official Weighing, and Supervision of Weighing

Effective January 4, 1981, (see 45 FR 79736) FGIS increased the fees for original inspection, official weighing, and supervision of weighing services for contract hourly services, services performed on a unit basis, and noncontract hourly services. In publishing the fees, it was indicated that FGIS would maintain an ongoing evaluation of the fees to determine: (1) if the level of the fees reflects the cost of service: (2) if the fees are adequate to maintain a reasonable operating reserve; and (3) the impact of the amendment to the Act, which affected the scope of the inbound weighing program (Pub. L. 96–437, 94 Stat. 1870).

Based on these evaluations and the projected impact of cost reduction measures recently implemented, FGIS has determined a sufficient operating reserve will exist to operate through the end of fiscal year 1981. Therefore, the fees for original inspection, official weighing, and supervision of weighing services performed by FGIS in the United States are being reduced. The effect of this action is to reduce by approximately one-half the January 4, 1981, increase in fees.

These changes will not affect the FGIS fees for original inspection or official weighing services performed in Canada; or reinspection, appeal inspection, and Board appeal inspection services performed in the United States or Canada.

Accordingly, 7 CFR 800.71(a) (which appears at 45 FR 15822–15824) is hereby amended to read as follows:

§ 800.71 Fees assessed by the Service.

(a) *Official inspection and weighing services.* The fees shown in schedules A and B apply to official grain inspection and weighing services performed by the Service in the United States and Canada.

Schedule A.—Fees for Official Inspection and Weighing Services Performed by the Service in the United States [1]

Table 1

Inspection services (bulk or sacked grain)	Original inspection service	Reinspection and appeal inspection service [2 3]
(1) Official sample-lot inspection service (white certificate):		
(i) For official grade and official factor determinations:		
(A) Online inspection services (per man-hour per Service representative): [4]		
(1) Contract service:		
(a) Regular workday	$12.00	(5)
(b) Nonregular workday	15.40	(5)
(2) Noncontract service:		
(a) Regular workday	14.40	(5)
(b) Nonregular workday	18.00	(5)
(B) Other than online inspection services:		
(1) Truck or trailer (per truck or trailer or part truck or part trailer)	7.15	$16.00
(2) Boxcar (per car or part car)	11.00	19.60
(3) Hopper car (per car or part car)	14.85	23.80
(4) Barge (per 1,000 bushels or fraction thereof)	2.75	3.50
(5) Ship, bin, and all other lots of grain (per 1,000 bushels or fraction thereof) (but see 2 below)	(5)	3.50
(C) Based on official file sample (any lot or part lot)	(5)	[10] 13.50
(ii) For official factor or official criteria determinations:		
(A) Based on a sample used for official grade and official factor determinations not obtained during loading or unloading:		
(1) Factor determination (per factor)	4.60	5.45
(2) Protein test (per sample)	3.65	4.35
(B) Based on new sample (any lot or part lot)	(5)	(5)
(2) Special inspection services (sampling, stowage examination, testing of inspection equipment, demonstrating official inspection functions, furnishing standard illustrations, and related services) (per man-hour per Service representative): [6]		
(i) Regular workday	14.40	21.80
(ii) Nonregular workday	18.00	21.80

Table 1—Continued

Inspection services (bulk or sacked grain)	Original inspection service	Reinspection and appeal inspection service [2,3]
(3) Warehouseman's sample-lot inspection service (yellow certificate) or submitted sample inspection service (pink certificate):		
(i) For official grade and official factor determinations (per sample)	6.00	13.50
(ii) For official factor or official criteria determinations:		
(A) Factor determinations (per factor)	4.60	5.45
(B) Protein test (per sample)	3.65	4.35
(4) Minimum fee per service request (applicable when the request for service is cancelled after the Service representative(s) arrives at the point of service or when the service is performed in 2 hours or less when hourly rates apply—fee does not include standby):		
(i) Grain in trucks, trailers, boxcars, or hopper cars	[4]	[4]
(ii) All other lots of grain and special services (per man-hour per Service representative) (2 hour minimum):		
(a) Regular workday	14.40	21.60
(b) Nonregular workday	18.00	21.60
(5) Standby (per man-hour per Service representative): [9]		
(i) Regular workday	14.40	21.60
(ii) Nonregular workday	18.00	21.60
(6) Extra copies of certificates (per copy): [11]	2.50	2.50

NOTE.—The footnotes for table 1 are shown at the end of table 2.

Table 2

Weighing services (bulk or sacked grain)	Official weighing services					
	Specified inspection point				Noninspection point	
	Contract service		Noncontract service		Contract service	
	Regular workday	Nonregular workday	Regular workday	Nonregular workday	Regular workday	Nonregular workday
(1) Official weighing or supervision of weighing services (per man-hour per Service representative)	$12.00	$15.40	$14.40	$18.00	$12.00	$15.40
(2) Special weighing services, (stowage examination, testing of weighing equipment, checkweighing sacked grain, checkloading sacked grain, demonstrating official weighing functions, and related services) (per man-hour per Service representative) [8]	12.00	15.40	14.40	18.00	12.00	15.40
(3) Minimum fee per service request is 2 hours per Service representative (applicable when the request for service is cancelled after the Service representative(s) arrives at the point of service or when the service is performed in 2 hours or less when hourly rates apply—fee does not include standby) (per man-hour per Service representative)	[5]	[5]	14.40	18.00	[5]	[5]
(4) Standby (per man-hour per Service representative) [9]	[5]	[5]	14.40	18.00	[5]	[5]
(5) Extra copies of certificates and reports (per copy) [11]	2.50	2.50	2.50	2.50	2.50	2.50

[1] The fees include the cost of performing official inspection and official class X or class Y weighing functions by Service representatives. For incidental costs included in the fees, and fees in addition to the unit and the hourly fees, see § 800.72, paragraphs (a) and (b).

[2] If it is found that there was a material error in the inspection from which a reinspection, and appeal inspection, or a Board appeal inspection is taken, the specified reinspection, appeal inspection, or Board appeal inspection fee shall not be assessed, but see § 800.72(b) for fees that are assessed in all instances. For definition of a material error see § 800.0(b)(45) and § 800.73(h).

[3] Board appeal inspections are based on file samples. The fee for Board appeal inspection service shall be $34.00 per sample during a regular workday and $40.00 per sample during a nonregular workday except for protein which shall be $15.00 per sample.

[4] Online inspection services include all inspection services which are based on official samples obtained from a flowing stream of grain during the loading or unloading of grain.

[5] Not applicable.

[6] The unit fee.

[7] Same fees as in (1)(i)(B), plus applicable sampling charge—see (2).

[8] Only one inspection or weighing fee, as applicable, will be charged for these services whether performed singly or concurrently.

[9] For application of fee for standby, see § 800.72(b).

[10] If at the request of the Service a file sample is located and forwarded by an agency for official appeal, the agency may, upon request, be reimbursed at the rate of $2.50 per sample by the Service for the cost of locating and forwarding the sample(s).

[11] For application of fee for extra copies of certificates see § 800.160(c)(3).

Schedule B.—Fees for Official Inspection and Weighing Services Performed by the Service in Canada [1]

Table 1

Services (bulk or sacked grain)	Regular workday	nonregular workday
(1) Original inspection, or official weighing, or special services: [6]		
(i) Contract service (per man-hour per Service representative)	$20.00	$24.00
(ii) Noncontract service (per man-hour per Service representative)	30.00	36.00
(2) Reinspection and appeal inspection (per man-hour per Service representative) [2] [6]	32.00	38.00
(3) Board appeal inspection (per sample) [3] [6]	34.00	40.00
(4) Minimum fee per Service request:		
(i) Noncontract, original inspection, or original weighing, or special services (per Service representative) [5]	80.00	106.00
(ii) Reinspection, or appeal inspection (per Service representative) [5] [6]	96.00	114.00
(5) Standby (per man-hour per Service representative) [7]	30.00	36.00
(6) Extra copies of certificates (per copy) [8]	2.50	2.50

[1] The fees include the cost of performing official inspection and official class X or class Y weighing functions by Service representatives. For incidental costs included in the fees, and fees in addition to the unit and the hourly fees, see § 800.72, paragraphs (a) and (b).

[2] Special services include, but are not limited to the following: sampling, stowage examination, testing of inspection or weighing equipment, demonstrating official inspection or weighing functions, furnishing standard illustrations, checkweighing of sacked grain, checkloading of sacked grain, and related services.

[3] If it is found that there was a material error in the inspection from which a reinspection, an appeal inspection, or a Board appeal inspection is taken, the specified reinspection, appeal inspection, or Board appeal inspection fee shall not be assessed, but see § 800.72(b) for fees that are assessed in all instances. For definition of a material error see § 800.0(b)(45) and § 800.73(h).

[4] Appeal inspections are based on file samples. Board appeal inspections for protein shall be $15.00 per sample.
[5] Applicable when the requested service is performed in 3 hours or less, or the request for service is cancelled after the Service representative(s) arrives at the point of service.
[6] Not applicable if the reinspection or appeal inspection is performed concurrently with an original inspection.
[7] For application of fee for standby, see § 800.72(b).
[8] For application of fee for extra copies of certificates see § 800.160(c)(3).

(Sections 8 and 9, Pub. L. 94-582, 90 Stat. 2873, 2877 (7 U.S.C. 79(j), 79a(1)))

Done at Washington, D.C., on May 12, 1981.

D. R. Galliart,

Acting Administrator.

[FR Doc. 81-14773 Filed 5-14-81; 8:45 am]

BILLING CODE 3410-02-M

federal register

Friday
May 15, 1981

Part V

Veterans Administration and Department of Health and Human Services

Increase in Pension Rates and Income Limitations and Cost of Living Increase in Social Security Benefits Under Title II and XVI

VETERANS ADMINISTRATION

38 CFR Part 3

Increase in Pension Rates and Income Limitations

AGENCY: Veterans Administration.

ACTION: Final regulation change.

SUMMARY: The Veterans Administration has amended its regulations setting forth the annual rates of improved pension and parents' dependency and indemnity compensation (DIC), the annual income limitations applicable to receipt of section 306 pension, old-law pension and parents' DIC, and the annual amount of a spouse's income that is excludable from a veteran's annual income under the section 306 pension program. The need for this action results from the forthcoming social security cost-of-living increase. The effect of this action is to increase the rates and income limitations by the same percentage as social security benefits.

DATES: These regulation changes are effective June 1, 1981, the effective date of the social security cost-of-living increase.

FOR FURTHER INFORMATION CONTACT: T. H. Spindle, Jr. (202) 389–3005

SUPPLEMENTARY INFORMATION: Under 38 U.S.C. 3112 the Veterans Administration is required to increase the rates of improved pension and parents' dependency and indemnity compensation (DIC), the income limitations applicable to section 306 pension, old-law pension and parents' DIC, and the amount of a spouse's income that is excludable from the amount of a veteran's annual income under the section 306 pension program whenever there is a social security cost-of-living increase. The benefits are to be increased by the same percentage as social security benefits are increased and at the same time.

The Social Security Administration reports that there will be a cost-of-living increase of 11.2 percent in social security benefits effective June 1, 1981. Accordingly, we are amending §§ 3.23, 3.24, 3.25, 3.26 and 3.262(b)(2) to implement this increase.

We are not providing for public participation since no useful purpose would be served by doing so. The Veterans Administration has no discretion in this matter. The statute requires that we increase our benefits by the percentage amount determined by the Social Security Administration and at the same time as the social security increase is effective.

The agency has determined that this regulation is nonmajor in accordance with Executive Order 12291, Federal Regulation. The agency has also determined as required by Pub. L. 96–354, the Regulatory Flexibility Act, that it imposes no compliance costs or reporting burdens on the public and has no effect on businesses or State and local governments.

Approved: May 6, 1981.

Rufus H. Wilson,

Acting Administrator.

1. In § 3.23, paragraphs (a) and (c) are revised to read as follows:

§ 3.23 Improved pension rates.

(a) *Maximum annual rates of improved pension—(1) Veterans permanently and totally disabled (38 U.S.C. 521).*

(i) Veteran with no dependents, $4,960.

(ii) Veteran with one dependent, $6,499.

(iii) For each additional dependent, $840.

(2) *Veterans in need of aid and attendance.*

(i) Veteran with no dependents, $7,936.

(ii) Veteran with one dependent, $9,474.

(iii) For each additional dependent, $840.

(3) *Veterans who are housebound.*

(i) Veteran with no dependents, $6,064.

(ii) Veteran with one dependent, $7,602.

(iii) For each additional dependent, $840.

(4) *Two veterans married to one another; combined rates.*

(i) Neither veteran in need of aid and attendance or housebound, $6,499.

(ii) Either veteran in need of aid and attendance, $9,474.

(iii) Both veterans in need of aid and attandance, $12,449.

(iv) Either veteran housebound, $7,602.

(v) Both veterans housebound; $8,705.

(vi) One veteran housebound and one veteran in need of aid and attendance, $10,577.

(vii) For each dependent child, $840.

(5) *Surviving spouse alone and with a child or children of the deceased veteran in custody of the surviving spouse (38 U.S.C. 541).*

(i) Surviving spouse alone, $3,324.

(ii) Surviving spouse and one child in his of her custody, $4,354.

(iii) For each additional child in his or her custody, $840.

(6) *Surviving spouses in need of aid and attendance.*

(i) Surviving spouse alone, $5,318.

(ii) Surviving spouse with one child in his or her custody, $6,347.

(iii) For each additional child in his or her custody, $840.

(7) *Surviving spouses who are housebound.*

(i) Surviving spouse alone, $4,064.

(ii) Surviving spouse and one child in his of her custody, $5,092.

(iii) For each additional child in his or her custody, $840.

(See § 3.24 for entitlement criteria and rate applicable to a child of a deceased veteran not in custody of a surviving spouse who has basic eligibility to receive improved pension. The term "basic eligibility to receive improved pension" is defined in § 3.24)

* * * * *

(c) *Mexico border period and World War I veterans.* The applicable maximum annual rate payable to a Mexican border period or World War I veteran under this section shall be increased by $1,119.

(38 U.S.C. 521(g))

* * * * *

2. In § 3.24, paragraphs (b) and (c) revised to read as follows:

§ 3.24 Improved pension rates; surviving children.

* * * * *

(b) *Child with no personal custodian or in the custody of an institution.* In cases in which there is no personal custodian, i.e., there is no person who has the legal right to exercise parental control and responsibility for the child's welfare (See § 3.57(d)), or the child is in the custody of an institution, pension shall be paid to the child at the annual rate of $840 reduced by the amount of the child's countable annual income.

(c) *Child in the custody of person legally responsible for support.* (1) *Single child.* Pension shall be paid to a child in the custody of a person legally responsible for the child's support at an annual rate equal to the difference between the rate for a surviving spouse and one child under § 3.23(a)(5)(ii), and the sum of the annual income of such child and the annual income of such person. The amount payable, however, may not exceed the amount by which $840 exceeds the child's countable annual income.

(2) *More than one child.* Pension shall be paid to children in custody of a person legally responsible for the children's support at an annual rate equal to the difference between the rate

for a surviving spouse and an equivalent number of children (but not including any child who has countable annual income equal to or greater than $840) and the sum of the countable annual income of the person legally responsible for support and the combined countable annual income of the children (but not including the income of any child whose countable annual income is equal to or greater than $840). The combined amount payable, however, may not exceed the amount by which $840 times the number of eligible children exceeds the sum of the children countable annual income.

(38 U.S.C. 542)

3. In § 3.25, paragraphs (a), (c), (d) and (e) are revised to read as follows:

§ 3.25 Parent's dependency and indemnity compensation rates.

Dependency and indemnity compensation (DIC) shall be paid monthly to parents of a deceased veteran in the following amounts. (38 U.S.C. 415)

(a) *One parent.* Except as provided in paragraph (b) of this section, if there is only one parent the monthly rate of DIC paid to such parent shall be $230 reduced on the basis of the parent's annual income according to the following formula:

For each $1 of annual income		
The $230 monthly rate shall be reduced by	Which is more than	But not more than
$0.00	.....	$800
.05	$800	900
.07	900	1,100
.08	1,100	5,642

No DIC is payable under this paragraph if annual income exceeds $5,642.

* * * * *

(c) *Two parents not living together.* The rates in this paragraph apply to (1) two parents who are not living together, or (2) an unremarried parent when both parents are living and the other parent has remarried. The monthly rate of DIC paid to each such parent shall be $163, reduced on the basis of each parent's annual income, according to the following formula:

For each $1 of annual income of each parent		
The $163 monthly rate shall be reduced by	Which is more than	But not more than
$0.00	0	$800
.03	$800	1,000
.06	1,000	1,200
.07	1,200	1,600
.08	1,600	5,642

No DIC is payable under this paragraph if annual income exceeds $5,642.

(d) *Two parents living together or remarried parents living with spouses.* The rates in this paragraph apply to (1) each parent living with another parent; and (2) each remarried parent, when both parents are alive. The monthly rate of DIC paid to such parents will be $154, reduced on the basis of the combined annual income of the two parents living together or the remarried parent or parents and spouse or spouses, as computed under the following formula:

For each $1 of combined annual income		
The $154 monthly rate shall be reduced by	Which is more than	But not more than
$0.00	0	$1,000
.02	$1,000	1,400
.03	1,400	2,000
.04	2,000	2,600
.05	2,600	3,100
.06	3,100	3,700
.07	3,700	7,587

No DIC is payable under this paragraph if combined annual income exceeds $7,587.

The rates in this paragraph are also applicable in the case of one surviving parent who has remarried, computed on the basis of the combined income of the parent and spouse, if this would be a greater benefit than that specified in paragraph (a) of this section for one parent.

(e) *Aid and attendance.* The monthly rate of DIC payable to a parent under this section shall be increased by $121 if such parent is (1) a patient in a nursing home, or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

* * * * *

4. Section 3.26 is revised to read as follows:

§ 3.26 Section 306 and old law pension annual income limitations.

(a) *Section 306 pension income limitations.*

(1) Veteran or surviving spouse with no dependents, $5,642.

(2) Veteran with no dependents in need of aid and attendance (38 U.S.C. 521(d), as in effect on December 31, 1978), $6,142.

(3) Veteran or surviving spouse with one or more dependents, $7,587.

(4) Veteran with one or more dependents in need of aid and attendance (38 U.S.C. 521(d), as in effect on December 31, 1978), $8,087.

(5) Child (no entitled veteran or surviving spouse), $4,610.

(b) *Old-law pension income limitations.*

(1) Veteran or surviving spouse without dependents or an entitled child, $4,938.

(2) Veteran or surviving spouse with one or more dependents, $7,123.

5. In § 3.262, paragraph (b)(2) is revised to read as follows:

§ 3.262 Evaluation of income.

* * * * *

(b) *Income of spouse.* Income of the spouse will be determined under the rules applicable to income of the claimant.

* * * * *

(2) *Veterans.* The separate income of the spouse of a disabled veteran who is entitled to pension under laws in effect on June 30, 1960, will not be considered. Where pension is payable under section 306(a) of Pub. L. 95-588, to a veteran who is living with a spouse there will be included as income of the veteran all income of the spouse in excess of whichever is the greater, $1,797 ($1,616 after May 31, 1980 and prior to June 1, 1981) or the total earned income of the spouse, which is reasonably available to or for the veteran, unless hardship to the veteran would result. The presumption that inclusion of such income is available to the veteran and would not work a hardship on him or her may be rebutted by evidence of unavailability or of expenses beyond the usual family requirements.

(38 U.S.C. 521(f); sec. 306(a)(2)(B) of Pub. L. 95-588 (92 Stat. 2497)

* * * * *

[FR Doc 81-14899 Filed 5-15-81; 11:59 a.m.]

BILLING CODE 8320-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Social Security Benefit Increases; Notice of Cost-of-Living Increase in Benefits Under Titles II and XVI of the Social Security Act and in Income Limitations for Beneficiaries Under the Supplemental Security Income Program

I hereby determine and announce a cost-of-living increase of 11.2 percent in benefits under titles II and XVI of the Social Security Act.

Under title II, old-age, survivors, and disability insurance benefits will increase by 11.2 percent beginning with the June 1981 benefits which are payable on July 3, 1981. This increase is based on the authority contained in section 215(i) of the Social Security Act (42 U.S.C. 415(i)), as amended by section 201 of Pub. L. 95-216 enacted December 20, 1977.

Under title XVI, supplemental security income payment levels will increase by 11.2 percent effective for payments made on July 1, 1981. This is based on the authority contained in section 1617 of the Social Security Act (42 U.S.C. 1382f).

Title II Benefits

Title II benefits are payable under the Federal old-age, survivors, and disability insurance program. Individuals entitled under this program include insured workers, wives, husbands, children, widows, widowers, mothers, fathers, and parents.

In accordance with section 215(i)(4) of the Social Security Act (the Act), the primary insurance amounts and the maximum family benefits shown in columns IV and V of the revised benefit table (table 1) set forth below were obtained by increasing by 11.2 percent the corresponding amounts established by: (1) The last cost-of-living increase; and (2) the extension of the benefit table made under section 215(i)(4) and published on November 18, 1980 at 45 FR 76252. The table applies only to those persons who attained age 62, became disabled or died before January 1979 and is deemed to appear in section 215(a) of the Act. Note that this table does not apply to those individuals who reach age 62, become disabled, or die after 1978; their benefits will generally be determined by a new benefit formula provided by the Social Security Amendments of 1977 (Pub. L. 95-216). For such persons first eligible for benefits in the period 1979-1981, the 11.2 percent increase will apply beginning June 1981; but the 11.2 percent increase will not apply for persons first becoming eligible for benefits after 1981.

Section 215(i)(2)(D) of the Act also requires that, when the Secretary determines a cost-of-living increase in social security benefits, the Secretary shall publish in the Federal Register a revision of the range of the primary insurance amounts and corresponding maximum family benefits based on the dollar amount and other provisions described in section 215(a)(1)(C)(i)(II). These benefits are referred to as "special minimum benefits" and are payable to certain individuals with long periods of relatively low earnings. In accordance with section 215(a)(1)(C)(i)(II), the attached table 2 shows the revised range of primary insurance amounts and corresponding maximum family benefit amounts after the 11.2 percent benefit increase.

Section 227 of the Act provides limited benefits to a worker who became age 72 before 1969 and was not insured under the usual requirements, and to his wife or widow. Section 228 of the Act provides similar benefits at age 72 for certain uninsured persons. The current monthly benefit amounts of $105.20 for an individual and $52.70 for a wife established under sections 227 and 228 of the Act are increased by 11.2 percent to obtain the new amounts of $117.00 and $58.70.

Title XVI Benefits

Section 1617 of the Act provides that whenever title II benefits are increased under section 215(i), the amounts in sections 1611(a)(1)(A), 1611(a)(2)(A), 1611(b)(1) and 1611(b)(2) of the Act and in section 211(a)(1)(A) of Pub. L. 93-66 shall be increased. The new amounts are effective for months after the month in which the title II increase is effective. The percentage increase is the same as the title II benefit increase and the annual payment amount is rounded, when not a multiple of $1.20, to the next higher multiple of $1.20.

In accordance with section 1617, Federal Supplemental Security Income (SSI) guarantees for the aged, blind, and disabled are increased effective with July 1981 by 11.2 percent. The current yearly Federal SSI guarantees of $2,856.00 for an eligible individual and $4,284.00 for an eligible individual with an eligible spouse are thereby increased to $3,176.40 and $4,764.00 respectively. The monthly payment is determined by dividing the yearly guarantee by 4, subtracting quarterly countable income, and dividing the remainder by 3. In the case of an eligible individual with an eligible spouse, the amount payable is further divided equally between the two spouses. The amount by which the Federal SSI guarantee amount is increased because of the presence of an essential person in the home, currently $1,430.40 per year for each essential person under section 211(a)(1)(A) of Pub. L. 93-66, is also increased by 11.2 percent to obtain a new amount of $1,591.20.

Automatic Benefit Increase Determination

Section 215(i) of the Act requires that when certain conditions are met in the first calendar quarter of a year, the Secretary shall determine that a cost-of-living increase in benefits is due. Section 215(i) of the Act also specifies the formula for determining the amount of any cost-of-living increase in benefits. This formula utilizes the Consumer Price Index for urban wage earners and clerical workers reported by the Department of Labor.

Section 215(i)(2)(A) of the Act requires the Secretary to determine each year whether there is a cost-of-living computation quarter in that year. If the Secretary so determines, the Secretary shall, effective with June of that year, increase benefits for individuals entitled under section 227 or 228 of the Act, shall increase the primary insurance amounts of all other individuals entitled under title II of the Act, and shall also increase the maximum benefits payable to a family. Section 1617 of the Act requires that SSI benefits be increased by the same percentage increase as title II benefits, whenever title II benefits are increased under section 215(i). The percentage increase is equal to the percentage increase in the Consumer Price Index for the cost-of-living computation quarter over the index for the most recent cost-of-living computation quarter.

Section 215(i)(1) of the Act defines a base quarter as a calendar quarter ending on March 31 in each year after 1974, or any other calendar quarter in which occurs the effective month of a general benefit increase. Section 215(i)(1) also defines a cost-of-living computation quarter as a base quarter in which the Consumer Price Index prepared by the Department of Labor exceeds by not less than 3 percent the index in the later of (1) the last prior cost-of-living computation quarter or (2) the most recent calendar quarter in which a general benefit increase was effective. However, there shall be no cost-of-living computation quarter in any calendar year if in the prior year a general benefit increase was enacted or became effective. Section 215(i)(1) of the Act also provides that the Consumer

Price Index for a cost-of-living computation quarter shall be the arithmetical mean of such index for the 3 months in that quarter.

The Department of Labor's revised Consumer Price Index for urban wage earners and clerical workers for each month in the quarter ending March 31, 1980 was: For January 1980, 233.3; for February 1980, 236.5; and for March 1980, 239.9. The arithmetical mean for the calendar quarter was 236.6. The corresponding Consumer Price Index for each month in the quarter ending March 31, 1981 was: For January 1981, 260.7; for February 1981, 263.5; and for March 1981, 265.2. The arithmetical mean for this calendar quarter is 263.1. The increase for the calendar quarter ending March 31, 1981 is 11.2 percent. Thus, since the percentage of increase in the Consumer Price Index from the calendar quarter ending March 31, 1980 to the calendar quarter ending March 31, 1981 is not less than 3 percent, the quarter ending March 31, 1981 is a cost-of-living computation quarter. Consequently, a cost-of-living benefit increase of 11.2 percent is effective for benfits under title II of the Act beginning June 1981.

(Catalog of Federal Domestic Assistance Programs Nos. 13.802–5, and 13.807 Social Security Programs)

Dated: May 13, 1981.

Richard S. Schweiker,

Secretary of Health and Human Services.

BILLING CODE 4110-07-M

TABLE 1

TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS BEGINNING JUNE 1981

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSUR- AND AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS--		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS--	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS--		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE--	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE--
AT LEAST--	BUT NOT MORE THAN--		AT LEAST	BUT NOT MORE THAN--		
	16.20	153.10		76	170.30	255.50
16.21	16.84	155.50	77	78	173.00	259.50
16.85	17.60	159.20	79	80	177.10	265.70
17.61	18.40	162.00	81	81	180.20	270.50
18.41	19.24	164.90	82	83	183.40	275.20
19.25	20.00	168.40	84	85	187.30	281.10
20.01	20.64	171.60	86	87	190.90	286.40
20.65	21.28	174.20	88	89	193.80	290.70
21.29	21.88	177.70	90	90	197.70	296.60
21.89	22.28	180.80	91	92	201.10	301.70
22.29	22.68	183.70	93	94	204.30	306.50
22.69	23.08	186.70	95	96	207.70	311.60
23.09	23.44	190.10	97	97	211.40	317.20
23.45	23.76	193.20	98	99	214.90	322.40
23.77	24.20	197.00	100	101	219.10	328.70
24.21	24.60	199.70	102	102	222.10	333.30
24.61	25.00	203.00	103	104	225.80	338.70
25.01	25.48	206.80	105	106	230.00	345.10
25.49	25.92	210.20	107	107	233.80	350.80
25.93	26.40	213.40	108	109	237.40	356.10
26.41	26.94	216.80	110	113	241.10	361.70
26.95	27.46	219.80	114	118	244.50	366.80
27.47	28.00	223.20	119	122	248.20	372.30
28.01	28.68	226.70	123	127	252.10	378.20
28.69	29.25	230.00	128	132	255.80	383.70
29.26	29.68	233.10	133	136	259.30	389.00
29.69	30.36	236.30	137	141	262.80	394.30
30.37	30.92	239.70	142	146	266.60	399.90
30.93	31.36	243.30	147	150	270.60	405.90
31.37	32.00	246.10	151	155	273.70	410.60
32.01	32.60	249.70	156	160	277.70	416.60
32.61	33.20	253.00	161	164	281.40	422.10
33.21	33.88	256.20	165	169	284.90	427.40
33.89	34.50	259.70	170	174	288.80	433.30

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS—		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS—	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS—		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE—	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE—
AT LEAST—	BUT NOT MORE THAN—		AT LEAST	BUT NOT MORE THAN—		
34.51	35.00	262.80	175	178	292.30	438.50
35.01	35.80	266.30	179	183	296.20	444.30
35.81	36.40	269.50	184	188	299.70	449.60
36.41	37.08	273.00	189	193	303.60	455.50
37.09	37.60	276.30	194	197	307.30	461.00
37.61	38.20	279.50	198	202	310.90	466.40
38.21	39.12	283.20	203	207	315.00	472.50
39.13	39.68	286.50	208	211	318.60	478.00
39.69	40.33	289.10	212	216	321.50	482.30
40.34	41.12	292.80	217	221	325.60	488.40
41.13	41.76	296.10	222	225	329.30	494.00
41.77	42.44	299.70	226	230	333.30	500.00
42.45	43.20	302.90	231	235	336.90	505.50
43.21	43.76	306.60	236	239	341.00	511.60
43.77	44.44	309.50	240	244	344.20	518.60
44.45	44.88	312.50	245	249	347.50	529.40
44.89	45.60	316.40	250	253	351.90	537.90
		319.50	254	258	355.30	548.40
		322.30	259	263	358.40	558.80
		326.30	264	267	362.90	567.30
		329.30	268	272	366.20	578.10
		332.90	273	277	370.20	588.40
		336.00	278	281	373.70	596.90
		339.30	282	286	377.40	607.60
		342.90	287	291	381.40	618.40
		345.70	292	295	384.50	626.70
		349.50	296	300	388.70	637.20
		352.70	301	305	392.30	648.10
		355.80	306	309	395.70	656.50
		359.40	310	314	399.70	667.00
		362.30	315	319	402.90	677.80
		365.70	320	323	406.70	686.20
		369.10	324	328	410.50	696.70
		372.20	329	333	413.90	707.30
		376.10	334	337	418.30	716.10
		378.70	338	342	421.20	726.40
		382.30	343	347	425.20	737.10
		385.90	348	351	429.20	745.50
		388.80	352	356	432.40	756.10
		392.60	357	361	436.60	766.80
		395.60	362	365	440.00	775.30
		398.70	366	370	443.40	785.90
		402.30	371	375	447.40	796.20
		405.70	376	379	451.20	805.10
		409.10	380	384	455.00	815.80
		412.10	385	389	458.30	826.20
		415.30	390	393	461.90	834.60
		419.00	394	398	466.00	845.50
		422.20	399	403	469.50	856.00
		425.80	404	407	473.50	864.30
		428.60	408	412	476.70	875.10
		431.60	413	417	480.00	885.50
		434.70	418	421	483.40	894.00
		438.20	422	426	487.30	904.70
		441.10	427	431	490.60	915.20
		443.80	432	436	493.60	925.90
		447.50	437	440	497.70	930.10

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)	II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS—	OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS—	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS—		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE—	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE—
AT LEAST— / BUT NOT MORE THAN—		AT LEAST	BUT NOT MORE THAN—		
	450.30	441	445	500.80	935.70
	453.40	446	450	504.20	940.80
	456.70	451	454	507.90	944.80
	459.80	455	459	511.30	950.10
	462.70	460	464	514.60	955.30
	465.60	465	468	517.80	959.90
	469.30	469	473	521.90	965.00
	471.90	474	478	524.80	970.40
	475.00	479	482	528.20	974.70
	478.30	483	487	531.90	980.20
	481.40	488	492	535.40	985.50
	484.30	493	496	538.60	989.70
	487.80	497	501	542.50	994.80
	490.60	502	506	545.60	1000.00
	493.60	507	510	548.90	1004.40
	496.70	511	515	552.40	1009.70
	500.10	516	520	556.20	1015.30
	503.00	521	524	559.40	1019.20
	505.90	525	529	562.60	1024.60
	509.60	530	534	566.70	1029.80
	512.20	535	538	569.60	1034.10
	515.40	539	543	573.20	1039.50
	518.60	544	548	576.70	1044.80
	521.80	549	553	580.30	1050.10
	524.70	554	556	583.50	1053.20
	527.20	557	560	586.30	1057.50
	530.10	561	563	589.50	1060.80
	532.80	564	567	592.50	1065.00
	535.90	568	570	596.00	1068.00
	538.40	571	574	598.80	1072.20
	541.10	575	577	601.80	1075.70
	543.70	578	581	604.60	1079.70
	546.50	582	584	607.80	1083.00
	548.90	585	588	610.40	1087.30
	552.20	589	591	614.10	1090.40
	554.90	592	595	617.10	1094.60
	557.60	596	598	620.10	1097.50
	560.30	599	602	623.10	1102.20
	563.00	603	605	626.10	1105.30
	565.70	606	609	629.10	1109.30
	568.70	610	612	632.40	1112.70
	571.30	613	616	635.30	1116.90
	574.00	617	620	638.30	1121.20
	576.80	621	623	641.50	1124.30
	579.40	624	627	644.30	1128.60
	582.20	628	630	647.50	1132.60
	584.90	631	634	650.50	1138.20
	587.80	635	637	653.70	1143.50
	590.60	638	641	656.80	1149.00
	593.20	642	644	659.70	1154.10
	596.00	645	648	662.80	1159.60
	598.60	649	652	665.70	1164.80
	600.40	653	656	667.70	1168.10
	602.10	657	660	669.60	1171.30
	604.20	661	665	671.90	1175.70
	606.30	666	670	674.30	1179.90
	608.60	671	675	676.80	1183.80

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS—		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS—	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS—		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE—	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE—
AT LEAST—	BUT NOT MORE THAN—		AT LEAST	BUT NOT MORE THAN—		
		610.80	676	680	679.30	1188.10
		612.80	681	685	681.50	1192.30
		615.20	686	690	684.20	1196.30
		617.20	691	695	686.40	1201.00
		619.20	696	700	688.60	1205.00
		621.50	701	705	691.20	1209.20
		623.70	706	710	693.60	1213.50
		626.00	711	715	696.20	1217.50
		628.10	716	720	698.50	1221.80
		630.30	721	725	700.90	1226.00
		632.50	726	730	703.40	1230.40
		634.60	731	735	705.70	1234.60
		636.80	736	740	708.20	1238.70
		638.90	741	745	710.50	1243.20
		640.80	746	750	712.60	1247.00
		642.90	751	755	715.00	1250.90
		644.80	756	760	717.10	1254.20
		646.60	761	765	719.10	1257.90
		648.20	766	770	720.80	1261.50
		650.10	771	775	723.00	1264.80
		651.90	776	780	725.00	1268.30
		653.80	781	785	727.10	1271.80
		655.40	786	790	728.90	1275.30
		657.20	791	795	730.90	1278.80
		659.10	796	800	733.00	1282.40
		661.00	801	805	735.10	1286.00
		662.80	806	810	737.10	1289.40
		664.60	811	815	739.10	1293.10
		666.40	816	820	741.10	1296.40
		668.20	821	825	743.10	1300.10
		670.00	826	830	745.10	1303.50
		671.80	831	835	747.10	1307.20
		673.50	836	840	749.00	1310.50
		675.40	841	845	751.10	1314.30
		677.00	846	850	752.90	1317.40
		679.10	851	855	755.20	1321.20
		680.80	856	860	757.10	1324.60
		682.60	861	865	759.10	1328.20
		684.50	866	870	761.20	1331.70
		686.30	871	875	763.20	1335.20
		688.00	876	880	765.10	1338.60
		689.90	881	885	767.20	1342.30
		691.50	886	890	769.00	1345.60
		693.40	891	895	771.10	1349.60
		695.20	896	900	773.10	1352.70
		697.20	901	905	775.30	1356.40
		698.90	906	910	777.20	1359.90
		700.80	911	915	779.30	1363.50
		702.70	916	920	781.50	1366.70
		704.30	921	925	783.20	1370.50
		706.00	926	930	785.10	1373.80
		707.80	931	935	787.10	1377.40
		709.70	936	940	789.20	1380.90
		711.50	941	945	791.20	1384.50
		713.30	946	950	793.20	1387.90
		715.20	951	955	795.40	1391.60
		717.20	956	960	797.60	1395.10

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)	II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS--	OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS--	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS--		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE--	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE--
AT LEAST-- / BUT NOT MORE THAN--		AT LEAST	BUT NOT MORE THAN--		
719.00	961	965	799.60	1398.40	
720.40	966	970	801.10	1402.10	
722.30	971	975	803.20	1405.70	
724.10	976	980	805.20	1409.00	
726.10	981	985	807.50	1412.50	
727.70	986	990	809.30	1416.10	
729.50	991	995	811.30	1419.70	
731.50	996	1000	813.50	1423.00	
733.10	1001	1005	815.30	1426.00	
734.40	1006	1010	816.70	1429.40	
736.30	1011	1015	818.80	1432.40	
738.00	1016	1020	820.70	1435.90	
739.50	1021	1025	822.40	1438.80	
740.90	1026	1030	823.90	1442.00	
742.80	1031	1035	826.00	1445.20	
744.30	1036	1040	827.70	1448.30	
746.00	1041	1045	829.60	1451.70	
747.80	1046	1050	831.60	1454.70	
749.10	1051	1055	833.00	1457.50	
750.80	1056	1060	834.90	1461.10	
752.60	1061	1065	836.90	1464.10	
754.20	1066	1070	838.70	1467.40	
755.80	1071	1075	840.50	1470.60	
757.30	1076	1080	842.20	1473.70	
759.10	1081	1085	844.20	1476.80	
760.60	1086	1090	845.80	1479.90	
762.30	1091	1095	847.70	1483.20	
764.10	1096	1100	849.70	1486.50	
765.40	1101	1105	851.20	1489.40	
767.10	1106	1110	853.10	1492.70	
768.80	1111	1115	855.00	1495.70	
770.40	1116	1120	856.70	1499.10	
772.10	1121	1125	858.60	1502.10	
773.60	1126	1130	860.30	1505.40	
775.20	1131	1135	862.10	1508.30	
776.90	1136	1140	864.00	1511.80	
778.70	1141	1145	866.00	1514.90	
780.30	1146	1150	867.70	1518.00	
781.60	1151	1155	869.20	1521.00	
783.50	1156	1160	871.30	1524.30	
785.10	1161	1165	873.10	1527.50	
786.70	1166	1170	874.90	1530.80	
788.40	1171	1175	876.80	1533.90	
789.90	1176	1180	878.40	1537.10	
791.30	1181	1185	880.00	1539.80	
792.90	1186	1190	881.80	1542.70	
794.30	1191	1195	883.30	1545.80	
795.90	1196	1200	885.10	1548.70	
797.40	1201	1205	886.80	1551.50	
799.00	1206	1210	888.50	1554.70	
800.40	1211	1215	890.10	1557.50	
801.90	1216	1220	891.80	1560.40	
803.50	1221	1225	893.50	1563.20	
805.10	1226	1230	895.30	1566.30	
806.40	1231	1235	896.80	1569.10	
807.90	1236	1240	898.40	1572.20	
809.50	1241	1245	900.20	1575.20	

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS--		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS--	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS--		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE--	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE--
AT LEAST--	BUT NOT MORE THAN--		AT LEAST	BUT NOT MORE THAN--		
		811.00	1246	1250	901.90	1578.10
		812.50	1251	1255	903.50	1580.90
		814.00	1256	1260	905.20	1583.90
		815.60	1261	1265	907.00	1586.90
		817.00	1266	1270	908.60	1589.80
		818.40	1271	1275	910.10	1592.50
		820.00	1276	1280	911.90	1595.70
		821.30	1281	1285	913.30	1598.30
		822.80	1286	1290	915.00	1601.10
		824.30	1291	1295	916.70	1603.80
		825.60	1296	1300	918.10	1606.60
		827.00	1301	1305	919.70	1609.30
		828.40	1306	1310	921.20	1612.10
		829.90	1311	1315	922.90	1614.80
		831.40	1316	1320	924.60	1617.60
		832.70	1321	1325	926.00	1620.20
		834.20	1326	1330	927.70	1623.20
		835.50	1331	1335	929.10	1625.90
		837.00	1336	1340	930.80	1628.70
		838.40	1341	1345	932.40	1631.40
		839.70	1346	1350	933.80	1634.10
		841.20	1351	1355	935.50	1636.80
		842.60	1356	1360	937.00	1639.60
		844.20	1361	1365	938.80	1642.30
		845.40	1366	1370	940.10	1645.10
		846.90	1371	1375	941.80	1647.80
		848.30	1376	1380	943.40	1650.60
		849.50	1381	1385	944.70	1653.10
		850.90	1386	1390	946.30	1655.80
		852.20	1391	1395	947.70	1658.40
		853.50	1396	1400	949.10	1661.00
		854.90	1401	1405	950.70	1663.50
		856.20	1406	1410	952.10	1666.20
		857.50	1411	1415	953.60	1668.80
		858.90	1416	1420	955.10	1671.50
		860.20	1421	1425	956.60	1674.10
		861.50	1426	1430	958.00	1676.70
		863.00	1431	1435	959.70	1679.20
		864.30	1436	1440	961.20	1681.80
		865.60	1441	1445	962.60	1684.30
		867.00	1446	1450	964.20	1687.20
		868.30	1451	1455	965.60	1689.60
		869.60	1456	1460	967.00	1692.30
		871.00	1461	1465	968.60	1694.80
		872.30	1466	1470	970.00	1697.40
		873.60	1471	1475	971.50	1700.00
		874.90	1476	1480	972.90	1702.50
		876.20	1481	1485	974.40	1705.10
		877.40	1486	1490	975.70	1707.30
		878.70	1491	1495	977.20	1709.90
		879.90	1496	1500	978.50	1712.30
		881.20	1501	1505	979.90	1714.90
		882.40	1506	1510	981.30	1717.10
		883.70	1511	1515	982.70	1719.60
		885.00	1516	1520	984.20	1722.10
		886.20	1521	1525	985.50	1724.70
		887.50	1526	1530	986.90	1726.90

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS--		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS--	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS--		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE--	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE--
AT LEAST--	BUT NOT MORE THAN--		AT LEAST	BUT NOT MORE THAN--		
		888.70	1531	1535	988.30	1729.40
		890.00	1536	1540	989.70	1731.90
		891.20	1541	1545	991.10	1734.40
		892.50	1546	1550	992.50	1736.70
		893.80	1551	1555	994.00	1739.20
		895.00	1556	1560	995.30	1741.70
		896.30	1561	1565	996.70	1744.20
		897.50	1566	1570	998.10	1746.40
		898.80	1571	1575	999.50	1749.00
		900.00	1576	1580	1000.80	1751.40
		901.30	1581	1585	1002.30	1753.90
		902.60	1586	1590	1003.70	1756.20
		903.80	1591	1595	1005.10	1758.80
		905.10	1596	1600	1006.50	1761.20
		906.30	1601	1605	1007.90	1763.70
		907.60	1606	1610	1009.30	1766.00
		908.80	1611	1615	1010.60	1768.60
		910.10	1616	1620	1012.10	1771.00
		911.40	1621	1625	1013.50	1773.50
		912.60	1626	1630	1014.90	1775.80
		913.90	1631	1635	1016.30	1778.40
		915.10	1636	1640	1017.60	1780.70
		916.40	1641	1645	1019.10	1783.30
		917.70	1646	1650	1020.50	1785.60
		918.90	1651	1655	1021.90	1788.10
		920.20	1656	1660	1023.30	1790.50
		921.40	1661	1665	1024.60	1793.00
		922.70	1666	1670	1026.10	1795.40
		923.90	1671	1675	1027.40	1797.90
		925.20	1676	1680	1028.90	1800.30
		926.50	1681	1685	1030.30	1802.80
		927.70	1686	1690	1031.70	1805.20
		929.00	1691	1695	1033.10	1807.70
		930.10	1696	1700	1034.30	1810.10
		931.40	1701	1705	1035.80	1812.60
		932.60	1706	1710	1037.10	1814.90
		933.90	1711	1715	1038.50	1817.40
		935.10	1716	1720	1039.90	1819.80
		936.40	1721	1725	1041.30	1822.40
		937.70	1726	1730	1042.80	1824.70
		938.90	1731	1735	1044.10	1827.20
		940.20	1736	1740	1045.60	1829.60
		941.40	1741	1745	1046.90	1832.20
		942.70	1746	1750	1048.30	1834.50
		943.90	1751	1755	1049.70	1837.00
		945.20	1756	1760	1051.10	1839.40
		946.50	1761	1765	1052.60	1842.00
		947.70	1766	1770	1053.90	1844.20
		949.00	1771	1775	1055.30	1846.70
		950.20	1776	1780	1056.70	1849.20
		951.50	1781	1785	1058.10	1851.80
		952.70	1786	1790	1059.50	1854.00
		954.00	1791	1795	1060.90	1856.50
		955.30	1796	1800	1062.30	1859.00
		956.50	1801	1805	1063.70	1861.50
		957.80	1806	1810	1065.10	1863.80
		959.00	1811	1815	1066.50	1866.30

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS—		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS—	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS—		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE—	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE—
AT LEAST—	BUT NOT MORE THAN—		AT LEAST	BUT NOT MORE THAN—		
		960.30	1816	1820	1067.90	1868.80
		961.50	1821	1825	1069.20	1871.30
		962.80	1826	1830	1070.70	1873.50
		964.10	1831	1835	1072.10	1876.10
		965.30	1836	1840	1073.50	1878.60
		966.60	1841	1845	1074.90	1881.10
		967.80	1846	1850	1076.20	1883.30
		969.10	1851	1855	1077.70	1885.90
		970.30	1856	1860	1079.00	1888.30
		971.60	1861	1865	1080.50	1890.80
		972.90	1866	1870	1081.90	1893.10
		974.10	1871	1875	1083.20	1895.70
		975.40	1876	1880	1084.70	1898.10
		976.60	1881	1885	1086.00	1900.60
		977.90	1886	1890	1087.50	1902.90
		979.10	1891	1895	1088.80	1905.50
		980.40	1896	1900	1090.30	1907.90
		981.70	1901	1905	1091.70	1910.40
		982.90	1906	1910	1093.00	1912.70
		984.10	1911	1915	1094.40	1915.00
		985.20	1916	1920	1095.60	1917.40
		986.30	1921	1925	1096.80	1919.50
		987.50	1926	1930	1098.10	1921.80
		988.60	1931	1935	1099.40	1923.90
		989.80	1936	1940	1100.70	1926.30
		990.90	1941	1945	1101.90	1928.40
		992.10	1946	1950	1103.30	1930.70
		993.20	1951	1955	1104.50	1932.80
		994.30	1956	1960	1105.70	1935.20
		995.50	1961	1965	1107.00	1937.30
		996.60	1966	1970	1108.30	1939.60
		997.80	1971	1975	1109.60	1941.70
		998.90	1976	1980	1110.80	1944.00
		1000.10	1981	1985	1112.20	1946.20
		1001.20	1986	1990	1113.40	1948.50
		1002.30	1991	1995	1114.60	1950.60
		1003.50	1996	2000	1115.90	1952.90
		1004.60	2001	2005	1117.20	1955.10
		1005.80	2006	2010	1118.50	1957.40
		1006.90	2011	2015	1119.70	1959.50
		1008.10	2016	2020	1121.10	1961.80
		1009.20	2021	2025	1122.30	1964.00
		1010.30	2026	2030	1123.50	1966.30
		1011.50	2031	2035	1124.80	1968.40
		1012.60	2036	2040	1126.10	1970.70
		1013.80	2041	2045	1127.40	1972.80
		1014.90	2046	2050	1128.60	1975.20
		1016.10	2051	2055	1130.00	1977.30
		1017.20	2056	2060	1131.20	1979.60
		1018.30	2061	2065	1132.40	1981.70
		1019.50	2066	2070	1133.70	1984.10
		1020.60	2071	2075	1135.00	1986.20
		1021.80	2076	2080	1136.30	1988.50
		1022.90	2081	2085	1137.50	1990.60
		1024.10	2086	2090	1138.80	1993.00
		1025.20	2091	2095	1140.10	1995.10
		1026.30	2096	2100	1141.30	1997.40

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)	II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS--	OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS--	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS--		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE--	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE--
AT LEAST-- BUT NOT MORE THAN--		AT LEAST	BUT NOT MORE THAN--		
	1027.50	2101	2105	1142.60	1999.50
	1028.60	2106	2110	1143.90	2001.90
	1029.80	2111	2115	1145.20	2004.00
	1030.90	2116	2120	1146.40	2006.30
	1032.10	2121	2125	1147.70	2008.40
	1033.20	2126	2130	1149.00	2010.80
	1034.40	2131	2135	1150.30	2012.90
	1035.50	2136	2140	1151.50	2015.20
	1036.60	2141	2145	1152.70	2017.30
	1037.80	2146	2150	1154.10	2019.70
	1038.90	2151	2155	1155.30	2021.80
	1040.10	2156	2160	1156.60	2024.10
	1041.10	2161	2165	1157.80	2026.10
	1042.10	2166	2170	1158.90	2028.00
	1043.10	2171	2175	1160.00	2030.00
	1044.10	2176	2180	1161.10	2031.90
	1045.10	2181	2185	1162.20	2033.90
	1046.10	2186	2190	1163.30	2035.80
	1047.10	2191	2195	1164.40	2037.80
	1048.10	2196	2200	1165.50	2039.70
	1049.10	2201	2205	1166.60	2041.70
	1050.10	2206	2210	1167.80	2043.60
	1051.10	2211	2215	1168.90	2045.60
	1052.10	2216	2220	1170.00	2047.50
	1053.10	2221	2225	1171.10	2049.50
	1054.10	2226	2230	1172.20	2051.40
	1055.10	2231	2235	1173.30	2053.40
	1056.10	2236	2240	1174.40	2055.20
	1057.10	2241	2245	1175.50	2057.20
	1058.10	2246	2250	1176.70	2059.10
	1059.10	2251	2255	1177.80	2061.10
	1060.10	2256	2260	1178.90	2063.00
	1061.10	2261	2265	1180.00	2065.00
	1062.10	2266	2270	1181.10	2066.90
	1063.10	2271	2275	1182.20	2068.90
	1064.10	2276	2280	1183.30	2070.80
	1065.10	2281	2285	1184.40	2072.80
	1066.10	2286	2290	1185.60	2074.70
	1067.10	2291	2295	1186.70	2076.70
	1068.10	2296	2300	1187.80	2078.60
	1069.10	2301	2305	1188.90	2080.60
	1070.10	2306	2310	1190.00	2082.50
	1071.10	2311	2315	1191.10	2084.50
	1072.10	2316	2320	1192.20	2086.40
	1073.10	2321	2325	1193.30	2088.40
	1074.10	2326	2330	1194.40	2090.30
	1075.10	2331	2335	1195.60	2092.30
	1076.10	2336	2340	1196.70	2094.20
	1077.10	2341	2345	1197.80	2096.20
	1078.10	2346	2350	1198.90	2098.10
	1079.10	2351	2355	1200.00	2100.10
	1080.10	2356	2360	1201.10	2102.00
	1081.10	2361	2365	1202.20	2104.00
	1082.10	2366	2370	1203.30	2105.80
	1083.10	2371	2375	1204.50	2107.80
	1084.10	2376	2380	1205.60	2109.70
	1085.10	2381	2385	1206.70	2111.70

I (PRIMARY INSURANCE BENEFIT UNDER 1939 ACT, AS MODIFIED)		II (PRIMARY INSURANCE AMOUNT EFFECTIVE FOR JUNE 1980)	III (AVERAGE MONTHLY WAGE)		IV (PRIMARY INSURANCE AMOUNT)	V (MAXIMUM FAMILY BENEFITS)
IF AN INDIVIDUAL'S PRIMARY INSURANCE BENEFIT (AS DETERMINED UNDER SUBSEC. (D)) IS--		OR HIS PRIMARY INSURANCE AMOUNT (AS DETERMINED UNDER SUBSEC. (C)) IS--	OR HIS AVERAGE MONTHLY WAGE (AS DETERMINED UNDER SUBSEC. (B)) IS--		THE AMOUNT REFERRED TO IN THE PRECEDING PARAGRAPHS OF THIS SUBSECTION SHALL BE--	AND THE MAXIMUM AMOUNT OF BENEFITS PAYABLE (AS PROVIDED IN SEC. 203(A)) ON THE BASIS OF HIS WAGES AND SELF-EMPLOYMENT INCOME SHALL BE--
AT LEAST--	BUT NOT MORE THAN--		AT LEAST	BUT NOT MORE THAN--		
		1086.10	2386	2390	1207.80	2113.60
		1087.10	2391	2395	1208.90	2115.60
		1088.10	2396	2400	1210.00	2117.50
		1089.10	2401	2405	1211.10	2119.50
		1090.10	2406	2410	1212.20	2121.40
		1091.10	2411	2415	1213.40	2123.40
		1092.10	2416	2420	1214.50	2125.30
		1093.10	2421	2425	1215.60	2127.30
		1094.10	2426	2430	1216.70	2129.20
		1095.10	2431	2435	1217.80	2131.20
		1096.10	2436	2440	1218.90	2133.10
		1097.10	2441	2445	1220.00	2135.10
		1098.10	2446	2450	1221.10	2137.00
		1099.10	2451	2455	1222.20	2139.00
		1100.10	2456	2460	1223.40	2140.90
		1101.10	2461	2465	1224.50	2142.90
		1102.10	2466	2470	1225.60	2144.80
		1103.10	2471	2475	1226.70	2146.80

TABLE 2

TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS UNDER SUBPARAGRAPH (C)(i)(II) OF SUBSECTION 215(a)(1) BEGINNING JUNE 1981

I	II	III
(Years of coverage)	(Primary insurance amount)	(Maximum family benefits)
If an individual's years of coverage (as determined under sec. 215(a)(1)(C)(ii) are--	The amount referred to in sec. 215(a)(1)(C)(i)(II) shall be--	And the maximum amount of benefits payable (as provided in sec. 215(i)(2)(D)) on the basis of his or her wages and self-employment income shall be-
11	16.30	24.50
12	32.30	48.50
13	48.40	72.70
14	64.40	96.70
15	80.40	120.70
16	96.60	144.90
17	112.60	168.90
18	128.70	193.10
19	144.70	217.10
20	160.70	241.10
21	176.90	265.40
22	192.90	289.40
23	209.10	313.70
24	225.10	337.70
25	241.10	361.70
26	257.30	386.00
27	273.30	410.00
28	289.30	434.00
29	305.40	458.10
30	321.40	482.10

Note: The amounts shown in the above table for years of coverage less than 19 are not payable for June 1981 through December 1981 because the corresponding values shown in column II are less than the $135.70 minimum primary insurance amount payable for that period. For months after December 1981, a special minimum primary insurance amount of $128.70 will be payable.

[FR Doc. 81-14698 Filed 5-14-81; 11:59 am]
BILLING CODE 4110-07-C

Reader Aids

Federal Register

Vol. 46, No. 94

Friday, May 15, 1981

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419 523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Public Inspection Desk	633-6930
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282 523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

Privacy Act Compilation	523-3517
United States Government Manual	523-5230

SERVICES

Agency services	523-3408
Automation	523-3408
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, MAY

24519-24926	1
24927-25076	4
25077-25288	5
25289-25420	6
25421-25594	7
25594-26036	8
26037-26274	11
26275-26470	12
26471-26604	13
26605-26758	14
26759-27088	15

CFR PARTS AFFECTED DURING MAY

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.

1 CFR

Proposed Rules:
305 26487

3 CFR

Executive Orders:
11992 (Revoked by EO 12305) 25421
12059 (Revoked by EO 12305) 25421
12064 (Revoked by EO 12305) 25421
12084 (Revoked by EO 12305) 25421
12097 (Amended by EO 12305) 25421
12258 (Amended by EO 12305) 25421
12304 24521
12305 25421

Proclamations:
4843 24519
4844 25077

5 CFR

870 25595
890 25595

Proposed Rules:
2422 26488
2423 26488
2424 26488
2429 26488

7 CFR

28 24927
250 26759
800 27070
907 ..... 25423, 26605
910 ..... 24523, 25596, 26759
918 25423
982 26037
985 25424
1032 24927
1050 24927
1701 25079
1942 24523

Proposed Rules:
419 24954
930 26065
953 25625
982 25626
993 26786
999 25626
1040 25626
1701 25096
1076 26337
2851 26787
2852 25097

8 CFR

100 25425

109 25079
211 25597
212 ..... 24929, 25081
214 25597
242 25597
244 25597
245 25597
248 25597

Proposed Rules:
235 26653
251 26653

9 CFR

73 25425
82 ..... 24524, 25599
92 ..... 24930, 26040
303 26760
331 24524
381 26760

Proposed Rules:
92 26065
381 26350

10 CFR

30 26471
501 26605

Proposed Rules:
Ch. I 24576
50 26491
212 25315
459 25466
903 25426

12 CFR

335 25204
545 ..... 24526, 24531
584 24526
701 26275
760 26607

Proposed Rules:
Ch. III 26654
210 24576
545 24579
563 24579
571 24579

13 CFR

111 24931
120 25083

Proposed Rules:
Ch. I 24955

14 CFR

39 ..... 24931-24936, 25427-25429, 26042, 26043, 26608
71 ..... 25430-25433, 26044, 26043
73 26045
95 ..... 25434, 26045
97 ..... 24937, 26609
207 25417
208 25418

212 25418
221 25418
223 25418
249 25414
375 25419

Proposed Rules:
Ch. I 25466
39 ..... 26069, 26070
71 ..... 24957-24961, 25467, 26071
75 25468
159 ..... 26358, 26656
221a 25637
374 25321

15 CFR

373 26275
376 24532
377 24532
379 26275
385 26275
399 26275

Proposed Rules:
930 26658

16 CFR

0 26284
1 26284
2 26284
4 ..... 26284, 26293
5 ..... 26050, 26284
13 ..... 24940, 25289, 26611
305 25290
1700 26297

Proposed Rules:
Ch. I 25468
Ch. II 25478, 26262
13 ..... 25102, 25103, 25476
450 24584
1301 25638

17 CFR

1 ..... 24940, 26000, 26299
3 ..... 24940, 26299
4 ..... 26004, 26761
15 26472
16 26472
17 26472
18 26472
21 26472
140 ..... 26004, 26761
145 ..... 24940, 26299
147 ..... 24940, 26299

Proposed Rules:
1 25106
3 25106
32 ..... 25106, 25107
229 ..... 25638, 26789
240 26789

18 CFR

2 26613
46 25084
131 25084
270 24537
271 24548-24549
282 ..... 24549, 25599
294 24550
401 ..... 25439, 26638

Proposed Rules:
157 24585
271 ..... 25643, 25644
282 26352
284 24585
292 26352

19 CFR

159 24944
355 26472-26475

20 CFR

401 24551
404 25601

Proposed Rules:
Ch. I 26790
656 26789
676 ..... 25084, 25645
679 25645

21 CFR

5 ..... 26052, 26299
109 24551
146 26300
193 ..... 24945, 26762
430 ..... 25602, 25605
436 ..... 25602, 25605, 25607
440 25602
442 ..... 25605, 25607
444 25607
445 25607
520 ..... 25084, 25085, 25608, 26300
522 ..... 24553, 25085, 26762, 26763
546 25086
558 24553
561 ..... 24945, 26764
588 26763

Proposed Rules:
1 26790
166 26790
180 24593
182 24593
351 25107
430 25651
436 25651
440 25651
444 25651
448 25651
452 25651
540 25107
1308 24593

24 CFR

201 25609
203 25087
234 25087

Proposed Rules:
235 24594
885 25107

25 CFR

5 26765
105 26475
173 26476
242 26476

26 CFR

1 24945
7a 25291
35 24553
601 26053

Proposed Rules:
1 24594
31 24595
51 ..... 24595, 26660

27 CFR

240 25610

Proposed Rules:
4 24962
5 24962
7 24962

28 CFR

503 24896
524 24896
543 24896
545 24896
547 24896

Proposed Rules:
527 24902
545 24902

29 CFR

1910 ..... 24556, 24558
2610 26765

Proposed Rules:
Ch. XII 25109
530 25108
1910 25653

30 CFR

Proposed Rules:
226 26661
601 25653
840 24963
841 24963
842 24963
843 24963
844 24963
845 24963

31 CFR

535 ..... 26476, 26478

32 CFR

57 25440
299 26481

Proposed Rules:
Ch. I 24596
Ch. V 24596
Ch. VI 24596
Ch. VII 24596
Ch. XVI 26498
199 24964

33 CFR

100 26638
165 26055

Proposed Rules:
Ch. II 24596
89 26661
165 26072
320 26792
321 26792
322 26792
323 26792
324 26792
325 26792
326 26792
327 26792
328 26792
329 26792
330 26792

34 CFR

104 25614
300 25614
735 26056
776 26056
778 26057
797 26057

36 CFR

Proposed Rules:
Ch. III 24596

37 CFR

201 25442

38 CFR

3 27074
36 ..... 25443, 25444, 26482

Proposed Rules:
21 26499

39 CFR

111 ..... 25090, 25446
601 26639

Proposed Rules:
111 ..... 25109, 26792

40 CFR

35 26301
52 ..... 24560, 24562, 24946, 25090, 25092, 25294, 25446, 26301-26304, 26484, 26640, 26641, 26767-26769
81 ..... 25294, 25301, 25446, 26305
86 24948
162 26305
173 26058
180 ..... 24950, 25615, 26770, 26771
1501 25461
1502 25461
1508 25461

Proposed Rules:
Ch. I 24965
50 25655
51 24596
52 ..... 24597-24602, 24966, 24967, 25110, 25322, 25323, 25481, 25483, 25485, 25659, 26074, 26353, 26499, 26793
60 26501
61 25113
62 26504
65 26075
81 ..... 24604, 25324, 25325, 26355, 26504, 26506
86 ..... 26076, 26796
123 ..... 24968, 26796
180 ..... 24605, 25486, 25659, 26663, 26796
192 26356
420 24606
466 25114
761 ..... 25411, 25660

41 CFR

Ch. 1 ..... 26061, 26484
5-5 25615
5A-5 25615
8-1.4 26643
8-8.2 26643
8-95 26644
9-1 25302
9-2 25303
9-3 25303
9-4 25303
9-5 25303
9-7 25303
9-9 25303
9-10 25304
9-15 25304
9-18 25304

9–23 25304
9–50 25304
14–3 25617
101–37 25618
105–735 25305

42 CFR

32 25622
401 24551
405 ..... 24564, 25093

43 CFR

Public Land Orders:
5860 25619
5861 26061

44 CFR

9 24951
64 ..... 26305, 26772, 26774
65 ..... 26061, 26775–26777
67 26308–26355
70 26644–26648

Proposed Rules:
67 ..... 26077, 26085, 26797, 26798

45 CFR

500 26062
531 26062

Proposed Rules:
Ch. XI 24969
302 25660

46 CFR

502 24565
510 24565
525 24575

Proposed Rules:
Ch. I 26086
Ch. IV 25326

47 CFR

2 ..... 26485, 26649
73 ..... 25461, 25462, 25620, 26062, 26223, 26485, 26486, 26649
81 26485
83 ..... 25463, 26485
95 26778

Proposed Rules:
Ch. I 24969, 25661
2 26507
21 26507
25 26798
31 26356
33 26356
34 26356
35 26356
73 ..... 25487–25489, 25662, 26509–26515, 26663, 26796
74 26507
76 25490

48 CFR

Proposed Rules:
15 26664
47 26664

49 CFR

Ch. X 26336
1 26651
531 24952
571 25483
639 26651
640 26651
1033 ..... 25094, 25310–25312
1034 26064
1056 25621
1048 25314
1244 26781

Proposed Rules:
Ch. I 25491
173 25492
1002 25326
1102 26087
1132 ..... 26799, 26801
1134 ..... 26799, 26801
1201 ..... 25114, 26515
1241 ..... 25114, 26515
1248 25114

50 CFR

216 27056

Proposed Rules:
17 ..... 24607, 26464
653 25327

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
DOT/FHWA	USDA/REA		DOT/FHWA	USDA/REA
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/NHTSA	LABOR		DOT/NHTSA	LABOR
DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the

Day-of-the-Week Program Coordinator,
Office of the Federal Register,
National Archives and Records Service,
General Services Administration,
Washington, D.C. 20408.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing May 5, 1981.