

Federal Register

Wednesday
May 20, 1981

Highlights

- 27589 Nuclear Safety** NRC is completing development of a number of internationally acceptable codes of practice and safety guides for nuclear power plants. Draft copies are available to the public.
- 27501 Energy Conservation** Commerce/NOAA announces the availability of a draft technical support document for the environmental requirements under the regulations for licensing ocean thermal energy conservation facilities and plantships.
- 27523 Fuel** DOE/EIA publishes notice of publication of alternative fuel price ceilings and incremental price threshold for high cost natural gas.
- 27614 Polychlorinated Biphenyls (PCBs)** EPA clarifies issues that have arisen in connection with the Interim Measures Program. (Part III of this issue)
- 27615 Polychlorinated Biphenyls (PCBs)** EPA publishes regulation regarding PCBs in concentrations below fifty parts per million. (Part III of this issue)
- 27617 Polychlorinated Biphenyls (PCBs)** EPA publishes advance notice of proposed rulemaking regarding manufacture of PCBs in concentrations below fifty parts per million. (Part III of this issue)

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

Highlights

- 27619 Polychlorinated Biphenyls (PCBs)** EPA publishes advance notice of proposed rulemaking relating to manufacture, processing, distribution in commerce and use of PCBs in concentrations below fifty ppm to which people or the environment may be exposed. (Part III of this issue)
- 27608 Grant Programs** HHS/HDSO announces availability of grant funds for projects of National significance in Developmental Disabilities under the Special Project Grants Program. (Part II of this issue)
- 27560 Grant Programs—Wastewater Treatment** EPA publishes comprehensive guidance document for preparation of facilities plans funded through EPA's construction grants program.
- 27507 Steel** Commerce/ITC announces third quarter 1981 trigger price levels.
- 27586 Antidumping** ITA releases a determination on the secondary aluminum alloy in unwrought form from the United Kingdom.
- 27516 Textiles** CITA establishes a new export visa and exempt certification mechanism for certain cotton, wool and man-made fiber textile and apparel products exported from Mexico.
- 27518 Privacy Act Document** DOD/Army
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Rules and Regulations

Federal Register

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 915 and 944

[Florida Avocado Regulation 23; Avocado Import Regulation 29]

Avocados Grown in South Florida and Imported Avocados; Grade and Maturity Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim rule.

SUMMARY: These regulations specify minimum grade and maturity requirements for shipments of fresh avocados grown in south Florida, and for avocados imported into the United States. Such action is necessary to assure the shipment of ample supplies of mature avocados of acceptable quality in the interests of producers and consumers.

DATES: Interim rule effective May 25, 1981; comments which are received by June 19, 1981, will be considered.

ADDRESS: Send two copies of comments to the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

SUPPLEMENTARY INFORMATION: This rule 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 not measurably affect costs for the directly regulated handlers.

The Florida avocado regulation would be issued under the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The avocado import regulation would be issued under section 8e (7 U.S.C. 608e-1) of this act. The grade and maturity requirements applicable to Florida avocado shipments were recommended by the Avocado Administrative Committee, which locally administers this marketing order program.

The regulations would establish U.S. No. 3 as the minimum grade, and prescribe minimum weights or diameters by specified dates as the maturity requirements for the various varieties of avocados. Minimum weights or diameters and picking dates are used as indicators during harvest to determine which avocados are sufficiently mature to complete the ripening process. Skin color would also be authorized as a method of determining maturity, for those varieties which turn red or purple when mature. The requirements are designed to assure that the various varieties of avocados will be of suitable quality and maturity so they provide consumer satisfaction, which is essential for the successful marketing of the crop. They are also designed to provide the trade and consumers with an adequate supply of mature avocados of acceptable quality, in the interest of producers and consumers pursuant to the declared policy of the act.

The import requirements would be issued under section 8e of the act, which requires that when specified commodities, including avocados, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality, or maturity requirements as those in effect for the domestically produced commodity.

For the 1981-82 season, the Avocado Administrative Committee estimates fresh shipments at a record 1,150,000 bushels (55 pounds net weight), 3 percent more than the 1,113,951 bushels shipped fresh in 1980-81 and 13 percent more than the 1,016,862 bushels shipped fresh in 1979-80. Shipments of fresh avocados from California are expected to reach a record 7,760,000 bushel

equivalents during the California season ending in late October 1981. Relatively small amounts of avocados are imported into the United States, mostly from the Dominican Republic. Shipment of this season's crop is expected to begin with light shipments of early varieties in late May, but volume shipments will not begin until late June or early July.

It is found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking and postpone the effective date of these regulations until 30 days after publication in the Federal Register (5 U.S.C. 553), and good cause exists for making these regulatory provisions effective as specified in that (1) shipment of the current crop of avocados is expected to begin May 25, 1981; (2) the current Florida avocado and avocado import regulations (45 FR 36350) expired April 30, 1981; (3) the Florida avocado regulation was recommended by the committee following discussion at a public meeting on April 8, 1981; (4) Florida avocado handlers have been apprised of these requirements for Florida avocados and the effective date; (5) the requirements for Florida avocados and imported avocados are basically the same as those currently in effect; (6) the avocado import requirements are mandatory under § 8e of the act, and they become effective at the same time as the domestic requirements; (7) the import regulation imposes the same grade requirement as is being made applicable to the shipment of avocados grown in Florida under Florida Avocado Regulation 23; (8) the import regulation imposes the same maturity requirements for Pollock, Catalina, and Trapp varieties and comparable maturity requirements for other varieties of avocados as are being made applicable under Florida Avocado Regulation 23; and (9) three days notice, the minimum prescribed by section 8e, is provided with respect to this import regulation.

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.

Therefore, new sections 915.323 and 944.21 are added to read as follows: (sections 915.323 and 944.21 expire August 16, 1981, and will not be

published in the annual Code of Federal Regulations).

§ 915.323 Florida Avocado Regulation 23.

(a) Order. (1) During the period May 25, 1981, through August 16, 1981, no handler shall handle any avocados unless such avocados grade at least U.S. No 3 grade: *Provided*, That avocados which fail to meet the requirements of such grade may be handled within the production area, if such avocados meet all other applicable requirements of this section and are handled in containers other than the containers prescribed in § 915.305, as amended (7 CFR Part 915), for the handling of avocados between the production area and any point outside thereof;

(2) On and after the effective date of this regulation, except as otherwise provided in paragraphs (a)(8) and (9) of this section, no avocados of the varieties listed in Column 1 of the following Table I shall be handled prior to the date listed for the respective variety in Column 2 of such table, and thereafter each such variety shall be handled only in conformance with paragraphs (a)(3), (4), (5), (6), and (7) of this section;

(3) From the date listed for the respective variety in Column 2 of Table I to the date listed for the respective variety in Column 4 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 3 of such table or is of at least the diameter specified for such variety in said Column 3;

(4) From the date listed for the respective variety in Column 4 of Table I to the date listed for the respective variety in Column 6 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 5 of such table or is of at least the diameter specified for such variety in said Column 5;

(5) From the date listed for the respective variety in Column 6 of Table I to the date listed for the respective variety in Column 8 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 7 of such table or is of at least the diameter specified for such variety in said Column 7;

(6) Except as otherwise provided in paragraphs (a)(8) and (9) of this section,

varieties of the West Indian type of avocados not listed in Table I shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to June 29, 1981.

(ii) From June 29, 1981, through July 26, 1981, the individual fruit in each lot of such avocados shall weigh at least 18 ounces.

(iii) From July 27, 1981, through August 30, 1981, the individual fruit in each lot of such avocados shall weigh at least 16 ounces.

(iv) From August 31, 1981, through September 27, 1981, individual fruit in each lot of such avocados shall weigh at least 14 ounces.

(7) Except as otherwise provided in paragraphs (a)(8) and (9) of this section, varieties of avocados not covered by paragraphs (a)(2) through (6) hereof shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to September 14, 1981.

(ii) From September 14, 1981, through October 11, 1981, the individual fruit in each lot of such avocados shall weigh at least 15 ounces.

(iii) From October 12, 1981, through December 13, 1981, the individual fruit in each lot of such avocados shall weigh at least 13 ounces.

(8) Notwithstanding the provisions of paragraphs (a)(2) through (7) of this section regarding the minimum weight or diameter for individual fruit, up to 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados weigh not more than two ounces less than the applicable specified weight for the particular variety as prescribed in Columns 3, 5, or 7 of Table I or in paragraphs (a)(6) and (7) of this section. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(9) The provisions of paragraphs (a)(2) through (8) of this section shall not apply to any variety, except the Linda variety, of avocados which, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

Table I

Variety—(1)	Date—(2)	Minimum weight or diameter—(3)	Date—(4)	Minimum weight or diameter—(5)	Date—(6)	Minimum weight or diameter—(7)	Date—(8)
Kosel	5-25-81	16 oz	6-8-81	13 oz	6-22-81		
Anue	5-25-81	16 oz	6-8-81	14 oz, 3 $\frac{1}{2}$ in	7-13-81		
Roland 2-2	6-9-81	22 oz	6-22-81	20 oz	7-13-81		
J. M. Poropat	6-15-81	20 oz	6-22-81	18 oz	7-13-81	16 oz	7-27-81
Fuchs	6-15-81	14 oz, 3 $\frac{1}{2}$ in	6-29-81	12 oz, 3 $\frac{1}{2}$ in	7-13-81		
Dr. DuPuis #2	6-15-81	16 oz, 3 $\frac{1}{2}$ in	6-29-81	14 oz, 3 $\frac{1}{2}$ in	7-13-81	12 oz, 3 $\frac{1}{2}$ in	7-27-81
K-5	6-22-81	18 oz, 3 $\frac{1}{2}$ in	7-6-81	14 oz, 3 $\frac{1}{2}$ in	7-20-81		
Hardee	6-29-81	16 oz, 3 $\frac{1}{2}$ in	7-6-81	14 oz, 2 $\frac{1}{2}$ in	7-27-81		
Pollock	6-29-81	18 oz, 3 $\frac{1}{2}$ in	7-13-81	16 oz, 3 $\frac{1}{2}$ in	7-27-81	14 oz, 3 $\frac{1}{2}$ in	8-10-81
Simmonds	6-29-81	16 oz, 3 $\frac{1}{2}$ in	7-13-81	14 oz, 3 $\frac{1}{2}$ in	7-27-81	12 oz, 3 $\frac{1}{2}$ in	8-10-81
Nadir	6-29-81	14 oz, 3 $\frac{1}{2}$ in	7-6-81	12 oz, 3 $\frac{1}{2}$ in	7-13-81	10 oz, 2 $\frac{1}{2}$ in	7-27-81
Katherine	6-29-81	16 oz	7-19-81	14 oz	7-27-81		
Hale	6-29-81	20 oz	7-13-81	16 oz	7-20-81	14 oz	8-10-81
Donnie	7-6-81	16 oz, 3 $\frac{1}{2}$ in	7-20-81	14 oz, 3 $\frac{1}{2}$ in	8-17-81		
Ruehle	7-13-81	16 oz, 3 $\frac{1}{2}$ in	7-20-81	16 oz, 3 $\frac{1}{2}$ in	7-27-81	14 oz, 3 $\frac{1}{2}$ in	8-24-81
			8-10-81	12 oz, 3 $\frac{1}{2}$ in	8-17-81	10 oz, 3 $\frac{1}{2}$ in	
Dawn	7-13-81	12 oz, 3 $\frac{1}{2}$ in	7-27-81	10 oz, 3 $\frac{1}{2}$ in	8-10-81		
Webb-2	7-13-81	18 oz	7-27-81	16 oz	8-10-81		
Cash	7-13-81	16 oz	9-28-81				
Gretchen	7-13-81	14 oz	7-27-81	12 oz	8-10-81		
Alpha	7-20-81	16 oz, 3 $\frac{1}{2}$ in	8-10-81				
Biondo	7-20-81	13 oz	8-24-81				
Peterson	7-20-81	14 oz, 3 $\frac{1}{2}$ in	7-27-81	12 oz, 3 $\frac{1}{2}$ in	8-3-81	10 oz, 3 $\frac{1}{2}$ in	8-17-81
232	7-27-81	14 oz	8-10-81	12 oz	8-24-81		
Trapp	7-27-81	14 oz, 3 $\frac{1}{2}$ in	8-10-81	12 oz, 3 $\frac{1}{2}$ in	8-24-81		
B&B	7-27-81	16 oz, 3 $\frac{1}{2}$ in	8-31-81				
Pinelli	7-27-81	18 oz, 3 $\frac{1}{2}$ in	8-10-81	16 oz, 3 $\frac{1}{2}$ in	8-24-81		
Miguel	7-27-81	22 oz, 3 $\frac{1}{2}$ in	8-10-81	20 oz, 3 $\frac{1}{2}$ in	8-24-81	18 oz, 3 $\frac{1}{2}$ in	9-7-81
Nosbitt	7-27-81	22 oz, 3 $\frac{1}{2}$ in	8-10-81	16 oz, 3 $\frac{1}{2}$ in	8-17-81	14 oz, 3 $\frac{1}{2}$ in	8-31-81
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K-9	8-10-81	16 oz	8-31-81				
Gorham	8-10-81	29 oz, 4 $\frac{1}{2}$ in	8-24-81	27 oz, 4 $\frac{1}{2}$ in	9-7-81		
Tower-2	8-10-81	14 oz, 3 $\frac{1}{2}$ in	8-24-81	12 oz, 3 $\frac{1}{2}$ in	9-14-81		
The Franvee	8-17-81	23 oz	9-14-81				
Lisa	8-17-81	12 oz, 3 $\frac{1}{2}$ in	8-24-81	11 oz, 3 $\frac{1}{2}$ in	8-31-81		
Fairchild	8-24-81	16 oz, 3 $\frac{1}{2}$ in	9-7-81	14 oz, 3 $\frac{1}{2}$ in	9-21-81	12 oz, 3 $\frac{1}{2}$ in	9-28-81
Nerody	8-24-81	16 oz, 3 $\frac{1}{2}$ in	9-7-81	16 oz, 3 $\frac{1}{2}$ in	9-21-81		
Loretta	8-24-81	28 oz, 4 $\frac{1}{2}$ in	10-5-81				
Catalina	8-24-81	24 oz	9-7-81	22 oz	9-28-81		
Booth 8	9-7-81	16 oz, 3 $\frac{1}{2}$ in	9-28-81	14 oz, 3 $\frac{1}{2}$ in	10-12-81	10 oz, 3 $\frac{1}{2}$ in	10-26-81
Black Prince	9-7-81	23 oz, 3 $\frac{1}{2}$ in	9-21-81	16 oz, 3 $\frac{1}{2}$ in	10-12-81		
Blar	9-7-81	16 oz, 3 $\frac{1}{2}$ in	9-21-81	14 oz, 3 $\frac{1}{2}$ in	10-12-81		
Booth 7	9-7-81	18 oz, 3 $\frac{1}{2}$ in	9-21-81	16 oz, 3 $\frac{1}{2}$ in	10-5-81	14 oz, 3 $\frac{1}{2}$ in	10-19-81
Csonka	9-14-81	22 oz	10-12-81				
Brooks 1978	9-14-81	12 oz	9-21-81	10 oz, 3 $\frac{1}{2}$ in	9-28-81	8 oz	10-19-81
Booth 5	9-14-81	14 oz, 3 $\frac{1}{2}$ in	9-28-81	12 oz, 3 $\frac{1}{2}$ in	10-12-81		
Marcus	9-14-81	32 oz, 4 $\frac{1}{2}$ in	9-28-81	24 oz, 4 $\frac{1}{2}$ in	11-9-81		
Collinson	9-21-81	16 oz, 3 $\frac{1}{2}$ in	10-19-81				
Chica	9-21-81	12 oz, 3 $\frac{1}{2}$ in	10-5-81	10 oz, 3 $\frac{1}{2}$ in	10-19-81		
Rue	9-21-81	30 oz, 4 $\frac{1}{2}$ in	9-28-81	24 oz, 3 $\frac{1}{2}$ in	10-12-81	18 oz, 3 $\frac{1}{2}$ in	10-26-81
Hickson	9-21-81	12 oz, 3 $\frac{1}{2}$ in	10-5-81	10 oz, 3 $\frac{1}{2}$ in	10-19-81		
Simpson	9-28-81	16 oz, 3 $\frac{1}{2}$ in	10-19-81				
Vaca	9-28-81	16 oz, 3 $\frac{1}{2}$ in	10-19-81				
Sherman	9-28-81	16 oz	10-12-81	14 oz	10-26-81	10 oz	11-16-81
Choquette	9-28-81	24 oz, 4 $\frac{1}{2}$ in	10-12-81	20 oz, 3 $\frac{1}{2}$ in	10-26-81	16 oz, 3 $\frac{1}{2}$ in	11-9-81
Booth 10	10-5-81	16 oz, 3 $\frac{1}{2}$ in	11-2-81				
Avon	10-5-81	15 oz, 3 $\frac{1}{2}$ in	10-26-81				
Booth 11	10-5-81	16 oz, 3 $\frac{1}{2}$ in	10-26-81				
Leona	10-5-81	18 oz, 3 $\frac{1}{2}$ in	10-19-81				
Winstowson	10-5-81	16 oz, 3 $\frac{1}{2}$ in	10-26-81				
Nelson	10-5-81	14 oz, 3 $\frac{1}{2}$ in	10-19-81	12 oz, 3 $\frac{1}{2}$ in	11-2-81	10 oz, 3 $\frac{1}{2}$ in	11-23-81
Hall	10-5-81	26 oz, 3 $\frac{1}{2}$ in	10-19-81	20 oz, 3 $\frac{1}{2}$ in	11-2-81	18 oz, 3 $\frac{1}{2}$ in	11-16-81
Lula	10-12-81	18 oz, 3 $\frac{1}{2}$ in	10-26-81	14 oz, 3 $\frac{1}{2}$ in	11-9-81	12 oz, 3 $\frac{1}{2}$ in	11-23-81
Horman	10-12-81	16 oz, 3 $\frac{1}{2}$ in	10-26-81	14 oz, 3 $\frac{1}{2}$ in	11-9-81		
Murphy	10-12-81	16 oz	10-26-81	14 oz	11-9-81	11 oz	11-30-81
Ajax (B-7)	10-19-81	16 oz, 3 $\frac{1}{2}$ in	11-9-81				
Booth 3	10-19-81	16 oz, 3 $\frac{1}{2}$ in	10-26-81	14 oz, 3 $\frac{1}{2}$ in	11-9-81		
Taylor	10-19-81	14 oz, 3 $\frac{1}{2}$ in	11-2-81	12 oz, 3 $\frac{1}{2}$ in	11-16-81		
Dunedin	11-2-81	16 oz, 3 $\frac{1}{2}$ in	11-16-81	14 oz, 3 $\frac{1}{2}$ in	11-30-81	10 oz, 3 $\frac{1}{2}$ in	12-21-81
Byars	11-9-81	16 oz, 3 $\frac{1}{2}$ in	11-30-81				
Monroe	11-9-81	24 oz, 4 $\frac{1}{2}$ in	11-23-81	20 oz, 3 $\frac{1}{2}$ in	12-7-81	16 oz, 3 $\frac{1}{2}$ in	12-21-81
Linda	11-9-81	18 oz, 3 $\frac{1}{2}$ in	11-30-81				
Mabel	11-9-81	14 oz, 3 $\frac{1}{2}$ in	11-30-81				
Booth 1	11-16-81	16 oz, 3 $\frac{1}{2}$ in	11-30-81	12 oz, 3 $\frac{1}{2}$ in	12-14-81		
Zo	11-23-81	12 oz, 3 $\frac{1}{2}$ in	12-7-81	10 oz, 2 $\frac{1}{2}$ in	12-21-81		
Marcin	11-23-81	26 oz, 4 $\frac{1}{2}$ in	12-21-81				
Wagner	11-30-81	12 oz, 3 $\frac{1}{2}$ in	12-14-81	10 oz, 3 $\frac{1}{2}$ in	12-28-81		
Schmidt	11-30-81	16 oz	12-28-81				
Meya	12-21-81	13 oz, 3 $\frac{1}{2}$ in	1-4-82	11 oz, 3 $\frac{1}{2}$ in	1-18-82		
Brookslate	12-14-81	16 oz, 3 $\frac{1}{2}$ in	12-28-81	14 oz, 3 $\frac{1}{2}$ in	1-18-82	12 oz, 3 $\frac{1}{2}$ in	
					2-1-82	10 oz	2-15-82
Itzanna	2-8-82	12 oz	2-15-82				

(b) The term "diameter" shall mean the greatest dimension measured at right angles to a straight line from the stem to the blossom end of the fruit; and the term "U.S. No. 3" shall have the same meaning as set forth in the United States Standards for Florida Avocados (7 CFR 2851.3050-2851.3069).

(c) The provisions of this regulation shall become effective May 25, 1981.

§ 944.21 Avocado Import Regulation 29.

(a) *Applicability to imports.* Pursuant to section 8e of the act and Part 944—Fruits; Import Regulations, the importation into the United States of any avocados is prohibited during the period May 25, 1981, through August 16, 1981, unless such avocados meet the following minimum grade and maturity requirements:

(1) All avocados imported during the period May 25, 1981, through August 16, 1981, shall grade not less than U.S. No. 3.

(2) Avocados of the Pollock variety shall not be imported (i) prior to June 29, 1981; (ii) from June 29, 1981, through July 12, 1981, unless the individual fruit in each lot of such avocados weighs at least 18 ounces or measures at least $3\frac{1}{8}$ inches in diameter; (iii) from July 13, 1981, through July 26, 1981, unless the individual fruit in each lot of such avocados weighs at least 18 ounces or measures at least $3\frac{7}{8}$ inches in diameter; and (iv) from July 27, 1981, through August 9, 1981, unless the individual fruit in each lot of such avocados weighs at least 14 ounces or measures at least $3\frac{3}{8}$ inches in diameter.

(3) Avocados of the Catalina variety shall not be imported (i) prior to August 24, 1981, (ii) from August 24, 1981, through September 6, 1981, unless the individual fruit in each lot of such avocados weighs at least 24 ounces; and (iii) from September 7, 1981, through September 27, 1981, unless the individual fruit in each lot of such avocados weighs at least 22 ounces.

(4) Avocados of the Trapp variety shall not be imported (i) prior to July 27, 1981; (ii) from July 27, 1981, through August 9, 1981, unless the individual fruit in each lot of such avocados weighs at least 14 ounces or measures at least $3\frac{1}{8}$ inches in diameter; and (iii) from August 10, 1981, through August 23, 1981, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least $3\frac{3}{8}$ inches in diameter.

(5) Avocados of any variety other than Pollock, Catalina, and Trapp varieties, of the West Indian varieties not listed elsewhere in this regulation, shall not be imported (i) prior to June 29,

1981; (ii) from June 29, 1981, through July 26, 1981, unless the individual fruit in each lot of such avocados weighs at least 18 ounces; (iii) from July 27, 1981, through August 30, 1981, unless the individual fruit in each lot of such avocados weighs at least 16 ounces; (iv) from August 31, 1981, through September 27, 1981, unless the individual fruit in each lot of such avocados weighs at least 14 ounces: *Provided*, That any lot of such avocados may be imported without regard to the date or minimum weight requirements of this paragraph if such avocados, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

(6) Avocados of any variety of the Guatemalan type, including hybrid type seedlings, unidentified Guatemalan and hybrid varieties, and Guatemalan and hybrid varieties not listed elsewhere in the regulation shall not be imported (i) prior to September 14, 1981; (ii) from September 14, 1981, through October 11, 1981, unless the individual fruit in each lot of such avocados weighs at least 15 ounces; and (iii) from October 12, 1981, through December 13, 1981, unless the individual fruit in each lot of such avocados weighs at least 13 ounces.

(7) Notwithstanding the provisions of paragraphs (a)(2) through (6) of this section regarding the minimum weight or diameter for individual fruit, not to exceed 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified and be less than the specified diameter: *Provided*, That such avocados weigh not over 2 ounces less than the applicable specified weight for the particular variety specified in such subparagraphs. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Quality Division, Food Safety and Quality Service, United States Department of Agriculture, is designated as the governmental inspection service for certifying the grade, size, quality, and maturity of avocados that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all imports. The inspection and certification services will be available upon application in accordance with the rules and

regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 2851) and in accordance with the Procedure for Requesting Inspection and Certification (7 CFR Part 944.400).

(c) Notwithstanding any other provisions of this regulation, any importation of avocados which, in the aggregate, does not exceed 55 pounds may be imported without regard to the restrictions specified herein.

(d) It is hereby found that the application of the maturity restrictions being imposed pursuant to Order No. 915 (7 CFR Part 915), upon avocados grown in south Florida to imported avocados, other than of the Pollock, Catalina, and Trapp varieties is not practicable because of variations in characteristics between the domestic and imported avocados; and the maturity restrictions applicable to imported avocados other than of the Pollock, Catalina, and Trapp varieties are comparable to those imposed upon the domestic commodity. The quality restrictions for all imported avocados and the maturity restrictions for imported avocados of the Pollock, Catalina, and Trapp varieties are the same as those being imposed upon the domestic commodity.

(e) No provisions of this section shall supersede the restrictions or prohibitions on avocados under the Plant Quarantine Act of 1912.

(f) Any lot or portion thereof which fails to meet the import requirements prior to or after reconditioning may be exported or disposed of under the supervision of the Federal or Federal-State Inspection Service with the costs of certifying the disposal of said lot borne by the importer.

(g) The terms relating to grade, as used herein, shall have the same meaning as when used in the United States Standards for Florida Avocados (7 CFR 2851.3050-2851.3069). "Diameter" shall mean the greatest dimension measured at right angles to a straight line from the stem to the blossom end of the fruit. "Importation" means release from custody of the United States Customs Service.

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

Dated, May 15, 1981, to become effective May 25, 1981.

D. S. Kuryloski,

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

[FR Doc. 81-15050 Filed 5-19-81; 8:45 am]

BILLING CODE 3410-02-M

**COMMODITY FUTURES TRADING
COMMISSION****17 CFR Part 1****Monthly and Confirmation Statements;
Correction**

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule; Correction.

SUMMARY: This document corrects the omission of Section 4g of the Act in the statutory authority section of § 1.33 published on May 8, 1981.

FOR FURTHER INFORMATION CONTACT: Barbara Stern, Special Counsel, Front Office Audit Unit, Division of Trading and Markets, 2033 K Street, N.W., Washington, D.C. 20581. Telephone: (202) 254-8955.

The following corrections should be made:

1. On page 26000, third column, the third line of the second paragraph should read "2(a)(1), 4b, 4c, 4g, 4i, 4m, 4n, 4o, 8a and 19 of", and

2. On page 26000, third column, the fifth line of the second paragraph should read "2, 6b, 6c, 6g, 6i, 6m, 6n, 6o, 12a and 23, as".

Issued in Washington, D.C. on May 15, 1981.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 81-15028 Filed 5-19-81; 8:45 am]

BILLING CODE 6351-01-M

**ENVIRONMENTAL PROTECTION
AGENCY**

40 CFR Parts 122, 260, 261, 264, and 265

[SWH-FRL 1815-2]

**Hazardous Waste Management
System; Corrections**

AGENCY: Environmental Protection Agency.

ACTION: Corrections to interim final and final rules.

SUMMARY: Between October 30, 1980 and January 16, 1981, the Agency published a series of amendments to the May 19, 1980 hazardous waste management regulations issued under Sections 3001 through 3006 and 3010 of the Resource Conservation and Recovery Act, as amended (40 CFR Parts 260 through 267 and 122 through 124 and 45 FR 12746). In reviewing these amendments, the Agency has identified a number of typographical and other errors requiring correction. This notice

makes these changes and modifies the previous publications accordingly.

DATE: These regulations become effective on May 20, 1981.

FOR FURTHER INFORMATION CONTACT: Matthew Straus, Office of Solid Waste (WH-565), U.S. Environmental Protection Agency, 401 M St. S.W., Washington, D.C. 20460, (202) 755-9187.

SUPPLEMENTARY INFORMATION: In the matter of hazardous waste management system; corrections to the following provisions: general hazardous waste standards; identification and listing of hazardous waste; standards for owners and operators of hazardous waste treatment, storage and disposal facilities and interim status standards for owners and operators of hazardous waste treatment, storage and disposal facilities; and hazardous waste permit program. On May 19, 1980, as part of its regulations implementing Subtitle C of the Resource Conservation and Recovery Act (RCRA), as amended, EPA promulgated a series of regulations defining solid waste and hazardous waste and establishing requirements applicable to generators, transporters, treaters, storers and disposers of hazardous waste. These regulations also required owners and operators of hazardous waste treatment, storage and disposal facilities to obtain RCRA permits.

The Agency received a number of questions and comments concerning various aspects of the May 19th hazardous waste regulations, and published a series of amendments in response. See 45 FR 72024 (October 30, 1980); 45 FR 72029 (October 30, 1980); 45 FR 72039 (October 30, 1980); 45 FR 74489 (November 10, 1980); 45 FR 74884 (November 12, 1980); 45 FR 76074 (November 17, 1980); 45 FR 76618 (November 19, 1980); 45 FR 76620 (November 19, 1980); 45 FR 76624 (November 19, 1980); 45 FR 76626 (November 19, 1980); 45 FR 76630 (November 19, 1980); 45 FR 78524 (November 25, 1980); 45 FR 78530 (November 25, 1980); 45 FR 78532 (November 25, 1980); 45 FR 80286 (December 4, 1980); 45 FR 86966 (December 31, 1980); 46 FR 2344 (January 9, 1981); and 46 FR 4614 (January 16, 1981).

In reviewing these amendments, the Agency has identified a number of typographical and other errors requiring correction. Also, a number of changes and announcements are deemed appropriate in order to notify the regulated community of the availability of support documents and to facilitate the use of the regulations. These

corrections and changes are described below.

A. Definitions (§ 260.10)

A set of definitions applicable to the regulations in 40 CFR Parts 260 through 267 is provided in 40 CFR 260.10(a). These definitions were individually numbered, to provide an easy method of referencing. However, it has become apparent that individual numbering makes it more difficult to add to the set of definitions. Since the regulations are expected to evolve over the next several years, the Agency believes it is simpler to delete the numbering for each individual definition and to rely solely upon alphabetical ordering. In doing this, additional changes are also necessary, within certain specific definitions, to conform the internal number structure to the standards of the Federal Register.

B. Renumbering of Exclusions (§ 261.4)

On November 19, 1980 (45 FR 76620) and November 25, 1980 (45 FR 78531), certain paragraphs in the Federal Register which amended § 261.4 were misnumbered. To correct this error, § 261.4 (b)(6) and (b)(7) at 45 FR 76620 (November 19, 1980) will be renumbered as (b)(7) and (b)(8), respectively, while § 261.4(b)(8) (45 FR 78531 (November 25, 1980)) will be renumbered as (b)(9).

C. Small Quantity Generator Regulation (§ 261.5)

On November 19, 1980 (45 FR 76620), the small quantity generator regulation was amended and clarified. One of the clarifications (§ 261.5(e)(i)) indicates that for acutely hazardous wastes, the 1 kg per month exclusion level applies to the aggregate of all of the acutely hazardous wastes subject to a particular exclusion. The promulgated regulation, however, accidentally included the word "a" when referring to acutely hazardous wastes. This mistake is both confusing and ungrammatical. The regulation therefore is being revised accordingly.

**D. Hazardous Wastes from Non-Specific
and Specific Sources (§§ 261.31 and
261.32)****1. Availability of Background
Documents for Hazardous Waste
Listings**

On November 12, 1980, EPA finalized the listings of eighty hazardous wastes from nonspecific (§ 261.31) and specific sources (§ 261.32). A revised background document which supports these listings is now available for viewing in the public docket (and indeed, has been available since early December). (As was indicated in the preamble to the

November 12, 1980 publication (45 FR 74885), the Agency finalized the listings before all support documentation was available to the public since the Agency felt it was important to provide notice on the final waste listings before November 19, 1980, the effective date of the regulations.) This background document includes a detailed explanation of any changes which were made to the listings and addresses all public comments which were received during the comment period. Copies of the background document are also available for viewing at all EPA libraries, including the EPA headquarters library, Room 2404, 401 M St., SW., Washington, D.C. 20460.

2. Changes to §§ 261.32 and 261.33

On November 12, 1980, § 261.32 was amended at 45 FR 74890 and 45 FR 74891. The section number § 261.32 was misprinted as § 262.32 on both pages. This typographical error is corrected by this notice.

On January 16, 1981, EPA published the complete list of hazardous wastes, which included a recodification of the hazardous waste list promulgated on November 12, 1980 (45 FR 74884). In reprinting the complete list of wastes, the Agency erroneously included certain wastes from the exploration, mining, milling, smelting and refining of ores and minerals, namely wastes F014, F015 and K064-K068. These wastes were provisionally excluded from regulation on November 19, 1980 (45 FR 76618), when the Agency promulgated an exclusion implementing and interpreting Section 7 of the recently enacted Solid Waste Disposal Act Amendments of 1980 (Pub. L. 94-482, October 21, 1980), which states that solid wastes from the

extraction, beneficiation, and processing of ores and minerals (including coal) are excluded from regulation under Subtitle C of RCRA. To clear up this confusion, the Agency is now removing these wastes from the hazardous waste list. However, after reviewing the applicable legislative history and public comments filed in response to the November 19, 1980 notice, the Agency may amend the exclusion to bring one or more of these wastes back under Subtitle C control.

E. Discarded Commercial Chemical Products, Off-Specification Species, Containers, and Spill Residues Thereof (§ 261.33)

1. Deletion of Indomethacin

The Agency, at 45 FR 76533, indicated that the drug indomethacin would continue to be regulated as hazardous waste U245 when discarded. This action was a mistake, and resulted from the confusion of indomethacin's generic chemical name (1-(p-chlorobenzoyl)-5-methoxy-2-methylindole-3-acetic acid) with a very similar compound appearing on the Agency's Carcinogen Assessment Group's list of substances exhibiting substantial evidence of carcinogenicity. Since indomethacin does not otherwise appear to pose a substantial threat to human health and the environment if managed improperly, the Agency is deleting it from § 261.33(f).

2. Regulation of Containers Which Formerly Held Acutely Hazardous Off-Specification Materials, and Regulation of Cleanup Residues of Spilled Off-Specification Materials

Questions have been raised as to whether §§ 261.33(c) and (d) of the regulations apply to containers which

formerly held acutely hazardous off-specification materials (as well as to containers which formerly held commercial products and manufacturing chemical intermediates) and to cleanup residues of spilled off-specification materials (as well as to cleanup residues of spills of commercial products and manufacturing chemical intermediates). These provisions do in fact apply when off-specification materials are involved, but the regulatory language is somewhat confusing. §§ 261.33(c) and (d) apply to materials listed in §§ 261.33(e) and (f). Both of these provisions cover by reference, among other materials, the off-specification materials referred to in § 261.33(b). However, to avoid any confusion, the Agency has decided to amend §§ 261.33(c) and (d) to refer explicitly to off-specification materials. A conforming amendment also has been added to § 261.5(e)(2) to make clear that the 100 kg cut-off limit for cleanup residues of spills of § 261.33(e) materials applies to spills of acutely hazardous off-specification materials.¹

3. Correction of Non-Substantive Errors

In the November 25, 1980 Federal Register, the wrong EPA Hazardous Waste Number was used to reference a specific chemical in the preamble to this section of the November 25, 1980 Federal Register (45 FR 78535). Specifically, toxaphene listed in the table at 45 FR 78535 as EPA Hazardous Waste No. U244 is incorrect; the number should read U224. This typographical error is corrected by this notice.

Finally, a number of mistakes and typographical errors were noted in §§ 261.33(e) and (f) after reviewing this section (45 FR 78541-78544). These are discussed in the following table:

EPA hazardous waste No.	Compound name	Action Taken	Reason
P001	3-(alpha-acetonylbenzyl)-4-hydroxycoumarin and salts	Spelling corrected	Compound should read: 3-(alpha-Acetonyl-benzyl)-4-hydroxycoumarin and salts.
P006	Aluminum phosphide	Corrected reason for listing	Compound should read: Aluminum phosphide (R,T).
P008	4-Aminopyridine	Spelling corrected	Compound should read: 4-Aminopyridine.
P043	Phosphorofluoric acid, bis-(1-methylethyl)-ester	do	Compound should read: Phosphorofluoric acid, bis(1-methylethyl) ester.
P047	Phenol, 2,4-dinitro-6-methyl-	Listing corrected	On May 19, 1980, the compound was originally listed as 2,4-Dinitroresol and salts. On Nov. 25, 1980, this compound was listed as Phenol, 2,4-dinitro-6-methyl-. The words "and salts" were inadvertently left out. The listing should read: Phenol, 2,4-di-nitro-6-methyl-, and salts.
P060	Hexachlorohexahydro-endo,exo-dimethanonaphthalene	Spelling corrected	Compound should read: Hexachlorohexahydro-endo, endo-dimethanonaphthalene.
P089	Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl)	do	Compound should read: Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl) ester.
P114	Thallium (I) selenite	do	Compound should read: Thallium (I) selenite.
U026	2-Naphthylamine, N,N'-bis(2-chloroethyl)-	do	Compound should read: 2-Naphthylamine, N,N-bis(2-chloroethyl)-.
U035	Butanoic acid, 4-[bis(2-chloroethyl)amino]benzene	do	Compound should read: Butanoic acid, 4-[bis(2-chloroethyl)amino]benzene.
U058	2H-1,3,2-Oxazaphosphorine, 2-[bis(2-chloro-ethyl)amino]-tetrahydro-, oxide-2	do	Compound should read: 2H-1,3,2-Oxazaphosphorine, 2[bis(2-chloroethyl)amino]tetrahydro-, 2-oxide.
U067	Ethylene dibromide	do	Compound should read: Ethylene dibromide.
U067	Phosphorodithioic acid, O,O-diethyl, S-methylester	do	Compound should read: Phosphorodithioic acid, O,O-diethyl S-methyl ester.

¹A revised version of § 261.33(c), which clarifies the status of residues of § 261.33(c) materials in containers, is slated to become effective on May 25,

1981. See 45 FR at 78539 (November 25, 1980). The Agency will conform the text of that amendment

with the regulatory language adopted today at the time of final promulgation.

EPA hazardous waste No.	Compound name	Action Taken	Reason
U093	Benzenamine, N,N-dimethyl-4-phenylazo-	do	Compound should read: Benzenamine, N,N-dimethyl-4-(phenylazo)-.
U105	Benzene, 1-methyl-2,4-dinitro-	do	Compound should read: Benzene, 1-methyl-2,4-dinitro-
U111	Di-N-propylnitrosamine	do	Compound should read: Di-n-propylnitrosamine.
U111	N-Nitroso-N-propylamine	do	Compound should read: N-Nitrosodi-n-propylamine.
U114	Ethylenebis(dithiocarbamic acid)	Change to Ethylenebis(dithiocarbamic acid), salts and esters.	On May 19, 1980, the compound was originally listed as Ethylenebis(dithiocarbamate). The November 25, 1980 Federal Register changed this compound to Ethylenebis(dithiocarbamic acid), without giving a reason for this change. The correct listing of U114, is Ethylenebis(dithiocarbamic acid), salts and esters; which is a clarification of the May 19, 1980 listing.
U115	Ethylene oxide	Spelling corrected	Compound should read: Ethylene oxide.
U118	Ethylmethacrylate	do	Compound should read: Ethyl methacrylate.
U121	Methane, trichlorofluoro-	One listing deleted	The compound was inadvertently listed twice.
U137	1,10-(1,2-phenylene)pyrene	Spelling corrected	Compound should read: 1,10-(1,2-Phenylene)pyrene.
U145	Phosphoric acid; Lead salt	do	Compound should read: Phosphoric acid, lead salt.
U148	1,2-Dihydro-3,6-pyridazine-dione	do	Compound should read: 1,2-Dihydro-3,6-pyridazine-dione.
U155	Pyridine, 2-(2-dimethylamino)-2-thenylamino-	do	Compound should read: Pyridine, 2-(2-dimethylamino) ethyl-2-thenylamino-
U163	Guanidine, N-nitroso-N-methyl-N-nitro-	do	Compound should read: Guanidine, N-nitroso-N-methyl-N-nitro-
U166	1,4-Naphthoquinone	do	Compound should read: 1,4-Naphthoquinone.
U182	1,3,5-Trioxane 2,4,5-trimethyl-	do	Compound should read: 1,3,5-Trioxane, 2,4,5-trimethyl-
U185	Benzene, pentachloro-nitro-	do	Compound should read: Benzene, pentachloronitro-
U189	Phosphorous sulfide	do	Compound should read: Phosphorus sulfide.
U202	1,2-Benzisothiazolin-3-one, 1,1-dioxide	Listing corrected	On November 25, 1980, the compound was correctly listed as Saccharin and salts, however in the listing under its chemical name, the words "and salts" were inadvertently left out. Compound should read 1,2-Benzisothiazolin-3-one, 1,1-dioxide, and salts.
U222	O-Toluidine hydrochloride	Spelling corrected	Compound should read: o-Toluidine hydrochloride.
U234	Benzene, 1,3,5-trinitro-	Hazardous waste number corrected	Hazardous waste number appears as "O234" and should be U234.
U237	Uracil, 5[bis(2-chloroethyl)-amino]-	Spelling corrected	Compound should read: Uracil, 5[bis(2-chloroethyl)amino]-.
U240	2,4,4-D, salts and esters	do	Compound should read: 2,4-D, salts and esters.
U247	Methoxychlor, also known as Ethane, 1,1,1-trichloro-2,2-bis(p-methoxy phenyl).	Added to § 261.33(f)	This compound was omitted mistakenly from § 261.33(f). Methoxychlor is an EP Toxicity constituent and is also one of the materials regulated by a National Interim Primary Drinking Water Standard; its toxicity therefore is well recognized. The background document for § 261.33 indicated that all compounds for which a National Interim Primary Drinking Standard has been established are to be included under § 261.33 (Background Document for § 261.33, April 30, 1980, at pp. 19, 70), and all of the other pesticides covered by a Primary Drinking Water Standard are included under § 261.33. In fact, comments were received questioning the (unintended) omission of methoxychlor. The Agency therefore believes that it has provided adequate notice for inclusion of this compound in § 261.33, and is taking this opportunity to add it to § 261.33(f).

F. Appendix VIII

Appendix VIII to Part 261 contains a list of chemical constituents which have been shown in scientific studies to have toxic, carcinogenic, mutagenic or teratogenic effects on humans or other life forms. In reviewing this section of the regulations, the Agency identified a number of additional toxic chemicals which were indicated as being toxic either in the respective listing background documents, or in §§ 261.24, 261.33 or Appendix VII to Part 261, but were omitted inadvertently from Appendix VIII. We are correcting these omissions by adding the following toxic constituents to Appendix VIII:

Acetophenone
Benzene, (dichloromethyl)-
Carbon oxyfluoride
Chloral
o-Dichlorobenzene
m-Dichlorobenzene
p-Dichlorobenzene

1,4-Dichloro-2-butene
Dichlorodifluoromethane
Ethyl methacrylate
Formic Acid
Hydroxydimethylarsine oxide
Maleic hydrazide
Mercury fulminate
Methacrylonitrile
Methanethiol
Methyl chlorocarbonate
Paraldehyde
Phosphorodithioic acid, O,O-diethyl S-
[(ethylthio)methyl] ester (Phorate)
n-Propylamine
Tetranitromethane
Trichloromonofluoromethane

A set of deletions should be made to Appendix VIII to accommodate those chemicals which were either doubly listed or were listed in error. These conforming changes are shown on the following list:

Substance	Reason for deletion
Acetaldehyde	U001 has only (I) designation.

Substance	Reason for deletion
Benzo[a]anthracene	Same as Benz[a]anthracene
Alpha-Chlorotoluene	Same as Benzyl chloride
Cresylic acid	Same as Cresol
Dibenzo[a,h]anthracene	Same as Dibenzo[a,h] anthracene
Trans-2, 3-Dichloroethene	Compound does not exist; typographical error made during typesetting
O,O-Diethyl-S-[2-ethylthio]ethyl ester of phosphorothioic acid	Same as Disulfoton
Dimethylnitrosamine	Same as N-Nitrosodi-methylamine
Epichlorohydrin	Same as 1-Chloro-2,3-epoxypropane
Nitrogen peroxide	Same as Nitrogen dioxide
Nitrogen tetroxide	Same as Nitrogen dioxide
N-Nitrosodi-N-propylamine	Same as Di-n-propylnitrosamine
Phenyldichloroarsine	Same as Dichloro-phenylarsine
Propionitrile	Same as Ethyl cyanide
Vinylidene chloride	Same as 1,1-Dichloroethylene

Finally, a further set of changes should be made to correct typographical errors and other minor changes to eliminate some potential ambiguities. These are summarized as follows:

As listed now	Should be changed to	Reason for change
Chlorinated fluorocarbons	Chlorinated fluorocarbons, N.O.S.	Need N.O.S. since some chlorinated-fluorocarbons are listed separately.
Chloroalkyl ethers	Chloroalkyl ethers, N.O.S.	Need N.O.S. since some chloroalkyl ethers are listed separately.
Trans-1,2-Dichloroethane	Trans-1,2-Dichloroethane	Mistakenly listed as such 5/19.
Dichloropropane	Dichloropropane, N.O.S.	Need N.O.S. since 1,2-Dichloropropane is listed separately.
Ethylenebis(dithiocarbamate)	Ethylenebis(dithiocarbamic acid, salts and esters)	U114 listing being corrected.

As listed now	Should be changed to	Reason for change
2,4-Dichlorophenoxyacetic acid	2,4-Dichlorophenoxyacetic acid, salts and esters	U240 listing corrected 11/25.
Benzoquinone and isomers	p-Benzoquinone	U197 listing corrected 11/25.
O,O-Diethyl-S-methyl ester phosphorodithioic acid	O,O-Diethyl-S-methyl ester of phosphorodithioic acid.	Space needed between methyl and ester of inserted after ester.
N-Nitrosodi-n-butylamine	N-Nitrosodi-N-butylamine	n refers to normal-butyl.
1-Chloro-2,3-epoxypropane	1-Chloro-2,3-epoxybutane	U197 mistakenly listed as such 5/19.
Phosphorothioic acid, O,O-dimethyl ester, O-ester with N,N-dimethyl benzenesulfonamids.	Phosphorothioic acid, O,O-dimethyl O-[p-(dimethylamino-sulfonyl)phenyl]ester.	P097 Listing corrected 11/25.
Saccharin	Saccharin and salts	U202 Listing corrected 11/25.

G. Purpose, Scope and Applicability (§§ 264.1 and 265.1)

On November 17, 1980 (45 FR 76081) and December 31, 1980 (45 FR 86968), two paragraphs in the Federal Register which amended § 264.1 were given the same number, namely § 264.1(g)(6). To correct this error, § 264.1(g)(6) at 45 FR 86968 will be renumbered (g)(9).

Additionally, on November 17, 1980 (45 FR 76081) and December 31, 1980 (45 FR 86968) two other paragraphs in the Federal Register which amended § 265.1 were also given the same number, namely § 265.1(c)(10). To correct this error, § 264.1(c)(10) at 45 FR 86968 will be renumbered (c)(12).

H. Content of Contingency Plan (§§ 264.52 and 265.52)

On May 19, 1980 (45 FR 33225 and 33237) a typographical error in paragraph (b) of both §§ 264.52 and 265.52 resulted in an incorrect reference. "Part 151" should read "Part 1510 of Chapter V". This amendment corrects the typographical error in both places.

I. Purpose and Scope of Subpart B (§ 122.21)

On November 17, 1980 (45 FR 76075) and December 31, 1980 (45 FR 86968) two paragraphs in the Federal Register which amended § 122.21 were given the same number, namely § 122.21(d)(2)(vi). To correct this error, § 122.21(d)(2)(vi) at 45 FR 86968 will be renumbered (d)(2)(vii).

In the November 19, 1980 Federal Register (45 FR 76630) a typographical error in § 122.21(d)(3) resulted in the omission of several words. The present notice corrects this error by inserting the words "After the immediate response activities are completed" before the words "any treatment, storage or disposal * * * or interim status." This insertion is necessary in order to make it clear that EPA does not require a person to obtain a permit before completing immediate response activities.

For the reasons set out in the preamble, Parts 260, 261, 264, 265 and 122 of Chapter I of Title 40 of the Code of Federal Regulations are amended as follows:

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

"Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This notice simply corrects typographical and other errors and does not change the previously approved final rule.

This notice was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Dated: May 13, 1981.

Walter C. Barber, Jr.,
Acting Administrator.

Title 40 of the Code of Federal Regulations is amended as follows:

PART 260—HAZARDOUS WASTE MANAGEMENT SYSTEM; GENERAL

1. The authority citation for Part 260 reads as follows:

Authority: Secs. 1006, 2002(a), 3001 through 3007, 3010, and 7004 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6921 through 6927, 6930, and 6974).

§ 260.10 [Amended]

2. Amend 40 CFR 260.10(a) by removing the numbers ((1), (2), (3) * * *) in front of each defined term and by making the following changes to the definitions:

(a) "Existing hazardous waste management facility" (formerly (20))—change (i), (ii)(a), and (ii)(b) to (1), (2)(i), and (2)(ii), respectively.

(b) "Incompatible waste" (formerly (30))—change (i) and (ii) to (1) and (2), respectively.

(c) "Open burning" (formerly (49))—change (i), (ii), and (iii) to (1), (2), and (3), respectively.

(d) "Elementary neutralization unit" (formerly (15a))—change (i) and (ii) to (1) and (2), respectively.

(e) "Wastewater treatment unit" (formerly (76a))—change (i), (ii), and (iii) to (1), (2), and (3), respectively.

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

3. The authority citation for Part 261 reads as follows:

Authority: Secs. 1006, 2002(a), 3001, and 3002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and

Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6921 and 6922).

§ 261.4 [Amended]

4. In FR Doc. 80-36129, appearing at page 76620 in the issue of November 19, 1980, 40 CFR 261.4(b) is corrected by redesignating paragraphs (6) and (7) as (7) and (8), respectively.

5. In FR Doc. 80-36683, appearing at page 78531 in the issue of November 25, 1980, 40 CFR 261.4(b) is corrected by redesignating paragraph (8) as (9).

6. Revise 40 CFR 261.5(c) (1) and (2) to read as follows:

§ 261.5 Special requirements for hazardous wastes generated by small quantity generators.

* * * * *

(c) * * *
(1) A total of one kilogram of commercial chemical products and manufacturing chemical intermediates having the generic names listed in § 261.33(e), and off-specification commercial chemical products and manufacturing chemical intermediates which, if they met specifications, would have the generic names listed in § 261.33(e).

(2) A total of 100 kilograms of any residue or contaminated soil, water or other debris resulting from the cleanup of a spill, into or on any land or water, of any commercial chemical products or manufacturing chemical intermediates having the generic names listed in § 261.33(e), or any residue or contaminated soil, water or other debris resulting from the cleanup of a spill, into or on any land or water, of any off-specification commercial chemical products or manufacturing chemical intermediates which, if they met specifications, would have the generic names listed in § 261.33(e).

7. In FR Doc. 80-35243 appearing at pages 74890 and 74891 in the issue of November 12, 1980, § 262.32 is corrected to read § 261.32 in both places.

§ 261.31 [Amended]

8. Amend § 261.31 by removing the following waste streams:

F014—Cyanidation wastewater treatment tailing pond sediment from mineral metals recovery operations.

F015—Spent cyanide bath solutions from mineral metals recovery operations.

§ 261.32 [Amended]

9. Amend § 261.32 by removing the following waste streams:

K064—Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production.

K065—Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.

K066—Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production.

K067—Electrolytic anode slimes/sludges from primary zinc production.

K068—Cadmium plant leachate residue (iron oxide) from primary zinc production.

10. Amend § 261.33 by revising the first sentence of paragraphs (c), (d), (e) and (f) to read as follows:

§ 261.33 Discarded commercial chemical products, off-specification species, containers, and spill residues thereof.

(c) Any container or inner liner removed from a container that has been used to hold any commercial chemical product or manufacturing chemical intermediate having the generic names listed in paragraph (e) of this section, or any container or inner liner removed from a container that has been used to hold any off-specification chemical product and manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in paragraph (e) of this section, unless: *

(d) Any residue or contaminated soil, water or other debris resulting from the cleanup of a spill into or on any land or water of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in paragraph (e) or (f) of this section, or any residue or contaminated soil, water or other debris resulting from the cleanup of a spill, into or on any land or water, of any off-specification chemical product and manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in paragraph (e) or (f) of this section. *

(e) The commercial chemical products, manufacturing chemical intermediates or off-specification commercial chemical products or manufacturing chemical intermediates referred to in paragraphs (a) through (d) of this section, are identified as acute hazardous wastes (H) and are subject to the small quantity exclusion defined in § 261.5(e). *

(f) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products referred to in paragraphs (a) through (d) of this section, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in § 261.5 (a) and (f). *

11. Amend § 261.33(f) by removing the following waste stream:

Hazardous waste No.	Substance
U245	1-(p-Chlorobenzoyl)-5-methoxy-2-methylindole-3-acetic acid.
U245	Indomethacin.

12. Amend § 261.33(f) by adding the following waste stream:

Hazardous waste No.	Substance
U247	Methoxychlor.
U247	Ethane, 1,1,1-trichloro-2,2-bis(p-methoxyphenyl).

Appendix VII [Amended]

13. Amend Appendix VII of 40 CFR 261 by removing the following "Hazardous constituents for which listed" from the "Basis for Listing Hazardous Waste:"

F014—cyanide (complexed)
 F015—cyanide (salts)
 K064—lead, cadmium
 K065—lead, cadmium
 K068—lead, cadmium
 K067—lead, cadmium
 K068—lead, cadmium

14. Appendix VIII of 40 CFR 261 is revised to read as follows:

Appendix VIII

Hazardous Constituents

Acetonitrile (Ethanenitrile)
 Acetophenone (Ethanone, 1-phenyl)
 3-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts (Warfarin)
 2-Acetylaminofluorene [Acetamide, N-(9H-fluoren-2-yl)-]
 Acetyl chloride (Ethanoyl chloride)
 1-Acetyl-2-thiourea (Acetamide, N-(aminothioxomethyl)-)
 Acrolein (2-Propenal)
 Acrylamide (2-Propenamamide)
 Acrylonitrile (2-Propenenitrile)
 Aflatoxins
 Aldrin (1,2,3,4,10,10-Hexachloro-1,4,4a,5,6,8a,8b-hexahydro-endo,exo-1,4:5,8-Dimethanonaphthalene)
 Allyl alcohol (2-Propen-1-ol)
 Aluminum phosphide
 4-Aminobiphenyl [(1,1'-Biphenyl)-4-amine]
 6-Amino-1,1a,2,8,8a,8b-hexahydro-8-(hydroxymethyl)-8a-methoxy-5-methyl-carbamate azirino[2',3':3,4]pyrrolo[1,2-a]indole-4,7-dione, (ester) (Mitomycin C) [Azirino[2',3':3,4]pyrrolo[1,2-a]indole-4,7-

dione, 6-amino-8-[(amino-carbonyl)oxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-5-(Aminomethyl)-3-isoxazolol (3(2H)-Isoxazolone, 5-(aminomethyl)-4-aminopyridine (4-Pyridinamine)
 Amitrole (1H-1,2,4-Triazol-3-amine)
 Aniline (Benzenamine)
 Antimony and compounds, N.O.S.*
 Aramite (Sulfurous acid, 2-chloroethyl-, 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester)
 Arsenic and compounds, N.O.S.*
 Arsenic acid (Orthoarsenic acid)
 Arsenic pentoxide (Arsenic (V) oxide)
 Arsenic trioxide (Arsenic (III) oxide)
 Auramine (Benzenamine, 4,4'-carbonimidoylbis[N,N-Dimethyl-, monohydrochloride])
 Azaserine (L-Serine, diazoacetate (ester))
 Barium and compounds, N.O.S.*
 Barium cyanide
 Benz[c]acridine (3,4-Benzacridine)
 Benz[a]anthracene (1,2-Benzanthracene)
 Benzene (Cyclohexatriene)
 Benzenearsonic acid (Arsenic acid, phenyl-)
 Benzene, dichloromethyl- (Benzal chloride)
 Benzenethiol (Thiophenol)
 Benzidine [(1,1'-Biphenyl)-4,4' diamine]
 Benzo[b]fluoranthene (2,3-Benzofluoranthene)
 Benzo[j]fluoranthene (7,8-Benzofluoranthene)
 Benzo[a]pyrene (3,4-Benzopyrene)
 p-Benzoquinone (1,4-Cyclohexadienedione)
 Benzotrifluoride (Benzene, trichloromethyl-)
 Benzyl chloride (Benzene, (chloromethyl)-)
 Beryllium and compounds, N.O.S.*
 Bis(2-chloroethoxy)methane (Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-])
 Bis(2-chloroethyl) ether (Ethane, 1,1'-oxybis[2-chloro-])
 N,N-Bis(2-chloroethyl)-2-naphthylamine (Chloronaphazine)
 Bis(2-chloroisopropyl) ether (Propane, 2,2'-oxybis[2-chloro-])
 Bis(chloromethyl) ether (Methane, oxybis[chloro-])
 Bis(2-ethylhexyl) phthalate (1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester)
 Bromoacetone (2-Propanone, 1-bromo-)
 Bromomethane (Methyl bromide)
 4-Bromophenyl phenyl ether (Benzene, 1-bromo-4-phenoxy-)
 Brucine (Strychnidin-10-one, 2,3-dimethoxy-)
 2-Butanone peroxide (Methyl ethyl ketone, peroxide)
 Butyl benzyl phthalate (1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester)
 2-sec-Butyl-4,6-dinitrophenol (DNBP) (Phenol, 2,4-dinitro-6-(1-methylpropyl)-)
 Cadmium and compounds, N.O.S.*
 Calcium chromate (Chromic acid, calcium salt)
 Calcium cyanide
 Carbon disulfide (Carbon bisulfide)
 Carbon oxyfluoride (Carbonyl fluoride)
 Chloral (Acetaldehyde, trichloro-)
 Chlorambucil (Butanoic acid, 4-[bis(2-chloroethyl)amino]benzene-)

* The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this appendix.

- Chlordane (alpha and gamma isomers) (4,7-Methanoindan, 1,2,4,5,6,7,8,8-octachloro-3,4,7,7a-tetrahydro-) (alpha and gamma isomers)
- Chlorinated benzenes, N.O.S.*
- Chlorinated ethane, N.O.S.*
- Chlorinated fluorocarbons, N.O.S.*
- Chlorinated naphthalene, N.O.S.*
- Chlorinated phenol, N.O.S.*
- Chloroacetaldehyde (Acetaldehyde, chloro-)
- Chloroalkyl ethers, N.O.S.*
- p-Chloroaniline (Benzenamine, 4-chloro-)
- Chlorobenzene (Benzene, chloro-)
- Chlorobenzilate (Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester)
- p-Chloro-m-cresol (Phenol, 4-chloro-3-methyl)
- 1-Chloro-2,3-epoxypropane (Oxirane, 2-(chloromethyl)-)
- 2-Chloroethyl vinyl ether (Eihene, (2-chloroethoxy)-)
- Chloroform (Methane, trichloro-)
- Chloromethane (Methyl chloride)
- Chloromethyl methyl ether (Methane, chloromethoxy-)
- 2-Chloronaphthalene (Naphthalene, beta-chloro-)
- 2-Chlorophenol (Phenol, o-chloro-)
- 1-(o-Chlorophenyl)thiourea (Thiourea, (2-chlorophenyl)-)
- 3-Chloropropionitrile (Propanenitrile, 3-chloro-)
- Chromium and compounds, N.O.S.*
- Chrysene (1,2-Benzphenanthrene)
- Citrus red No. 2 (2-Naphthol, 1-[(2,5-dimethoxyphenyl)azo]-)
- Coal tars
- Copper cyanide
- Creosote (Creosote, wood)
- Cresols (Cresylic acid) (Phenol, methyl-)
- Crotonaldehyde (2-Butenal)
- Cyanides (soluble salts and complexes), N.O.S.*
- Cyanogen (Ethanedinitrile)
- Cyanogen bromide (Bromine cyanide)
- Cyanogen chloride (Chlorine cyanide)
- Cycasin (beta-D-Glucopyranoside, (methyl-ONN-azoxy)methyl-)
- 2-Cyclohexyl-4,6-dinitrophenol (Phenol, 2-cyclohexyl-4,6-dinitro-)
- Cyclophosphamide (2H-1,3,2-Oxazaphosphorine, [bis(2-chloroethyl)amino]-tetrahydro-, 2-oxide)
- Daunomycin (5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[[3-amino-2,3,8-trideoxy]-alpha-L-lyxo-hexopyranosyl]oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-)
- DDD (Dichlorodiphenyldichloroethane) (Ethane, 1,1-dichloro-2,2-bis(p-chlorophenyl)-)
- DDE (Ethylene, 1,1-dichloro-2,2-bis(4-chlorophenyl)-)
- DDT (Dichlorodiphenyltrichloroethane) (Ethane, 1,1,1-trichloro-2,2-bis(p-chlorophenyl)-)
- Diallate (S-(2,3-dichloroallyl) diisopropylthiocarbamate)
- Dibenz[a,h]acridine (1,2,5,6-Dibenzacridine)
- Dibenz[a,i]acridine (1,2,7,8-Dibenzacridine)
- Dibenz[a,h]anthracene (1,2,5,6-Dibenzanthracene)
- 7H-Dibenzo[c,g]carbazole (3,4,5,6-Dibenzcarbazole)
- Dibenzo[a,e]pyrene (1,2,4,5-Dibenzpyrene)
- Dibenzo[a,h]pyrene (1,2,5,8-Dibenzpyrene)
- Dibenzo[a,i]pyrene (1,2,7,8-Dibenzpyrene)
- 1,2-Dibromo-3-chloropropane (Propane, 1,2-dibromo-3-chloro-)
- 1,2-Dibromoethane (Ethylene dibromide)
- Dibromomethane (Methylene bromide)
- Di-n-butyl phthalate (1,2-Benzenedicarboxylic acid, dibutyl ester)
- o-Dichlorobenzene (Benzene, 1,2-dichloro-)
- m-Dichlorobenzene (Benzene, 1,3-dichloro-)
- p-Dichlorobenzene (Benzene, 1,4-dichloro-)
- Dichlorobenzene, N.O.S.* (Benzene, dichloro-, N.O.S.*)
- 3,3'-Dichlorobenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-)
- 1,4-Dichloro-2-butene (2-Butene, 1,4-dichloro-)
- Dichlorodifluoromethane (Methane, dichlorodifluoro-)
- 1,1-Dichloroethane (Ethylidene dichloride)
- 1,2-Dichloroethane (Ethylene dichloride)
- trans-1,2-Dichloroethene (1,2-Dichloroethylene)
- Dichloroethylene, N.O.S.* (Ethene, dichloro-, N.O.S.*)
- 1,1-Dichloroethylene (Ethene, 1,1-dichloro-)
- Dichloromethane (Methylene chloride)
- 2,4-Dichlorophenol (Phenol, 2,4-dichloro-)
- 2,6-Dichlorophenol (Phenol, 2,6-dichloro-)
- 2,4-Dichlorophenoxyacetic acid (2,4-D), salts and esters (Acetic acid, 2,4-dichlorophenoxy-, salts and esters)
- Dichlorophenylarsine (Phenyl dichloroarsine)
- Dichloropropane, N.O.S.* (Propane, dichloro-, N.O.S.*)
- 1,2-Dichloropropane (Propylene dichloride)
- Dichloropropanol, N.O.S.* (Propanol, dichloro-, N.O.S.*)
- Dichloropropene, N.O.S.* (Propene, dichloro-, N.O.S.*)
- 1,3-Dichloropropene (1-Propene, 1,3-dichloro-)
- Dieldrin (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octa-hydro-endo,exo-1,4:5,8-Dimethanonaphthalene)
- 1,2,3,4-Diepoxybutane (2,2'-Bioxirane)
- Diethylarsine (Arsine, diethyl-)
- N,N-Diethylhydrazine (Hydrazine, 1,2-diethyl)
- O,O-Diethyl S-methyl ester of phosphorodithioic acid (Phosphorodithioic acid, O,O-diethyl S-methyl ester)
- O,O-Diethylphosphoric acid, O-p-nitrophenyl ester (Phosphoric acid, diethyl p-nitrophenyl ester)
- Diethyl phthalate (1,2-Benzenedicarboxylic acid, diethyl ester)
- O,O-Diethyl O-2-pyrazinyl phosphorothioate (Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester)
- Diethylstilbestrol (4,4'-Stilbenediol, alpha,alpha-diethyl, bis(dihydrogen phosphate, (E)-)
- Dihydrosafrole (Benzene, 1,2-methylenedioxy-4-propyl-)
- 3,4-Dihydroxy-alpha-(methylamino)methyl benzyl alcohol (1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-)
- Diisopropylfluorophosphate (DFP) (Phosphorofluoric acid, bis(1-methylethyl) ester)
- Dimethoate (Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester)
- 3,3'-Dimethoxybenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-)
- p-Dimethylaminoazobenzene (Benzenamine, N,N-dimethyl-4-(phenylazo)-)
- 7,12-Dimethylbenz[a]anthracene (1,2-Benzanthracene, 7,12-dimethyl-)
- 3,3'-Dimethylbenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-)
- Dimethylcarbamoyl chloride (Carbamoyl chloride, dimethyl-)
- 1,1-Dimethylhydrazine (Hydrazine, 1,1-dimethyl-)
- 1,2-Dimethylhydrazine (Hydrazine, 1,2-dimethyl-)
- 3,3-Dimethyl-1-(methylthio)-2-butanone, O-((methylamino) carbonyl)oxime (Thiofanox)
- alpha,alpha-Dimethylphenethylamine (Ethanamine, 1,1-dimethyl-2-phenyl-)
- 2,4-Dimethylphenol (Phenol, 2,4-dimethyl-)
- Dimethyl phthalate (1,2-Benzenedicarboxylic acid, dimethyl ester)
- Dimethyl sulfate (Sulfuric acid, dimethyl ester)
- Dinitrobenzene, N.O.S.* (Benzene, dinitro-, N.O.S.*)
- 4,6-Dinitro-o-cresol and salts (Phenol, 2,4-dinitro-6-methyl-, and salts)
- 2,4-Dinitrophenol (Phenol, 2,4-dinitro-)
- 2,4-Dinitrotoluene (Benzene, 1-methyl-2,4-dinitro-)
- 2,6-Dinitrotoluene (Benzene, 1-methyl-2,6-dinitro-)
- Di-n-octyl phthalate (1,2-Benzenedicarboxylic acid, dioctyl ester)
- 1,4-Dioxane (1,4-Diethylene oxide)
- Diphenylamine (Benzenamine, N-phenyl-)
- 1,2-Diphenylhydrazine (Hydrazine, 1,2-diphenyl-)
- Di-n-propylnitrosamine (N-Nitroso-di-n-propylamine)
- Disulfoton (O,O-diethyl S-[2-(ethylthio)ethyl] phosphorodithioate)
- 2,4-Dithiobiuret (Thioimidodicarbonic diamide)
- Endosulfan (5-Norbornene, 2,3-dimethanol, 1,4,5,6,7,7-hexachloro-, cyclic sulfite)
- Endrin and metabolites (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo,endo-1,4:5,8-dimethanonaphthalene, and metabolites)
- Ethyl carbamate (Urethan) (Carbamic acid, ethyl ester)
- Ethyl cyanide (propanenitrile)
- Ethylenebisdithiocarbamic acid, salts and esters (1,2-Ethanediyldithiocarbamidithioic acid, salts and esters)
- Ethyleneimine (Aziridine)
- Ethylene oxide (Oxirane)
- Ethylenethiourea (2-Imidazolidinethione)
- Ethyl methacrylate (2-Propenoic acid, 2-methyl-, ethyl ester)
- Ethyl methanesulfonate (Methanesulfonic acid, ethyl ester)
- Fluoranthene (Benzo[j,k]fluorene)
- Fluorine
- 2-Fluoroacetamide (Acetamide, 2-fluoro-)
- Fluoroacetic acid, sodium salt (Acetic acid, fluoro-, sodium salt)
- Formaldehyde (Methylene oxide)
- Formic acid (Methanoic acid)
- Glycidylaldehyde (1-Propanol-2,3-epoxy)
- Halomethane, N.O.S.*
- Heptachlor (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-)
- Heptachlor epoxide (alpha, beta, and gamma isomers) (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-2,3-epoxy-3a,4,7,7-tetrahydro-, alpha, beta, and gamma isomers)

- Hexachlorobenzene (Benzene, hexachloro-)
Hexachlorobutadiene (1,3-Butadiene, 1,1,2,3,4,4-hexachloro-)
Hexachlorocyclohexane (all isomers) (Lindane and isomers)
Hexachlorocyclopentadiene (1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-)
Hexachloroethane (Ethane, 1,1,1,2,2,2-hexachloro-)
1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-endo,endo-dimethanonaphthalene (Hexachlorohexahydro-endo,endo-dimethanonaphthalene)
Hexachlorophene (2,2'-Methylenebis(3,4,6-trichlorophenol))
Hexachloropropene (1-Propene, 1,1,2,3,3,3-hexachloro-)
Hexaethyl tetraphosphate (Tetraphosphoric acid, hexaethyl ester)
Hydrazine (Diamine)
Hydrocyanic acid (Hydrogen cyanide)
Hydrofluoric acid (Hydrogen fluoride)
Hydrogen sulfide (Sulfur hydride)
Hydroxydimethylarsine oxide (Cacodylic acid)
Indeno(1,2,3-cd)pyrene (1,10-(1,2-phenylene)pyrene)
Iodomethane (Methyl iodide)
Iron dextran (Ferric dextran)
Isocyanic acid, methyl ester (Methyl isocyanate)
Isobutyl alcohol (1-Propanol, 2-methyl-)
Isosafrole (Benzene, 1,2-methylenedioxy-4-allyl-)
Kepone (Decachlorooctahydro-1,3,4-Methano-2H-cyclobuta[cd]pentalen-2-one)
Lasiocarpine (2-Butenoic acid, 2-methyl-, 7-[(2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy)methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester)
Lead and compounds, N.O.S.*
Lead acetate (Acetic acid, lead salt)
Lead phosphate (Phosphoric acid, lead salt)
Lead subacetate (Lead, bis(acetato-O)tetrahydroxytri-)
Maleic anhydride (2,5-Furandione)
Maleic hydrazide (1,2-Dihydro-3,6-pyridazinedione)
Malononitrile (Propanedinitrile)
Melphalan (Alanine, 3-[p-bis(2-chloroethyl)amino]phenyl-, L-)
Mercury fulminate (Fulminic acid, mercury salt)
Mercury and compounds, N.O.S.*
Methacrylonitrile (2-Propenenitrile, 2-methyl-)
Methanethiol (Thiomethanol)
Methapyriline (Pyridine, 2-[(2-dimethylamino)ethyl]-2-thenylamino-)
Metholmyl (Acetimidic acid, N-[(methylcarbamoyl)oxy]thio-, methyl ester)
Methoxychlor (Ethane, 1,1,1-trichloro-2,2'-bis(p-methoxyphenyl)-)
2-Methylaziridine (1,2-Propylenimine)
3-Methylcholanthrene (Benz[*a*]aceanthrylene, 1,2-dihydro-3-methyl-)
Methyl chlorocarbonate (Carbonochloridic acid, methyl ester)
4,4'-Methylenebis(2-chloroaniline) (Benzenamine, 4,4'-methylenebis-(2-chloro-))
Methyl ethyl ketone (MEK) (2-Butanone)
Methyl hydrazine (Hydrazine, methyl-)
2-Methylacetonitrile (Propanenitrile, 2-hydroxy-2-methyl-)
Methyl methacrylate (2-Propenoic acid, 2-methyl-, methyl ester)
Methyl methanesulfonate (Methanesulfonic acid, methyl ester)
2-Methyl-2-(methylthio)propionaldehyde-o-(methylcarbonyl) oxime (Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl]oxime)
N-Methyl-N'-nitro-N-nitrosoguanidine (Guanidine, N-nitroso-N-methyl-N'-nitro-)
Methyl parathion (O,O-dimethyl O-(4-nitrophenyl) phosphorothioate)
Methylthiouracil (4-1H-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-)
Mustard gas (Sulfide, bis(2-chloroethyl)-)
Naphthalene
1,4-Naphthoquinone (1,4-Naphthalenedione)
1-Naphthylamine (alpha-Naphthylamine)
2-Naphthylamine (beta-Naphthylamine)
1-Naphthyl-2-thiourea (Thiourea, 1-naphthalenyl-)
Nickel and compounds, N.O.S.*
Nickel carbonyl (Nickel tetracarbonyl)
Nickel cyanide (Nickel (II) cyanide)
Nicotine and salts (Pyridine, (S)-3-(1-methyl-2-pyrrolidinyl)-, and salts)
Nitric oxide (Nitrogen (II) oxide)
p-Nitroaniline (Benzenamine, 4-nitro-)
Nitrobenzene (Benzene, nitro-)
Nitrogen dioxide (Nitrogen (IV) oxide)
Nitrogen mustard and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, and hydrochloride salt)
Nitrogen mustard N-Oxide and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, and hydrochloride salt)
Nitroglycerine (1,2,3-Propanetriol, trinitrate)
4-Nitrophenol (Phenol, 4-nitro-)
4-Nitroquinoline-1-oxide (Quinoline, 4-nitro-1-oxide-)
Nitrosamine, N.O.S.*
N-Nitrosodi-n-butylamine (1-Butanamine, N-butyl-N-nitroso-)
N-Nitrosodiethanolamine (Ethanol, 2,2'-(nitrosoimino)bis-)
N-Nitrosodiethylamine (Ethanamine, N-ethyl-N-nitroso-)
N-Nitrosodimethylamine (Dimethylnitrosamine)
N-Nitroso-N-ethylurea (Carbamide, N-ethyl-N-nitroso-)
N-Nitrosomethylethylamine (Ethanamine, N-methyl-N-nitroso-)
N-Nitroso-N-methylurea (Carbamide, N-methyl-N-nitroso-)
N-Nitroso-N-methylurethane (Carbamic acid, methylnitroso-, ethyl ester)
N-Nitrosomethylvinylamine (Ethanamine, N-methyl-N-nitroso-)
N-Nitrosomorpholine (Morpholine, N-nitroso-)
N-Nitrosornicotine (Nornicotine, N-nitroso-)
N-Nitrosopiperidine (Pyridine, hexahydro-, N-nitroso-)
Nitrosopyrrolidine (Pyrrole, tetrahydro-, N-nitroso-)
N-Nitrososarcosine (Sarcosine, N-nitroso-)
5-Nitro-o-toluidine (Benzenamine, 2-methyl-5-nitro-)
Octamethylpyrophosphoramide (Diphosphoramide, octamethyl-)
Osmium tetroxide (Osmium (VIII) oxide)
7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid (Endothal)
Paraldehyde (1,3,5-Trioxane, 2,4,6-trimethyl-)
Parathion (Phosphorothioic acid, O,O-diethyl O-[p-nitrophenyl] ester)
Pentachlorobenzene (Benzene, pentachloro-)
Pentachloroethane (Ethane, pentachloro-)
Pentachloronitrobenzene (PCNB) (Benzene, pentachloronitro-)
Pentachlorophenol (Phenol, pentachloro-)
Phenacetin (Acetamide, N-(4-ethoxyphenyl)-)
Phenol (Benzene, hydroxy-)
Phenylenediamine (Benzenediamine)
Phenylmercury acetate (Mercury, acetatophenyl-)
N-Phenylthiourea (Thiourea, phenyl-)
Phosgene (Carbonyl chloride)
Phosphine (Hydrogen phosphide)
Phosphorodithioic acid, O,O-diethyl S-[[ethylthio]methyl] ester (Phorate)
Phosphorothioic acid, O,O-dimethyl O-[[p-((dimethylamino)sulfonyl)phenyl] ester (Famphur)
Phthalic acid esters, N.O.S.* (Benzene, 1,2-dicarboxylic acid, esters, N.O.S.*)
Phthalic anhydride (1,2-Benzenedicarboxylic acid anhydride)
2-Picoline (Pyridine, 2-methyl-)
Polychlorinated biphenyl, N.O.S.*
Potassium cyanide
Potassium silver cyanide (Argentate(1-), dicyano-, potassium)
Pronamide (3,5-Dichloro-N-(1,1-dimethyl-2-propynyl)benzamide)
1,3-Propane sultone (1,2-Oxathiolane, 2,2-dioxide)
n-Propylamine (1-Propanamine)
Propylthiouracil (Undecamethylenediamine, N,N'-bis(2-chlorobenzyl)-, dihydrochloride)
2-Propyn-1-ol (Propargyl alcohol)
Pyridine
Reserpine (Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[[3,4,5-trimethoxybenzoyloxy]-, methyl ester)
Resorcinol (1,3-Benzenediol)
Saccharin and salts (1,2-Benzisothiazolin-3-one, 1,1-dioxide, and salts)
Safrole (Benzene, 1,2-methylenedioxy-4-allyl-)
Selenious acid (Selenium dioxide)
Selenium and compounds, N.O.S.*
Selenium sulfide (Sulfur selenide)
Selenourea (Carbamimidoseleoic acid)
Silver and compounds, N.O.S.*
Silver cyanide
Sodium cyanide
Streptozotocin (D-Glucopyranose, 2-deoxy-2-(3-methyl-3-nitrosoureido)-)
Strontium sulfide
Strychnine and salts (Strychnidin-10-one, and salts)
1,2,4,5-Tetrachlorobenzene (Benzene, 1,2,4,5-tetrachloro-)
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD) (Dibenzo-p-dioxin, 2,3,7,8-tetrachloro-)
Tetrachloroethane, N.O.S.* (Ethane, tetrachloro-, N.O.S.*)
1,1,1,2-Tetrachloroethane (Ethane, 1,1,1,2-tetrachloro-)
1,1,2,2-Tetrachloroethane (Ethane, 1,1,2,2-tetrachloro-)
Tetrachlorethane (Ethene, 1,1,2,2-tetrachloro-)
Tetrachloromethane (Carbon tetrachloride)
2,3,4,6-Tetrachlorophenol (Phenol, 2,3,4,6-tetrachloro-)
Tetraethylthiopyrophosphate (Dithiopyrophosphoric acid, tetraethyl-ester)
Tetraethyl lead (Plumbane, tetraethyl-)
Tetraethylpyrophosphate (Pyrophosphoric acid, tetraethyl ester)

Tetranitromethane (Methane, tetranitro-)
 Thallium and compounds, N.O.S.*
 Thallium oxide (Thallium (III) oxide)
 Thallium (I) acetate (Acetic acid, thallium (I) salt)
 Thallium (I) carbonate (Carbonic acid, dithallium (I) salt)
 Thallium (I) chloride
 Thallium (I) nitrate (Nitric acid, thallium (I) salt)
 Thallium selenite
 Thallium (I) sulfate (Sulfuric acid, thallium (I) salt)
 Thioacetamide (Ethanethioamide)
 Thiosemicarbazide (Hydrazinecarbothioamide)
 Thiourea (Carbamide thio-)
 Thiuram (Bis(dimethylthiocarbamoyl) disulfide)
 Toluene (Benzene, methyl-)
 Toluenediamine (Diaminotoluene)
 o-Toluidine hydrochloride (Benzenamine, 2-methyl-, hydrochloride)
 Toluene diisocyanate (Benzene, 1,3-diisocyanatomethyl-)
 Toxaphene (Camphene, octachloro-)
 Tribromomethane (Bromoform)
 1,2,4-Trichlorobenzene (Benzene, 1,2,4-trichloro-)
 1,1,1-Trichloroethane (Methyl chloroform)
 1,1,2-Trichloroethane (Ethane, 1,1,2-trichloro-)
 Trichloroethene (Trichloroethylene)
 Trichloromethanethiol (Methanethiol, trichloro-)
 Trichloromonofluoromethane (Methane, trichlorofluoro-)
 2,4,5-Trichlorophenol (Phenol, 2,4,5-trichloro-)
 2,4,6-Trichlorophenol (Phenol, 2,4,6-trichloro-)
 2,4,5-Trichlorophenoxyacetic acid (2,4,5-T) (Acetic acid, 2,4,5-trichlorophenoxy-)
 2,4,5-Trichlorophenoxypropionic acid (2,4,5-TP) (Silvex) (Propionic acid, 2-(2,4,5-trichlorophenoxy)-)
 Trichloropropane, N.O.S.* (Propane, trichloro-, N.O.S.*)
 1,2,3-Trichloropropane (Propane, 1,2,3-trichloro-)
 O,O,O-Triethyl phosphorothioate (Phosphorothioic acid, O,O,O-triethyl ester)
 sym-Trinitrobenzene (Benzene, 1,3,5-trinitro-)
 Tris(1-aziridinyl) phosphine sulfide (Phosphine sulfide, tris(1-aziridinyl)-)
 Tris(2,3-dibromopropyl) phosphate (1-Propanol, 2,3-dibromo-, phosphate)
 Trypan blue (2,7-Naphthalenedisulfonic acid, 3,3'-[[3,3'-dimethyl(1,1'-biphenyl)-4,4'-diyl]bis(azo)]bis[5-amino-4-hydroxy-, tetrasodium salt)
 Uracil mustard (Uracil 5-[bis(2-chloroethyl)amino]-)
 Vanadic acid, ammonium salt (ammonium vanadate)
 Vanadium pentoxide (Vanadium (V) oxide)
 Vinyl chloride (Ethene, chloro-)
 Zinc cyanide
 Zinc phosphide

PART 264—STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND FACILITIES

15. The authority citation for Part 264 reads as follows:

Authority: Secs. 1006, 2002(a) and 3004, Solid Waste Disposal Act, as amended by

the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a) and 6924).

§ 264.1 [Amended]

16. In FR Doc. 80-40647 appearing at page 86968 in the issue of December 31, 1980, 40 CFR 264.1(g) [Amended] is corrected by redesignating paragraph (6) as (9).

17. Section 264.52 is amended by inserting the following words in paragraph (b) after the number "112" and by deleting the words "or Part 151 of this Chapter:"

§ 264.52 Content of Contingency Plan.

(b) * * * of this Chapter, or Part 1510 of Chapter V, * * *

PART 265—INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

18. The authority citation for Part 265 reads as follows:

Authority: Secs. 1006, 2002(a) and 3004 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a) and 6924).

§ 265.1 [Amended]

19. In FR Doc. 80-40647 appearing at page 86968 in the issue of December 31, 1980, 40 CFR 265.1(c) [Amended] is corrected by redesignating paragraph (10) as (12).

20. Section 265.52 is amended by inserting the following words in paragraph (b) after the number "112" and by deleting the words "or Part 151 of this Chapter:"

§ 265.52 Content of contingency plan.

(b) * * * of this Chapter, or Part 1510 of Chapter V, * * *

PART 122—EPA ADMINISTERED PERMIT PROGRAMS: THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM; THE HAZARDOUS WASTE PERMIT PROGRAM; AND THE UNDERGROUND CONTROL PROGRAM.

21. The authority citation for Part 122 reads as follows:

Authority: Secs. 1006, 2002(a), 3004 and 3005 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6924 and 6925).

§ 122.21 [Amended]

22. In FR Doc. 80-40647 appearing at page 86968 in the issue of December 31, 1980, 40 CFR 122.21(d)(2) is corrected by redesignating paragraph (vi) as (vii).

23. Amend 40 CFR 122.21(d)(3) by inserting the following words in the twelfth line after the sentence which ends with the word "spill" before the words "any treatments, storage or disposal * * * or interim status:"

§ 122.21 Purpose and scope of Subpart B.

(d) * * *
 (3) * * * After the immediate response activities are completed, * * *

[FR Doc. 81-15045 Filed 5-19-81; 8:45 am]
 BILLING CODE 6560-30-M

40 CFR Part 180

[PP 6F1741/PP OF2373/PP OF2401/R 321; PH-FRL 1801-7]

N-(1-Ethylpropyl)-3,4-Dimethyl-Dinitrobenzenamine; Tolerance Residues

Correction

In FR Doc. 81-11061 appearing at page 21770 in the issue of Tuesday, April 14, 1981, make the following changes:

1. On page 21771, middle column, third complete paragraph, tenth line, "1 X 10⁶" should be changed to read "1 X 10⁻⁶"
2. On page 21771, third column, first complete paragraph, eighth line, "milk, fat or meat byproducts." should be changed to read "milk, meat, fat or meat byproducts."

BILLING CODE 1505-01-M

40 CFR Part 180

[PP 9F2198/R303; PH-FRL 1790-3]

Tolerances and Exemptions From Tolerances; Pesticide Chemicals in or on Raw Agricultural Commodities; Fluchloralin

Corrections

In FR Doc. 81-9325 appearing at page 18978 in the issue of Friday, March 27, 1981, in the heading, "Fluchloralin" was inadvertently omitted and should have read as set forth above; and on page 18979, first column, third full paragraph, seventh line, "June 15 * * *" should have read "June 25 * * *".

BILLING CODE 1505-01-M

**FEDERAL COMMUNICATIONS
COMMISSION**
47 CFR Part 74
**Experimental, Auxiliary, and Special
Broadcast, and Other Program
Distributional Services; Editorial Order
Amending the Commission's Rules for
TV Broadcast Auxiliary Stations**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order conforms the FCC broadcast rules to the existing Table of Frequency Allocations notes giving the conditions under which certain microwave frequency bands are shared between Government and non-Government stations. This editorial order is necessary because the broadcast rules contains obsolete and incorrect information which conflicts with the Table of Allocations as amended in September 1980.

EFFECTIVE DATE: June 10, 1981.

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

FOR FURTHER INFORMATION CONTACT: Steve Linn, Broadcast Bureau, (202) 632-7898.

SUPPLEMENTARY INFORMATION:

Adopted: April 23, 1981.

Released: April 30, 1981.

By the Chief, Broadcast Bureau.

1. On September 25, 1980, the Commission by Order, FCC 80-574, amended Footnote U.S. 111 to the Table of Frequency Allocations contained in § 2.106 of the Rules. The footnote concerns the shared use of certain frequency in the band 1990-2120 MHz by Government space research stations and non-Government stations, including TV broadcast auxiliary stations. This same footnote as worded prior to the amendment is included in paragraph (a)(2) of § 74.602 of the Rules for TV broadcast auxiliary stations. This paragraph was not concurrently amended in Order 74-574.

2. Since it is essential that the provisions of the broadcast rules conform to the Table of Frequency Allocations in § 2.106, this editorial amendment is necessary. The revisions in § 74.602 being made by this Order does not change the substantive purpose or application of the rule, impose any additional burdens, or remove any provisions relied upon by licensees. However, the amended rule will advise TV broadcast auxiliary station licensees of the potential interference at locations where Government research stations may be operating.

3. We conclude that the adoption of the editorial order as described above will serve the public interest. Prior notice of rule making, effective date provisions, and public procedure thereon are unnecessary pursuant to the Administrative Procedure and Judicial Review Act provisions of 5 U.S.C. 533(b)(3)(B), inasmuch as the revision imposes no additional burdens and raises no issue upon which comments would serve any useful purpose.

4. Therefore, it is ordered, That pursuant to §§ 4(i), 303(r), and 5(d)(1) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules, Section 74.602 is amended as set forth in the attached Appendix effective June 10, 1981.

5. For further information concerning this Order contact Steve Linn, Broadcast Bureau, (202) 632-7898.

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

Federal Communications Commission,

Richard J. Shiben,

Chief, Broadcast Bureau.

Section 74.602, is amended by revising subparagraph US 111 in paragraph (a)(2) to read as follows:

§ 74.602 Frequency assignment.

(a) * * *
* * * * *

(2) * * *
US 111 In the band 1990-2120 MHz, Government space research earth station may be authorized to use specific frequencies at specific locations for earth-to-space transmissions. Such authorizations shall be secondary to non-Government use of this band and subject to such other conditions as may be applied on a case-by-case basis.
* * * * *

[FR Doc. 81-15011 Filed 5-19-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 90

[PR Docket No. 79-315; RM-2001]

**Amendment To Provide for Operation
of Tactile Paging Devices for the Deaf,
Blind, or Physically Handicapped;
Correction**

AGENCY: Federal Communications Commission.

ACTION: Final rule, correction.

SUMMARY: The Commission adopted rules providing for the use of two frequencies by persons having hearing impairments, visual deficiencies, and other physical disabilities for paging purposes. The Federal Communications Commission published regulations at 46

FR 15273, March 5, 1981, updating the private land mobile rules covering this service. This document makes necessary corrections because of omissions and inaccuracies which occurred in the preparation and printing.

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

FOR FURTHER INFORMATION CONTACT: Arthur C. King, Rules Division, Private Radio Bureau, Federal Communications Commission, Washington, D.C. 20554, (202) 632-8497.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of Part 90 of the Commission's rules to provide for operation of tactile paging devices for the deaf, blind, or physically handicapped; correction.

Released: May 8, 1981.

The Appendix to the Report and Order in this proceeding (46 FR 15273, FCC 80-673, adopted 11/18/80) should have revised § 90.33 to include handicapped persons among those eligible to hold licenses in the Special Emergency Radio Service. It also assigned a number to a frequency limitation that had already been used in a prior rulemaking. This errata corrects the omission and errors.

A. On pages 15276-15277, the amendatory instructions numbered 1 through 7 should be redesignated as 2 through 8 and a new amendment number 1 should appear in column 2 as follows:

1. In § 90.33, the opening paragraph is revised to read as follows:

§ 90.33 Scope.

The Special Emergency Radio Service covers the licensing of the radio communications of the following categories of activities: Medical services, rescue organizations, veterinarians, handicapped persons, disaster relief organizations, school buses, beach patrols, establishments in isolated areas, communications standby facilities, and emergency repair of public communication facilities. Rules as to eligibility for licensing, permissible communications, classes and number of stations, and any special requirements as to each of these categories are set forth in the following sections. Frequencies available for these categories of services are shown in a separate frequency table.

B. On page 15276, in the table in § 90.53(a), new limitations (26) and (27) were added to frequencies 35.02 and 43.64 MHz respectively. During the pendency of this rule making proceeding however, limitation (26) was also used

in the Report and Order to Docket 79-192. The entries for frequencies 35.02 and 43.64 in the frequency table in § 90.53(a) should therefore read as follows:

§ 90.53 Frequencies available.

(a) * * *

Special Emergency Radio Service Frequency Table

Frequency or band	Class of station(s)	Limitations
35.02	Mobile	27
43.64	Base	4,28

C. On page 15276, § 90.53(b) (27) and (28) are revised to read as follows:

(b) * * *

(27) This frequency is available in this service only to persons eligible under the provisions of § 90.38(a) for operation of transmitters having a maximum power output of three watts using A2, F2, A9Y or F9Y emission. This frequency is also available in the Business Radio Service on a co-equal basis with the Special Emergency Radio Service users.

(28) No new licenses will be granted for one-way paging under Section 90.487 for use on this frequency after August 1, 1980. This frequency is available to persons eligible for station licenses under the provisions of § 90.38(a) on a co-equal basis with one-way paging users under § 90.487 prior to August 1, 1985, and on a primary basis after August 1, 1985. Only A2, F2, A9Y, and F9Y emission and power not exceeding 10 watts will be authorized. Antennas having gain greater than 0 dBd will not be authorized. Transmissions shall not exceed two seconds duration.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-15113 Filed 5-19-81; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

Atlantic Tuna Fisheries

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of delayed opening of purse seine fishing season.

SUMMARY: The opening of the school-size Atlantic bluefin tuna fishery by

purse seine vessels is changed from January 1, 1981, to July 15, 1981. This delay will allow necessary scientific research on the status of the bluefin tuna resource but will not prevent the purse seine quota from being completely harvested.

EFFECTIVE DATE: May 15, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. William C. Jerome, Jr., National Marine Fisheries Service, Northeast Regional Office, State Fish Pier, Gloucester, MA 01930, Tel: 617-281-3600, ext. 325.

SUPPLEMENTARY INFORMATION: 50 CFR 285.29(a)(1) of the regulations governing fishing for Atlantic bluefin tuna establishes January 1 of each calendar year as the opening date for fishing for school-size Atlantic bluefin tuna by vessels using purse seine nets. The fish normally are expected to arrive off the mid-Atlantic states between the 1st and 3rd weeks of June. The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), may change the opening date by notice in the Federal Register, provided that the change will promote scientific research on the status of the stock, and, based upon historical catch data and other relevant factors, will not prevent the purse seine quota for school tuna from being caught.

The Assistant administrator has determined that the delay in opening the purse seine fishery until July 15, 1981, will provide the opportunity to tag large numbers of school-sized tuna and allow more accurate estimates of fishing mortality and stock size. These estimates are essential to the Atlantic bluefin tuna management program. Section 285.30(c) of the regulations reserves 225 short tons of Atlantic bluefin tuna for scientific research. In 1981, this will be utilized entirely for these tagging studies. Out of this research quota, approximately 3,000 fish (30 tons) will be tagged and released. Purse seine vessels participating in this program will be allowed to retain the remaining portion of the research quota as compensation.

The agency deems it necessary to publish this notice as soon as possible in order to allow the participants in the Atlantic bluefin tuna purse seine fishery for school-sized fish to: develop and finalize plans for their 1981 seining operations within a reasonable time frame; take their allocations during the open season with a minimum of expense (time and fuel) prior to the dispersal of the schools; and utilize the research quota of 225 short tons of fish, valued at approximately \$250,000, which would not otherwise be available. This action would also: prevent negating the value of the experimental tagging data

collected in 1980; maintain our commitment to ICCAT to gather the necessary data to monitor the status of the Atlantic bluefin tuna stocks; and provide the only opportunity to accurately estimate the abundance of age II bluefin tuna.

Regulations governing fishing for Atlantic bluefin tuna require 60 days' notice of a delay in commencement of the fishery. Further, it is necessary for planning the scientific research activity by the Government, and for planning commercial operations by the fishing vessels involved, to give notice of the delay as soon as possible. Because it is impracticable to comply with all of the procedural requirements of Executive Order (E.O.) 12291 prior to publication of this notice, these procedures are being complied with concurrent to publication. The Acting Administrator, NOAA, has determined that this action is not a major rule requiring the preparation of a regulatory impact analysis under E.O. 12291, since delaying the commercial season and conducting the tagging program should not result in any decrease in revenue from the fishery, nor will it affect employment, product prices, competition, or investments.

The Acting Administrator also determined under 5 U.S.C. 601 *et seq.*, that this action will not have a significant impact on a substantial number of small entities, and therefore, does not require a regulatory flexibility analysis. Impacts will be minimal since this is only a delay of the commercial season and will provide the opportunity for the industry to harvest the quota reserved for scientific purposes. Further, only six vessels are involved in this fishery and would be affected by this action.

No additional information is being sought from the industry as a result of this program. Therefore, the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, do not apply.

In the event that tagging operations are concluded and the tagged fish have had a period of at least two weeks to intermingle with untagged fish before July 15, the Assistant Administrator or his designee may notify the purse seine vessel operators in the fishery by telegram of an earlier opening date.

(Atlantic Tunas Convention Act of 1975, 16 U.S.C. 971-971h)

Signed this 15th day of May, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-15070 Filed 5-18-81; 10:50 am]

BILLING CODE 3510-22-M

50 CFR Part 611

Foreign Fishing Regulations;
Northeast Pacific Ocean

AGENCY: National Oceanic and Atmospheric Administration (NOAA), DOC.

ACTION: Final regulations.

SUMMARY: These regulations amend 50 CFR Part 611 (foreign fishing regulations) and implement Amendment No. 4 to the Preliminary Fishery Management Plan for the Trawl Fisheries off Washington, Oregon, and California (PMP), which was first approved by the Assistant Administrator for Fisheries, NOAA (Assistant Administrator) on March 10, 1981. These regulations establish new foreign fishing surpluses, consolidate the in-season adjustment to the total allowable level of foreign fishing (TALFF), add a procedure for in-season modifications to incidental catch percentages, and clarify gear restrictions. The regulations also set the amount of U.S.-harvested shortbelly rockfish which may be received by foreign vessels in an exploratory joint venture.

EFFECTIVE DATE: May 15, 1981.

FOR FURTHER INFORMATION CONTACT: H. A. Larkins, Director, Northwest Region, National Marine Fisheries Service, 1700 Westlake Avenue North, Seattle, Washington 98109, Telephone (206) 442-7575.

SUPPLEMENTARY INFORMATION: The Assistant Administrator approved Amendment No. 4 to the PMP on March 10, 1981. Proposed regulations governing this fishery were published on April 3, 1981 (46 FR 20237). A public hearing was held on the amendment on March 20, 1981, in Monterey, California; comments on the proposed regulations were accepted until April 23, 1981.

Amendment No. 4 to the PMP is the basis for these regulations and is available at the Northwest Regional Office of the National Marine Fisheries Service (NMFS) (address above). For convenience, all of 50 CFR 611.70 is reprinted incorporating the proposed amendments for 1981. The changes to the 1980 regulations are summarized here:

(1) The estimated domestic annual harvest (DAH) of Pacific whiting is increased from 40,000 metric tons (mt) in 1980 (12,000 mt U.S. caught/U.S. processed; 28,000 mt U.S. caught/foreign processed) to 80,000 mt in 1981 (5,000 mt U.S. caught/U.S. processed; 75,000 mt U.S. caught/foreign processed). Since the optimum yield/total allowable catch

(OY/TAC) for Pacific whiting is unchanged (175,000 mt) and the reserve is 35,000 m.t., the initial TALFF is 60,000 mt in 1981—40,000 mt lower than in 1980.

The estimate of shore-based processing (domestic annual processing, or DAP) of whiting was decreased from 12,000 mt in 1980 to 5,000 mt in 1981. Although the 1981 DAP estimate of whiting is reduced, it is 2.5 times greater than the 1980 domestic shore-based production. The 1981 DAP was determined by a NMFS survey in December of domestic industry's intentions for 1981 and a review of past expectations and performance. Although domestic processing firms indicated that they may produce about 10,000 mt of whiting during 1981, this amount seems overly optimistic. Shore-based producers made similar projections in 1979 (15,000 mt) and 1978 (12,000 mt), but no more than 2,000 mt was processed in either year according to the NMFS survey. The 1981 DAP estimate is considered a more realistic approximation of domestic activities than has been used in previous years.

(2) In 1981, TALFF may be increased only once during the season, near August 1. Initial OY and DAH estimates will be reevaluated on the basis of a whiting larval count in the spring and a June NMFS survey of domestic performance and intentions. Only the amount of the reserve and DAH not needed by domestic industry may be added to TALFF, so that the OY/TAC for whiting is not exceeded. In 1980, two actions were used: one in July to determine the reserve release and another in August to reapportion excess DAH. The criteria used to determine the amounts of reserve and DAH available for release or reallocation to TALFF are the same as in 1980.

(3) An exploratory joint venture for shortbelly rockfish will be allowed in 1981 which is subject to the same conditions and restrictions as the whiting joint venture. A NMFS survey indicates that domestic annual processing (DAP) of shortbelly rockfish will not exceed 7,500 mt in 1981, and thus will be less than the 10,000 mt DAH. Consequently, joint venture processing (JVP) for shortbelly rockfish will be 2,500 mt. Whiting received incidentally in the shortbelly joint venture will be counted against the whiting JVP allocation. The incidental catch retention allowances of other species will be calculated in proportion to the amount of shortbelly rockfish received, and will be based on the same percentages as in the directed whiting fishery. The impacts of this fishery on

incidentally caught species are expected to be insignificant.

(4) A procedure for in-season adjustments of incidental catch percentages is added in the event of unexpected changes in species availability or abundance.

(5) Gear restrictions are clarified and incorporated into the regulations.

Except for the changes above, all the management measures remain the same as in 1980.

Changes to proposed regulations. After the proposed regulations were published (46 FR 20237), additional applications to participate in the whiting joint venture were received. The estimates for JVP and DAH each have been increased by 20,000 mt to accommodate these applications, and TALFF has been decreased by the same amount. Consequently, the initial whiting estimates for 1981 are: JVP=75,000 mt, DAH=80,000 mt, DAP=5,000 mt (as in the proposed regulations), Reserve=35,000 mt, and TALFF=60,000 mt.

Changes in the federal regulatory review process have delayed processing these regulations, preventing the shortbelly rockfish joint venture from operating as proposed. The applicant has subsequently expressed interest in a shortbelly joint venture subject to the same conditions and restrictions as the whiting joint venture.

There is no reason the conditions and restrictions for the shortbelly joint venture should be different than those for the whiting joint venture. Since the major difference between the two joint ventures is only the species involved and the amount of JVP (2,500 mt for shortbellies and 75,000 mt for whiting), information from past whiting joint ventures provides a reasonable data base for analyzing the impacts of the shortbelly operation conducted under similar conditions and restrictions; e.g.: the same incidental catch percentages, seasons, and areas are appropriate. Although the shortbelly joint venture may use smaller mesh cod ends than the whiting operation, the amounts of incidentally caught species should not negatively impact stocks or fishermen. Preemption of grounds will not be a problem since the foreign vessels permitted to operate in the shortbelly joint venture would also be permitted in the whiting joint venture; thus there will be no increase in the number of permitted vessels in the area. The number of domestic vessels involved in the shortbelly joint venture will be fewer than 5. Even if the shortbelly joint venture did not operate, the U.S. vessels involved could fish in the same area

(north of 39° N. latitude) in another fishery. Much of the information included in the 1981 PMP amendment and environmental assessment concerning a shortbelly joint venture south of 39° N. latitude also applies to a shortbelly joint venture conducted north of 39° N. latitude. Given the current estimates of OY, DAH, and DAP for shortbelly, and available biological data, there appears to be no conservation basis for disapproving the revised joint venture application.

The scientific name for shortbelly rockfish was incorrect in the proposed rulemaking. The correct name is published in the final regulations. The final regulations also include "discard weights" in the description of logging requirements, and drop one of the criteria for making in-season adjustments to incidental catch allowances.

Comments and Responses

The public comments resulting from the hearing on Amendment #4 to the PMP and from the comment period on the proposed regulations are addressed below. Comments 1 through 3 are comments from the public hearing and concern the proposed shortbelly rockfish joint venture. Although the time and place of this joint venture have changed, most of the comments received on the initial proposal are relevant. Comments 4 and 5 are taken from the only letter received during the public comment period. This letter from the National Food Processors Association (NFPA) addresses the 1981 DAP estimate for whiting and the procedures required under Executive Order 12291 (E.O. 12291).

Comment 1. Shortbelly rockfish are important forage for other species, especially species of commercial value such as bocaccio and chilipepper rockfish and salmon. Consequently, shortbelly rockfish should not be harvested, especially in view of the presence of salmon in the area south of 39° N. latitude in April and May and the poor economic and biological condition of the salmon fishery.

Response. The limited data available indicate that shortbellies may be a major component in the diet of other species, and, in particular, chinook (king) salmon off central and southern California. However, this joint venture will be conducted north of 39° N. latitude where ecological relationships are uncertain. There is no documented evidence that chinook salmon have problems finding food despite the significant fisheries for northern anchovy, Pacific herring, and squid—species which constitute about half of

the chinook diet. Euphausiids are a common food of both shortbellies and chinooks, implying potential competition for food.

The magnitude of the proposed joint venture is small, particularly in relation to the estimated maximum sustainable yield (MSY) of shortbellies (44,250 mt). As discussed in Amendment #4 to the PMP and its environmental assessment, the shortbelly optimum yield (OY) of 10,000 mt has been set well below MSY, in part to allow for the uncertainty of the role of shortbellies in the ecosystem. In so doing, it was determined that harvesting 10,000 mt of shortbellies would not negatively impact the stocks of shortbellies and associated species. The shortbellies joint venture accounts for one quarter of OY and in one-third the amount that shore-based processors are expected to produce. Consequently, the harvest destined for shore-based production would have greater impact than the joint venture harvest. If severe negative impacts result from a shortbelly fishery, OY may be further reduced, and limiting foreign and domestic harvest of the species could be considered under the groundfish fishery management plan which is expected to be implemented in 1982. Observers on foreign processing vessels and biologists on domestic trawlers will facilitate the gathering of more information on the role of shortbellies in the ecosystem.

Comment 2. Serious concern was expressed over the bycatch of important commercial species such as rockfish and salmon, and the inability of the NMFS to control the bycatch. Commenters believe that the ability to target on shortbellies with hydroacoustic equipment is extremely limited and that acoustic differences between shortbellies, small chilipeppers, and small bocaccios are not clear. The opinion also was expressed that taking salmon is a definite problem, even if held to the level of the 1979 Polish trawl fishery of 0.045 salmon per metric ton of Pacific whiting (or 113 salmon for the 2,500 mt of shortbelly requested), due to the poor condition of the salmon fishery.

Response. Bocaccio, chilipepper, and salmon are not expected to be readily intercepted north of 39° N. latitude as evidenced by whiting joint venture operations in recent years. Even though the shortbelly joint venture may use one and one-half (1½) inch mesh (compared with 3" mesh in the whiting joint venture) the incidence of salmon interceptions in the shortbelly joint venture is not expected to be larger than in the whiting joint venture; small salmon vulnerable to 1½" mesh but which would escape through a 3" mesh

net are found near shore and thus will not be found in areas where shortbelly operations will occur. The approximately 100 salmon that may be encountered do not threaten the health of salmon stocks or the livelihood of salmon fishermen. Moreover, there are indications that shortbellies can be harvested with little bycatch. One of the intents of a limited joint venture is to give domestic fishermen the opportunity to develop expertise in targeting on this species.

Since domestic fisheries are not governed under a PMP, amounts of fish caught by U.S. vessels are not and cannot be regulated. The PMP can control only the amounts received and retained by foreign vessels. Generally, the fact that U.S. fishermen sell directly to the foreign processor in a joint venture arrangement creates a disincentive to harvest unsaleable species, which are usually discarded.

Comment 3. A potential for gear conflicts exists because the area to be used by a shortbelly joint venture is already used by domestic trawlers, trollers, pot fishermen, and charterboats. Sablefish fishermen were especially concerned over the possible damage of their gear by trawlers at a time they can least afford such expense.

Response. The five domestic trawlers that would be involved in this fishery are not restricted by a PMP and would be at liberty to fish in the same area even if the shortbelly joint venture did not occur. The foreign processors involved would not substantially contribute to congestion of the fishing area since they also would be permitted, and probably operating, in the whiting joint venture at the same time. Consequently, the shortbelly joint venture allows diversification of operation but not a substantial increase (if any) in the number of vessels on the grounds.

Comment 4: The NFPA requested that the basis for decreasing the 1981 "domestic processor's allocation of whiting" should be detailed. It also stated that additional comment on this issue should be allowed.

Response: As described in Amendment #4 to the PMP, its environmental assessment, and repeated in this preamble, the 1981 DAP estimate for whiting was decreased to more accurately describe shore-based production of whiting. The 1981 DAP estimate is 2.5 times the actual whiting production in 1980 (as reported by industry in NMFS' between-season survey of domestic processors) and thus includes substantial growth in shore-based production. DAP is an estimate

and in no way limits the amount of fish which may be harvested and processed domestically. Consequently, DAP does not allocate between foreign and domestic processors.

The DAP estimate may be refined in-season either by adding any portion of the 35,000 mt reserve which will be taken for shore-based processing or by subtracting amounts of DAP that will not be taken (based on an in-season survey of domestic processors' intentions and on a reassessment of larval whiting abundance in the spring). Thus, there is opportunity for increasing shore-based processing.

Because the determination of DAP was discussed in Amendment #4 to the PMP and its environmental assessment, and because the amendment and environmental assessment were available to interested parties as stated in 46 FR 20237, the time for public review of this determination was in compliance with the Magnuson Fishery Conservation and Management Act (Magnuson Act).

Comment 5: The NFPA notes that a cost-benefit analysis is required under Executive Order 12291, and that this analysis is particularly critical regarding the allocation of whiting between foreign and domestic processors. They also felt that the effects of the increased JVP should be analyzed with respect to "all of the species which form part of the same market as these whiting."

Response: A review of the biological, social, and economic impacts of Amendment #4 to the PMP was presented in the environmental assessment. (The environmental assessment was available as stated in the proposed rulemaking in 46 FR 20237 and also was distributed to the public on February 3, 1981.) The costs and benefits of Amendment #4 to domestic entities were examined in the assessment and the requirements listed in section 2 of E.O. 12291 were satisfied. A separate cost-benefit analysis is not required for a non-major rule under E.O. 12291. These modifications to the proposed regulations expand potential benefits to society without imposing additional costs.

A large part of the NFPA's objection is based on the premise that, by increasing JVP and decreasing DAP for whiting in 1981, shore-based processors are denied access to the groundfish resource. This is not the case, as discussed in the response to the previous comment.

Allowances of incidental species which may be retained by joint venture processors are sufficiently small so as not to adversely impact the incidental species or other domestic fisheries. There is no economic incentive for

domestic fishermen to harvest species which they cannot sell.

Since the joint venture product does not directly compete with the domestic product, these regulations provide an overall benefit to the national balance of payments by providing domestic fishermen who do not have substantial domestic markets with a direct sales market to foreign processors. Consequently, these regulations provide substantial benefit to domestic fishermen but do not preclude competitive development of shore-based processors.

Classification

The Assistant Administrator has determined that this amendment to the PMP is necessary and appropriate to the conservation of Pacific groundfish, and that it is consistent with the national standards and other provisions of the Magnuson Act, as well as other applicable law.

E.O. 12291 defines a "major rule" as "Any regulation that is likely to result in: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with the foreign-based enterprises in domestic or export markets." This proposed rule would allow U.S. harvest of Pacific whiting and shortbelly rockfish to increase by about 35,000 mt, worth about \$5,000,000. Without the amendment, foreign processing vessels could not enter the FCZ and purchase shortbelly rockfish directly from U.S. fishing vessels, thus depriving the United States of an opportunity to increase exports of fishery products. The Acting Administrator, NOAA, therefore has determined that this is not a "major rule" under E.O. 12291.

The Acting Administrator also has determined, under the Regulatory Flexibility Act, that the amendment and implementing regulations will not have a significant economic impact on a substantial number of small domestic entities; less than 30 U.S. trawlers are expected to participate in the joint venture fishery and they should be beneficially affected.

In compliance with the National Environmental Policy Act of 1969, an examination of environmental impacts was made; no significant environmental impacts will result from the proposed action. A copy of the environmental

assessment is available for review at the Northwest Regional office (address above).

These regulations impose a reporting burden on foreign fishermen. The information collections are not new activities. In the past, reporting burdens imposed on foreign fishermen operating in the FCZ were not subject to Office of Management and Budget (OMB) clearance. Consequently, at the time these regulations were proposed, NOAA did not forward to the Director of the OMB an information collection request under section 3504 of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). However, after the comment period closed, OMB decided that collecting information from foreigners is covered by the Paperwork Act. Therefore, NOAA is submitting under section 3507(g) the final regulations and revised logbook forms to OMB for a 60-day review at this time. The Acting Administrator, NOAA, has determined under section 3507(g) that completing the logbooks is necessary to provide information essential to the day-to-day management of the foreign groundfish fishery, to prevent overfishing, and to determine the fees that must be collected from foreign nations every three months, as required under 50 CFR 611.20. Under section 3507(g), the information and logbook sheets will be collected for a maximum of 90 days or until OMB approves the forms, whichever comes first.

The Assistant Administrator also finds that the 30-day implementation delay required by section 553(c) of the Administrative Procedures Act and the OMB review required by section 3(c)(3) of E.O. 12291 are contrary to the public interest. These regulations authorize receipt of U.S.-caught fish by the foreign vessels. For each day past May 15, U.S. fishermen will lose over \$25,000 in sales of Pacific whiting to foreign vessels. Without these regulations, the receipt of U.S.-caught fish would not be lawful under the Magnuson Act. A copy of these regulations has been sent to OMB as required by section 8(a)(1) of E.O. 12291.

Dated: May 14, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

50 CFR 611 is amended to read as follows:

1. The authority citation for Part 611 reads as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 611.9, Appendix I, add species code 850 for shortbelly rockfish to section B as follows:

§ 611.9 Reports and recordkeeping.

Appendix I—Species Codes

B. Pacific Ocean Fishes; Finfishes

Code	Common English name	Scientific name
850	Shortbelly rockfish	<i>Sebastes jordani</i>

3. In § 611.20, the caption and section 5 of Appendix I are revised to read as follows:

§ 611.20 Total allowable level of foreign fishing.

APPENDIX I.—Optimum yield (OY), estimated domestic annual harvest (DAH), estimated domestic annual processing (DAP), joint venture processing (JVP), domestic nonprocessed fish (DNP), reserve, and total allowable level of foreign fishing (TALFF), all in metric tons.

Species	Species code	OY	DAH	DAP	JVP	DNP	Re-serve	TALFF
5. Northeast Pacific Ocean Fishery: Washington, Oregon, and California fisheries.								
Pacific whiting	704	175,000	80,000	5,000	175,000	35,000	60,000	
Shortbelly rockfish	850	10,000	10,000	7,500	2,500	0	0	140
Flounders	129	38,400	38,400	38,400	140	0	0	140
Jack mackerel	206	55,000	55,000	55,000	140	0	0	140
Rockfishes, excluding Pacific ocean perch	649	43,300	43,300	43,300	140	0	0	140
Pacific ocean perch	760	1,000	1,000	1,000	140	0	0	140
Sablefish	703	13,400	13,400	13,400	140	0	0	140
Other species	499	26,100	26,100	26,100	140	0	0	140

Footnotes:

¹Includes 200 mt taken incidentally in shortbelly joint venture.
²See § 611.70(b)(1)(ii) for incidental catch allowances.

4. § 611.70 is revised to read as follows:

Subpart E—Northeast Pacific Ocean

§ 611.70 Washington, Oregon, and California trawl fishery.

(a) *Purpose.* This subpart regulates all foreign fishing conducted under a Governing International Fishery Agreement in the fishery conservation zone seaward of Washington, Oregon, and California.

(b) *Authorized fishery.*—(1) *TALFF.*—(i) *Initial TALFF.* The total allowable level of foreign fishing (TALFF), the amounts of fish set aside as reserves, and the estimated domestic annual harvest (DAH) are set forth in Appendix 1 of 50 CFR § 611.20.

(ii) *In-season increase to TALFF.* As soon as possible after August 1, the Northwest Regional Director of the National Marine Fisheries Service (Regional Director) shall apportion to TALFF all or part of the reserve and that portion of the estimated DAH which will not be harvested by U.S. fishermen

during the rest of the fishing year. The Regional Director may withhold all or part of the Pacific whiting reserve and DAH based on the criteria in paragraph (b) (1) (ii) (A) of this section. Except as provided in paragraph (b)(2) of this section, incidental catch allowances for other species shall be based on the following maximum incidental catch rates expressed as a percentage of the Pacific whiting TALFF:

Incidental Catch	
Species	Percentage
Flounders	0.1
Jack mackerel	3.0
Rockfishes (excluding Pacific ocean perch)	0.738
Pacific ocean perch	0.062
Sablefish	0.173
Other species	0.5

(A) *Criteria.* The Regional Director may withhold from TALFF all or part of the Pacific whiting reserve and DAH if, as of July 1:

(1) All or part of the Pacific whiting reserve and DAH will be harvested by vessels of the United States during the

rest of the fishing year, as determined by one or more of the following factors—

- (i) Actual U.S. catch and effort compared to previous projections;
 - (ii) Projected U.S. catch and effort for the rest of the fishing year;
 - (iii) Projected processing of the U.S. harvest for the rest of the fishing year; or
- (2) The spring Pacific whiting larvae assessment establishes that the total allowable catch (TAC) of whiting should be less than 175,000 m.t.

(B) *Procedure.* (1) *Publishing the proposal.* On or about July 1, the Regional Director shall publish in the Federal Register and disseminate to local media the amount of reserve and excess DAH, if any, proposed to be apportioned to TALFF.

(2) *Public comment.* Comments on the proposed action may be submitted to the Regional Director within 15 days after publication. Any relevant and timely comment filed under this section will be considered in making a final determination. The reports the Regional

Director used to make the proposed determinations will be available for public inspection (consistent with 50 CFR 603 on Confidentiality of Statistics) during business hours, during the public comment period at the National Marine Fisheries Service, Northwest Regional Office, 1700 Westlake Avenue North, Seattle, WA 98109.

(3) *Promulgating the determination.* On or about August 1, but not less than 15 days after publication of the proposal, the Regional Director shall publish in the *Federal Register* and disseminate to local media the amount of the reserve and excess DAF apportioned to TALFF, the reasons for the determination, and responses to comments received.

(2) *In-season modifications to incidental catch percentages.* (i) The Regional Director may modify an incidental catch percentage for any species at any time. The Regional Director shall consider the following factors when modifying the incidental catch percentages set forth in paragraph (b)(1)(ii) of this section:

(A) Observed rates of incidental catches in previous foreign (or joint venture) operations;

(B) Current estimates of the relative abundance and availability of species caught incidentally in the whiting fishery;

(C) Ability of the U.S. fishery to attain JVP or of the foreign fishery to attain TALFF;

(D) Past and projected U.S. and foreign fishing effort;

(E) Status of the stock, so that an increased allowance will not contribute to declining stock status;

(F) Impact on domestic industry;

(G) Any other relevant scientific information.

(ii) *Procedure.*—(A) *Publishing the proposal.* The Regional Director shall publish any proposed modification in the *Federal Register* and disseminate it to local media.

(B) *Public comment.* Comments on the proposed modification may be submitted to the Regional Director within 15 days after publication. Any relevant and timely comment filed under this section shall be considered. The reports the Regional Director used to propose a modification shall be available for public inspection (consistent with 50 CFR 603 on Confidentiality of Statistics) during business hours during the public comment period at the National Marine Fisheries Service, Northwest Regional Office, 1700 Westlake Avenue North, Seattle, WA 98109.

(C) *Promulgating the modification.* As soon as possible following the public

comment period, the Regional Director shall publish in the *Federal Register* and disseminate to local media any modification to incidental catch percentages, the reasons for the determination, and responses to comments received.

(3) *Fishing permitted.* The catching the retention of any species for which a nation has an allocation is permitted, provided that:

(i) The vessels of that nation have not caught:

(A) The allocation of that nation for the directed fishery species; or

(B) The maximum allowable incidental catch of that nation for any species or species group (e.g., "other species"). When vessels of a foreign nation have caught a maximum incidental catch allowance, all further fishing (as defined in § 611.2(r)(1)) by vessels of that nation must cease, except as otherwise authorized by permit, even if the allocation of the directed fishery species has not been reached. Therefore, it is essential that a foreign nation plan its fishing strategy to ensure that an incidental catch allowance is not exceeded, thereby closing its directed fishery;

(ii) A directed fishery is not conducted for species or species groups except as authorized for Pacific whiting and as otherwise specifically authorized by permit; or

(iii) The fishery has not been closed for other reasons under § 611.15.

(c) *Open season.* Foreign fishing under this subpart is authorized from 0700 G.m.t. on June 1 and will terminate not later than 0800 G.m.t. on November 1, except as specified otherwise in a permit.

(d) *Open areas.* Except as prohibited in paragraph (e) of this section, foreign fishing under this subpart is permitted seaward of twelve nautical miles from the baseline used to measure the U.S. territorial sea between 39°00' N. latitude and 47°30' N. latitude, and as otherwise specifically authorized by permit.

(e) *Closed areas.* Foreign fishing is prohibited in the following areas except as otherwise specifically authorized by permit:

(1) "Columbia River Recreational Fishery Sanctuary"—that area between 46°00' N. latitude and 47°00' N. latitude and east of a line connecting the following coordinates in the order listed: 46°00' N. latitude, 124°55' W. longitude; 46°20' N. latitude, 124°40' W. longitude; and 47°00' N. latitude, 125°20' W. longitude.

(2) "Klamath River Pot Sanctuary"—that area between 41°20' N. latitude and 41°37' N. latitude and east of a line connecting the following coordinates in

the order listed: 41°20' N. latitude, 124°32' W. longitude; and 41°37' N. latitude, 124°34' W. longitude.

(f) *Gear restrictions.* (1) Gear other than a pelagic trawl with a minimum mesh size of 100 mm, stretched inside measure when wet after use, is prohibited. No liners are permitted in the codend of the trawl. An outer protective mesh covering (chafing gear or outer bag) may be used if:

(i) The mesh size of the chafing gear is at least two times larger than the mesh size of the inner codend;

(ii) The thread size of the chafing gear is no greater than four times the diameter of that used in the inner codend;

(iii) The codend has four riblines (spaced equi-distant around the bag) running fore and aft longitudinally to which both the chafing gear and inner codend are lashed (sewed) knot-to-knot; and

(iv) The outer stretch mesh webbing is at least 10% longer than the ribline to which it is hung.

(2) Attaching any device to pelagic fishing gear or using any other means that would, in effect, make it possible to fish on the bottom is prohibited.

(3) Using any device or method which would have the effect of reducing mesh size of the codend is prohibited.

(g) *Statistical reporting.*—(1) *Daily fishing log (daily logbook).* The basis for all reports is a daily fishing log. This logbook shall be supplied by NMFS prior to entry into the fishery. Daily catch data shall be recorded in duplicate. On-deck estimates of catch shall be made for each haul and logged before the next haul is on deck. The processed weight of each haul (factory weights) and discard weights shall be recorded accurately within 24 hours of each haul, and shall be accumulated for the fishing day (0001 G.m.t.—2400 G.m.t.) before the end of the next fishing day. The following information shall be included in the log:

(i) Date.

(ii) Times of commencement and completion of each set (when the net is at fishing depth).

(iii) Vessel's positions in degrees and minutes of latitude and longitude at the time of commencement and completion of each set (when the net is at fishing depth).

(iv) Bottom depth, averaged over length of tow.

(v) Depth of gear, averaged over length of tow.

(vi) Catch to the nearest tenth of a metric ton (0.1 m.t.) of Pacific whiting in each haul.

(vii) Catch to the nearest hundredth of a metric ton (0.01 m.t.) of the following species in each haul:

- (A) Jack mackerel.
- (B) Pacific Ocean perch.
- (C) Rockfishes (excluding Pacific ocean perch).

- (D) Sablefish.
- (E) Flounders.
- (F) Other species.

(viii) Catch, in numbers of fish, of the following prohibited species:

- (A) Pacific halibut.
- (B) Salmon.

(2) In addition to the requirements of § 611.9, the owner or operator of each foreign fishing vessel shall be responsible for maintaining catch and effort statistics and shall submit reports as follows to the Regional Director, Northwest Region (address: National Marine Fisheries Service, 1700 Westlake Avenue North, Seattle, Washington 98109).

(i) *Daily report.* From the time the NMFS estimates that 90 percent of a nation's allocation of any species (directed or incidental) has been reached, and so notifies the designated

representative of that nation, the information required under § 611.9(e) (Weekly Catch Report) shall be submitted on a daily basis and shall reach the Regional Director no later than three days after the reported fishing day.

(ii) *Annual report.* Each nation whose fishing vessels operate in the fishery shall report annual catch and effort statistics by May 31 of the following year in tabular form as follows:

(A) *Effort* in hours trawled, by vessel-class, by gear-type, by month, by $\frac{1}{2}^{\circ}$ latitude by 1° longitude statistical areas.

(B) *Catch* by vessel-class, by gear-type, by month, by $\frac{1}{2}^{\circ}$ latitude by 1° longitude statistical areas:

(1) To the nearest tenth of a metric ton (0.1 m.t.) for the following species or species groups: Pacific whiting, jack mackerel, Pacific ocean perch, rockfishes (excluding Pacific ocean perch) sablefish, flounders, and other species; and

(2) In numbers of fish for Pacific halibut and salmon.

(iii) *Daily logbook.* The logbook shall be available for inspection by the NMFS

or U.S. Coast Guard personnel who at any time may remove the original copy. All original entries in the daily logbook (excluding those removed by the NMFS or U.S. Coast Guard personnel) shall be submitted to the Regional Director within three weeks after termination of a fishery. Duplicate copies shall be retained on the foreign vessel during the permit period or until all fishing or fish products produced under a permit for the Washington, Oregon, California FCZ are transferred, whichever is longer.

(iv) *Report of fish on board when entering fishery.* Before operating in this fishery, the owner or operator of each foreign vessel with fish on board shall report to the Regional Director the species and amounts of fish on board which were harvested in any other fishery. Such reports shall be submitted in accordance with the procedures specified in § 611.4(b). Any fish on board not so reported will be presumed to have been harvested in this fishery.

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50 CFR Parts 611 and 658

Shrimp Fishery of the Gulf of Mexico

AGENCY: National Oceanic and Atmospheric Administration (NOAA), DOC.

ACTION: Final rule.

SUMMARY: NOAA issues final regulations for shrimp fishing in the Gulf of Mexico. These regulations implement the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico. The intended effect of these regulations is to encourage harvest of larger and more valuable shrimp.

EFFECTIVE DATE: May 15, 1981.

ADDRESSES: A copy of the Regulatory Impact Review may be obtained from Mr. Harold Allen, Acting Regional Director, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, Florida 33702.

FOR FURTHER INFORMATION CONTACT: Mr. Harold Allen, 813-893-3141.

SUPPLEMENTARY INFORMATION: These regulations implement the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP). The Secretary of Commerce approved the FMP and published on November 7, 1980, a proposed rulemaking for a comment period ending January 1, 1981 (45 FR 74178). On January 22, 1981, the comment period was extended until January 31, 1981.

a. Background

The notice published on November 7, 1980 contained information on the shrimp fishery and its economic value, and specified loss of habitat as the chief threat to continuance of the major species of shrimp (brown, white, and pink). There is no current evidence of overfishing on any species of shrimp.

The notice also described the minimum legal sizes of shrimp which may be caught and landed under different regulations established by Gulf Coast States. Small shrimp are culled from the catch and discarded because of the States' size limits. The notice also described the categories of vessels in the Gulf shrimp fishery and the various fisheries in which shrimp are harvested.

b. Problems in the Fishery

The FMP was prepared by the Gulf of Mexico Fishery Management Council (Council) and identified eight problems affecting the shrimp fishery which require both Federal regulation and State and Federal actions. Problems 1, 5, and 8 require Federal regulations to

resolve. Problems 1, 2, and 4 require State administrative and legislative actions. Problems 3 and 7 require Council coordination with governmental entities and the fishing industry. Problem 6 requires Federal action in cooperation with the Council and the assistance of the operators of shrimp fishing vessels. These problems and their proposed solutions are identified below.

1. *Differences among user groups as to areas and sizes at which shrimp are to be harvested.* The FMP establishes a permanent closure to trawl fishing of an area off the State of Florida to protect small pink shrimp and a seasonal closure off the State of Texas to protect small brown shrimp. Both require Federal regulation in the fishery conservation zone (FCZ) to implement the closures in cooperation with the respective States.

The Council recommends that the States establish State sanctuaries in shrimp nursery areas under State jurisdiction to protect small shrimp.

2. *The wasteful discard of small shrimp at sea.* The Council recommends elimination of State restrictions on landing of small shrimp taken during open seasons in open areas to increase the overall yield from the resource and the economic returns to the shrimp fishermen.

3. *Continuing decline in the quality and quantity of shrimp habitat.* The Council established a committee to review and assess the status of shrimp habitat and interact with Federal and State agencies to promote habitat protection and abatement and control of pollution.

4. *Lack of comprehensive and coordinated management of shrimp resources throughout their range.* The Council recommends the Gulf States adopt shrimp management procedures that provide for adjustment of seasonal State closures by State administrative action. The Council recommends the Gulf States adopt procedures to allow joint management with other States and the National Marine Fisheries Service to reduce disputes among users, reduce waste of shrimp, and facilitate enforcement.

5. *Conflicts with other fisheries.* The FMP includes the seasonal closure of a portion of fishing grounds off Florida to avoid conflict between the shrimp and stone crab fishermen. This closure is currently in effect under regulations implementing the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico.

6. *Incidental capture of sea turtles.*

The area closures established by the FMP provide direct and coincidental benefits for sea turtles that are caught incidentally during shrimp fishing. Also, the Council recommends that an educational program be implemented by the National Marine Fisheries Service to inform shrimp fisherman about proper methods of resuscitation and return to the sea of sea turtles.

7. *Loss of fishing gear and grounds due to manmade underwater obstructions.* The Council established a committee to reduce, where feasible, the loss of offshore fishable grounds by monitoring and reviewing the construction of offshore reefs with special attention to the needs of shrimp fishermen.

8. *Partial lack of data needed for management.* The Council recommends a mandatory reporting system for obtaining data from the harvesting and processing sectors that are needed for management of the fishery. Only a portion of shrimp fishermen, dealers, and processors are to be selected for reporting to reduce the user reporting burden. This system is being prepared and is to be implemented when the forms and procedures are completed and approved.

c. The Management Regime.

1. *Optimum Yields.* Optimum yield (OY) is a concept that depends on the biological, economic, and social characteristics of a fishery. In most fishery management plans, OY is specified as an upper limit on the quantity of fish harvested during a specified time period, or as the amount of fish in excess of a minimum size (such as carapace length for shellfish). The Council determined that specifying a fixed quota or an amount dependent on the quantity of a legal-sized catch was not appropriate for controlling the harvest in the shrimp fishery.

The growth rate, size of shrimp at harvest, and varying preferences of processors are special factors in specifying that OY. Shrimp resources in the Gulf of Mexico have a life expectancy of less than one year, and therefore provide an annual crop. The size of the annual crop is determined by early spring environmental conditions, such as temperature and salinity in the estuarine nursery waters. The level of catch in one year does not affect the size of the stock in the following year. Since shrimp are an annual crop, the yield and value depend on whether they are

caught early or late in their period of growth.

The catch is also influenced by market conditions and by State and Federal regulatory regimes. State regulations set open seasons, open areas, and minimum sizes of shrimp designed to provide the processing industry within a State its preferred size of shrimp. Louisiana processors need small shrimp for canning, while Florida and Texas processors prefer larger shrimp as fresh or frozen products. A State may use a closed season to protect small shrimp until they attain the size considered acceptable by the processing industry of that State. Thus, the State of Texas closes the waters of the Gulf of Mexico under its jurisdiction (zero to nine miles off its coast) for a period of 45 to 60 days each year while small brown shrimp are in that area. However, some small shrimp move beyond that area into the fishery conservation zone (FCZ) before the closed season is over. The State of Florida prohibited shrimp fishing in the Tortugas Shrimp Sanctuary, an area in which pink shrimp are generally less than the minimum legal size in Florida. Because of modification of the seaward boundary of Florida's fishery jurisdiction, Florida no longer has complete jurisdiction over this nursery area, part of which is now in the FCZ.

In specifying OY for shrimp, the Council wanted to supplement State closure laws to encourage the catch of larger shrimp in some areas of the FCZ. The Council did not close the entire FCZ during the fast-growth period, in recognition of the preference for smaller shrimp by Louisiana canners and the Louisiana, Alabama, and Mississippi shrimpers who supply them. The Council rejected the option of extending State minimum-size laws, because it considered the culling of undersized shrimp a wasteful and inefficient practice.

In the shrimp FMP, then, the OY is defined as the amount of shrimp that can be caught under recommended State management measures and under the regulations implementing the FMP. That amount is expected to be larger in terms of poundage and total value than in the absence of Federal regulations. It will also produce an optimal mix of large and small shrimp.

Another way of expressing the OY is the actual catch that can be taken each year during open seasons in open areas with existing fishing gear and technology. It is not a quota or minimum size limit. The amount harvested will be determined by biological conditions, and by the fishing effort of the existing shrimp fleet in response to market and

other economic conditions under the regulatory regimes established by State and Federal governments. The anticipated economic benefits of this OY on an annual basis are an increased yield of shrimp of 3.7 million pounds with a dockside value of \$11.5 million.

The OY for royal red shrimp was specified as a fixed annual quota, because it is a longer-lived species. Optimum yield is equal to maximum sustainable yield (177.8 metric tons (tails)).

2. Area Closures. The FMP establishes a permanent closure to trawl fishing for shrimp in an area off the State of Florida known as the "Tortugas Shrimp Sanctuary" to protect small pink shrimp until most have reached a size larger than 69 shrimp tails to the pound. This measure prohibits all shrimp trawling by U.S. vessels within the proposed sanctuary.

A closure to trawl fishing for shrimp in the FCZ off the State of Texas for a 45-day period (normally June 1 through July 15) to protect small brown shrimp is also established. This controversial closure, which is a "trial measure," is expected to benefit the shrimp industry.

The State of Texas traditionally closes its nine-nautical-mile State waters to shrimp fishing for a 45-day period, during which brown shrimp generally are smaller than the size of 39 whole shrimp to the pound. The purpose is to allow for further growth that will increase the weight and value of the harvest when the area is reopened.

The State measure has not been completely effective because small shrimp move beyond State jurisdiction into the FCZ and because many shrimp vessels are alleged to enter State waters at night when most brown shrimp fishing occurs. Many small shrimp are taken which, because of the Texas size limit, cannot be landed in Texas and are culled from the catch and discarded.

Six Council members filed two minority reports stating their opposition to the Texas closure. The statements cite the importance of Texas eliminating its size limitation and the possible adverse impact of the closure on Louisiana shrimp fishermen. Louisiana shrimp fishermen protested that more vessels will move to the Louisiana coast during the 45-day period of the closure.

The Council believes that the cooperative Texas closure (see 50 CFR § 658.24, Figure 3) will result in an increase in exvessel value of at least \$8.1 million (rather than the \$7.1 million published on November 7). Because this is a trial measure, the Council will study the effect of the Texas closure on fishermen from all States and consider alternatives which would prevent undue

adverse impact. A baseline study comparing the 1980 season (closure of Texas waters only) and the 1981 season (cooperative closure of both fishery conservation zone (FCZ) and Texas waters) will assist the Council in this evaluation. Provision is made for adjusting the normal closure dates of June 1 to July 15 by as much as 15 days. The Regional Director, Southeast Region, National Marine Fisheries Service (NMFS), must base the adjustment on certain biological and ecological data.

The FMP also incorporates the seasonal closure of a portion of the Tortugas shrimp grounds on the west coast of Florida to prevent damage to stone crab gear and increase the size and value of shrimp harvested outside the line.

3. Sea Turtles. The actions implemented through the FMP are not likely to jeopardize species listed on the Federal endangered species list or to adversely affect their habitat. Implementation of closure recommended by the FMP will have direct and coincidental benefits for sea turtles by reducing the level of mortality.

4. Data Reporting. Better information is needed for effective management of this valuable fishery. Because of the complex and diverse nature of the commercial and recreational shrimp fisheries, the cost of obtaining specific biological, environmental, social, and economic information from each user would be prohibitively high. Therefore, the FMP recommends that NMFS develop a system specifying which methods should be used to collect representative samples that will be comparable and reduce sampling error. The Director of the Southeast Fisheries Center, NMFS, will determine the number of shrimp fishermen, dealers, and processors who will be required to keep records and report, based on the data required for specific management needs. When only a portion of such individuals are needed to provide information, the Center Director will select those individuals through use of standard statistical sampling procedures.

Because this system has not been completely developed and forms not yet prepared, the final regulations reserve Section 658.5. It is anticipated that the mandatory reporting system will be repropounded as soon as sampling procedures and reporting forms are developed and approved. The forms will be submitted to the Office of Management and Budget for clearance under section 3507 of the Paperwork Reduction Act, Pub. L. 96-511. Until such

time, current methods of data collection based on port agent contact with dealers and fishermen will be used.

5. *Permits.* No permit is required for vessels of the United States fishing for shrimp in the FCZ.

6. *Foreign Fishing.* A surplus of royal red shrimp of 86.2 mt is identified in the FMP and is made available for foreign fishing.

7. *Jurisdiction.* The shrimp regulations apply only in the Gulf of Mexico Council's area of authority. Both the northern and eastern boundaries of this area have been subject to dispute.

The boundary line separating the geographic areas of authority of the Gulf of Mexico and the South Atlantic Fishery Management Councils has been settled only recently. NOAA had originally set the boundary as an eastward extension of the line dividing Dade and Monroe counties off the east coast of Florida. That boundary was based on a legal opinion that fishery management considerations could be taken into account in establishing the dividing line.

In a legal opinion to NOAA, the Department of Justice stated that the boundary line should be based only upon geographical factors. In response to that opinion, NOAA has proposed that the boundary line dividing the Gulf of Mexico from the Atlantic, which was accepted by the United States Supreme Court in *United States v. Florida*, separates the areas of authority of the two Councils. Proposed regulations to establish that boundary were published at 45 FR 58632.

The jurisdiction over certain waters off the States of Alabama and Mississippi is in litigation between those States and the Federal Government. These include four enclaves in Mississippi Sound between the three-mile line drawn from the mainland and the three-mile line drawn around the barrier islands, and some "wingtips" between the barrier islands. The Justice Department and the States are trying to negotiate a stipulation that the shrimp FMP will not be enforced in those disputed waters during 1981. Alabama has accepted that stipulation. Because promulgation of these regulations will not affect resolution of the jurisdictional dispute, the Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has denied the State of Alabama's request to postpone implementation of the FMP and Alabama's and Mississippi's requests to hold a hearing on the regulations.

None of the disputed enclaves is part of the closed areas prescribed by the FMP. Nonenforcement of the FMP in the

enclaves would not interfere with attaining the FMP's objectives.

d. Response to Comments

1. *Comments on the FMP Tortugas Shrimp Sanctuary.* One organization requested that the proposed boundaries of the Tortugas Shrimp Sanctuary be changed to exclude waters landward of "Point F" (see 50 CFR 658.22, Figure 1). This organization had proposed the "Key West Plan" in hearings on the draft FMP. In the final FMP, the Council modified the line proposed in the draft FMP to exclude deeper waters containing larger shrimp, as the commenters requested. The Council declined, however, to move the line as far landward as the organization wanted, because smaller shrimp are found in these shallower waters.

Texas closure

Many commenters supported the Texas closure. All but one of those in favor of the closure were from Texas, although some commenters from Texas opposed the closure. The primary reason for supporting the closure was to enhance harvest of brown shrimp at an optimal commercial size.

Many of the commenters opposed to the Texas closure reiterated concerns expressed during development and review of the FMP. These comments are treated in the FMP, the final Environmental Impact Statement, and in the preamble to the proposed rulemaking. Specific new points raised by opponents of the Texas closure are set out in this section.

Two commenters questioned the FMP's inclusion of data published in 1964 showing the natural mortality rate per week of brown shrimp to be 0.21 (Table 4.1-4 at 45 FR 74268). They compared that information with the analysis of the impact of the Texas closure on weight and value of brown shrimp at various rates of natural mortality (Tables 8.3-3 and 8.3-4 at 45 FR 74296). At a rate of 0.05, the weight of brown and white shrimp increases by 2.7 million pounds (tails) and the value increases by \$9.2 million. At a rate of 0.20, however, the weight decreases by 1.7 million pounds and the value decreases by \$2.3 million.

The Council implicitly rejected the 1964 data contained in Table 4.1-4 (45 FR 74268, see discussion in FMP at 45 FR 74297). The values accepted by the Council (2.1 million pounds and \$8.1 million)¹ are based on unpublished data

¹ The FMP at 45 FR 74297 estimates the exvessel value of the increased brown shrimp landings as \$7.1 million. There was a mathematical error in using numbers from Table 8.3-4; the correct

provided by Louisiana State University, under contract with the Council, that the natural mortality rate of brown shrimp is 0.05. The Southeast Fisheries Center has verified that the rate is between 0.025 and 0.075 based on recently available information. Two new studies show that the net increase in value, even at mortality rates around 0.1, would be \$4-5 million.

One commenter disputed the rationale underlying the Texas closure, that increase in size corresponds to increase in price. He believes the closure may disrupt the current market for a variety of sizes of shrimp and lead to an oversupply of large shrimp, which are subject to greater price flexibility. The Council acknowledges that prices for large shrimp are more elastic than those for small shrimp; the Regulatory Impact Review takes account of the effect on price of the increased supply of larger shrimp. In general, however, larger shrimp command higher prices. The FMP is designed to preserve an adequate supply of smaller shrimp by keeping open the FCZ off Louisiana, Mississippi, and Alabama, and urging all States to repeal their count laws so that smaller shrimp may be landed, and not be discarded.

Other commenters complained that the Council's Scientific and Statistical Committee did not evaluate the Texas closure. The Committee met twice to consider proposed management measures, but the proposal to close the Texas FCZ had not been prepared prior to those meetings. As soon as the Texas closure material was available, it was sent with the entire FMP to Committee members for review; only one or two comments were received. The Council approved the FMP before the next meeting of the Committee, but Committee members did have an opportunity to comment prior to Council approval.

Several commenters alleged that the Texas closure violates several of the national standards in Section 301(a) of the Magnuson Act (16 U.S.C. 1801 *et seq.*) National Standard 1 is met because the Council has determined the "greatest overall benefit to the Nation" will result from an "optimum yield" that provides a mix of small shrimp preferred by canners and large shrimp preferred by freezer processors.

The measure does not violate National Standard 4. It does not discriminate among residents of different States; no one may shrimp in the FCZ off Texas during the closure,

estimate at .05 mortality is \$8.1 million (22.3 + 2.9 - 17.1).

and residents of any State may benefit from fishing there after the closure. The closure is not an allocation of fishing privileges because it is not a direct distribution of privileges among discrete classes of fishermen. It has conservation purposes as well as economic motivations, so it does not violate National Standard 5.

National Standard 7 is not violated because the closure improves the enforceability of the State closure. The enforcement and compliance costs of the measure are outweighed by the increased value to the industry of the larger shrimp. One commenter raised the possibility that royal red shrimps allowed outside the 100-fathom curve during the closure might actually fish for brown shrimp within the 20-fathom zone. A letter from the Texas Parks and Wildlife Department refuted that possibility; the areas are at least 30 miles apart, and the State has radar-detection capabilities in the 20-fathom zone.

Two commenters were concerned about the monitoring system that NMFS will use to evaluate effects of the closure on fishermen in Louisiana, Mississippi, and Alabama. The Southeast Fisheries Center acknowledges that each segment of data alone will not establish a cause-and-effect relationship, but the entirety of the analysis should allow the Council to judge whether the closure has unexpected adverse effects on the small shrimp segment of the fishery. The Council is currently preparing an amendment to the FMP which would allow modification or removal of the closure in 1982 or subsequent years, depending on results of the monitoring. The data collection system will be expanded this year to cover fishermen from Alabama and Mississippi as well as Louisiana.

Sea Turtles

Two commenters requested that Management Measure 8 (see FMP, 45 FR 74190) be revised to provide additional protection for sea turtles by requiring mandatory excluder devices in shrimp trawls. The FMP supports research efforts to develop turtle excluder mechanisms, which would be required under the turtle recovery plan administered by NMFS. As yet, however, excluder gear has not been commercially proven in the Gulf.

Groundfish

Other commenters suggested management measures designed to reduce the incidental catch of finfish in shrimp trawls, or to encourage development of markets for this

incidental catch. The Council is now developing a groundfish plan which contains these proposed measures.

Research

One commenter requested that there be research programs addressing the destruction of seagrass beds by bottom trawls and the extent of harvest by recreational shrimpers in estuaries and enclosed areas. Data relating to shrimp fishery activities in State waters, which are obtained by the States and other sources, are utilized by NMFS in assessing the impact on habitat of users of the resource. Management Measure 4 of the FMP and the above "data reporting" section encourage this sort of research.

2. Comments on the Regulations.

General

The States of Alabama and Mississippi expressed concern over implementation of the FMP in waters that are currently disputed between those States and the United States. This problem is addressed above, in item 7 of the management regime.

The description and approximate acreage of the Flower Garden Banks closed to foreign fishing differs between the proposed and final rulemaking. Corrections were made to comply with proposed marine sanctuary descriptions (45 FR 43205).

Section 658.4

One commenter suggested that the terminology in the proposed regulations referencing depth contours be made consistent to read "100-fathom depth contour." That change was made in § 611.62(b).

In the proposed regulations, § 658.4(b), (c), and (d) required a vessel intending to fish for royal red shrimp during the Texas closure in the area otherwise closed to trawl fishing to have on board a letter of authorization signed by the Regional Director. In order to reduce the Federal paperwork burden for individuals and small business and to carry out the intent of the Paperwork Reduction Act of 1980, the requirement to have a letter of authorization before fishing for royal red shrimp seaward of the 100-fathom depth contour off Texas is not implemented as a final rule.

Section 658.5

In the proposed regulations, § 658.5 required all dealers and processors to provide certain information to NMFS. One commenter requested that implementation of this provision be delayed, pending the outcome of a lawsuit challenging similar regulations in another fishery. That suit has been

dismissed, but the plaintiff has appealed. The Assistant Administrator has determined not to delay implementation pending final resolution of the litigation, but the final regulations reserve this section (see item 4 of the management regime).

Sections 658.22 and 658.24

One commenter requested that §§ 658.22 and 658.24 be changed to apply only to those who participate in a directed fishery for shrimp, and that those who catch shrimp incidental to fishing for other species should not be prohibited from fishing. The commenter further requested that § 658.7(b) be changed to conform to this intent. In addition, he requested that those taking shrimp as an incidental catch to finfish be permitted to retain the shrimp.

The final regulations prohibit all trawling in the closed areas except for royal red shrimp seaward of the 100-fathom depth contour. A provision distinguishing between trawling for species of shrimp other than royal red shrimp and trawling for other species would be too hard to enforce. A prohibition of all trawling except for royal red shrimp in closed areas is not inconsistent with the management measures in the FMP and is not expected to have any serious effect in other trawl fisheries.

Three commenters wanted to improve enforceability of the closed-area provisions by prohibiting possession of trawl gear above deck on vessels in the closed areas. This suggestion was rejected as too harsh a measure, as it is quite difficult to dismantle the gear and store it below deck.

The Coast Guard requested that the word "approximately" be deleted from the geographic description of the Tortugas Shrimp Sanctuary line. Section 658.22 was rewritten in response to this comment.

Section 658.23

The Gulf of Mexico Council suggested that § 658.23(b) titled "Exception" in the proposed regulations be deleted, because this provision conflicted with the FMP. The final regulations do not contain this exception, and thus prohibit live bait fishing within the stone crab closed area between January 1 and May 20. The Council will amend the stone crab plan to make it consistent with this FMP.

Section 658.26

The Council also requested that the regulations provide a mechanism to allow scientific research activities by commercial fishing vessels in areas

closed to shrimp fishing. The final regulations contain a new section, § 658.26, which provides for authorization by the Regional Director of such activities.

e. Other Matters

The Assistant Administrator, after considering all comments received on the FMP and proposed regulations, has determined that the FMP and the final regulations comply with the national standards, other provisions of the Magnuson Act, and other applicable law.

The adoption and implementation of the FMP is a major Federal action that will have a significant impact on the quality of the human environment. Under the National Environmental Policy Act and NOAA Directive 02-10, a draft environmental impact statement was filed with the Environmental Protection Agency. The notice of availability was published on November 6, 1979 (44 FR 64114). The final environmental impact statement was filed and the notice of availability was published on March 13, 1981 (46 FR 18720).

The final shrimp regulations are not subject to the provisions of the Regulatory Flexibility Act. The provisions of this Act apply only to rules for which a notice of proposed rulemaking was issued on or after January 1, 1981. The proposed rules for shrimp were published on November 7, 1980.

The NOAA Acting Administrator has determined that these regulations are not a major rule under Executive Order 12291. A Regulatory Impact Review has been prepared which analyzes the expected benefits and costs of the regulatory action. The review supports the determination that the final regulations will not likely result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, the shrimp industry, government agencies, or geographic regions; or have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets. There are increases expected in shrimp landings and shrimp vessel productivity in the Gulf of Mexico, as well as an increase in Federal costs of management. No significant change is expected with regard to the other identified factors.

The Assistant Administrator has determined that the full 30-day period of delayed effectiveness required under the Administrative Procedures Act is

unnecessary and contrary to the public interest. The closure of the FCZ (9-200 miles) off the State of Texas is intended to occur concurrently with the closure of the State waters (0-9 miles) by the State of Texas. The State closure usually occurs from June 1 through July 15. Because of the unusually warm weather in the northern Gulf of Mexico this spring, the shrimp in the bays and estuaries are expected to reach 90 mm at an earlier date than usual. The State of Texas is expected to close its waters on May 22 and the FCZ off Texas must be closed to shrimp fishing at the same time to achieve the anticipated benefits of \$8.1 million in increased value by harvesting larger shrimp after the expiration of the closed season.

Dated: May 15, 1981.

Terry L. Leitzell,

Assistant Administrator for Fisheries,
National Marine Fisheries Service.

50 CFR Parts 611 and 658 are amended as follows:

1. The authority citation for Parts 611 and 658 reads as follows:

Authority: 16 U.S.C. 1801 *et seq.*

PART 611—FOREIGN FISHING

2. In Part 611, Subpart D is amended by revising § 611.60 including the caption and by adding new §§ 611.61 and 611.62 as follows:

Subpart D—Atlantic, Caribbean, and Gulf of Mexico

§ 611.60 General provisions.

(a) *Purpose.* This subpart regulates:

(1) All foreign fishing conducted under a Governing International Fishery Agreement (GIFA) within the fishery conservation zone (FCZ) in the Atlantic Ocean south of 35°00' N. latitude, in the Gulf of Mexico, and in the Caribbean Sea; and

(2) All foreign longline fishing conducted under a GIFA which involves the catching of any species of billfishes, sharks, or other fish in the FCZ in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea.

(b) *Authorized fishery.* (1)

Allocations. Foreign vessels may engage in fishing only in accordance with applicable national allocations.

(2) *TALFF.* The TALFFs are set forth in Appendix 1 to § 611.20.

(3) *Permitted fishing.* Foreign fishing authorized under this subpart may be conducted only during the seasons, in the open areas, and with the gear specified in §§ 611.61 and 611.62.

(c) *Prohibited species.* (1) All species of fish over which the United States exercises exclusive fishery management authority and for which there is no

applicable allocation are prohibited species and shall be treated in accordance with § 611.13. Fish caught in excess of an applicable national allocation are prohibited species.

(2) As a means of rebutting the presumption of § 611.13(c), a vessel may store all prohibited species caught outside the FCZ in a separate part of the hold that can be sealed, and may have its holds inspected and sealed before commencing fishing in the FCZ. Seals affixed during such inspection shall be maintained in an unbroken condition during the time the fishing vessel is in the FCZ. Such inspections may be obtained at Venice or New Orleans, La., Key West, Fla., Mayaguez, P.R., or Norfolk, Va., upon 48 hours advance notification to: Regional Director, Southeast Region, National Marine Fisheries Service, Duval Building, 9450 Koger Boulevard, St. Petersburg, Fla. 33702 Telephone: 813-893-3141.

(3) Additional ports for hold inspection may be arranged with the Regional Director.

(4) The designation of ports for hold inspections does not modify the port entry arrangements or requirements (if any) of GIFAs or the notification requirements of any other laws or regulations of the United States.

(d) *Open area.* Except for the closed area set forth in paragraph (e) of this section, and paragraph 611.62(b), foreign fishing authorized under this subpart may be conducted in that portion of the FCZ in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea beyond 12 nautical miles from the baseline used to measure the U.S. territorial sea.

(e) *Closed area.* The area known as East and West Flower Garden Banks is closed to foreign fishing. The Flower Garden Banks are located in the Gulf of Mexico approximately 110 nautical miles southeast of Galveston, Texas, and 120 nautical miles south of Cameron, Louisiana. The area encloses a proposed national marine sanctuary, which consists of approximately 257 square nautical miles and comprises the waters overlaying and surrounding those banks to a distance of 4 nautical miles from the 100 meter isobath of each bank. The boundary of the closed area is described by rhumb lines connecting the following points:

Point	Latitude	Longitude
1.....	27°46.5'N	93°57.0'W.
2.....	27°56.0'N	93°57.0'W.
3.....	28°04.0'N	93°32.0'W.
4.....	27°51.0'N	93°28.0'W.
5.....	27°47.0'N	93°45.5'W.
6.....	27°46.5'N	93°57.0'W.

§ 611.61 Atlantic billfish and sharks fishery.

(a) *Purpose.* This section regulates all foreign fishing conducted under a GIFA which involves the catching of any species of billfish or sharks in the FCZ in the Atlantic Ocean, Gulf of Mexico, or Caribbean Sea.

(b) *Open season and closures.* Foreign fishing under this section may be conducted throughout the year, except that any retention of sharks shall terminate when the applicable national allocation has been reached. The closure provisions of § 611.15(a) do not apply to this section.

(c) *Prohibited species.* Unless otherwise specifically instructed by a U.S. observer or Authorized Officer, all billfish and all prohibited sharks must be released by cutting the line (or by other appropriate means) without removing the fish from the water.

(d) *Gear restrictions.* Foreign vessels participating in a directed fishery for sharks must use a minimum sized hook of 7 inches shank length and 2.5 inches gap (distance between tip and shank) when fishing inside the 100-fathom depth contour. There is no hook size restriction seaward of the 100-fathom depth contour.

(e) *Statistical reporting.* (1) In addition to the requirements of § 611.9, a vessel of a nation with an applicable allocation shall submit the following additional quarterly reports:

(i) Catch and effort data, summarized weekly by one degree squares, containing the following information:

(A) Number of hooks set.
(B) Number of sharks caught under allocation.

(C) Number of prohibited species (by species code from Appendix I to § 611.9) caught and released.

(D) Number of prohibited species (by species code) released alive.

(ii) Summary of vessel activities containing the following information:

(A) Permit number of each vessel fishing.

(B) For each successive day of the reporting period, the noon-day location (within 0.1 degree of latitude and longitude) of each vessel in the fishery.

(2) A vessel of a nation with no applicable allocation is exempt from the requirements of § 611.9 (d) and (e), but shall provide the reports required by § 611.9 (f) and (g), when applicable. In addition, a vessel of a nation with no applicable allocation shall submit the quarterly reports described in paragraph (e)(1)(i)(A), (C), and (D), only, and (e)(1)(ii) of this section.

(3) The quarterly reports required by paragraphs (e)(1) and (2) of this section shall be submitted not later than 60 days

from the end of the quarter for which the report is being made, to: Director, Southeast Fisheries Center, National Marine Fisheries Service, 75 Virginia Beach Drive, Miami, Florida 33149. Telephone: 305-361-5761.

§ 611.62 Royal red shrimp fishery.

(a) *Purpose.* This section regulates all foreign fishing conducted under a GIFA which involves the catching of royal red shrimp in the FCZ of the Gulf of Mexico.

(b) *Closed areas.* Fishing by foreign vessels for royal red shrimp is prohibited in depths less than 100 fathoms.

(c) *Gear restrictions.* No foreign vessel may use gear other than trawl gear to fish for royal red shrimp, except as specifically authorized in writing by the Regional Director.

3. Appendix 1, section A to 50 CFR 611.9, is amended by adding an entry for royal red shrimp, as follows:

§ 611.9 Reports and recordkeeping.

Appendix I—Species Codes

A. Atlantic Ocean Fishes (Including the Gulf of Mexico)

Code	Common English name	Scientific name
.	.	.
Invertebrates		
630	Shrimp, royal red robustus.	<i>Hymenopenaeus</i>

4. Appendix II to 50 CFR 611.9 is amended by revising the title of

Species	Species code	Areas	OY	DAH	DAP	JVP	DNP	Reserve	TALFF
2. Atlantic and Gulf Fisheries:			
B. Royal red shrimp fishery.	630		177.8	111.6				0	66.2

7. 50 CFR is amended by adding new Part 658 to read as follows:

PART 658—SHRIMP FISHERY OF THE GULF OF MEXICO

Subpart A—General Measures

Sec.	
658.1	Purpose and scope.
658.2	Definitions.
658.3	Relation to other laws.
658.4	Vessels, permits, and fees.
658.5	Recordkeeping and reporting.
	[Reserved]

statistical area C and of Figure 4 as follows:

Appendix II—Area Codes

C. Gulf of Mexico, and Atlantic fisheries for billfish and sharks.

Figure 4—Gulf of Mexico, and Atlantic fisheries for billfish and sharks.

5. Appendix IV to 50 CFR 611.9, is amended by adding an entry for Royal Red Shrimp as follows:

Appendix IV—Weekly catch report

D. Submission instructions
1.

Fishery	Address	Report received by
Royal red shrimp.	Director, Southeast Fisheries Center, National Marine Fisheries Service, 75 Virginia Beach Dr., Miami, Florida 33149.	Wednesday, 1900 G.M.T. following reporting period.

6. Appendix I to 50 CFR § 611.20 is amended by adding the following entry "2.B. Royal Red Shrimp Fishery" as follows:

§ 611.20 Total allowable level of foreign fishing.

Appendix I—Optimum yield (OY), domestic annual harvest (DAH), domestic annual processing (DAP), joint venture processing (JVP), domestic nonprocessed fish (DNP), and total allowable level of foreign fishing (TALFF), all in metric tons.

658.6 Vessel identification.
658.7 Prohibitions.
658.8 Enforcement.
658.9 Penalties.

Subpart B—Management Measures

658.20 Fishing year.
658.21 Allowable levels of harvest.
658.22 Tortugas Shrimp Sanctuary.
658.23 Stone crab area closure.
658.24 Texas closure.
658.25 Size restrictions.
658.26 Specifically authorized activities.

Authority: 16 U.S.C. 1801 *et seq.*

Subpart A—General Measures**§ 658.1 Purpose and scope.**

(a) The purpose of this Part is to implement the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, developed by the Gulf of Mexico Fishery Management Council under the Magnuson Fishery Conservation and Management Act.

(b) The regulations in this Part govern fishing for brown shrimp, white shrimp, pink shrimp, royal red shrimp, seabob shrimp, and rock shrimp by vessels of the United States within that portion of the Gulf of Mexico over which the United States exercises exclusive fishery management authority.

(c) Regulations governing foreign fishing for royal red shrimp appear in 50 CFR Part 611. Appendix I to § 611.20 contains the total allowable level of foreign fishing for royal red shrimp.

§ 658.2 Definitions.

In addition to the definitions in the Act, the terms used in this Part shall have the following meanings:

Act means the Magnuson fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Authorized Officer means:

(a) Any commissioned, warrant, or petty officer of the U.S. Coast Guard;

(b) Any certified enforcement officer or special agent of the National Marine Fisheries Service;

(c) Any officer designated by the head of any Federal or State agency which has entered into an agreement with the Secretary and the Commandant of the Coast Guard to enforce the provisions of the Act; or

(d) Any U.S. Coast Guard personnel accompanying and acting under the direction of any person described in paragraph (a) of this definition.

Center Director means the Center Director, Southeast Fisheries Center, National Marine Fisheries Service, 75 Virginia Beach Drive, Miami, Florida 33149. Telephone 305-361-5761.

Catch, take, or harvest includes, but is not limited to, any activity which results in bringing any shrimp on board a vessel.

Fishery conservation zone (FCZ) means that area adjacent to the territorial sea of the constituent States of the United States which, except where modified to accommodate international boundaries, encompasses all waters from the seaward boundary of each of the coastal States to a line on which each point is 200 nautical miles from the baseline from which the territorial sea of the United States is measured.

Fishery management plan (FMP) means the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico.

Fishing means any activity, other than scientific research conducted by a scientific research vessel, which involves:

(a) The catching, taking, or harvesting of shrimp;

(b) The attempted catching, taking, or harvesting of shrimp;

(c) Any other activity which can reasonably be expected to result in the catching, taking, or harvesting of shrimp;

(d) Any operations at sea in support of, or in preparation for, any activity described in paragraph (a), (b), or (c) of this definition.

Fishing vessel means any vessel, boat, ship, or other craft which is used for, equipped to be used for, or of a type which is normally used for:

(a) Fishing; or

(b) Aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including, but not limited to, preparation, supply, storage, refrigeration, transportation, or processing.

Gulf of Mexico means the geographic area of authority of the Gulf of Mexico Fishery Management Council.

Operator, with respect to any vessel, means the master or other individual on board and in charge of that vessel.

Owner, with respect to any vessel, means:

(a) Any person who owns that vessel in whole or in part;

(b) Any charterer of that vessel, whether bareboat, time, or voyage;

(c) Any person who acts in the capacity of a charterer, including, but not limited to, parties to a management agreement, operating agreement, or other similar arrangement that bestows control over the destination, function, or operation of the vessel; or

(d) Any agent designated as such by any person described in paragraph (a), (b), or (c) of this definition.

Person means any individual (whether or not a citizen or national of the United States), corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government.

Regional Director means the Regional Director, Southeast Region, National Marine Fisheries Service, Duval Building, 9450 Koger Boulevard, St. Petersburg, Florida 33702, or a designee.

Shrimp means the following species:
Brown shrimp, *Penaeus aztecus*
White shrimp, *P. setiferus*
Pink shrimp, *P. duorarum*

Seabob shrimp, *Xiphopenaeus kroyeri*
Rock shrimp, *Sicyonia brevirostris*
Royal red shrimp, *Hymenopenaeus robustus*

United States harvested shrimp means shrimp caught, taken, or harvested by vessels of the United States in the Gulf of Mexico, whether or not such shrimp is landed in the United States.

Vessel of the United States means:

(a) A vessel documented or numbered by the U.S. Coast Guard under United States law; or

(b) Any vessel under five net tons registered under the laws of any State.

§ 658.3 Relation to other laws.

(a) Persons affected by these regulations should be aware that other Federal and State statutes and regulations may apply to their activities.

(b) The regulations found in this Part are intended to be compatible with regulations pertaining to the Everglades National Park in the State of Florida and Fort Jefferson National Monument. These regulations which prohibit commercial shrimping are found at 36 CFR 7.45 and 36 CFR 7.27, respectively.

(c) Certain responsibilities relating to data collection and enforcement may be performed by authorized State personnel under a cooperative agreement entered into by the State, the U.S. Coast Guard, and the Secretary.

§ 658.4 Vessel permits and fees.

No permit is required for vessels of the United States fishing for shrimp under this Part.

§ 658.5 Recordkeeping and reporting. [Reserved]**§ 658.6 Vessel identification.**

(a) *Official number*. Each vessel of the United States engaged in the shrimp fishery in the Gulf of Mexico FCZ shall:

(1) Display its official number on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck so as to be clearly visible from enforcement vessels and aircraft. The official number is the documentation number issued by the Coast Guard for documented vessels or the registration number issued by a State or the Coast Guard for undocumented vessels.

(2) The official number must be in block arabic numerals in contrasting color to the background.

(3) The official number shall be at least 18 inches in height for fishing vessels over 65 feet in length and at least 10 inches in height for all other vessels.

(4) The official number shall be permanently affixed to or painted on the vessel.

(b) *Duties of operator.* The operator of each fishing vessel shall:

- (1) Keep the registration number clearly legible and in good repair, and
- (2) Insure that no part of the fishing vessel, its rigging, or its fishing gear obstructs the view of the official number from any enforcement vessel or aircraft.

§ 658.7 Prohibitions.

It is unlawful for any person to:

(a) Possess, have custody or control of, ship, transport, offer for sale, sell, purchase, import, land, or export any shrimp taken or retained in violation of the Act, this Part, or of any other regulation promulgated under the Act;

(b) Trawl in a closed area or during a closed season within the FCZ, except as allowed under § 658.24(a);

(c) Transfer directly or indirectly, or attempt to so transfer, any United States harvested shrimp to any foreign fishing vessel, while such vessel is within the FCZ, unless the foreign fishing vessel has been issued a permit under section 204 of the Act which authorizes the receipt by such vessel of United States harvested shrimp;

(d) Falsify or fail to affix and maintain vessel markings as required by § 658.6;

(e) Refuse to permit an Authorized Officer to board a fishing vessel subject to such person's control for purposes of conducting any search or inspection in connection with the enforcement of the Act, this Part, or any other regulation issued under the Act;

(f) Fail to comply immediately with enforcement and boarding procedures specified in § 658.8;

(g) Forcibly assault, resist, oppose, impede, intimidate, threaten, or interfere with any Authorized Officer in the conduct of any search or inspection under the Act;

(h) Resist a lawful arrest for any act prohibited by this Part;

(i) Interfere with, delay, or prevent by any means the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this Part;

(j) Interfere with, obstruct, delay, or prevent by any means a lawful investigation or search in the process of enforcing this Part;

(k) Interfere with, obstruct, delay, or in any other manner prevent the seizure of illegally taken shrimp or the final disposition of such shrimp through the sale of the shrimp; or

(l) Violate any other provision of this Part, the Act, or any regulation issued under the Act.

§ 658.8 Enforcement.

(a) *General.* The owner or operator of any fishing vessel subject to this Part shall immediately comply with instructions issued by an Authorized Officer to facilitate safe boarding and inspection of the vessel, its gear, equipment, and catch for purposes of enforcing the Act and this Part.

(b) *Signals.* Upon being approached by a U.S. Coast Guard vessel or aircraft, or any other vessel or aircraft authorized to enforce the Act, the operator of a fishing vessel shall be alert for communications conveying enforcement instructions. The VHF-FM radiotelephone is the normal method of communicating between vessels. Should radiotelephone communications fail, however, other methods of communicating between vessels, including visual signals, may be employed. The following signals extracted from the International Code of Signals are among those which may be used, and are included here for the safety and information of fishing vessel operators:

(1) "L" meaning "You should stop your vessel instantly."

(2) "SQ3" meaning "You should stop or heave to; I am going to board you."

(3) "AA AA AA etc." which is the call to an unknown station, to which the signaled vessel should respond by illuminating the number required by § 658.6, and

(4) "RYCY" meaning "You should proceed at slow speed, a boat is coming to you."

(c) *Boarding.* A vessel signaled to stop or heave to for boarding shall:

(1) Guard Channel 16, VHF-FM, if so equipped;

(2) Stop immediately and lay to or maneuver in such a way as to permit the Authorized Officer and his party to come aboard;

(3) Provide a safe ladder, if required, for the Authorized Officer and his party to come aboard;

(4) When necessary, to facilitate the boarding and/or when requested by an Authorized Officer, provide a man rope or safety line and illumination for the ladder; and

(5) Take such other actions as necessary to ensure the safety of the Authorized Officer and his party and to facilitate the boarding.

§ 658.9 Penalties.

Any person or fishing vessel found to be in violation of this Part is subject to the civil and criminal penalty provisions and forfeiture provisions prescribed in the Act, and to 50 CFR Parts 620 (Citations) and 621 (Civil Procedures), and other applicable law.

Subpart B—Management Measures

§ 658.20 Fishing year.

The fishing year for all species of shrimp, except royal red shrimp, begins on May 1 and ends on April 30. The fishing year for royal red shrimp begins on January 1 and ends on December 31.

§ 658.21 Allowable levels of harvest.

(a) *Catch quotas.* The domestic quota for royal red shrimp is 111.6 metric tons. There is no domestic quota for other species of shrimp.

(b) *Territorial waters.* These regulations do not limit the harvest of shrimp resources in waters landward of the FCZ. However, harvest from these waters will be taken into account in the calculation of the maximum sustainable yield and optimum yield from the fishery.

(c) *Closure.* When the domestic quota for royal red shrimp is reached, the Regional Director shall close the fishery by publishing a notice in the Federal Register.

§ 658.22 Tortugas shrimp sanctuary.

The area commonly known as the "Tortugas Shrimp Sanctuary," off the State of Florida, is closed to all trawl fishing. The area is that part of the fishery conservation zone shoreward of a line connecting the following points (see Figure 1):

Point	Latitude	Longitude	Common name
N.....	25°52.9'N	81°37.95'W	Coon Key Light.
F.....	24°50.7'N	81°51.3'W	
G.....	24°40.1'N	82°28.7'W	New Grounds Shoals Light.
H.....	24°34.7'N	82°35.1'W	Rebecca Shoals Light.
P.....	24°35'N	82°08'W	Marquessa Keys.

§ 658.23 Stone crab area closure.

Between January 1 and May 20, the area described in this paragraph is closed to trawl gear, including live bait gear. The area is that part of the fishery conservation zone shoreward of a line connecting the following points (see Figure 2):

Point	Latitude	Longitude	Common name
B.....	26°16'N	81°58.5'W	
C.....	26°00'N	82°04'W	
D.....	25°09'N	81°47.6'W	
E.....	24°54.5'N	81°50.5'W	
M.....	24°41.9'N	81°40.5'W	Snipe Point.

§ 658.24 Texas closure.

(a) *Area and season restrictions.* Between June 1 and July 15, the area described in this paragraph is closed to all trawl fishing, except that a vessel may fish for royal red shrimp beyond

the 100-fathom depth contour. The area is that part of the fishery conservation zone off the State of Texas west of a line connecting point A (29°32.1'N. lat., 93°47.7'W. long.) to point B (26°11.4'N. lat., 92°53'W. long.) (see Figure 3).

(b) *Adjustment of dates.* The Regional Director may adjust the closing or opening date by as much as 15 days, to provide an earlier, later, or longer closure; but the duration of the closure may not exceed 60 days, nor be less than 45 days.

(1) The Regional Director must base an adjustment of the closing or opening date on the following criteria:

(i) Biological data collected by the Texas Parks and Wildlife Department (TPWD) and used to predict when brown shrimp in the central and northern bays of Texas will reach a total length of 80 to 90 mm; and

(ii) The strength of outgoing tides at the time predicted under paragraph

(b)(1)(i) of this section; and

(iii) Other ecological data relevant to the timing or duration of the closure.

(2) The Regional Director, after consulting with the TPWD, may adjust the closing or opening date by issuing a field order. The order will specify the adjusted date and the reasons for the adjustment.

(3) A field order advancing the closing date or delaying the opening date must be available to the public for 72 hours before its effective date. A field order delaying the closing date or advancing the opening date must be available to the public for 24 hours before its effective date.

(4) A field order may be made available to the public by any of the following methods:

(i) Procedures customarily used by the TPWD for posting and publicizing similar notices of opening or closure;

(ii) Publication of a notice in a

newspaper of major circulation in each of the following cities: Brownsville, TX; Aransas Pass, TX; Galveston, TX; Corpus Christi, TX; Freeport, TX; Port Arthur, TX; Cameron, LA; and Morgan City, LA;

(iii) Notification of shrimp fishery organizations in all the States bordering the Gulf of Mexico;

(iv) Broadcast of a notice at time intervals, channels, and frequencies customarily used by the TPWD to broadcast similar notices of opening or closure.

§ 658.25 Size restrictions.

There are no minimum size requirements for shrimp harvested in the fishery conservation zone.

§ 658.26 Specifically authorized activities.

The Regional Director may authorize, for the acquisition of information and data, activities otherwise prohibited by these regulations.

BILLING CODE 3510-22-M

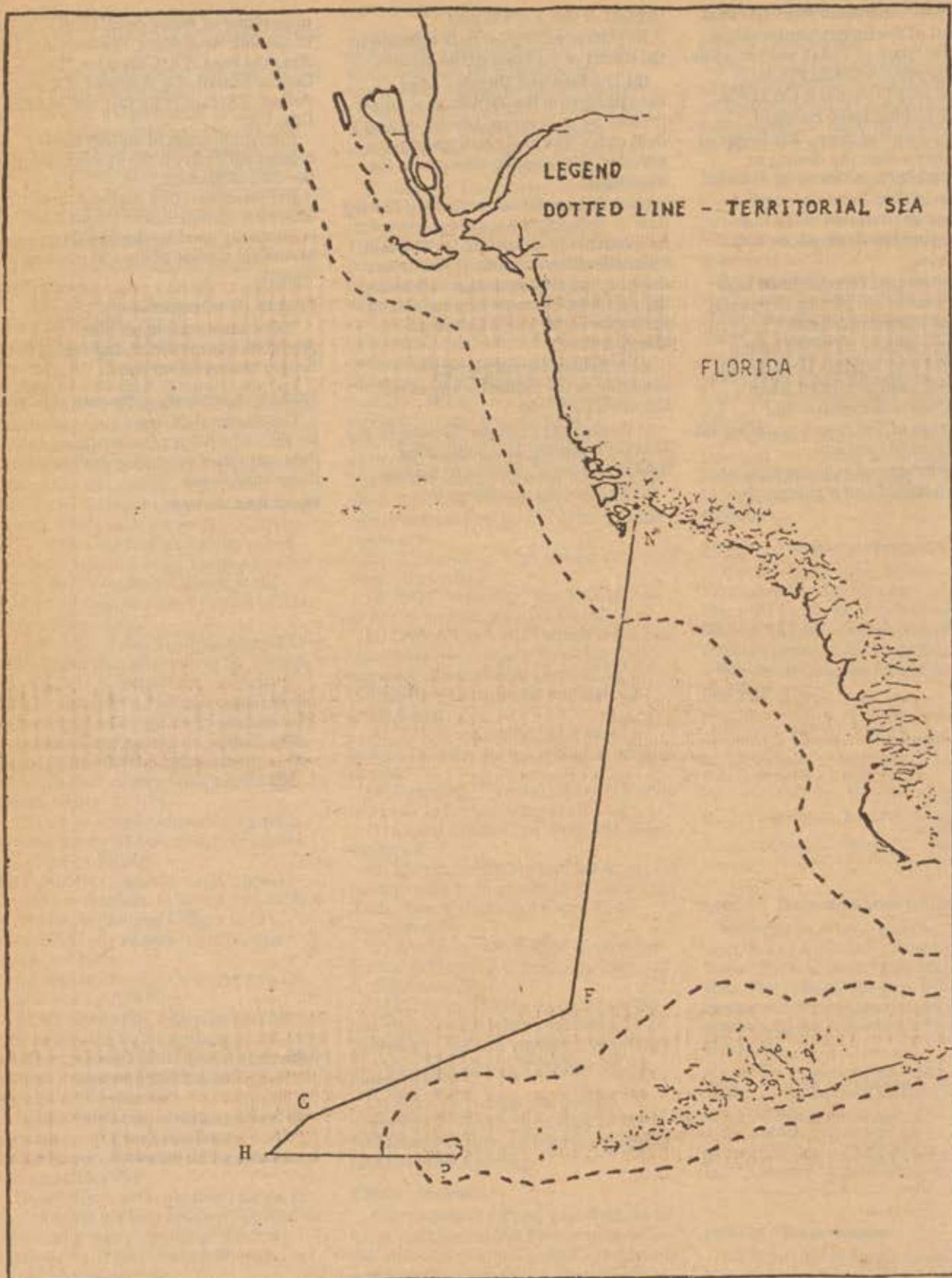


FIGURE 1. LOCATION OF TORTUGAS SHRIMP SANCTUARY.

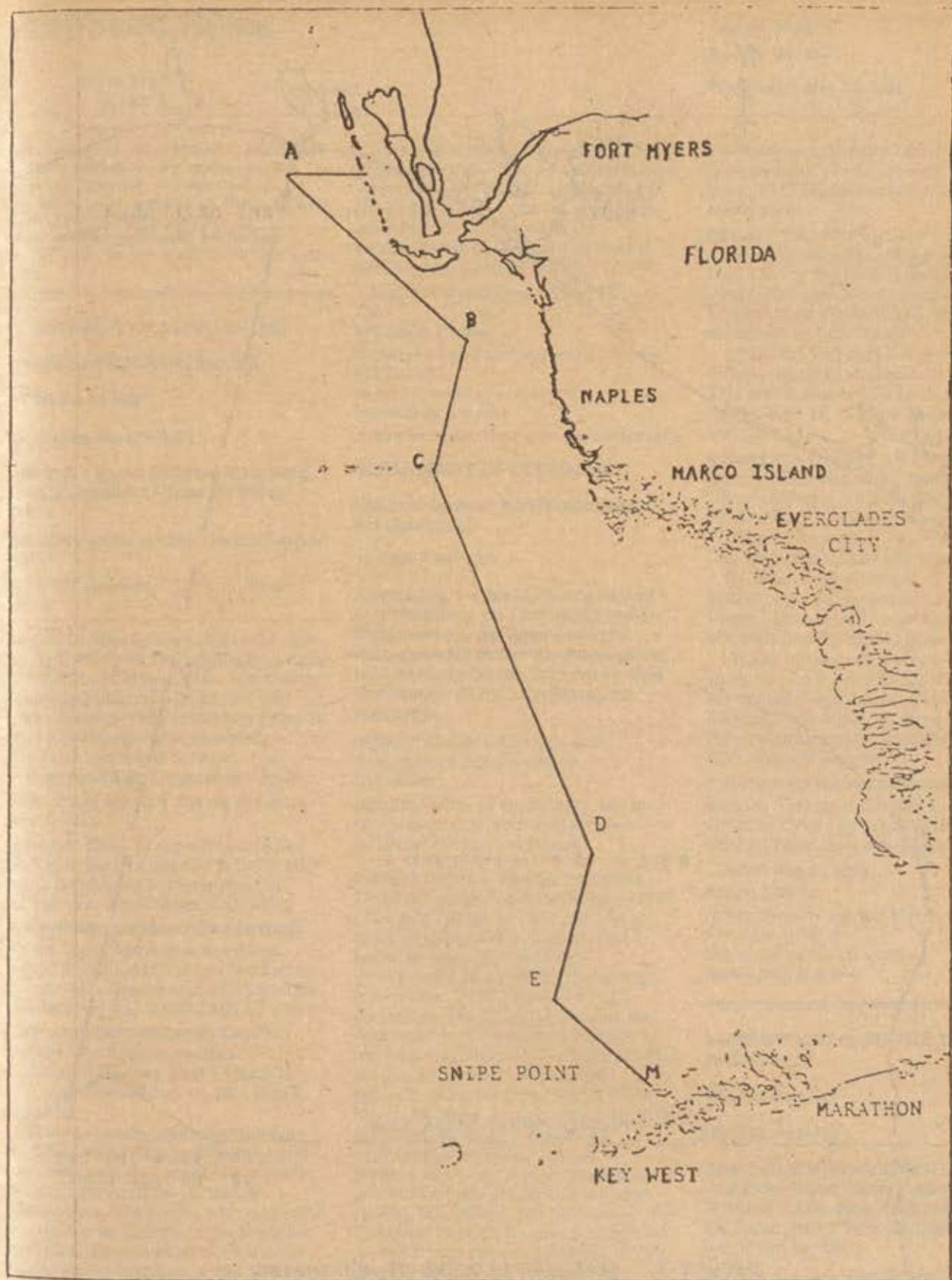


FIGURE 2. AREA CLOSED TO SHRIMPING BETWEEN JANUARY 1 AND MAY 20.

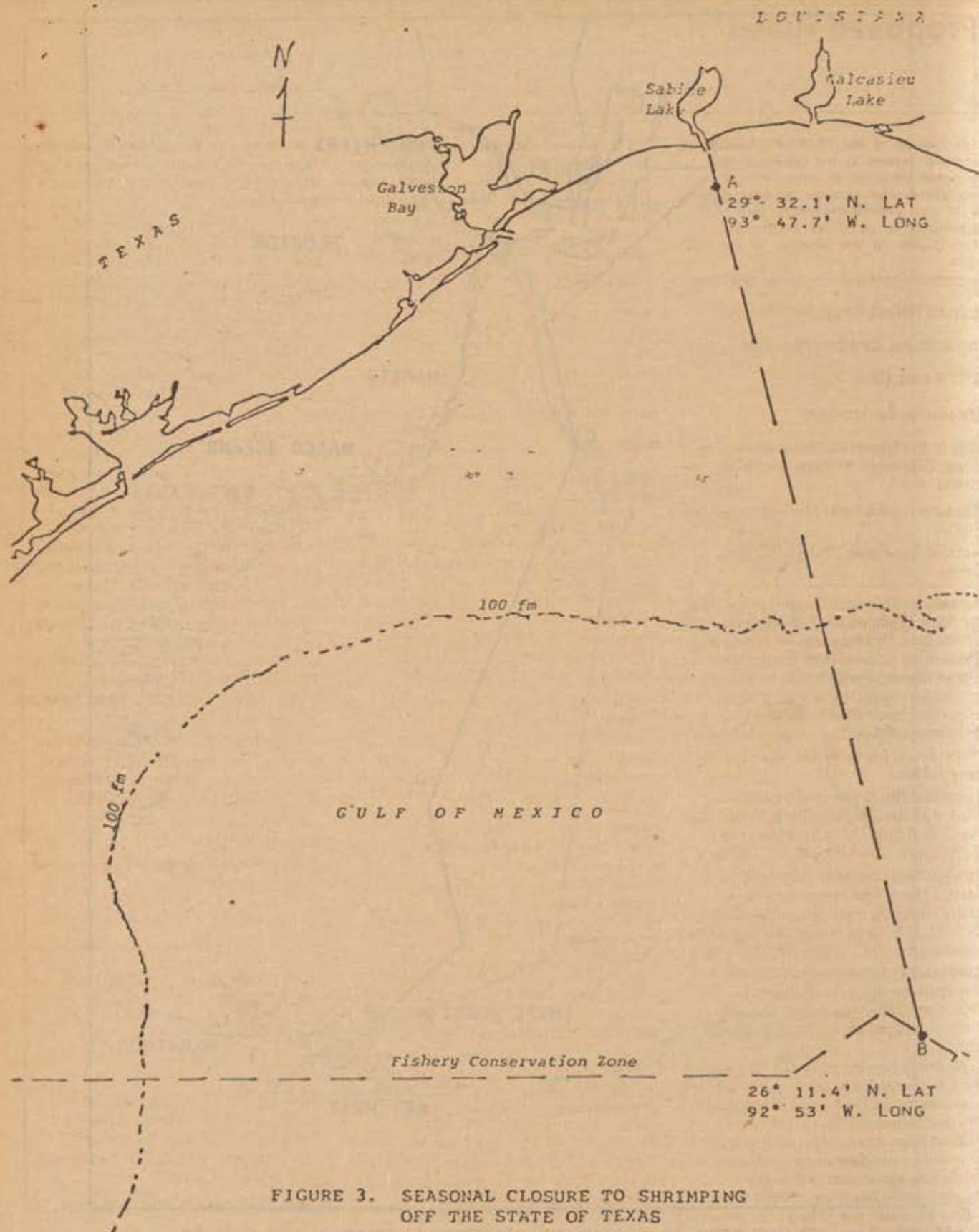


FIGURE 3. SEASONAL CLOSURE TO SHRIMPING OFF THE STATE OF TEXAS

Proposed Rules

Federal Register

Vol. 46, No. 97

Wednesday, May 20, 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 1068

[Docket No. A0-178-A37]

Milk in the Upper Midwest Marketing Area; Extension of Time for Filing Briefs

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Extension of time for filing briefs.

SUMMARY: This notice extends the time for filing briefs on the hearing held April 14-15, 1981, at Minneapolis, Minnesota, concerning proposals to amend the Upper Midwest milk marketing order. A producers' cooperative association requested more time to review the hearing record and to prepare a brief.

DATE: Briefs are now due on or before June 1, 1981.

ADDRESS: Briefs (4 copies) should be filed with the Hearing Clerk, Room 1077 South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

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

SUPPLEMENTARY INFORMATION: Prior document in this proceeding:

Notice of Hearing issued March 9, 1981, published March 13, 1981 (46 FR 16689).

Notice is hereby given that the time for filing briefs, proposed findings and conclusions on the record of the public hearing held April 14-15, 1981, at Minneapolis, Minnesota, with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Upper Midwest marketing area pursuant to notice issued March 9, 1981 (46 FR 16689) is hereby extended to June 1, 1981.

This notice is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Signed at Washington, D.C. on: May 15, 1981.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 81-15049 Filed 5-19-81; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 1001

Availability, Public Comment Period, and Workshop on Technical Support Document for the Environmental Requirements Under the Regulations for Licensing Ocean Thermal Energy Conversion (OTEC) Facilities and Plantships

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of availability, public comment period, and workshop on technical support document.

SUMMARY: Pub. L. 96-320, the Ocean Thermal Energy Conversion Act of 1980 ("the Act") is intended to provide a stable legal system and streamlined licensing process to facilitate development of ocean thermal energy conversion (OTEC) facilities and plantships. The National Oceanic and Atmospheric Administration (NOAA) has lead responsibility for implementing the Act and has issued proposed regulations for comment (46 FR 19418, March 30, 1981). Among other things, the proposed regulations require an applicant for an OTEC license to prepare an environmental assessment of potential effects of OTEC operations (§ 1001.260). NOAA has prepared a draft Technical Support Document (TSD) that is intended to provide guidance on the types of specific information and analyses an applicant might wish to provide to satisfy this requirement. This notice announces the availability of the draft TSD, a public comment period and

a workshop on the document. Interested persons are invited to request a copy of the draft TSD and to participate in its refinement.

DATES: (1) In order to allow NOAA time to consider comments and prepare a final TSD by the time of issuance of the final OTEC regulations, public comments on the draft TSD should be submitted by June 30, 1981.

(2) NOAA will hold a workshop to discuss issues identified in the draft TSD and to improve its content on Friday, June 12, 1981, between 9:00 a.m. and 12 noon.

ADDRESSES: (1) Requests for copies of the draft TSD should be directed to the Office of Ocean Minerals and Energy, NOAA, Page 1 Building, Room 410, 2001 Wisconsin Avenue, N.W., Washington, D.C. 20235 (telephone 202-254-3483).

(2) Written comments on the draft TSD should be directed to Robert W. Knecht, Director, Office of Ocean Minerals and Energy (address above).

(3) The location of the June 12 public workshop on the draft TSD will be Room 6802, Department of Commerce Building, 14th Street between Pennsylvania and Constitution Avenues, N.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Richard Norling or Edward P. Myers, Office of Ocean Minerals and Energy, NOAA, Telephone: 202-254-3483.

Dated: May 14, 1981.

Francis J. Ballint,

Acting Director, Office of Management and Computer Systems.

[FR Doc. 81-15039 Filed 5-19-81; 8:45 am]

BILLING CODE 3510-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A2-FRL-1831-6]

Approval and Promulgation of Implementation Plans; Proposed Revision to the New York State Implementation Plan; Reopening of Comment Period

AGENCY: Environmental Protection Agency.

ACTION: General notice to reopen comment period.

SUMMARY: Today's notice reopens for an additional 30 days the comment period on a July 31, 1980 notice of proposed rulemaking (45 FR 50832). This notice concerned a request from the State of New York to revise its State Implementation Plan to allow the Long Island Lighting Company to continue using fuel oil with a maximum sulfur content of 2.8 percent, by weight, in units 1, 2, and 3 of its Northport generating facility and in units 3 and 4 of its Port Jefferson generating facility. The public comment period is being reopened to allow additional comment on an air quality modeling analysis recently submitted by the New York State Department of Environmental Conservation in support of its request.

DATES: The comment period is extended to June 19, 1981.

ADDRESSES: Written comments should be addressed to: Richard T. Dewling, Ph. D., Acting Regional Administrator, Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278.

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

SUPPLEMENTARY INFORMATION: This notice reopens for an additional 30 days the comment period on a July 31, 1980 notice (45 FR 50832) proposing approval of a request from the State of New York to revise its State Implementation Plan (SIP). The revision would allow the Long Island Lighting Company (LILCO) to continue using fuel oil with a maximum sulfur content of 2.8 percent, by weight, in units 1, 2, and 3 of its Northport generating facility and in units 3 and 4 of its Port Jefferson generating facility, for a maximum period of three years from the date that a final rulemaking notice is published. The current fuel oil sulfur content regulatory limitation applicable to these facilities is 1.0 percent, by weight. The Environmental Protection Agency (EPA) has not taken final action on the New York State request.

On August 28, 1980 the State of Connecticut filed a petition pursuant to Section 126 of the Clean Air Act, objecting to the proposed approval of the New York SIP revision and claiming that approval would violate the provisions of Section 110(a)(2)(E) of the Clean Air Act. Section 126 of the Clean Air Act provides a mechanism for any state or political subdivision to petition the EPA to determine, after public hearing, whether emissions from a major pollution source in another state would prevent the petitioning state from

attaining or maintaining ambient air quality standards or would interfere with measures required to be included in the petitioning state's SIP to prevent significant deterioration of air quality or protect visibility. In response to several air quality modeling issues identified by the Connecticut Department of Environmental Protection during proceedings on its Section 126 petition, on April 16, 1981 the New York State Department of Environmental Conservation submitted a supplemental air quality modeling analysis. The public comment period is being reopened today to allow additional comments on this supplemental analysis of LILCO's sulfur oxide impact on Connecticut.

EPA's final action on the pending New York SIP revision will consider the additional information being made available today and comments received on this additional information.

Dated: May 13, 1981.

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

Richard T. Dewling,
Acting Regional Administrator,
Environmental Protection Agency.

[FR Doc. 81-15040 Filed 5-19-81; 8:45 am]
BILLING CODE 6560-38-M

40 CFR Part 52

[A-4-FRL 1824-L1]

Approval and Promulgation of Implementation Plans; Florida: Revision to Opacity Limits at Monsanto Textile Co., Pensacola, Fla.

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: On December 19, 1979, the State of Florida submitted to EPA, as a plan revision, an amendment to Section 17-2.05 (6) Table II, E, Florida Administrative Code. The amendment allows increasing the opacity emission limit for two boilers owned by Monsanto Textile Company, Pensacola, Florida from 20% to 30% during times when the boilers are burning organic waste materials. EPA proposes to approve the revision and the public is invited to comment on the proposed action.

DATES: To be considered, comments must be received on or before June 19, 1981.

ADDRESSES: Written comments should be addressed to Archie Lee of EPA Region IV's Air Programs Branch (See EPA Region IV address below). Copies of the materials submitted by Florida

may be examined during normal business hours at the following locations:

Public Information Reference Unit,
Library Systems Branch,
Environmental Protection Agency, 401
M Street SW., Washington, D.C. 20460
Library, Environmental Protection
Agency, Region IV, 345 Courtland
Street NE., Atlanta, Georgia 30365
Florida Bureau of Air Quality
Management, Department of
Environmental Regulations, Twin
Towers Office Building, 2600 Blair
Stone Road, Tallahassee, Florida
32301.

FOR FURTHER INFORMATION CONTACT: Archie Lee, Air Programs Branch, EPA Region IV of the above address, 404/881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: For the past several years, Monsanto has been disposing of organic wastes by injection well. The company has been conducting an extensive research and development program over the past several years to find an alternative to such disposal. Of the alternatives investigated by the company, most appear to be either less environmentally sound or less practicable than combustion as proposed. Monsanto has conducted test burns of the waste in existing oil-fired boilers at the plant. These tests indicate that existing mass emission rates will not be violated when the waste materials are burned in the boilers; in fact the amounts of total suspended particulates (TSP) and NO_x discharged are expected to be at the same levels as those resulting when oil alone burned. However, the existing standard of 20% opacity cannot be met. Therefore, Monsanto filed a petition to initiate rulemaking with the Florida Department of Environmental Regulation, seeking an amendment of the limitation for visible emissions to allow disposal as boiler fuel. The amendment proposed today does not relax any mass emission limits, but allows the higher visible emission limit of 30% opacity during the time that boilers are burning organic waste material previously disposed of in injection wells (a density of 40% opacity is permitted not more than two minutes in any one hour). This amendment was passed by the Florida Environmental Regulation Commission on October 17, 1979.

Economic benefits indicated by the tests show that burning a portion of the waste will remove approximately 50% of the acid content and 40% of the organics at a cost of 6 million dollars; this opposed to a projected cost of 95 million dollars to treat 100% of the waste by

increasing industrial waste operations. In addition, an estimated 30,000 barrels of oil per year will be conserved.

Since the mass emission limits will not be violated when burning the waste material and since the burning of the material in the boilers will not cause an increased impact on the ambient air quality around the Monsanto plant, it is EPA's position that the revised opacity limit should be approved. Therefore, EPA is today proposing to approve the Florida revision.

It should also be noted that EPA has recently received and soon will be proposing action on testing methods and procedures for the State of Florida which would also apply to this facility. EPA will process both of these actions on a schedule as concurrently as possible.

The public is invited to participate in this rulemaking action by submitting written comments. After reviewing pertinent comments and all other information available to him, the Administrator will take final action on the Florida revision.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator certified 46 FR 8709 that this proposal rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. This action only approves State actions. It imposes no new requirements. In addition, this action only applies to one facility.

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 only eases the burden of control on a single plant.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

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

Dated: April 24, 1981.

Rebecca W. Hanmer,

Regional Administrator.

[FR Doc. 81-15047 Filed 5-19-81, 8:48 am]

BILLING CODE 6560-36-M

40 CFR PART 52

[A-4-FRL 1824-4]

Approval and Promulgation of Implementation Plans; Georgia: Order on Units 1 and 2 of Georgia Power Co.'s Plant Bowen

AGENCY: Environmental Protection Agency.

ACTION: Proposed rulemaking.

SUMMARY: EPA is proposing approval of a State implementation plan revision submitted by the Georgia Environmental Protection Division pursuant to section 110 of the Clean Air Act. The revision consists of a modified order which imposes special operating conditions (including reduced load) and a correlated opacity limit (25% initially) on Units 1 and 2 of Georgia Power Company's Plant Bowen, at Taylorsville, Georgia, until such time as additional control equipment can be installed at the two units. This order is a modification of the previous order in that it requires the company to determine compliance with the visible emission limitation by a modified calculation procedure. The order is designed to assure that these units will remain in compliance with the State's particulate limiting regulations while the new control equipment is being installed. Under the order, installation is to be complete on Unit 1 by January 1, 1982, and on Unit 2 by July 1, 1981.

DATE: Comments must be received by June 19, 1981, to be considered.

ADDRESSES: Written comments should be addressed to Barry Gilbert of EPA Region IV's Air Programs Branch (see EPA Region IV address below). Copies of the material submitted by Georgia may be examined during normal business hours at the following locations:

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

Georgia Department of Natural
Resources, Environmental Protection
Division, 270 Washington Street SW.,
Atlanta, Georgia 30334.

Library, Environmental Protection
Agency, Region IV, 345 Courtland
Street NE., Atlanta, Georgia 30365.

FOR FURTHER INFORMATION CONTACT:
Barry Gilbert at the EPA Region IV
address above or call 404/881-3286 or
FTS 257-3286.

SUPPLEMENTARY INFORMATION:
Following notice and public hearing in conformity with 40 CFR 51.4, the Georgia Environmental Protection Division on May 16, 1979, issued an order to the Georgia Power Company for coal-fired Units 1 and 2 of its Plant Bowen; the Company had consented to the order on May 11, 1979. The order was submitted to EPA as a proposed implementation plan revision on the date of its issuance. On January 3, 1980, EPA approved the order (45 FR 781).

On December 18, 1980, the EPD submitted a revised order to EPA for approval. The revised order was signed

by Georgia Power Company on November 5, 1980, and issued by EPD on November 17, 1980. The revision modifies the May 16, 1979, order (approved by EPA on January 3, 1980). The modification affects only the method used to calculate the opacity limit and the number of exceedances of the limit. The significant modifications to the order are outlined herein.

The following sentence was in the May 16, 1979, order but was not included in the November 17, 1980, modified order: "Each individual six (6) minute opacity value is to be used for determining compliance with the forty (40) percent six (6) minute period opacity limitation of Reg. 391-3-1-.02(2)(b)."

The word "unexcluded" was added to the following sentence in the November 17, 1980, order: "An hourly period opacity (which shall be used to determine compliance with the applicable correlated opacity limit) shall be determined every six (6) minutes by averaging the last ten (10) unexcluded six (6) minute opacity values."

The following paragraphs from the order explain the method used to determine compliance with the visible emission limit:

"For the purpose of determining compliance with the applicable correlated opacity limit, and thus, compliance with Rule 391-3-1-.02(2)(d), a running hourly average of the previous ten (10) six (6) minute opacity values shall be used until a violation of the correlated hourly opacity limit occurs."

"After a violation occurs, the maximum six (6) minute opacity value within the hour of the violation will be excluded from all subsequent hourly opacity calculations which would normally include that value. Subsequent hourly opacities shall be based on the ten (10) most recent unexcluded six (6) minute opacity values. With each succeeding violation of the hourly correlated opacity limit, the next highest six (6) minute opacity value of the ten (10) six (6) minute opacity values used, shall also be excluded from subsequent hourly opacity calculations. This procedure shall be used until ten (10) consecutive six (6) minute opacity values are once again used to determine the hourly opacity."

The Agency has carefully reviewed the November 17, 1980, modified order and has determined its terms are adequate to assure compliance.

ACTION: EPA is today proposing to approve the SIP revision and is soliciting public comment on the revision.

Pursuant to the provisions of 5 U.S.C. section 605(b) the Administrator has

certified (46 FR 8709) I hereby certify that the attached rule will not if promulgated have a significant economic impact on a substantial number of small entities. This action only approves state actions. It imposes no new requirements. Moreover, due to the nature of the Federal-State relationship, Federal inquiry into the economic reasonableness of the state actions would serve no practical purpose and could well be improper. In addition, this action only applies to one facility.

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 affects only the manner in which a single source is to demonstrate compliance.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

(Secs. 110 of the Clean Air Act, as amended (42 U.S.C. 7410))

Dated: April 24, 1981.

Rebecca W. Hanmer,
Regional Administrator.

[FR Doc. 81-15046 Filed 5-19-81; 8:45 am]
BILLING CODE 6560-38-M

40 CFR Part 52

[A-4-FRL 1823-6]

Approval and Promulgation of Implementation Plans; Kentucky: Bubble Action for National Distillers Co., Old Crow Plant, in Woodford County, Ky.

AGENCY: Environmental Protection Agency.

ACTION: Proposed rulemaking.

SUMMARY: The Kentucky Department for Natural Resources and Environmental Protection has submitted a State Implementation Plan (SIP) revision according to U.S. EPA's Alternative Emission Reduction Policy (bubble policy).

Kentucky proposes to alter the allowable particulate emission limits for three boilers at the National Distillers Company, Old Crow Plant, in Woodford County. After reviewing Kentucky's request, EPA finds that the altered emission limits provide a net air quality benefit, and is consistent with EPA's bubble policy. EPA herein proposes to approve the Kentucky SIP revision.

DATE: Comments must be received by June 19, 1981, to be considered.

ADDRESSES: The Kentucky submittal may be examined during normal

business hours at the following locations:

Public Information Reference Unit,
Library Systems Branch,
Environmental Protection Agency, 401
M Street SW., Washington, D.C. 20460
Environmental Protection Agency, Air
Programs Branch, Region IV, 345
Courtland Street NE., Atlanta, Georgia
30365

Kentucky Department for Natural
Resources and Environmental
Protection, Division of Air Pollution
Control, W. Frankfort Office Complex,
1050 U.S. 127 South, Frankfort,
Kentucky 40601

FOR FURTHER INFORMATION CONTACT:
Melvin Russell of the Air Programs
Branch at the EPA, Region IV address
above or call (404) 881-3286 or FTS 257-
3286.

SUPPLEMENTARY INFORMATION: On
December 24, 1980, EPA received a SIP
revision from the Commonwealth of
Kentucky, proposing to use the bubble
concept for particulate emissions from
three boilers at the National Distillers
Company, Old Crow Plant in Woodford
County. The three boilers are presently
required to meet an allowable emission
limit of 0.4 lb/MBTU. The proposed plan
would lower the allowable emission
limit for two 25 MBTU/hr boilers from
0.4 lb/MBTU to 0.3 lb/MBTU, and raise
the emission limit for one 100 MBTU/hr
boiler from 0.4 lb/MBTU to 0.413 lb/
MBTU. The following table and analysis
further clarifies the effect of Kentucky's
proposal:

Boiler size	Pounds per MBTU		
	Present allow- able emis- sions	Pro- posed allow- able emis- sions	Actual emissions
25 MBTU/hr	0.4	0.3	0.25
25 MBTU/hr	0.4	0.3	0.25
100 MBTU/hr	0.4	0.413	0.413
Total plant allowable	0.4	0.375	
Total actual			0.345

The new total plant allowable of 0.375 lb/MBTU is less than the old total plant allowable of 0.4 lb/MBTU, and air quality modeling submitted by Kentucky indicates that enacting this bubble proposal will provide a net air quality benefit. The plant was modeled at the proposed allowables and the previous allowables used in the CRSTER model. The modeling revealed a decrease and the maximum annual mean concentration and the maximum 24-hour concentration. There was no consumption of increment since there is no increase in actual emissions. Under conditions of the permit to be issued by Kentucky to the National Distillers

Company: (1) Particulate emissions from the 100 MBTU/hr boiler shall not exceed .413 lb/MBTU (2) particulate emissions from either 25 MBTU/hr boiler shall not exceed 0.3 lb/MBTU.

ACTION: EPA is today proposing to approve the SIP revision submitted by Kentucky and is soliciting public comment on the revision. (See *Dates* above for comment period.)

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified (46 FR 8709) (NMS) that this proposed rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. This action only approves State actions. It imposes no new requirements. Moreover, due to the nature of the Federal-State relationship, Federal inquiry into the economic reasonableness of the state actions would serve no practical purpose and could well be improper.

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 result in additional costs to the industry or consumers. Moreover, only one plant is affected, and it makes no additional demands on the resources of the industry or any government entity.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

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

Dated: March 24, 1981.

Rebecca W. Hanmer,
Regional Administrator.

[FR Doc. 81-15046 Filed 5-19-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-1-FRL-1822-3]

State Implementation Plan (SIP); Massachusetts Revisions; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: The purpose of this Notice is to propose to supplement the rulemaking published on September 16, 1980 (45 FR 61293) approving the State Implementation Plan (SIP) revisions for Massachusetts which were submitted by the Massachusetts Department of Environmental Quality Engineering on December 31, 1978; May 16, September

19 and November 13, 1979; and March 20, 1980. Certain regulations which were included in these revisions, but not specifically referenced in the September 16 publication, are the subject of this correction. EPA is proposing to approve Regulation 310 CMR 7.18(1)(a) and (b), and 310 CMR 7.18(2)(a) and (c), and is proposing to take no action on Regulation 310 CMR 7.18(2)(b). In addition, EPA is proposing to include as part of the official Massachusetts SIP materials dated December 7, 1979 and April 7, 1980 which were inadvertently not included by EPA in the September 16, 1980 final rulemaking package submitted to the Federal Register.

DATE: Comments are due on or before June 19, 1981.

ADDRESSES: Send comments to Harley F. Laing, Chief, Air Branch, Environmental Protection Agency, Region I, JFK Federal Building, Room 1903, Boston, Massachusetts 02203.

Copies of the SIP revisions are available for public inspection during normal business hours at the Air Branch, Air and Hazardous Materials Division, Room 1903, J. F. Kennedy Building, Boston, Massachusetts 02203; the Public Information Reference Unit, Room 2404 (EPA Library), 401 M Street, SW, Washington, DC 20460; and the Division of Air Quality Control, Department of Environmental Engineering, One Winter Street, Boston, Massachusetts 02110.

FOR FURTHER INFORMATION CONTACT: John L. Hanisch, Air Branch, Environmental Protection Agency, Region I, JFK Federal Building, Room 1903, Boston, Massachusetts 02203, (617)223-5630.

SUPPLEMENTARY INFORMATION: On September 16, 1980 (45 FR 61293) EPA published final rulemaking approving, in part, SIP revisions for the Commonwealth of Massachusetts, which were designed to meet the requirements of Part D (Plan Requirements for Non-Attainment Areas) and certain other sections of the Clean Air Act (the Act), as amended in 1977. In that rulemaking, EPA either approved or conditionally approved, among other things, Regulations 310 CMR 7.18 (3) through (9); however, EPA did not specifically address Regulations 310 CMR 7.18 (1) and (2). Regulation 310 CMR 7.18 deals with the control of volatile organic compounds (VOCs), which was discussed extensively. The subject of this proposed rulemaking is subsections (1) and (2) of that regulation.

Regulation 310 CMR 7.18(1)(a) states that all of Regulation 7.18 is applicable

throughout Massachusetts. Because the entire Commonwealth has been designated non-attainment for ozone, statewide application of the regulation is appropriate. Subsection (1)(b) of this regulation exempts from state control methane, ethane, 1,1,1-Trichloroethane (Methyl chloroform), and trichlorotrifluoroethane (Freon 113). These volatile organic compounds, while not appreciably affecting ambient ozone levels, are potentially harmful in other respects. Both methyl chloroform and methylene chloride have been identified as mutagenic in bacterial and mammalian cell test systems, which raises the possibility of human mutagenicity and/or carcinogenicity.

With the exemption of these compounds, some sources, particularly existing degreasers, will be encouraged to utilize methyl chloroform in place of other more photochemically reactive degreasing solvents. Such substitution has already resulted in the use of methyl chloroform in amounts far exceeding those of other solvents. Endorsing the use of methyl chloroform by exempting it in the SIP revision can only further aggravate the problem by increasing the emissions produced by the existing primary degreasers and other sources.

EPA is concerned that the State has chosen this course of action without full consideration of the total environmental and health implications. EPA does not intend to disapprove the State SIP submittal if, after due consideration, the State chooses to maintain these exemptions. However, the Agency is concerned that this policy not be interpreted as encouraging either the increased use of these compounds or compliance by substitution. EPA does not endorse such approaches. Furthermore, State officials and sources should be advised that there is a strong possibility of future regulatory action to control these compounds. Sources which choose to comply by substitution may well be required to install control systems as a consequence of these future regulatory actions.

Proposed Action

EPA is proposing to approve Regulation 310 CMR 7.18, subsections (1) (a) and (b).

Regulation 310 CMR 7.18(2), Compliance with Emission Limitations, is divided into three subsections. Subsection (a) stipulates that source categories that surface coat metal furniture, metal cans, large appliances and magnet wire (regulations which were discussed in the proposal and the final rulemaking cited above) must

achieve full compliance with the applicable emission limitations no later than July 1, 1980 or provide adequate justification for an extended schedule.

This schedule specified in Regulation 310 CMR 7.18(2)(a) is consistent with EPA policy.

Proposed Action

EPA is proposing to approve Regulation 310 CMR 7.18(2)(a). Regulation 310 CMR 7.18(2)(b) provides for owners of VOC categories covered by subsections (3) through (7) to propose a plan containing a mix of emission limits so that the total emissions that would result from adding together each of the individual coating lines is less than or equal to the sum of emissions which result from the application of emission limitations specified in subsections (3) through (7). In EPA parlance, this procedure is called "bubbling". On January 23, 1980 the Massachusetts Department of Environmental Quality Engineering notified EPA of its intent to hold public hearings in mid-February on revisions to Regulation 310 CMR 7.18. Among other actions, Massachusetts is proposing to make other VOC source categories eligible for "bubbling". Because of the broader category applicability of this proposed new regulation, EPA and the State have agreed that EPA should take no action on this subsection at this time and will be proposing rulemaking on the revised bubble regulation in the near future.

Proposed Action

EPA is proposing to take no action on 310 CMR 7.18(2)(b) at this time.

Regulation 310 CMR 7.18(2)(c) requires sources regulated under Regulation 310 CMR 7.18 in its entirety to perform testing, at the request of the state, to demonstrate compliance with the Regulation. This requirement is consistent with other state compliance assurance regulations and is a mechanism acceptable to EPA.

Proposed Action

EPA is proposing to approve Regulation 310 CMR 7.18(2)(c). The December 7, 1979 submittal includes a list of Reasonably Available Control Measures with completion dates as well as the official submittal of the State's enabling legislation for the automobile Inspection/Maintenance Program. The April 7, 1980 submittal includes a revised list of Reasonably Available Control Measures with revised completion dates. Both submittals were

inadvertently left out of the official revision package materials submitted to the *Federal Register* with the September 16, 1980 Final Rulemaking Notice (45 FR 61293), but the information contained in these submittals was discussed in the notice.

Proposed Action.

EPA is proposing to include these two supplemental submittals in the official Massachusetts SIP revision record.

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. 48 FR 8709 (January 27, 1981). The attached rule, if promulgated, constitutes a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. This action only approves state actions. It imposes no new requirements. Moreover, due to the nature of the federal-state relationship, federal inquiry into the economic reasonableness of the state actions would serve no practical purpose and could well be improper.

Under Executive Order 12291 EPA must judge whether a regulation is "Major" and therefore subject to the requirements of a Regulatory Impact Analysis. This regulation is not Major because it only approves state actions and imposes no new requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

This notice of proposed rulemaking is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: April 6, 1981.

Leslie Carothers,
Acting Regional Administrator.

[FR Doc. 81-15140 Filed 5-19-81; 9:45 am]

BILLING CODE 6560-38-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

[Gen. Docket No. 80-756]

Digital Communications Protocols; Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Notice of Inquiry, extension of reply comment period.

SUMMARY: The Commission extends the date for the filing of reply comments to the Notice of Inquiry in General Docket No. 80-756, Digital Communications Protocols, released December 8, 1980. This action is taken in response to a motion filed by Computer and Bureaus Equipment Manufacturers Association.

DATES: Reply comments are now due on or before July 1, 1981.

ADDRESS: Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Michael J. Marcus, Technical Planning Staff, Office of Science and Technology, 2025 M Street NW., Washington, D.C. 20554, (202) 632-7073, room 7002.

Order Extending Time for Filing Comments

Adopted: May 4, 1981.

Released: May 6, 1981.

1. On May 1, 1981 the Computer and Bureaus Equipment Manufacturer Association (CBEMA), by its attorneys, pursuant to Section 1.46 of the Commission's rules and Regulations, 47 CFR § 1.46, filed a request to extend the time for filing replies to comments to June 1, 1981 in the above-captioned matter. Replies to comments on the Notice of Inquiry in this matter, released by the Commission on December 8, 1980 General Docket No. 80-756 (45 FR 84140;

12-22-80)¹ are currently due on or before May 15, 1981.

2. CBEMA argues that the sixteen entities commenting on the above-captioned matter addressed several extremely complex issues and therefore more time is needed to analyze them, refocus the comments on the issues at hand, review the results with technical experts, and draft, disseminate and review the subsequent reply. In particular, a trade association of manufacturers of data processing and office equipment and data processing services, CBEMA is less able to respond as rapidly as a single entity. CBEMA and its members also have vital interest in the final Commission decision in this matter. CBEMA therefore requested a delay of two weeks in reply comments stating it would not work a hardship on any of the parties involved.

3. In our preliminary review of the comments we have observed that several address the questions of the Inquiry in great technical detail, while others do not directly address the questions that were specifically asked. The Commission feels that extending the reply period would give all parties adequate time to reply to the very technical comments in the record and to focus on the questions addressed in the Inquiry. Therefore, for the above reasons and because we do not anticipate harm to any party, the request for extension of the comment period is granted.

Therefore, it is ordered, pursuant to § 0.241(d) of the Commission's Rules and Regulations, that the date for filing replies to comments in this proceeding is extended. The deadline for filing reply comments is now July 1, 1981.

Federal Communications Commission.

S. J. Lukasik,

Chief Scientist.

[FR Doc. 81-14986 Filed 5-15-81; 9:45 am]

BILLING CODE 6712-01-M

¹ Editorial note: This document was originally published in the notices section of the *Federal Register* and should have appeared in the proposed rule section.

Notices

Federal Register

Vol. 46, No. 97

Wednesday, May 20, 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

Agricultural Marketing Service

Barstow Sales Yard, Barstow, California, et al.; Proposed Posting of Stockyards

The Chief, Rates and Registrations Branch, Packers and Stockyards, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

CA-175—Barstow Sales Yard, Barstow, California

KY-167—Tri County Stockyard, Smithfield, Kentucky

MO-253—Charleston Auction Company, Charleston, Missouri

TX-323—Jay Rippey, Inc., d/b/a Cattleman's Livestock Commission Co., Dalhart, Texas

VA-153—Blackstone Livestock Market, Blackstone, Virginia

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed designation, may do so by filing them with the Chief, Rates and Registrations Branch, Packers and Stockyards, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250, by June 4, 1981.

All written submissions made pursuant to this notice shall be made available for public inspection in the Office of the Chief of the Rates and Registrations Branch during normal business hours.

Done at Washington, D.C., this 15th day of May, 1981.

Jack W. Brinckmeyer,

Chief, Rates and Registrations Branch,
Livestock Marketing Division.

[FR Doc. 81-15051 Filed 5-19-81; 8:45 am]

BILLING CODE 3410-02-M

Reed's Auction, Hayward, Calif., et al.; Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No., name, and location of stockyard	Date of posting
CA-131—Reed's Auction, Hayward, California	May 19, 1961
CA-147—Del Stoneburner Livestock Auction, Petaluma, California	May 1, 1964
TX-148—G. & J. Cattle, Inc., d/b/a Corsicana Livestock Market, Inc., Corsicana, Texas	Jan. 11, 1957
VA-103—Blackstone Livestock Market, Blackstone, Virginia	Mar. 9, 1950

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly deposing a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a change relieving a restriction and may be made effective in less than 30 days after publication in the *Federal Register*. This notice shall become effective May 20, 1981.

[42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.]

Done at Washington, D.C., this 15th day of May 1981.

Jack W. Brinckmeyer,

Chief, Rates and Registrations Branch,
Livestock Marketing Division.

[FR Doc. 81-15052 Filed 5-19-81; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF COMMERCE

International Trade Administration

Imported Steel Mill Products Trigger Price Mechanism: Third Quarter 1981 Trigger Prices

AGENCY: International Trade Administration, Commerce.

ACTION: Announcement of Third Quarter 1981 Trigger Price Levels.

SUMMARY: The Department of Commerce announces that third quarter 1981 trigger price bases and extras for most steel mill products covered by the steel trigger price mechanism (TPM) will be unchanged from their second quarter levels. The Department uses trigger prices to monitor the prices of steel mill product imports for possible initiation of dumping investigations.

FOR FURTHER INFORMATION CONTACT: F. Lynn Holec, Director, Agreements Compliance Division, Office of Compliance, Room 1001, Department of Commerce, Washington, D.C. 20230, (202) 377-3793.

SUPPLEMENTARY INFORMATION: On October 8, 1980 (45 FR 66833), the Department of Commerce published its intention to reinstate the TPM. The Department began its monitoring of all imported basic steel mill products entering the United States on October 21, 1980.

Third quarter 1981 trigger price bases and extras for those steel mill products manufactured principally by integrated steel producers will not change from their second quarter 1981 trigger price levels (see Table 3 for a list of third quarter trigger prices).

Base trigger prices and extras of those steel mill products manufactured principally by electric furnace producers will decline depending on the product, from 1.0 percent to 2.6 percent from their second quarter levels: base trigger prices and extras for Group A (Equal Angle) electric furnace products will be 1.0 percent lower than the second quarter levels; Group B (Flat Bars) will decline 1.3 percent; and Group C (Rebars) will decline 2.6 percent. The base trigger prices and extras for wire nails and for stainless steel wire products will be 0.9 percent higher than the second quarter 1981 levels.

For its calculation of trigger price levels, the dollar/yen exchange rate the

Department uses to convert Japanese steel producers' yen-denominated production costs to dollars is the average of the 36 months preceding the calculation and publication of the quarter's trigger price levels. On this basis, the exchange rate used in the Department's third quarter 1981 production cost estimate is 216 yen to the dollar (the yen/dollar exchange rate average for May 1978 through April 1981). The Department used a 218 yen/dollar exchange rate average (the average for February 1978 through January 1981) for the second quarter 1981 trigger price calculation.

Production Costs

Integrated Producers

The estimated average production cost for the six major Japanese integrated steel producers calculated for third quarter 1981 was 0.3 percent higher than for the previous quarter. This slight increase did not justify a change in third quarter trigger prices over their second quarter levels (see Table 1 for a comparison of second and third quarter production costs).

The 0.3 percent increase in the average production cost of basic steel mill products reflects offsetting changes in the components of steel production costs as well as a slight appreciation of the Japanese yen relative to the U.S. dollar. A major change in the basic raw materials component was a decrease in the usage rate for fuel oil as the Japanese mills have continued to convert to oil-less blast furnaces. The cost saved by this movement away from the use of fuel oil was partly offset by an increased usage of coking coal. Because new contract prices for iron ore and for labor were largely accounted for in the second quarter revisions, only minor adjustments in these factor prices were necessary for the third quarter calculations. The changes to these input costs appear to be consistent with published information.

The negotiations for new coking coal contracts have not been completed

between the Japanese steel companies and their major suppliers. Consequently, the Department's second quarter estimate for coking coal costs, which reflected an estimate for the new contract price, has remained unchanged for the third quarter calculations.

Electric Furnace Producers

The decreases in the production costs of the main Japanese electric furnace producers result mainly from decreases in the purchased scrap component of basic raw materials. This decrease was moderated somewhat by the slight appreciation of the yen relative to the dollar and by an increase in hourly labor costs reflecting the completion of labor contract negotiations.

The larger decrease in Group C production costs compared to the smaller decreases for Group A and Group B results from an adjustment in the yield factor in addition to the changes mentioned above. This adjustment was necessary in order to correct an error in the first quarter and second quarter 1981 calculations.

Stainless Steel Wire and Wire Nail Production Costs

Commerce's dollar-valued estimate of the current production costs of Japan's stainless steel wire and wire nail producers increased by 0.9 percent over the second quarter 1981 level. The third quarter 1981 production cost increase is due entirely to the appreciation of the yen relative to the dollar.

Other Charges

TPM trigger prices are an estimate of the production costs of Japanese steel manufacturers plus the cost of transporting and landing the steel in the United States; hence, to the production costs described above and reflected in trigger price bases and extras must be added charges for freight, interest, handling and insurance. These charges have not changed from their second quarter 1981 levels.

Trigger Prices for Products Added, April 8

On April 8, 1981 (46 F.R. 21045) the Department announced its decision to extend trigger price coverage to grain oriented electrical steel sheets with widths greater than 34 inches, music spring quality wire, and ERW standard pipe in sizes not previously covered. These products will be covered by trigger prices beginning with third quarter 1981 and their trigger price levels are provided in Table 4.

Adjustment of the Levels of Certain Trigger Price Extras and Clarification of Trigger Price Coverage

The Department is making certain clarifications to trigger price coverage in the *Third Quarter TPM Price Manual* and minor corrections to the levels of trigger price extras for certain products. The Department adjusted the level of certain trigger price extras to correspond with adjustments it made to the level of the trigger price bases for these products in the second quarter of 1981. Revised pages from the new Manual are issued as part of this notice (see Table 4).

Third Quarter 1981 Trigger Price Manual

Copies of the *Third Quarter 1981 TPM Price Manual* may be purchased from the Publications Sales Branch, Room 1617, U.S. Department of Commerce, Washington, D.C., 20230 for \$10.00.

Table 1.—Japanese Production Cost Estimate: Integrated Steel Producers, Second and Third Quarters, 1981

(U.S. dollars per metric ton of finished product)

	2d quarter	2d quarter
Basic raw material	166.08	167.69
Other raw material	83.77	84.55
Labor	104.13	106.70
Other expenses	30.47	30.54
Depreciation	33.99	33.13
Interest	28.66	27.88
Profit ¹	30.92	31.16
Yield credit	(13.80)	(13.64)
Total cost (\$/M.T.)	466.22	467.81
Total cost (\$/N.T.)	422.95	424.39

¹ Profit = .06 (All raw materials plus labor plus "other expenses")

Table 2.—Japanese Steel Production Cost Estimates: Electric Furnace Products Third Quarter 1981 and Second Quarter 1981

	Group A ¹		Group B ²		Group C ³	
	2d quarter	3d quarter	2d quarter	3d quarter	2d quarter	3d quarter
Basic raw materials	\$191.81	\$186.12	\$203.94	\$196.97	\$196.34	\$187.45
Other raw materials	41.75	41.94	44.49	44.70	40.41	39.76
Labor	30.83	33.00	33.74	36.10	27.90	29.27
Other expenses	12.63	12.75	17.36	17.54	15.64	15.79
Depreciation	7.56	7.63	9.03	8.11	8.19	8.26
Interest	10.91	11.01	10.88	10.98	10.71	10.81
Profit ⁴	22.16	21.90	23.63	23.63	22.42	21.78
Scrap credit	(3.20)	(3.07)	(2.93)	(2.80)	(2.76)	(2.65)
Total (\$/M.T.)	314.45	311.28	340.49	336.23	318.85	310.47
Total (\$/N.T.)	265.27	262.39	308.89	305.02	289.26	281.66

¹ Group A products are equal angles, unequal angles, channels, and I-beams.

² Group B products are hot rolled strip from bar mills; merchant quality flat bars, hot rolled round bars, squares, and round cornered squares; and bar size channels.

³ Group C products are concrete reinforcing bars, plain and deformed.

⁴ Profit = .06 (Raw materials + labor + other expenses).

Table 3.—Product Base Prices for Shipment Exported During Third Quarter 1981

[All figures in dollars per metric ton]

Page ¹	Product	Third quarter 1981 base prices
2-1	Wire Rods Commercial Quality	380
2-2	Wire Rods Welding Quality	393
2-3	Wire Rods High Carbon	429
2-5	Wire Rods Cold Heading Quality	448
2-7	Wire Rods Cold Finished Bar Quality	455
2-9	Mo Alloy Steel Wire Rod	662
2-12	High Carbon Steel Wire Rod	634
3-1	Wide Flange Beams and Bearing Piling	388
3-5	Standard Carbon Steel Channels ASTM A36 *	317
3-6	Unequal Leg Carbon Steel Angles ASTM A-36 *	334
3-7	Equal Leg Carbon Steel Angles ASTM A-36 *	300
3-8	Standard Carbon Steel "T" Beams ASTM A-36 *	368
4-1	Sheet Piling	405
5-1	Steel Plates	373
6-1	Heavy Carbon Steel Rails AREA 115, 132 or 136	421
6-2	Light Rails	414
6-3	Tie Plates	422
8-1	Plain and Deformed Carbon Steel Concrete Reinforcing Bars ASTM A-615 *	296
9-1	Hot Rolled Carbon Steel Bar Size Channel ASTM A-36 *	425
10-1	Hot Rolled Carbon Bars Special Quality	476
10-3	Merchant Quality Hot Rolled Carbon Steel Squares and Round Cornered Squares ASTM-36 or AISI 1020 *	355
10-4	Merchant Quality Hot Rolled Carbon Steel Round Bar ASTM A-36 or AISI 1020 *	355
10-5	Merchant Quality Carbon Steel Flat Bars ASTM A-36 or AISI 1020 *	323
11-1	Hot Rolled Ni-Cr-Mo Alloy Steel Round Bar, Round Cornered Square Bar and Spring Steel Flat Bar	556
11-5	Spheroidize Annealed High Carbon Cr Steel Round Bar	621
12-1	Cold Finished Carbon Steel Round Bar AISI 1008 through 1029	557
12-2	Cold Finished Round Steel Bar AISI 1212 through 1215	629
12-3	Cold Finished Round Steel Bar AISI 12L14 and 12L15	660
12-4	Cold Finished, Ni-Cr-Mo Alloy Steel Round Bar	558
12-5	Cold Finished Spheroidize Annealed, High Carbon Cr Steel Round Bar, AISI 52100, 50100, 51100	621
14-1	ERW Carbon Steel Pressure Tubing for use in Boilers, Heat Exchangers, Condensers, Etc.	621
14-6	Continuous Butt Welded Standard Pipe	472
14-8	ERW Pipe, Excluding Oil Well Casing, Without Coupling	495
14-12	Submerged Arc Welded Pipe	536
14-14	ERW Structural Tubing to ASTM A-500 Grades, A, B and C	462
14-20	ERW Standard Pipe	479
14-22	Piling Pipe ASTM A-252	417
14-26	ERW Mechanical Tubing ASTM A-513	557
15-1	Seamless Carbon Steel Oil Well Casing, Not Threaded, up to 7" in Outside Diameter	567
15-2	Seamless Carbon Steel Oil Well Casing, Not Threaded 7 inches and over in Outside Diameter	566
15-4	Seamless Carbon Steel Oil Well Casing, Threaded and Coupled, 7 inches and over in Outside Diameter	648
15-6	Seamless Carbon Steel Oil Well Casing, Threaded and Coupled, up to 7 inches in Outside Diameter	658
15-8	Electric Resistance Welded Carbon Steel Oil Well Casing, Not Threaded	518
15-11	Seamless Carbon Steel Pressure Tubing Suitable for use in Boilers, Superheaters, Heat Exchangers, Condensers, Refining Furnaces, Feed Water Heaters, Cold Finish	1,014
15-31	Seamless Carbon Steel Oil Well Tubing	614
15-33	Seamless Carbon Steel Line Pipe	570
15-36	Hot Rolled High Carbon Cr Steel Tube Suitable for use in Manufacture of Ball or Roller Bearings AISI 52100	757
15-37	Cold Rolled High Carbon Cr Steel Tube Suitable for use in Manufacture of Ball or Roller Bearings AISI 52100	1,128
15-38	Seamless Stainless Steel Round Ornamental Tube AISI TP 304, 1 1/2 x 0.049	2,553
15-39	Seamless Stainless Steel Square Ornamental Tube AISI TP 304, 1 1/2 x 1 1/2 x 0.065	2,783
16-1	Cold Heading Round Wire Hard Drawn	568
16-1	Cold Heading Drawn from Annealed Rods	644
16-1	Cold heading Drawn from Spheroidize Annealed Rods	680
16-1	Cold Heading Anneal in Process	564
16-1	Cold Heading Spheroidize Anneal in Process	676
16-1	Cold Heading Anneal in Process and Drawn from Annealed Rods	717
16-1	Cold Heading Spheroidize Anneal in Process and Drawn from Annealed Rods	730
16-1	Cold Heading Anneal at Finish Size	644
16-1	Cold Heading Spheroidize Anneal at Finish Size	660
16-1	Cold Heading Anneal at Finished Size and Drawn from Annealed Rods	697
16-1	Cold Heading Spheroidize Anneal at Finished Size and Drawn from Annealed Rods	712
16-4	Bright Basic Round Wire	467
16-5	Galvanized Iron Round Wire	588
16-8	Round Baling Wire 14 1/2 Gauge	653
16-9	Cold Finished Si-Mn-Cr High Carbon Steel Wire	634
16-11	Cold Finished Mo Alloy Steel Wire	662
16-15	Upholstery Spring Wire Automatic Coiling and Knotting Type	584
16-16	Mechanical Spring Wire ASTM A-227 and A-648	616
New	Music Quality Spring Wire ASTM A-228 *	1,380
16-17	Oil Tempered Steel Spring Wire ASTM A-229	620
16-18	Carbon Steel Valve Spring Quality ASTM A-230	1,030
16-19	Automobile Tire Bead Wire	722
16-20	Galvanized Core Wire for A.C.S.R. ASTM B 498 Class "A"	771
16-21	Stainless Steel Wire	(*)
19-1	Field Fence	704
20-1	Wire Nails	481
21-1	Barbed Wire 2 Ply	741
22-1	Black Plate ASTM A625	482
23-1	Electrolytic Tin Plate	656
25-1	Hot Rolled Steel Sheets	331
25-2	Hot Rolled Steel Band	316
26-1	Electrical Steel Sheets Grain Oriented in Coil	1,320
26-2	Electrical Steel Sheets Non Oriented in Coil	718

Table 3.—Product Base Prices for Shipment Exported During Third Quarter 1981—Continued

[All figures in dollars per metric ton]

Page ¹	Product	Third quarter 1981 base prices
26-3	Cold Rolled Sheets ASTM A-368	416
27-1	Electro Galvanized Sheets	480
27-4	Galvanized Sheet ASTM A525	484
29-1	Hot Rolled Carbon Steel Strip Produced on Bar Mills Cut Lengths ⁴	360
29-2	Hot Rolled Carbon Steel Strip Produced on Sheet Mills, Coils Only	323
32-1	Tin Free Steel Sheets	560

¹ Page references are to the Second Quarter, 1981 Trigger Price Manual published by the Department of Commerce. The first figure of each page reference corresponds to the AISI product category of that product.

² Electric Furnace, Group A.

³ Electric Furnace, Group C.

⁴ Electric Furnace, Group B.

⁵ All Base/Grade Prices increased by 0.9% over Second Quarter Prices.

Table 4—Pages From the Trigger Price Manual Third Quarter 1981

AISI category and TPM manual page reference	Product description	Revision
2-8	Cold Finished Bar Quality Rod	Correction of size extras to reflect a change in base price structure.
3-2 to 3-4	Wide Flange Beams & H-Piles	Correction of profile sizes to reflect changes in industry standards.
5-9	Plate	Correction of description on ultrasonic testing extras.
12-6	Stainless Steel Drawn Round Bar in Sizes Under 0.703" Diameter	Clarification that this coverage applies only to bar produced by drawing.
14-20, 14-21	ERW Standard Pipe	Addition of light wall sizes & clarification of cut length extras.
Cat. 16, new page	Music Spring Quality Wire	New product coverage.
23-2	Electrolytic Tin Plate	Correction of some coating extras.
26-1	Electrical Sheets—Grain Oriented	Correction of thickness for grades M-2H—M-4H.
26-2	Electrical Sheets—Non-Oriented	Correction of size extras to reflect a change in base price structure.

2. Grade/Size.

Wire Rods-Cold Finished Bar Quality

2-8 Rev. May 1981

Grade AISI No.	Sizes			
	$\frac{1}{2}$ " through $\frac{3}{4}$ "	Over $\frac{3}{4}$ " to under $1\frac{1}{4}$ "	$1\frac{1}{4}$ " to under $2\frac{1}{4}$ "	$2\frac{1}{4}$ " and over
1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1025, 1028	-45	32	14	-11
1029, 1030, 1035, 1037, 1038, 1039, 1040, 1042, 1043, 1044, 1045, 1048, 1049, 1950	-24	33	14	-9
1117, 1115, 1118	-5	71	52	25
1141	NH	52	37	24
1144	NH	58	43	14
1151	2	63	44	18
1212, 1213, 1215	Base	58	43	14
10L18	-20	72	53	27
10L38, 10L45	2	58	43	14
11L17	32	112	94	63
11L37	23	79	60	33
12L14, 12L15	23	82	67	37
06				

3. Tolerance Extra: If bar tolerances are specified or required for over $\frac{3}{16}$ " to under $\frac{3}{4}$ "—14.

1. Size:

Wide Flange Beams

3-2 Rev. May 1981

Wide Flange Beams—Continued

3-2 Rev. May 1981

Wide Flange Beams—Continued

3-3 Rev. May 1981

Series	Lbs./foot	Extras	Series	Lbs./foot	Extras	Series	Lbs./foot	Extras
4 x 4	13	52	14 x 5	22-26	26			
5 x 5	16-19	49	14 x 6 $\frac{1}{2}$	30-38	13	16 x 10 $\frac{1}{4}$	67-77	(¹)
6 x 4	9	74	14 x 8	43-53	7	16 x 10 $\frac{1}{2}$	89-100	(¹)
6 x 4	12-16	55	14 x 10	61-74	(¹)	18 x 6	35-40	21
6 x 6	15	37	14 x 10	82	(¹)	18 x 6	46	7
6 x 6	20-25	28	14 x 14 $\frac{1}{2}$	90-132	(¹)	18 x 7 $\frac{1}{2}$	50-60	7
8 x 4	10	57	14 x 16	145-426	(¹)	18 x 7 $\frac{1}{2}$	65-71	(¹)
8 x 4	13-15	42	14 x 16	455	* 103	18 x 11	76-85	(¹)
8 x 5 $\frac{1}{2}$	18-21	30	14 x 16	500	* 109	18 x 11	97-119	(¹)
8 x 6 $\frac{1}{2}$	24-28	22	14 x 16	550	* 110	21 x 6 $\frac{1}{2}$	44-50	13
8 x 8	31-67	16	14 x 16	605	* 111	21 x 6 $\frac{1}{2}$	57	(¹)
10 x 4	12	50	14 x 16	665	* 114	21 x 8 $\frac{1}{4}$	62-73	(¹)
10 x 4	15-19	43	14 x 16	730	* 119	21 x 8 $\frac{1}{4}$	83-93	(¹)
10 x 5 $\frac{1}{2}$	22-30	26	16 x 5 $\frac{1}{2}$	26-31	19	21 x 12 $\frac{1}{4}$	101-147	(¹)
10 x 8	33-45	16	16 x 7	36-50	8	24 x 7	55-62	13
10 x 10	49-112	7	16 x 7	57	(¹)	24 x 9	68-94	(¹)
12 x 4	14	54				24 x 12 $\frac{1}{4}$	104-117	(¹)
12 x 4	16-22	43	¹ Base.			24 x 12 $\frac{1}{4}$	131-162	14
12 x 6 $\frac{1}{2}$	26-35	19	² Nil.			27 x 10	84-114	(¹)
12 x 8	40-50	9	³ Web Thickness is over 1 $\frac{1}{2}$ " thru 2 $\frac{1}{2}$ ".			27 x 14	146-178	14
12 x 10	53-58	7	⁴ Web Thickness is over 2 $\frac{1}{2}$ ".			30 x 10 $\frac{1}{4}$	99-132	(¹)
12 x 12	65-190	(¹)	Use appropriate extra from Grade/Web Thickness Chart on Page 3-3.			30 x 15	173-211	23

Series	Lbs./foot	Extras
33 x 11 1/2	118-152	16
33 x 15 1/4	201-241	25
36 x 12	135-210	16
36 x 16 1/2	230-300	25

¹ Nil.
NOTE: All sizes have web thickness through 1 1/2" unless otherwise noted.

2. Grade/Web Thickness:

ASTM	Web thickness in inches		Over 2%
	Through 1 1/2	Over 1 1/2 through 2%	
A36	(¹)	45	45
A242	157		
A441	70	126	126
A588	157	173	173
A690	110		
A572			
G42	57	121	121
G50	70	126	
G60	95		

¹ Base.

3. Cut Length Extras:

Wide Flange Beams

3-4 Rev May 1981

Length	Extras
From 10 up to 20 feet	14
From 20 up to 30 feet	9
From 30 up to 40 feet	7
40 feet	(¹)
Over 40 up to 50 feet	4
50 feet	(¹)
Over 50 up to 60 feet	7
60 feet	(¹)
Over 60 thru 70 feet	7

¹ Base.

1. Size:

Bearing Piling (H Piles)

Series	Lbs./foot	Extras
8 x 6	36	16
10 x 10	42-57	7
12 x 12	53-84	(¹)
14 x 14 1/2	73-117	(¹)

¹ Base.

2. Grade/Web Thickness: Use Wide Flange grade extras for 1 1/2" Web Thickness.

3. Cut Length: Use Wide Flange extras.

5-9 Rev. May 1981

3. Killed	28
4. Fine Grain	8
5. Heat Treatment:	
Normalize	97
Quench and Temper	165
Normalize and Temper	165
6. Testing:	
Charpy Test:	

+40 F & up:

Longitudinal	21
Transverse	28
Longitudinal and Transverse	34

Under +40 F:

Longitudinal	28
Transverse	34
Longitudinal and Transverse	41

Ultrasonic Test:

A578 L1 (over 1/2")	54
A435, A578 L2:	
(9" or higher grid) (over 3/4")	21
(under 9" grid or 100% scanning) (over 3/4")	34

7. Checker	28
8. Pickled and Oiled	19

Round Stainless Steel Drawn Bar in Sizes Under 0.703" Diameter AISI Category 12

12-6 Rev May 1981

[2nd quarter base prices per metric ton—use pages 16-22 to 16-31]

Charges to CIF	Ocean freight	Handling	Interest (per cent)
Pacific Coast	\$102	\$9	3.2
Gulf Coast	124	5	4.1
Atlantic Coast	124	4	4.1
Great Lakes	161	4	5.0

Interest charge equals F.O.B. trigger base price including size extra times interest factor.

Insurance 1% of base price + extras + ocean freight
Extras (\$/M.T.):
Use pages 16-18 to 16-28.

Note.—This coverage applies to stainless steel bar produced by drawing. Bar, in these

sizes, if produced by hot rolling is not covered by published prices.

Electric Resistance Welded Standard Pipe AISI Category 14

14-20 Rev Feb 1981

[3rd quarter base price per metric ton—use page 14-21]

Charges to CIF	Ocean freight	Handling	Interest
West Coast	Use freight table on page 14-2	\$9	\$13
Gulf Coast		5	16
Atlantic Coast		4	16
Great Lakes		4	20

Insurance 1% of base price + extras + ocean freight.

Base Prices and Extras (\$/M.T.):

1. Base Prices Including N.B./W.T. and O.D./W.T. Extras for Black, Plain End Pipe—Use page 14-21.
2. Threading and Coupling—Use page 14-21.
3. Galvanizing—Use page 14-21.
4. Galvanizing plus Threading and Coupling—Use page 14-21.
5. Cut Length: Under 18', 5%; 18' thru 24', Base; Over 24', 5%.
6. Swaging at One End, 5%.

Note.—This coverage applies to ERW pipe ASTM A120, ERW fence tubing and ERW sprinkler pipe. The 1/2" to 1 1/2" Nominal Bore coverage also applies to ASTM A53. ASTM A53 in sizes over 2" Nominal Bore is covered on pages 14-8 through 14-11.

1. Base Prices Including N.B./W.T. and O.D./W.T. Extras for Black, Plain End Pipe:

ERW Standard Pipe

14-21 Rev. May 1981

Wall thickness	Nominal bore					
	1/2	3/4	1	1 1/4	1 1/2	2
.049	645	627	623	613	613	
.065	568	555	550	541	541	541
.083	568	555	518	508	508	499
.095	568	555	518	508	508	499
.105	568	555	518	508	508	499
.109	517	555	518	508	508	499
Schedule 40	517	504	495	489	489	479

Wall thickness	Outside diameter											
	2"	2 1/2"	3 1/2"	4"	4 1/2"	5 1/2"	6"	8"	10"	12"	14"	16"
.065	541	541										
.083	499	499										
.095	499	499										
.105	499	499	499									
.109	499	499	499									
.120	499	499	499	499	509							
.134	499	499	499	499	509	509						
Schedule 40	479	479	479	489	489	489	489	489	489	489	489	489
Schedule 80	503	503	482	482	482	482	482	482	482	482	482	482

2. Galvanizing—Use 25% of base price for specific O.D./W.T.

3. Threading and Coupling—Use 10% of base price for specific O.D./W.T.

4. Galvanizing plus Threading and Coupling—Use 35% of base price for specific O.D./W.T.

Note.—Schedule 40 is Standard Wall. Schedule 80 is Extra Heavy Wall.

Music Spring Quality Wire, ASTM A-228, AISI Category 16

New May 1981

[3rd quarter base price per metric ton—\$1,360]

Charges to CIF	Ocean freight ¹	Handing	Interest (per-cent)
Pacific Coast	\$106	\$9	3.2
Gulf Coast	129	5	4.1
Atlantic Coast	128	4	4.1
Great Lakes	132	4	5.0

¹ Ocean Freight represents Container Vessel Rate.

Interest charge equals F.O.B. trigger base price including size extra times interest factor.

Insurance 1% of base price + extras + ocean freight.

Extras

[Dollars per metric ton]

1. Coating:	
Phosphate	(¹)
Lime	(¹)
Tinned	668
Cadmium Zinc Alloy	668
Bright (White Liquor Finish)	824
2. Packaging: Wrapped Coils	
3. Torsion Straightening (Straightened in Coll)	
4. Size:	
0.106"-0.250"	* 247
0.090"-0.105"	* 229
0.080"-0.089"	* 204
0.070"-0.079"	* 186
0.063"-0.069"	* 124
0.055"-0.062"	* 94
0.054"	* 62
0.048"-0.053"	* 44
0.044"-0.047"	* 19
0.040"-0.043"	(¹)
0.038"-0.039"	30
0.037"	43
0.036"	61
0.034"-0.035"	92

Extras—Continued

[Dollars per metric ton]

0.032"-0.033"	122
0.031	185
0.030	216
0.029	246
0.028	277
0.027	308
0.026	370
0.025	432
0.024	493
0.023	556
0.022	617
0.021	709
0.020	803
0.019	864
0.018	926
0.017	1,111
0.016	1,235
0.015	1,606
0.014	1,914
0.013	2,408
0.012	2,903
0.011	3,397
0.010	3,892

¹ Base.
² Minus.

1. Coating And Base Weight: A. Single Reduced ETP.

Electrolytic Tin Plate

23-2 Rev. May 1981

	Coating												
	#10	#20	#25	#35	#50	#75	#100	#50/ 25	#75/ 25	#100/ 25	#100/ 50	#135/ 25	
Base weight:													
70 lbs.	-6	20	34	57	94	152	222	70	100	135	166	186	
73 lbs.	-25	0	13	36	71	126	195	47	76	112	142	159	
75 lbs.	-38	-13	(¹)	25	55	111	176	35	62	97	125	144	
78 lbs.	-47	-23	-10	13	42	86	158	22	48	80	109	128	
80 lbs.	-52	-30	-18	4	35	87	147	14	41	72	99	116	
83 lbs.	-60	-40	-29	-4	23	66	126	2	29	57	86	103	
85 lbs.	-69	-46	-35	-22	16	57	121	-3	19	49	75	92	
88 lbs.	-75	-52	-42	-26	3	50	108	-14	8	40	62	77	
90 lbs.	-79	-56	-48	-29	-1	43	97	-21	2	32	52	71	
93 lbs.	-87	-67	-54	-37	-8	35	87	-29	-4	22	43	57	
95 lbs.	-91	-71	-60	-42	-17	26	77	-35	-13	16	37	50	
100 lbs.	-97	-78	-70	-55	-29	14	62	-42	-23	2	23	38	
103 lbs.	-104	-86	-75	-55	-35	4	51	-49	-31	-3	16	29	
107 lbs.	-108	-90	-79	-66	-42	-2	42	-55	-38	-13	6	19	
112 lbs.	-112	-96	-88	-71	-49	-13	31	-67	-46	-23	-3	7	
118 lbs.	-120	-105	-96	-79	-57	-25	16	-75	-55	-35	-17	-4	
123 lbs.	-125	-110	-103	-87	-69	-34	4	-79	-66	-42	-26	-16	
128 lbs.	-127	-112	-106	-92	-72	-41	-2	-87	-70	-48	-34	-22	
135 lbs.	-128	-117	-117	-110	-78	-48	-13	-92	-76	-55	-42	-31	

¹ Base.

Electrical Steel Sheets—Grain Oriented in Coil, AISI Category 26

26-1 Rev. May 1981

[3rd quarter base price per metric ton—\$1,320]

Charges to CIF	Ocean freight	Handing	Interest
Pacific Coast	\$35	\$9	\$37
Gulf Coast	42	5	47
Atlantic Coast	49	4	47
Great Lakes	56	4	58

Insurance 1% of base price + extras + ocean freight.

1. Grade:

Extras

(Dollars per metric ton)

	Thickness	Grade extra, including base; multiply base by
M-2H	0.011", 0.012" and 0.014"	1.030
M-3H	0.011", 0.012" and 0.014"	1.015
M-4H	0.011", 0.012" and 0.014"	1.000
M-4	0.011"	1.000
M-5	0.012" and 0.014"	0.954
M-6	0.014"	0.909

2. Surface Insulation or Coating.

3. Size:

Base

Grade	Width (inches)				
	Over 1 through 2	Over 2 through 6	Over 6 through 17	Over 17 through 31	Over 31
M-2H	103	71	66	82	Base.
M-3H	101	70	66	81	Base.
M-4H	99	70	65	80	Base.
M-4	99	70	65	80	Base.
M-5	95	67	65	77	Base.
M-6	91	66	63	76	Base.

Electrical Steel Sheets—Nonoriented in Coil, AISI Category 26

26-2 Rev. May 1981

[3rd quarter base price per metric ton—\$718]

Charges to CIF	Ocean freight	Hand- ling	Interest
Pacific Coast	\$35	\$9	\$20
Gulf Coast	42	5	26
Atlantic Coast	49	4	26
Great Lakes	56	4	32

Insurance 1% of base price + extras + ocean freight.

1. Grade:

Extras

(Dollars per metric ton)

	Fully- processed multiply base by	Semi- processed multiply base by
M-47		.947
M-45	1.000	1.000
M-43	1.052	1.053
M-36	1.177	1.18
M-27	1.23	1.235
M-22	1.262	1.267
M-19	1.331	
M-15	1.396	

2. Surface Insulation or Coating.

3. Size:

Base

Gauge No. (thickness)	Width					
	Over 2" through 6"	Over 6" through 18"	Over 18" through 24"	Over 24" through 26"	Over 26" through 36"	Over 36" through 40"
22, 23 and 24 (.0310"-.0250")	22	16	34	-10	-21	2
25 and 26 (.0220"-.0185")	45	34	56	10	(1)	22

Base—Continued

Gauge No. (thickness)	Width					
	Over 2" through 6"	Over 6" through 18"	Over 18" through 24"	Over 24" through 28"	Over 28" through 36"	Over 36" through 40"
27 (0170)	67	58	79	33	22	47

† Base.

Dated: May 14, 1981.

B. Waring Partridge,
Acting Deputy Assistant Secretary for Import
Administration.

[FR Doc. 81-14981 Filed 5-19-81; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

Withdrawal of the Lease of Aircraft for Flying Aerial Photography From NOAA's Inventory of Commercial and Industrial Activities and Service Contracts

AGENCY: National Oceanic and
Atmospheric Administration,
Commerce.

ACTION: Notice of Withdrawal.

SUMMARY: NOAA is hereby notifying interested parties of the withdrawal of the Notice of Intent to conduct a feasibility or cost comparison study of the lease of aircraft for flying aerial photography listed in the tabulation of Service Contracts of the Notice of Intent published August 7, 1980, in the Federal Register.

FOR FURTHER INFORMATION CONTACT:
Samuel A. Lawrence, Assistant
Administrator for Management and
Budget, 6010 Executive Boulevard,
Rockville, Maryland 20852, 443-8134.

Dated: May 14, 1981.

Francis J. Balint,

Acting Director, Office of Management and
Computer Systems.

[FR Doc. 81-14980 Filed 5-19-81; 8:45 am]

BILLING CODE 3510-12-M

Intent To Prepare an Environmental Impact Statement on the Proposed Maine Estuarine Sanctuary

Summary

In accordance with the provisions of the National Environmental Policy Act and Section 315 of the Federal Coastal Zone Management Act, the Office of Coastal Zone Management in the National Oceanic and Atmospheric Administration intends to prepare and distribute a draft environmental impact statement (DEIS) on proposed estuarine sanctuary sites along the coast of Maine.

Designation of the sanctuary would serve to provide management and protection to approximately 52,250 acres of estuarine habitat (land and water) for purposes consistent with the establishment of estuarine sanctuaries; namely, research and education.

Discussion

The State of Maine plans to submit an application for a grant from OCZM to establish an estuarine sanctuary on the Maine coast. This would be the first estuarine sanctuary in the Arcadian biogeographic region. The proposed sanctuary, when complete, would include three separate sites that typify the three major kinds of estuaries on the Maine coast. The State Planning Office asked local coastal towns to nominate coastal natural areas that would qualify as estuarine sanctuary sites. A site selection committee determined that three areas meet the selection criteria including strong local support. Out of the thirty-two potential sites, the three which were considered the best candidates include: (1) Machias Bay near the town of Machiasport, and consists of five land masses, fifteen islands and their surrounding waters for a total area of approximately 50,000 acres of land and water; (2) Marsh River/Sheepscot River near the town of Newcastle, would consist of approximately 2,000 acres of land, including islands and water in an upper estuarine area in Mid-Coast Maine; and (3) Webhannet River/Little River near the town of Wells consisting of approximately 250 acres of uplands, marsh and sandy beach behind Drake Island on the South coast of Maine. The proposed Maine sites will be evaluated separately on their merits as sanctuary sites through the NEPA process. Impacts associated with sanctuary designation normally consist of the purchase or donation of private property within the sanctuary boundaries, prohibition or regulation of uses which have been determined to be incompatible with the primary purposes of the sanctuary (i.e., industrial uses adversely impacting water quality), increased public access, some potential for decreasing local government tax rolls (this is a function of the amount of private land purchased), and the potential for

conflicting with surrounding land use practices.

Scoping Process

Interested parties who wish to submit inquiries, suggestions, comments or substantive information regarding the proposal or potential impacts are invited to write or call Mr. Frank Christilf, Estuarine Sanctuary Project Officer, Office of Coastal Zone Management, 3300 Whitehaven St., N.W., Washington, D.C. 20235, 202/653-7301, should do so prior to June 19, 1981. Because of limited travel funds, no scoping meeting will be held in the State of Maine. Local governments in the vicinity of the sanctuary sites will be notified and comments requested. A scoping meeting will be held on Monday, June 8 at 10:00 a.m., in Room B100 of the Page #1 Bldg, 2001 Wisconsin Ave., N.W., Washington, D.C., for all interested Federal agency representatives, public and private interest groups. The project will be described and interested parties are invited to provide input at that time.

(Federal Domestic Assistance Catalog No. 11-420 Coastal Zone Management-Estuarine Sanctuaries)

Dated: May 15, 1981.

William Matuszeski,

Acting Deputy Assistant Administrator for
Office of Coastal Zone Management.

[FR Doc. 81-15020 Filed 5-19-81; 8:45 am]

BILLING CODE 3510-08-M

Issuance of Permit

On April 3, 1981, Notice was published in the Federal Register (46 FR 20254), that an application had been filed with the National Marine Fisheries Service by Dr. James R. Gilbert, Associate Professor, Wildlife Resources, 216 Nutting Hall, University of Maine, Orono, Maine 04469, to tag 100 harbor seals of which 30 adults may be radio-tagged; to census harbor seal populations which may inadvertently cause harassment, and to salvage marine mammals found dead on the beach.

Notice is hereby given that on May 13, 1981, the National Marine Fisheries Service issued a Scientific Research Permit, as authorized by the provisions of the Marine Mammal Protection Act of

1972 (16 U.S.C. 1361-1407) to Dr. James R. Gilbert subject to certain conditions set forth therein.

The Permit is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Northeast Region, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930.

Dated: May 13, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-15111 Filed 5-19-81; 8:46 am]

BILLING CODE 3510-22-M

Notice of Permit Modification Request

Notice is hereby given that Mr. Randall Davis, Scripps Institution of Oceanography, University of California, San Diego, La Jolla, California 92093, has requested a modification to Scientific Research Permit No. 312 issued on December 2, 1980, (45 FR 81248) as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 16).

The Permit Holder is requesting to take an additional 20 Weddell seals (*Leptonychotes weddellii*) by attachment of depth recorders and radio tags as described in the original application. Recaptures would be necessary for instrument recovery. In addition, the importation of specimen material taken by the New Zealand research team or as authorized by Permit No. 312 is requested.

Concurrent with the publication of this notice in the *Federal Register*, the Secretary of Commerce is forwarding copies of this request to the Marine Mammal Commission and the Committee of Scientific Advisory.

Written data or views, or requests for a public hearing on this request should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, within 30 days of the publication of this notice.

Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate. The holding of such hearing is at the

discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in the request are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above request are available for review in the following office:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.

Dated: May 13, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-15112 Filed 5-19-81; 8:45 am]

BILLING CODE 3510-22-M

National Technical Information Service Government-Owned Inventions; Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for domestic and, possibly, foreign licensing.

Copies of patents cited are available from the Commissioner of Patents & Trademarks, Washington, DC 20231, for \$5.00 each. Requests for copies of patents must include the patent number.

Copies of patent applications cited are available from the National Technical Information Service (NTIS), Springfield, Virginia 22161 for \$5.00 each (\$10.00 outside North American Continent). Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to avoid premature disclosure. Claims and other technical data will usually be made available to serious prospective licensees upon execution of a non-disclosure agreement.

Requests for information on the licensing of particular inventions should be directed to:

Office of Government Inventions and Patents, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Douglas J. Campion,

Program Coordinator, Office of Government Inventions and Patents, National Technical Information Service, Department of Commerce.

U.S. Department of Agriculture, Program Agreements and Patent Branch, Administrative Services Division, Federal Building, Science and Education Administration, Hyattsville, MD 20782

Patent application 6,212,297: Process for Producing Transfer Printed Cotton and Cotton Blends; filed Dec. 3, 1980

Patent 4,236,890: Process for Producing Transfer Printed Cotton and Cotton Blends; filed June 7, 1978, patented Dec. 2, 1980; not available NTIS

Patent 4,246,289: Novel Aroid Products; filed July 5, 1979, patented Jan. 20, 1981; not available NTIS.

U.S. Department of Energy, Assistant General Counsel for Patents, Washington, DC 20545

Patent application 6,101,368: Flash Protection Controller; filed Dec. 7, 1979

Patent application 6,101,369: Waveform Synthesizer; filed Dec. 7, 1979

Patent 4,197,285: Regeneration of Lime from Sulfates for Fluidized-Bed Combustion; filed Dec. 7, 1977, patented Apr. 8, 1980; not available NTIS.

U.S. Department of Health and Human Services, National Institutes of Health, Chief, Patent Branch, Westwood Building, Bethesda, MD 20205

Patent application 6,186,735: Anti Thy 1.2 Monoclonal Antibody-Ricin Hybrid Utilized as a Tumor Suppressant; filed Sept. 30, 1980.

Patent application 6,210,044: Acoustically Transparent Hydrophone Probe; filed Nov. 24, 1980.

U.S. Department of the Interior, Branch of Patents, 18th and C Streets, NW., Washington, DC 20240

Patent application 6,184,851: Multi-Chromatographic Materials; filed Sept. 8, 1980.

[FR Doc. 81-15019 Filed 5-19-81; 8:45 am]

BILLING CODE 3510-04-M

COMMISSION OF FINE ARTS

Meeting

The Commission of Fine Arts will next meet in open session on Tuesday, July 7, 1981, at 10:00 a.m. in the Commission's offices at 708 Jackson Place NW., Washington, D.C. 20006 to discuss various projects affecting the appearance of Washington, D.C.

Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Mr. Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address.

Dated in Washington, D.C., May 14, 1981.

Charles H. Atherton,
Secretary.

[FR Doc. 81-15023 Filed 5-19-81; 8:45 am]

BILLING CODE 6330-01-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Announcing a New Export Visa Requirement and Exempt Certification for Cotton, Wool, and Manmade Fiber Textile Products From Mexico

May 15, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Establishing a new export visa and exempt certification mechanism for certain cotton, wool and man-made fiber textile and apparel products exported from Mexico.

SUMMARY: The Governments of the United States and Mexico have exchanged notes dated March 24 and March 31, 1981, establishing a new visa and exempt certification mechanism pursuant to the terms of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of February 26, 1979, as amended, between the two governments.

EFFECTIVE DATE: July 1, 1981 for textile and apparel products exported on and after that date. Textile and apparel products that have been exported before July 1, 1981 shall not be denied entry for lack of a visa or certification.

FOR FURTHER INFORMATION CONTACT: William Boyd, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-5423).

SUPPLEMENTARY INFORMATION: On and after July 1, 1981 cotton, wool and man-made fiber textile and apparel products in Categories 300-369, 400-469 and 600-669 which are subject to the terms of the bilateral agreement shall be visaed with a circular stamp in order to be entered or withdrawn from warehouse for consumption in the United States. Shipments of textile and apparel products which are exempt from the quantitative limits of the bilateral agreement shall be certified by the Government of Mexico prior to exportation using a rectangular-shaped stamp. The basis for exemption shall be stated on the certification by use of a description such as, "Handloomed fabric," "Handmade cottage industry products made of handloomed fabric," "\$250 or less," or the name of a particular traditional folklore handcraft textile product or products which have been mutually agreed to and so designated for exemption. Invoices for certified exempt items shall not include and textile or apparel products that are not agreed to be exempt. Shipments of textile products that are certified for exemption do not require an export visa.

Merchandise imported for the personal use of the importer, and not for resale, does not require a visa or exempt certification for entry, regardless of value.

Shipments shall be visaed or certified by the placing of original stamped markings (the visa or certification) in blue ink on the front of the invoice (Special Customs Invoice Form 5515, successor document, or commercial invoice, when such form is used). Each visa and certification will include its number and date and the signature of the issuing official. The visa shall also state the correct categories and quantities in the shipment in the applicable category units, except that if the quantity indicated on the export visa is more than that of the shipment, entry shall be permitted despite the inaccuracy.

Facsimiles of the visa and exempt certification stamps are published as enclosures to the letter to the Commissioner of the Customs which follows this notice. A list of items that are currently identified for exemption is also published as an enclosure to that letter. Further items may be added to this list upon agreement between the two governments.

The Government of Mexico has authorized the following officials to issue visas and exempt certifications:

Leopoldo Diaz Aldecoa
 Javier Inzunza Angulo
 Ruben Ramirez Banda
 Jorge Luisa Robles Contreras
 Serafin Martinez Cruz
 Ernesto B. Ascencio Esparza
 Carlos McGregor Garate
 Angel Francisco Marroquin Garza
 Bolivar Hernandez Garza
 Argimiro Reyes Genis
 Jose Serralta Hernandez
 Jorge Mendez Juarez
 Gerardo Solis Laredo
 Rafael Ney Lizardi A.
 Pedro Lechuga Lopez
 Rogelio Lopez Lucio
 Jose Luis Ferretis Martinez
 Alfredo Ortega Mena
 Hector M. Pastrana Mendivil
 Gerardo Pesqueira Mendoza
 Yolanda Perex Munoa
 C. P. Delfino Gonzalez Munoz
 Guillermo Teutli Otero
 Octavio Ascencio Reynoso
 Carlos E. Martinez Rivera
 Miguel A. Rivera V.
 Hedilberto Cobos Rodriguez

The signatures of the foregoing officials are filed as part of the original document with the Office of the Federal Register.

Interested persons are advised to take all necessary steps to insure that textile and apparel products, produce or manufactured in Mexico which are to be entered into the United States for

consumption, or withdrawn from warehouse for consumption on and after July 1, 1981, will meet the stated visa and certification requirements.

Edward Gottfried,

Acting Chairman, Committee for the Implementation of Textile Agreements.

May 15, 1981.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,

Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of February 26, 1979, as amended, between the Governments of the United States and Mexico; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on July 1, 1981 and until further notice, entry into the United States for consumption, or withdrawal from warehouse for consumption, of cotton, wool and man-made fiber textile products in Categories 300-369, 400-469 and 600-669, produced or manufactured in Mexico, and exported on and after July 1, 1981, which are not visaed or certified for exemption in accordance with the procedures outlined below. Cotton, wool and man-made fiber textile products which have been exported before July 1, 1981 shall not be denied entry for lack of a visa or certification.

Cotton, wool and man-made fiber textile products exported from Mexico on and after July 1, 1981 other than exceptions specified below, shall be visaed with a circular stamp in order to be entered into the United States for consumption, or withdrawn from warehouse for consumption.

Certain cotton, wool and man-made fiber textile products which are exempt from the levels of restraint shall be certified by the Government of Mexico prior to exportation using a rectangular-shaped stamp. The basis for exemption shall be stated on the certification by use of a description, such as, "Handloomed fabric," "Handmade cottage industry products made of handloomed fabric," "\$250 or less," or the name of a particular traditional folklore handcraft textile product, as listed on the enclosure to this letter.

Merchandise shall be visaed or certified by the placing of original stamped markings (the visa or certification) in blue ink on the front of the invoice (Special Customs Invoice Form 5515, successor document, or commercial invoice, when such form is used). Each visa and certification shall include its number and date and the signature of the issuing official. The visa shall also state the correct categories and quantities in the shipment in the applicable category units, except that if the quantity indicated on the export visa is more than that of the shipment, entry shall be permitted despite the inaccuracy. The

categories and quantities shall be those determined by the U.S. Customs Service, or the shipment shall be denied entry. Facsimiles of the visa and certification stamps are enclosed.

Merchandise imported for the personal use of the importer and not for resale, does not require a visa or certification for entry, regardless of value.

Merchandise covered by an invoice which has an exempt certification but contains both exempt and non-exempt textile products shall not be permitted entry. Merchandise which is certified exempt does not require an export visa.

You are directed to permit entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of textile products, produced or manufactured in Mexico and exported to the United States, notwithstanding the designated merchandise does not fulfill the aforementioned visa and certification requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the textile categories in terms of T.S.U.S.A. numbers

was published in the *Federal Register* on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506) and December 24, 1980 (45 FR 85142) and May 5, 1981 (46 FR 25121).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Mexico and with respect to imports of cotton, wool and man-made fiber textile products from Mexico have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the *Federal Register*.

Sincerely,

Edward Gottfried,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Enclosures.

this field. The briefings and discussions will be closed to the public in accordance with section 552b(c) of Title 5, United States Code, specifically subparagraph (4).

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-8404.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-14097 Filed 5-19-81 8:45 am]

BILLING CODE 3910-01-M

USAF Scientific Advisory Board; Meeting

May 15, 1981.

The USAF Scientific Advisory Board Chief's Technical Advisory Group will meet at the Air Force Test and Evaluation Center, Kirtland AFB, New Mexico on June 10-11, 1981 from 8:30 a.m. to 5:00 p.m. each day.

The Group will meet to review selected AFTEC programs and the technical/scientific methods associated with those activities. The briefings and discussions will be classified and closed to the public in accordance with section 552b(c) of Title 5, U.S.C., specifically subparagraph (1) thereof.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-4648.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-14096 Filed 5-19-81 8:45 am]

BILLING CODE 3910-01-M



EXEMPT CERTIFICATION

[FR Doc. 81-15034 Filed 5-19-81 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

May 15, 1981.

The USAF Scientific Advisory Board Ad Hoc Committee on Potential New Methods of Detection and Identification



EXPORT VISA

of Chemical Warfare Agents will meet at the Systems Planning Corporation, Arlington, VA, on June 17-19, 1981. The meeting will convene at 9:00 a.m. each morning; adjourn at 5:00 p.m. on June 17-18, and at 1:00 p.m., June 19.

The committee will 1) define chemical problems involved in detection and identification; 2) describe present state of technical developments/weaknesses; 3) identify new technologies, and 4) interest university/industrial scientists in the problems to develop research in

USAF Scientific Advisory Board; Meeting

May 15, 1981.

The USAF Scientific Advisory Board Foreign Technology Division Advisory Group will hold meetings on June 15, 1981 from 8:00 a.m. to 5:00 p.m. and June 16, 1981 from 8:00 a.m. to 1:00 p.m. at Wright-Patterson AFB, Ohio.

The Group will receive classified briefings and hold classified discussions on automated data processing as it relates to the Foreign Technology Division analytic process and foreign materiel assessments. The meeting will be closed to the public in accordance with section 552b(c) of Title 5, U.S.C., specifically subparagraph (1) thereof.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-4648.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-14999 Filed 5-19-81; 8:45 am]

BILLING CODE 3910-01-M

USAF Scientific Advisory Board; Meeting

May 14, 1981.

The USAF Scientific Advisory Board Logistics Cross-Matrix Panel will meet at the Pentagon, Washington, D.C. on June 9-10, 1981. The meeting will convene at 8:30 a.m. and adjourn at 5:00 p.m. each day.

The Panel will review the problem of effectively deploying and employing aircraft and the required support functions in a highly combat-intense environment. The briefings and discussions will be closed to the public in accordance with section 552b(c) of Title 5, United States Code, specifically subparagraph (1).

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-8845.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-15000 Filed 5-19-81; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army

Army Advisory Panel on ROTC Affairs; Meeting

ACTION: Notice of Open Meeting.

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Panel meeting:

Date: June 17-18 1981.

Time: 1330 hours to 1630 hours (June 17, 1981)

0800 hours to 1200 hours (June 18, 1981)

Address: Gaffey Hall, Class Room No. 2, Fort Knox, Kentucky 40121.

Proposed Agenda:

The meeting will be primarily dedicated to workshop activities where topics concerning the Army Senior ROTC program will be discussed. Initially, the Panel will meet in a general session. Then the Panel members will participate in three workshops; namely, Program of Instruction, Enrollment/Retention, and Scholarships; current issues/problem areas associated with these subjects will be considered. Following the workshops, the Panel will again meet in a general session to act on workshop responses. This meeting is open to the public. Any interested person may attend, appear before, or file

statements with the Panel at the time and in the manner permitted by the panel.

FOR FURTHER INFORMATION CONTACT: LTC LeGare, Headquarters, U.S. Army Training and Doctrine Command, ATTN: ATRO-PR, Fort Monroe, VA 23651 (804-727-3828).

John O. Roach II,

Army Liaison Officer With the Federal Register.

[FR Doc. 81-15022 Filed 5-19-81; 8:45 am]

BILLING CODE 3710-08-M

Privacy Act of 1974; Amendments to Systems of Records

AGENCY: Department of the Army.

ACTION: Proposed deletions and amendment of systems of records.

SUMMARY: The Department of the Army proposes to amend its inventory of systems notices by deleting 4 and amending 1 systems of records subject to the Privacy Act of 1974. Specific changes to the system of records being amended are set forth below, followed by the system printed in its entirety as amended.

DATE: Actions shall be effective as proposed on June 19, 1981 unless comments are received which would result in a contrary determination and require republication for further comments.

ADDRESS: Written public comments are invited and may be submitted to Headquarters, Department of the Army, ATTN: DAAG-AMR-R, Room 1146, Hoffman Building I, Alexandria, VA 22331, prior to June, 1981.

FOR FURTHER INFORMATION CONTACT: Mrs. Dorothy Karkanen, Office of The Adjutant General (DAAG-AMR-R), HQDA, at the above address; telephone: (703) 325-6163.

SUPPLEMENTARY INFORMATION: Department of the Army systems of records appear in the following editions of the Federal Register:

FR Doc 79-37052 (44 FR 73729), December 17, 1979

FR Doc 81-85 (46 FR 1002), January 5, 1981

FR Doc 81-897 (46 FR 6460), January 21, 1981

FR Doc 81-3374 (46 FR 9692), January 29, 1981

FR Doc 81-5885 (46 FR 13544), February 23, 1981

FR Doc 81-7250 (46 FR 15531), March 6, 1981

FR Doc 81-7621 (46 FR 16111), March 11, 1981

FR Doc 81-10724 (46 FR 21220), April 9, 1981

FR Doc 81-10791 (46 FR 21221), April 9, 1981

FR Doc 81-12660 (46 FR 23523), April 27, 1981

System being amended does not fall within the criteria of 5 U.S.C. 552a(o), as implemented by Transmittal

Memoranda 1 and 3 to OMB Circular A-108.

M. S. Healy,

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

May 15, 1981.

Deletions

A0225.06bDACS

System name: MISO Management (TWW) (44 FR 73779), December 17, 1979.

Reason: Records are described in A0309.05aDAAG, Resource Management and Cost Accounting Files.

A0225.09bDARCOM

System name: Visual Information System (VIS) Utilization (44 FR 73781), December 17, 1979.

Reason: Records are described in A0309.05aDAAG, Resource Management and Cost Accounting Files.

A1010.07bAMC

System name: AMC School Files (44 FR 73952), December 17, 1979.

Reason: Records are described in proposed amended system notice A1012.03bAMC appearing in this edition of the Federal Register.

A1205.30bMTMC

System name: Individual Travel Files (44 FR 73993), December 17, 1979.

Reason: Records are described in A1205.30aDAAG, Individual Travel Files.

Amendment

A1012.03bAMC

System name: AMC School Student Files (44 FR 73956), December 17, 1979.

Changes:

System ID: Delete "AMC" and substitute therefor: "DARCOM".

System name: Delete entry and substitute therefor: "Student/Faculty Records—DARCOM Schools System".

System location: Delete "Army Materiel Command (AMC) school student files are maintained at the following geographical locations:".

Categories of individuals covered by the system: Delete entry and substitute the following: "Students enrolled/attending schools identified under "System location"; faculty, instructors, and guest speakers."

Categories of records in the system: Delete entries and substitute therefor: "Student academic records consisting of course completions and results, aptitudes and personal qualities, grades/ratings assigned; instructor/guest speaker qualifications and evaluations, including biographical data;

class historical/academic achievement; and related information."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Delete entry and substitute therefor: "To determine applicant eligibility, monitor individual's progress, maintain record of student/faculty achievements, and to provide bases for management assessment of curricula and faculty effectiveness and class standing."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Change entry to read: "Paper records and cards photographs, computer magnetic tapes and printouts."

Safeguards: Change entry to read: "Records are maintained in locked cabinets within secured areas accessible only to authorized persons having an official need-to-know."

Retention and disposal: Change entry to read: "Individual academic records are retained for 40 years, 3 of which are at the school which created them; they are subsequently transferred to the National Personnel Records Center, 9700 Page Boulevard, St. Louis, MO 63132. Faculty/instructor qualifications records are retained until individual transfers from the facility, held for 5 years, and then destroyed. Other records are retained until no longer needed, at which time they are destroyed."

Record access procedures: "After 'appropriate', delete remainder of sentence and substitute the following: " * * * training facility, giving information listed under 'Notification procedure'."

Contesting record procedures: Delete period and add: "(32 CFR Part 505)."

Record source categories: Change entry to read: "From the individual student, faculty, instructor, guest speaker, and management analyses of class performance."

A1012.03bDARCOM

SYSTEM NAME:

Student/Faculty Records—DARCOM, Schools System.

SYSTEM LOCATION:

U.S. Army Logistics Management Center, Ft. Lee, VA; U.S. Army Management Engineering Training Agency, Rock Island, IL; Joint Military Packaging Training Center, Aberdeen Proving Grounds, MD; USAMC

Ammunition Center/School, Savanna, IL; USAMC Field Safety Agency, Charlestown, IN.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students enrolled/attending schools identified under "System location" faculty, instructors, and guest speakers.

CATEGORIES OF RECORDS IN THE SYSTEM:

Student academic records, consisting of course completions and results, aptitudes and personal qualities, grades/ratings assigned; instructor/guest speaker qualifications and evaluations, including biographical data; class historical/academic achievements; and related information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title 5 U.S.C., Section 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To determine applicant eligibility, monitor individual's progress, maintain record of student/faculty achievements, and to provide bases for management assessment of curricula and faculty effectiveness and class standing.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records and cards, photographs, computer magnetic tapes and printouts.

RETRIEVABILITY:

By name, social security number (SSN), military service number.

SAFEGUARDS:

Records are maintained in locked cabinets within secured areas accessible only to authorized persons having an official need-to-know.

RETENTION AND DISPOSAL:

Individual academic records are retained for 40 years, 3 of which are at the school which created them; they are subsequently transferred to the National Personnel Records Center, 9700 Page Boulevard, St. Louis, MO 63132. Faculty/instructor qualifications records are retained until individual transfers from the facility, held for 5 years, and then destroyed. Other records are retained until no longer needed, at which time they are destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Commandant, U.S. Army Logistics Management Center, Ft. Lee, VA 23801;

Director, U.S. Army Management Engineering Training Agency, Rock Island, IL 61201. Director, Joint Military Packaging Training Center, Aberdeen Proving Grounds, MD 21105. Director, USAMC Ammunition Center/School, Savanna, IL 61074. Director, USAMC Field Safety Agency, Charlestown, IN 47111.

NOTIFICATION PROCEDURE:

Information may be obtained from the Commandant/Director of the appropriate School/Agency. Requests should contain individual's full name, rank/grade, SSN, course title/class number, and date of attendance or, if a faculty member: name, course(s) taught, and period in which instructed at named training facility.

RECORD ACCESS PROCEDURES:

Written requests should be made to the Commandant/Director of the appropriate training facility, giving information listed under "Notification procedure".

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340-21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual student, faculty, instructor, guest speaker, and management analyses of class performance.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc 81-15109 Filed 5-19-81, 8:45 am]
BILLING CODE 3710-06-M

DEPARTMENT OF ENERGY

National Electric Reliability Study: Extension of Period of Comments

AGENCY: Department of Energy.

ACTION: Notice of extension of period for comments on the National Electric Reliability Study.

SUMMARY: The Department of Energy gives notice that the period for comments has been extended due to unforeseen circumstances.

ADDRESS: Written comments should be addressed to Department of Energy, Room 4002, 2000 M Street, N.W., Washington, D.C. 20461.

FOR FURTHER INFORMATION CONTACT: Richard E. Weiner, Director, Division of Power Supply and Reliability, Room 4002, 2000 M Street, N.W., Washington, D.C. 20461 (202) 653-3949.

SUPPLEMENTARY INFORMATION: On April 30, 1981, the Department of Energy gave notice that the prepared National Electric Reliability Study prepared pursuant to Section 209(a) of the Public Utility Regulatory Policies Act of 1978 was available for public comment. At the time that the *Federal Register* Notice was issued, the subject study was not available to the public. This study is now available for review in the DOE Reading Room, 1E-190, James Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585. Comments received by June 15, 1981, at the address specified above will be submitted to the President and the Congress.

Dated: May 13, 1981.

Barton R. House,

Acting Assistant Secretary for Environmental Protection, Safety and Emergency Preparedness.

[FR Doc 81-14963 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-01-M

**National Petroleum Council,
Coordinating Subcommittee of the
Committee on Arctic Oil and Gas
Resources; Meeting**

Notice is hereby given that the Coordinating Subcommittee of the Committee on Arctic Oil and Gas Resources will meet in June 1981. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Arctic Oil and Gas Resources will analyze the various issues bearing on expeditious resource development of this promising frontier area. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Coordinating Subcommittee meeting follows:

The sixth meeting of the Coordinating Subcommittee will be held on Tuesday, June 9, 1981, starting at 9:00 a.m., in the Yukon/Pacific Room, Atlantic Richfield Company, 515 South Flower Street, Los Angeles, California.

The tentative agenda for the meeting follows:

1. Introductory remarks by the Chairman and Government Cochairman.
2. Review of the draft reports of the task groups.

3. Discussion of the timetable of the study

4. Discussion of any other matters pertinent to the overall assignment from the Secretary

The meeting is open to the public. The Chairman of the Coordinating Subcommittee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Coordinating Subcommittee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil and Natural Gas, Fossil Energy, 202/633-8383, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading Room, Room 1E-190, DOE, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except Federal holidays.

Issued at Washington, D.C. on May 11, 1981.

Roger A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

May 11, 1981.

[FR Doc 81-14991 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-01-M

**National Petroleum Council,
Hazardous Wastes Task Group of the
Committee on Environmental
Conservation; Rescheduled Meeting**

This notice is given to advise of the rescheduling of the fifth meeting of the Hazardous Wastes Task Group of the Committee on Environmental Conservation. The meeting will be on Thursday, May 28, 1981, at 10:00 a.m., in Room 3748 of the Standard Oil Company (Indiana) Building, 200 East Randolph Drive, Chicago, Illinois, in lieu of the date, time, and place announced in the April 24, 1981, issue of the *Federal Register* (46 FR 23287).

Issued at Washington, D.C. on May 11, 1981.

Roger W. A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

May 11, 1981.

[FR Doc. 81-14982 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration
[Docket No. ERA-FC-80-031; ERA Case No. 52416-9185-21, 22-22]

**Puget Sound Power and Light
Company, Frederickson Generating
Station Units 1 and 2; Decision and
Order Granting Exemption From the
Prohibitions of the Powerplant and
Industrial Fuel Use Act of 1978**

The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby issues this Decision and Order to Puget Sound Power and Light Company (Puget Sound) granting two permanent peakload powerplant exemptions from the prohibitions against (1) the use of petroleum or natural gas as a primary energy source by new powerplants and (2) the construction of new powerplants without the capability of use an alternate fuel as a primary energy source, which are contained in section 201 of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 et seq. (FUA or the Act).

Background:

On August 5, 1980, Puget Sound filed two petitions with ERA for two permanent peakload powerplant exemptions to enable it to use oil or natural gas as a primary energy source in two 81,000 kilowatt oil or natural gas-fired combustion turbine powerplants to be known as Frederickson Generating Station Units 1 and 2 (Frederickson 1 and 2) and which are to be located in Pierce County, Washington. ERA accepted the petitions on October 2, 1980, and published notice of the acceptance, together with a statement of the reasons set forth in the petitions for requesting the exemptions, in the *Federal Register* on October 9, 1980 (45 FR 67126). Publication of the notice of acceptance commenced a 45-day public comment period pursuant to section 701 of FUA. Interested persons were also afforded an opportunity to request a public hearing. The comment period ended November 24, 1980.

Comments on Puget Sound's petitions were received from the Washington Utilities and Transportation Commission, Dr. J. Nichol Roehr of Heath-Arnold Radiologists Inc., and the Oil Heat Institute of Washington (OHIW). OHIW also requested that a public hearing be held in Seattle, Washington.

ERA's staff reviewed the information contained in the record of the proceeding and prepared a Tentative Staff Analysis (TSA) which recommended that ERA issue an order granting Puget Sound two permanent peakload powerplant exemptions to use

oil or natural gas in Frederickson 1 and 2, subject to certain terms and conditions. A notice of availability of the TSA was published in the Federal Register on January 26, 1981 (46 FR 8077). The publication of the notice of availability opened a 14-day public comment period which ended February 9, 1981. Additional persons submitting comments on the petitions included the Boeing Company; Georgia-Pacific Corporation, Bellingham Division; and the Criton Corporation.

A notice of order granting a public hearing was published in the Federal Register on February 24, 1981 (46 FR 13758). A notice of public hearing to be held in Seattle, Washington, beginning on April 1, 1981, was published in the Federal Register on March 19, 1981 (46 FR 17584). At the request of OHIW, the date of the public hearing was changed to April 10, 1981, notice of which was published in the Federal Register on April 1, 1981 (46 FR 19848). Participants in the hearing included Puget Sound, OHIW and ERA. OHIW and ERA staff made presentations at the public hearing. Participants were provided an opportunity to question ERA staff and other participants in the hearing. The concerns and issues raised by OHIW at the public hearing are addressed below. Following the public hearing, the record remained open for a period of 14 days, during which time the Presiding Officer extended the period to May 4, 1981, due to the late receipt of the hearing transcript. On May 7, 1981, the Presiding Officer certified the record.

On the basis of ERA's review of the entire record of this proceeding, ERA has determined to grant the exemptions requested by Puget Sound to use oil or natural gas in Frederickson 1 and 2, subject to the terms and conditions enumerated below.

On August 11, 1980, DOE published in the Federal Register (45 FR 53199) a notice of proposed amendments to the guidelines for compliance with the National Environmental Policy Act of 1969 (NEPA). Pursuant to the guidelines, the grant or denial of certain FUA permanent exemptions, including the permanent exemption by certification for a peakload powerplant, was identified as an action which normally does not require an Environmental Impact Statement or an Environmental Assessment pursuant to NEPA (categorical exclusion).

This classification raises a rebuttable presumption that the grant or denial of the exemption will not significantly affect the quality of the human environment. Puget Sound has certified that it will secure all applicable permits and approvals prior to commencement

of operation of the new units under exemption. The Environmental Checklist completed and certified to by Puget Sound pursuant to 10 CFR 503.15(b) has been reviewed by DOE's Office of Environment, in consultation with the Office of the General Counsel. Puget Sound's responses to the questions contained therein indicate that the operation of the peakload powerplants will have no impact on those areas regulated by specified laws that impose consultation requirements on DOE, and otherwise affirm the applicability of the categorical exclusion to this FUA action. ERA has not received any public comments relating to this action which raise a substantial question regarding the categorical exclusion status in this case. Therefore, no additional environmental review is deemed to be required.

DATES: This order will take effect on June 20, 1981.

FOR FURTHER INFORMATION CONTACT:

Jack C. Vandenberg, Office of Public Information, Economic Regulatory Administration, Department of Energy, 2000 M Street, N.W., Room B-110, Washington, D.C. 20461, Phone (202) 653-4055.

Louis T. Krezanosky, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, 2000 M Street, N.W., Room 3012 B, Washington, D.C. 20461, Phone (202) 653-4208.

Marilyn Ross, Office of General Counsel, Department of Energy, 1000 Independence Ave., S.W., Room 6B-178, Washington, D.C. 20585, Phone (202) 252-2967.

SUPPLEMENTARY INFORMATION: Title II of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act), prohibits the use of natural gas or petroleum in certain new powerplants unless an exemption for such use has been granted by ERA. Final rules applicable to new facilities issued by ERA on May 30, 1980, were published in the Federal Register on June 6, 1980 (45 FR 38276) and became effective August 5, 1980.

Puget Sound submitted a sworn statement with its petitions signed by Mr. Robert V. Meyers, Vice President, General Resources as required by 10 CFR 503.41(b)(1). In his statement, Mr. Meyers certified that each of the units will be operated solely as peakload powerplants only to meet peakload demand for the life of the plants. He also certified that the maximum design capacity of each unit is 81,000 KW and that the maximum generation that the unit will be allowed during any 12-

month period is the design capacity times 1,500 hours or 121,500,000 Kwh.

A number of issues were raised by OHIW in its written comments and during the public hearing. These issues are discussed below.

First, OHIW challenged the sufficiency and acceptability of Puget Sound's certification that Frederickson 1 and 2 will be operated solely as peakload powerplants. OHIW alleges that (1) Puget Sound has impermissively conditioned its certifications and (2) that the representation to ERA that the units will be used solely for peakload purposes for the life of the powerplants is inconsistent with other representations made by Puget Sound.

Puget Sound's certifications are qualified by remarks that such certifications do not apply with respect to operation of the units "which * * * (ii) is in accordance with any other exemption which may be obtained, or (iii) is not in violation of applicable laws and regulations from time to time in effect." ERA does not believe that this language is inconsistent with the certification requirement. The regulations implementing FUA provide that a petition for a peakload exemption may be submitted in addition to a petition for a reliability exemption for a proposed unit, providing that eligibility and evidentiary requirements for each exemption are satisfied. Moreover, there are other provisions in the regulations and the statute which may, in specifically defined circumstances, allow use of the units in addition to operation under the peakload exemption. For these reasons, ERA did not feel that the qualifications to Puget Sound's certification indicated an intended use of the proposed units which is in conflict with the provisions of the statute or the implementing regulations. ERA concludes that Puget Sound has met the requirements of 10 CFR 503.41(b)(1)(i).

In support of its contention that Puget Sound does not intend to operate the proposed units in consonance with the requirements of the Act, at the public hearing OHIW presented testimony by Mr. Jim Lazar, a consulting economist. Mr. Lazar asserted that Puget Sound does not need the combustion turbines in order to meet its peakload requirements. Mr. Lazar also pointed to Puget Sound's testimony at a rate proceeding before the Washington Utilities and Transportation Commission (WUTC), which, he asserted, implied that Puget Sound intended to operate the Frederickson units in excess of the 1500 hours per

year permitted under the peakload exemptions.

In response to Mr. Lazar's testimony, Puget Sound submitted postbearing comments containing data which forecasts peakload deficits through the year 2000. Puget Sound also noted that the testimony cited by Mr. Lazar dealt solely with the development of power costs and in no way reflects planned or actual operation of a powerplant under a FUA peakload powerplant exemption.

FUA does not require a demonstration of need for a peakload powerplant exemption; in light of the disputed nature of the data, ERA cannot accept the assertion by OHIW that Puget Sound's failure to demonstrate need for additional peakload capacity is an indication of its intent to operate the units in excess of 1500 hours.

Second, in both its comments and in testimony at the public hearing, OHIW argued that Puget Sound's petitions failed to provide adequate assurances that the proposed units would be operated on natural gas rather than petroleum as a primary energy source. OHIW argued that Puget Sound should be required to supplement its petition with information regarding its intentions as to the use of petroleum as a primary fuel. In the absence of such information, OHIW claimed there is no justification for granting the exemptions for any fuel other than natural gas. With regard to these contentions, ERA concludes that neither FUA nor ERA's regulations require use of natural gas rather than petroleum, nor do they condition the granting of a peakload powerplant exemption on the availability of supply of natural gas or petroleum. The grant of the exemption merely relieves the exemption recipient from the statutory prohibitions on oil and gas use.

OHIW's third comment was that Puget Sound's petitions (including the EIS) failed to supply adequate information regarding the availability of alternate fuels, i.e. fuels other than petroleum or natural gas. OHIW contended that ERA should, by independent staff work, determine the availability of alternate fuels in the near-term future in order to assess the feasibility of requiring Puget Sound to construct the proposed powerplants with alternate fuel capability. Neither FUA nor ERA's regulations require Puget Sound to supply such information, or to conduct an independent staff effort to determine the future availability of alternate fuels in order to determine eligibility for peakload powerplant exemption. ERA, in connection with the proposed use of natural gas, has determined that there are no available

alternate fuels which may be used in the proposed powerplants.

Fourth, OHIW alleged that the description of Puget Sound's actual conservation program in its petitions and attached environmental reports is inaccurate and inadequate. To support this contention, OHIW referred to the previous Whitehorn proceeding (Docket No. ERA-FC-80-001) and testimony received at the public hearing in that case. Mr. Lazar also testified to this issue at the public hearing. Mr. Lazar testified that Puget Sound did not meet goals it had set for its conservation program as described to ERA in the Whitehorn proceeding. However, ERA notes that neither FUA nor the FUA regulations require a petitioner or a permanent peakload powerplant exemption to submit information concerning conservation programs to ERA in order to establish eligibility for an exemption. Puget Sound voluntarily submitted information on its conservation program as an attachment to its exemption petitions.

Fifth, OHIW questioned the adequacy of the environmental analysis submitted by Puget Sound. On the basis of the determination made by the DOE office of NEPA Affairs with consultation by the Office of General Counsel, ERA concludes that Puget Sound has fully complied with the requirements contained in 10 CFR 503.15, relating to the submission to ERA of information necessary for the agency to comply with NEPA.

Both OHIW's comments and presentation at the public hearing focused on terms and conditions which OHIW recommended be imposed on Puget Sound in order to limit its use of middle distillate. OHIW requested that ERA impose additional terms and conditions including a requirement that Puget Sound maintain a 14-day supply of low-sulfur residual oil or of liquified natural gas, a requirement that Puget Sound institute various conservation measures and a requirement that Puget Sound purchase power from cogeneration at rates equal to the fully distributed cost of running these turbines. Additionally, OHIW requested clarification of the terms and conditions proposed by ERA in the Tentative Staff Analysis, in order to restrict Puget Sound's operation of the Frederickson units on middle distillates.

Section 214(a) of the Act gives ERA the authority to include in any order granting an exemption, appropriate terms and conditions "requiring the use of effective fuel conservation measures which are practicable and consistent with the purposes of this Act." ERA has carefully considered OHIW's

recommendations in the proceeding along with the comments furnished by other interested persons and the information provided by Puget Sound throughout the proceeding. ERA concludes that at present, there is no need to impose further conditions upon Puget Sound other than those recommended by ERA staff. There is a financial incentive to minimize the use of the proposed units. To the extent that they are used, Puget Sound has indicated that it intends to use natural gas as long as it is available. With respect to OHIW's request that Puget Sound be required to burn residual oil instead of middle distillate, under present circumstances, there is no economic or other justification for requiring the storage of or use of residual fuel or liquified natural gas as a backup fuel instead of middle distillate. Under current economic conditions, the lowest grade of petroleum available which is technically capable of being burned in these units is middle distillate.

ERA believes that setting specific goals and the content of utility conservation plans in the absence of strong support for such action by the appropriate state regulatory agency would be inappropriate.

ERA by this order, grants Puget Sound permanent peakload powerplant exemptions from the prohibitions of FUA with respect to the use of petroleum or natural gas in the Frederickson 1 and 2 combustion turbines, provided each powerplant is operated solely as a peakload powerplant and to meet peakload demand subject to the terms and conditions stated below:

Terms and Conditions

Based upon information submitted by Puget Sound and other persons and the results of ERA's analysis, this order is granted on the following terms and conditions:

A. Puget Sound shall not produce more than 121,500,000 kWh during any 12-month period with either of the proposed units, Frederickson 1 or 2.

B. Puget Sound shall comply with the reporting requirements set forth in 10 CFR Part 503.41(d).

C. The quality of any petroleum to be burned in the units will be the lowest grade available which is technically feasible and capable of being burned consistent with applicable environmental requirements.

D. Puget Sound shall maintain at least a 14-day inventory of oil for each unit whenever a condition of gas curtailment is anticipated together with hydro conditions or other anticipated events

that are expected to require the use of petroleum. Puget Sound shall make all reasonable efforts to meet its anticipated needs for oil with minimal disruption to the needs of other users and to obtain any necessary inventories before a gas curtailment.

E. This order shall take effect on June 20, 1981.

Issued in Washington, D.C., on May 15, 1981.

Robert I. Davies,

Office Director, Office of Fuels Conversion,
Economic Regulatory Administration.

[PR Doc. 81-15035 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-01-M

Energy Information Administration

Publication of Alternative Fuel Price Ceilings and Incremental Price Threshold for High Cost Natural Gas

The Natural Gas Policy Act of 1978 (NGPA) (Pub. L. 95-621) signed into law on November 9, 1978, mandated a new framework for the regulation of most facets of the natural gas industry. In general, under Title II of the NGPA, interstate natural gas pipeline companies are required to pass through certain portions of their acquisition costs for natural gas to industrial users in the form of a surcharge. The statute requires that the ultimate cost of gas to the industrial facility does not exceed the cost of the fuel oil which the facility could use as an alternative.

Pursuant to Title II of the NGPA of 1978, Section 204 (e), the Energy Information Administration (EIA) herewith publishes for the Federal Energy Regulatory Commission (FERC) computed natural gas ceiling prices and a high cost gas incremental pricing threshold which are to be effective June 1, 1981. These prices are based on the prices of alternative fuels.

FOR FURTHER INFORMATION CONTACT:
Leroy Brown, Jr., Energy Information Administration, Federal Building, 12th & Pa. Ave., N.W., Room 4121, Washington, D.C. 20461, (202) 633-9710.

Section I. Alternative Fuel Price Ceilings

As required by FERC Order No. 50, computed prices are shown for the 48 contiguous States. The District of Columbia's ceiling is included with the ceiling for the State of Maryland. FERC, by an Interim Rule issued on March 2, 1981, in Docket No. RM79-21, revised the methodology for calculating the monthly alternative fuel price ceilings for State regions. Under the revised methodology, the applicable alternative fuel price ceiling published for each of the contiguous States shall be the lower

of the alternative fuel price ceiling for the State or the alternative fuel price ceiling for the multistate region in which the State is located.

The price ceiling is expressed in dollars per million British Thermal Units (BTU's). The method used to determine the price ceilings is described in Section III.

State	Dollars per million Btu's
Alabama	63.92
Arizona ¹	3.27
Arkansas ¹	3.71
California	3.18
Colorado ¹	3.39
Connecticut ¹	4.94
Delaware ¹	4.44
Florida	4.21
Georgia	4.35
Idaho ¹	3.39
Illinois	2.91
Indiana ¹	3.60
Iowa ¹	3.90
Kansas	3.60
Kentucky ¹	3.60
Louisiana ¹	3.71
Maine ¹	4.94
Maryland ¹	4.44
Massachusetts	4.85
Michigan ¹	3.60
Minnesota ¹	3.90
Mississippi	4.12
Missouri	3.75
Montana	3.38
Nebraska ¹	3.90
Nevada ¹	3.27
New Hampshire ¹	4.94
New Jersey ¹	4.44
New Mexico	3.69
New York	4.38
North Carolina ¹	4.45
North Dakota ¹	3.90
Ohio ¹	3.80
Oklahoma ¹	3.71
Oregon ¹	3.27
Pennsylvania ¹	4.44
Rhode Island ¹	4.94
South Carolina ¹	4.45
South Dakota	3.80
Tennessee	4.07
Texas	3.51
Utah ¹	3.39
Vermont ¹	4.94
Virginia ¹	4.45
Washington ¹	3.27
West Virginia ¹	3.80
Wisconsin	3.67
Wyoming	2.71

¹ Region based price as required by FERC Interim Rule, issued on March 2, 1981, in Docket No. RM79-21

Section II. Incremental Pricing Threshold for High Cost Natural Gas

The EIA has determined that the volume-weighted average price for No. 2 distillate fuel oil landed in the greater New York City Metropolitan area during March 1981 was \$42.06 per barrel. In order to establish the incremental pricing threshold for high cost natural gas, as identified in the NGPA, Title II, Section 203 (a)(7), this price was multiplied by 1.3 and converted to its equivalent in millions of BTU's by dividing by 5.8. Therefore, the incremental pricing threshold for high cost natural gas, effective June 1, 1981, is \$9.43 per million BTU's.

Section III. Method Used To Compute Price Ceilings

The FERC, by Order No. 50, issued on September 28, 1979, in Docket No. RM79-21, established the basis for determining the price ceilings required by the NGPA. FERC also, by Order No. 81, issued in the same docket on May 7, 1980, established that only the price paid for No. 6 high sulfur content residual fuel oil would be used to determine the price ceilings until November 1, 1981.

A. Data Collected

The following data were required from all companies identified by the EIA as sellers of No. 6 high sulfur content (greater than 1 percent sulfur content by weight) residual fuel oil: for each selling price, the number of gallons sold to large industrial users in the months of January 1981, February 1981, and March 1981.² All reports of volumes sold and price were identified by the State into which the oil was sold.

B. Method Used to Determine Alternative Price Ceilings

(1) *Calculation of Volume-Weighted Average Price.*—The prices which will become effective June 1, 1981, (shown in Section I) are based on the reported price of No. 6 high sulfur content residual fuel oil, for each of the 48 contiguous States, for each of the 3 months, January 1981, February 1981, March 1981. Reported prices for sales in January 1981 were adjusted by the percent change in the nationwide volume-weighted average price from January 1981, to March 1981. Prices for February 1981 were similarly adjusted by the percent change in the nationwide volume-weighted average price from February 1981 to March 1981. The volume-weighted 3-month average of the adjusted January 1981 and February 1981, and the reported March 1981 prices was then computed for each State.

(2) *Adjustment for Price Variation.*—States were grouped into the regions identified by the FERC (see Section III.C.). Using the adjusted prices and associated volumes reported in a region during the 3-month period, the volume-weighted standard deviation of prices was calculated for each region. The volume-weighted 3-month average price (as calculated in Section III.B. (1) above) for each State was adjusted downward by two times this standard deviation for the region to form the adjusted weighted average price for the State.

² Large Industrial User—A person/firm which purchases No. 6 fuel oil in quantities of 4,000 gallons or greater for consumption in a business, including the space heating of the business premises. Electric utilities, governmental bodies (Federal, State or Local) and the military are excluded.

(3) *Calculation of Ceiling Prices.*—The lowest selling price within the State was determined for each month of the 3-month period (after adjusting up or down by the percent change in oil prices at the national level as discussed in Section III.B.(1) above). The products of the adjusted low price for each month times the State's total reported sales volume for each month were summed over the 3-month period for each State and divided by the State's total sales volume during the 3 months to determine the State's average low price. The adjusted weighted average price (as calculated in Section III.B.(2)) was compared to this average low price, and the higher of the values was selected as the base for determining the alternative fuel price ceiling for each State. For those States which had no reported sales during one or more months of the 3-month period, the appropriate regional volume-weighted alternative fuel price was computed and used in combination with the available State data to calculate the State's alternative fuel price ceiling base. The State's alternative fuel price ceiling base was compared to the alternative fuel price ceiling base for the multistate region in which the State is located and the lower of these two prices was selected as the final alternative fuel price ceiling base for the State. The appropriate lag adjustment factor (as discussed in Section III.B.4.) was then applied to the alternative fuel price ceiling base. The alternative fuel price (expressed in dollars per gallon) was multiplied by 42 and divided by 6.3 to estimate the alternative fuel price ceiling for the State (expressed in dollars per million BTU's).

(4) *Lag Adjustment.*—The EIA has implemented a procedure to partially compensate for the two-month lag between the end of the month for which data are collected and the beginning of the month for which ceiling prices become effective. It was determined that *Platt's Oilgram Price Report* publication provides timely information relative to the subject. The prices found in *Platt's Oilgram Price Report* publication are given for each trading day in the form of high and low prices for No. 6 residual oil in 21 cities throughout the United States. The low posted prices for No. 6 residual oil in these cities were used to calculate a national and regional lag adjustment factor. The national lag adjustment factor was obtained by calculating a weighted average price for No. 6 high sulfur residual fuel oil for the ten trading days ending May 13, 1981, and dividing that price by the corresponding weighted average price computed from

prices published by *Platt's* for the month of March 1981. A regional lag adjustment factor was similarly calculated for four regions. These are: one for FERC Regions A and B combined; one for FERC Region C; one for FERC Regions D, E, and G combined and one for FERC Regions F and H combined. The lower of the national or regional lag factor was then applied to the alternative fuel price ceiling for each State in a given region as calculated in Section III.B.(3).

C. Listing of States by Region

States were grouped by the FERC to form eight distinct regions as follows:

Region A: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

Region B: Delaware, Maryland, New Jersey, New York, Pennsylvania.

Region C: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Region D: Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, Wisconsin.

Region E: Iowa, Kansas, Missouri, Minnesota, Nebraska, North Dakota, South Dakota.

Region F: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Region G: Colorado, Idaho, Montana, Utah, Wyoming.

Region H: Arizona, California, Nevada, Oregon, Washington.

Issued in Washington, D.C. on May 15, 1981.

Albert H. Linden, Jr.,

Acting Administrator, Energy Information Administration.

[FR Doc. 81-15192 Filed 5-19-81; 8:45 am]

BILLING CODE 8450-01-M

Federal Energy Regulatory Commission

Availability of Federal Power Commission Reports; Volume No. 51

May 15, 1981.

Notice is hereby given that Volume No. 51 of the *Federal Power Commission Reports* is on sale at the United States Government Printing Office Bookstore. Volume No. 51 contains Federal Power Commission (Federal Energy Regulatory Commission's predecessor) opinions, orders, and precedential procedural orders for the period January 1, 1974 through June 30, 1974. Persons interested in purchasing this two volume set may remit \$28.00 for GPO Stock 071-001-0061-8 to the following address: Superintendent of Documents, United

States Government Printing Office, Washington, D.C. 20402.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15053 Filed 5-19-81; 8:45 am]

BILLING CODE 8450-85-M

[Project No. 3385-001]

Carlton H. Noyes and John E. Phipps; Application for Preliminary Permit

May 18, 1981.

Take notice that Carlton H. Noyes and John E. Phipps (Applicants) filed on April 3, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3385 to be known as Oxbow Ranch located on Hawley, Ten Mile, and Clear Creeks in Lemhi County, Idaho. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicants should be directed to: Mr. Carlton H. Noyes, Oxbow Ranch, Leadore, Idaho 83464. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description.—The proposed project would consist of: (1) three concrete diversion dams which will replace the three existing earth-rock diversion dams, Hawley Creek Dam, Ten Mile Creek Dam, and Clear Creek Dam; (2) a 5.9-mile long, 30-inch diameter penstock from Hawley Creek Dam to the powerhouse; (3) a 2.1-mile long, 18-inch diameter penstock from Clear Creek Dam to Ten Mile Creek Dam; (4) a 5.65-mile long, 30-inch diameter penstock from Ten Mile Creek Dam to the powerhouse; (5) a powerhouse containing generating equipment with a combined capacity of 1,800 kW; and (6) a 7-mile long, 12-kV transmission line. The Applicant estimates that the average annual energy output would be 12 million kWh.

Purpose of Project.—The power generated by the proposed project would be sold to a utility company.

Proposed Scope and Cost of Studies Under Permit.—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would perform hydrological and economic studies; select materials and equipment; and prepare plans and specifications. The cost of studies is estimated by the Applicant to be \$47,168.

Purpose of Preliminary Permit.—A preliminary permit does not authorize

construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application and license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all

capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3385. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15071 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-445-000]

Carolina Power & Light Co.; Filing

May 14, 1981.

The filing company submits the following:

Take notice that Carolina Power & Light Company on May 4, 1981, tendered for filing changes outlined below in its agreements with certain electric membership corporations, the Town of Ayden, and the City of Lumberton.

1. *Town of Ayden*—Purchase of Relaying Facilities.

2. *City of Lumberton*—The establishment of a new point of delivery at 115 kV to be known as City of Lumberton Point of Delivery No. 2.

3. *Pee Dee EMC*—The establishment of a temporary point of delivery at 23 kV to be known as North Rockingham Point of Delivery.

4. *Pitt & Greene EMC*—The establishment of a new point of delivery at 115 kV to be known as Arba Point of Delivery.

5. *Pitt & Greene EMC*—Relocation of Davenport Point of Delivery.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825

North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 2, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15068 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-455-000]

Central Louisiana Electric Co.; Filing

May 14, 1981.

The filing Company submits the following:

Take notice that on May 11, 1981, Central Louisiana Electric Company (CLECO) tendered for filing a letter agreement dated April 20, 1981, which provides for the sale of 150 MW of unit capacity from CLECO's Rodemacher Unit No. 1 to Cajun Electric Power Cooperative, Inc. (CAJUN) for the 12-month period commencing January 1, 1981, and an additional 130 MW for the 12-month period commencing May 28, 1981.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with §§ 1.8, 1.10 of the Commission's Rules of Practice and Procedure. All such petitions or protests should be filed on or before June 8, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15066 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4500-000]**City of New Ulm, Public Utilities Commission; Application for Preliminary Permit**

May 18, 1981.

Take notice that City of New Ulm, Public Utilities Commission (Applicant) filed on April 8, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4500 to be known as Mississippi River Lock and Dam No. 8 located on Mississippi River in Houston County, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Richard D. Salvati, City Manager, City Hall, 100 North Broadway, New Ulm, Minnesota 56073. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a proposed powerhouse, located at the right abutment of the existing dam, containing generating units having a total installed capacity of approximately 20 MW; (2) proposed transmission lines; (3) a proposed earth dike and tailrace; and (4) appurtenant facilities. Applicant would utilize an existing dam owned by the U.S. Army Corps of Engineers, and the Applicant's facilities would be located mostly on U.S. lands. The Applicant estimates that the average annual energy output would be approximately 70,000,000 kWh.

Purpose of Project—Energy produced at the project would be sold to the customers of the Applicant and to the Northern States Power Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 24 months. During this time the Applicant would study the river flows, dependable capacity, transmission line connections, cost estimates, environmental impacts, and preliminary and final design drawings. Federal, State, and local government agencies would be consulted concerning the environmental effects of the project and to enlist their corporation in support of a FERC license. Applicant estimates the cost of the studies would be \$300,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the

Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Mitchell Energy Company, Inc. Project No. 3622 filed on October 31, 1980, under 18 CFR (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests or petition to intervene must be received on or before June 19, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTESTS", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4500. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F.

Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15072 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-65-M

[Project No. 4524-000]**City of Portland, Oregon; Application for Preliminary Permit**

May 15, 1981.

Take notice that the City of Portland, Oregon (Applicant) filed on April 14, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4525 to be known as the Tioga Creek Hydroelectric Project located on the South Fork of the Coos River in Coos County, Oregon. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Honorable Francis J. Ivancie, Mayor, City Hall, Room 303, 1220 S.W. 5th Avenue, Portland, Oregon 97204, with a copy to Mr. James L. Doane, Manager, Bureau of Hydroelectric Power, 1800 S.W. 6th Avenue, Portland, Oregon 97201. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a new 300-foot high by 1,300-foot long dam creating; (2) a reservoir with a surface area of 2,070 acres with a storage capacity of 330,000 acre-feet at normal maximum surface elevation of 650 feet; (3) a powerhouse to contain two turbine-generating units with a total rated capacity of 44 MW; and (4) approximately 17 miles of transmission line to connect to an existing Bonneville Power Administration (BPA) transmission line.

The Applicant estimates that the average annual energy output would be 192.9 million kWh.

Purpose of Project—The Applicant proposes to sell the project energy to a

Northwest Power Pool member, namely the Pacific Power and Light Company.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks a preliminary permit for a period of 36 months during which it would study the engineering, environmental, and economic feasibility of the project. Applicant states that the portions of the study which would include land disturbing activities would be held to a minimum and that the required surveys and drillings would be performed close to existing roads to avoid additional disturbances except for minor brush cutting. No new road would be required to carry out the above activities. Applicant estimates that the cost of the feasibility studies would be about \$330,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 6, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 4, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the

requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 6, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4524. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15000 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-451-000]

Cleveland Electric Illuminating Co.; Filing

May 14, 1981.

The filing company submits the following:

Take notice that on May 8, 1981, The Cleveland Electric Illuminating Company (CEI) tendered for filing an executed Service Agreement and Exhibits A and B thereto, providing for

transmission by CEI of approximately 30 MW of power from the 345 kV interconnection point on CEI's Juniper-Canton Line with the Ohio Power Company to the City of Cleveland, Ohio (City) in accordance with the terms and conditions of CEI's FERC Transmission Service Tariff.

CEI has requested waiver of the FERC's 60-day notice requirement in order to permit commencement of transmission service on May 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 4, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15007 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. RP78-20, et al.]

Columbia Gas Transmission Corp.; Filing of Post Audit Review Data

May 13, 1981.

Take notice that Columbia Gas Transmission Corporation (Columbia) on November 13, 1980, tendered for filing the jurisdictional revenue and cost of service data as required for purposes of the Post Audit Review pursuant to Article V-B of the approved Stipulation and Agreement in Docket Nos. RP78-20, et al.

Columbia states that this data has been prepared in accordance with Article V-C of the aforementioned Settlement Agreement.

Columbia further states that it has eliminated all costs, direct and indirect, associated with new gas¹ production, and in lieu thereof, has included its actual new gas production for the Post Audit period priced at rates specified in Opinion 770-A, or in accordance with Order 98, as applicable.

¹New Gas is defined as gas produced from leases acquired after October 7, 1969 and gas from all wells spudded after December 31, 1972, regardless of lease acquisition.

Columbia notes that a copy of the Post Audit Review data (excluding detailed working papers relating to New Gas) was served on all parties.

Any person wishing to do so may submit comments in writing concerning the subject Post Audit Review data. All such comments should be filed with or mailed to the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before May 22, 1981. Copies of the respective filings are on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15055 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-44-001]

Commercial Pipeline Co. Inc.; PGA Filing

May 13, 1981.

Take notice that on April 30, 1981 Commercial Pipeline Co., Inc. (Commercial) tendered for filing Substitute Thirty-Fifth Revised Sheet No. 3A reflecting Purchased Gas Adjustments and effective dates as set out below:

Sheet No.	Adjustments			Effective date
	Current	Sur-charge	Cumulative	
Substitute 35th Revised Sheet No. 3A.	2386	0	2386	May 23, 1981.

Commercial states that these revisions track precisely similar revisions in the tariff of Cities Service Gas Company, its sole supplier. Commercial requests waiver of notice to the extent required to permit said tariff sheets to become effective as proposed.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission 825 Capitol St., N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15056 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. GP81-25-000]

Conoco Inc.; Request for Withdrawal

May 14, 1981.

State of New Mexico, Section 108 NGPA Determination, Conoco Inc., Wantz No. 9, Nolan-Wantz-State 10 Field, Lea County, New Mexico, JD No. 79-4332.

Take notice that on June 4, 1980, Conoco Inc. (Conoco) filed with the Federal Energy Regulatory Commission (Commission) a request to withdraw its application for a section 108 well category determination under the Natural Gas Policy Act of 1978 (NGPA) for the above-listed well. The determination for the subject well became final by operation of § 275.202 of the Commission's regulations before the date on which the request was made.

Conoco states that a review of its records disclosed that the well in question has completions in more than the formation on which the application was based. Conoco further states that the production data qualifying the well did not constitute the total well production.

Any person desiring to be heard or to make any protests with reference to said request should on or before June 1, 1981, file with the Federal Energy Regulatory Commission, 825 North Capitol St., NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10).

All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15056 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-453-000]

Consumers Power Co.; Proposed Tariff Change

May 14, 1981.

The filing Company submits the following:

Take notice that Consumers Power Company on May 11, 1981, tendered for filing a revision to the annual charge rate for charges due Consumers Power Company from Wolverine Electric Cooperative, Inc. ("Wolverine"), under the terms of the Blendon Interconnection Facilities Agreement (designated Supplement No. 18 to Consumers Power Company Rate Schedule FERC No. 34).

Consumers Power Company states that Article 1.054 of the Blendon Interconnection Facilities Agreement provides for an annual redetermination of the annual charge rate to be charged by Consumers Power Company under the Blendon Interconnection Facilities Agreement and that, according to Article 1.054, the redetermination is to be made as of January 1 of each year, effective on the following May 1.

Consumers Power Company states that, effective May 1, 1981, the redetermination increases the annual charge rate from 17.30% to 17.57%. Consumers Power Company states that this increase reflects an increase in the embedded cost of debt and preferred and preference stock.

Consumers Power Company states that the annual effect of the increase in fixed charge rate is an increase of approximately \$1,200.

Consumers Power Company states that copies of the filing were served on Wolverine, Northern Michigan Electric Cooperative, Inc., the cities of Grand Haven and Traverse City, Michigan, and on the Michigan Public Service Commission.

Any person desiring to be heard or to protest said revision should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed by or before June 8, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of said revision are on

file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15086 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RP72-6, et al.]

El Paso Natural Gas Co.; Tariff Filing

May 13, 1981.

Take notice that on May 1, 1981, El Paso Natural Gas Company ("El Paso") tendered for filing, in compliance with ordering paragraph (C) of the Federal Energy Regulatory Commission ("Commission") "Order Accepting Compliance Tariff Filing, Rejecting Tariff Sheet, Granting Motion, and Permitting Withdrawal of Tariff Filing" issued April 30, 1981 at Docket No. RP72-6 et al., Third Revised Sheet No. 101 and Original Sheet No. 101-A to its FERC Gas Tariff, Original Volume No. 1.

El Paso states that the tendered tariff sheets establish separate monthly average day end use profiles for the ASARCO Incorporated ("ASARCO") delivery points in El Paso, Texas, and Hayden, Arizona, respectively, to be utilized in implementing El Paso's Permanent Allocation Plan. Said plan was proposed in the Stipulation and Agreement dated December 24, 1980, which El Paso filed with the Commission on December 29, 1980. The Stipulation and Agreement was accepted and approved by the Commission's order issued March 26, 1981 at Docket No. RP72-6, et al. El Paso states that the Commission's order issued April 30, 1981, *inter alia*, accepted, effective May 1, 1981, for incorporation in El Paso's FERC Gas Tariff, Original Volume No. 1, Third Revised Volume No. 2 and Original Volume No. 2A, all the tariff sheets save one of which El Paso filed with the Commission on March 31, 1981 at Docket Nos. RP72-6-032 and CP77-289-025, in order to place the Permanent Allocation Plan into effect as of May 1, 1981. The one tariff sheet not accepted for filing was Third Revised Sheet No. 101 to El Paso's Original Volume No. 1 Tariff. The Commission, however, noted that the *pro forma* tariff sheets containing the Permanent Allocation Plan appended under Appendix A, Tab 1, of the approved Stipulation and Agreement reflected separate end use profiles for the ASARCO delivery points. For this reason, the Commission, in ordering paragraph (B) of said order issued April 30, 1981, rejected Third Revised Sheet No. 101 which contained the combined monthly average day end

use profile for the ASARCO delivery points. Such rejection was without prejudice to El Paso's right to resubmit such sheet at a later date.

Ordering paragraph (C) of the order issued April 30, 1981, directed El Paso to immediately refile revised tariff sheets identical to *pro forma* Sheet Nos. 25 and 26 filed as a part of the Stipulation and Agreement to replace the rejected Third Revised Sheet No. 101. El Paso states that the tendered Third Revised Sheet No. 101 and Original Sheet No. 101-A are being filed in compliance with said ordering paragraph (C) in order to reflect the separate monthly average day end use profiles for ASARCO's delivery points in El Paso, Texas, and Hayden, Arizona, respectively.

El Paso requests that the Commission accept the tendered tariff sheets and permit them to become effective as of May 1, 1981 which is the effective date provided by the Commission in ordering paragraph (C) of said order issued April 30, 1981.

El Paso further states that copies of the filing have been served upon all parties of record in Docket No. RP72-6, et al., and, otherwise, upon all of El Paso's interstate system customers and interested state regulatory commissions.

Any person desiring to be heard or to make any protest with reference to said tariff filing should, on or before May 22, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations Under the Natural Gas Act (18 CFR 157.10). Protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make any protestants parties to the proceeding. Any person wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15087 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-33-001]

El Paso Natural Gas Co.; Revised Purchased Gas Cost Adjustment Filing

May 13, 1981.

Take notice that on May 1, 1981, El Paso Natural Gas Company ("El Paso") tendered for filing, pursuant to Part 154

of the Commission's Regulations Under the Natural Gas Act and in compliance with ordering paragraph (B) of the Commission's "Order Accepting for Filing and Suspending Proposed Tariff Sheets Subject to Refund and Conditions" issued March 31, 1981 at Docket No. TA81-2-33-000, the following revised tariff sheets to become effective April 1, 1981:

Original Volume No. 1

Fourth Substitute Twenty-seventh Revised Sheet No. 3-B

Third Revised Volume No. 2

Fourth Substitute Eighteenth Revised Sheet No. 1-D

Original Volume No. 2A

Fourth Substitute Nineteenth Revised Sheet No. 1-C

These tariff sheets reflect a net decrease of 0.82¢ per Mcf in the rates for jurisdictional gas service¹ which El Paso proposed in its February 27, 1981 notice of change in rates.

El Paso states that the Commission's order issued March 31, 1981 conditionally accepted, effective April 1, 1981, subject to refund, certain tariff sheets to El Paso's FERC Gas Tariff which were tendered as a part of El Paso's February 27, 1981 PGAC filing. El Paso states that this rate reduction has been made pursuant to ordering paragraph (B) of the Commission's order issued March 31, 1981, in which El Paso was ordered to file revised tariff sheets to be effective April 1, 1981, reflecting the removal of costs and volumes relating to current exchange transactions from the PGAC adjustment. Accordingly, El Paso states that the tendered revised tariff sheets serve to eliminate said current exchange transactions resulting in an overall revised net adjustment of 15.59¢ per Mcf above El Paso's currently effective rates, as compared with an increase of 16.41¢ per Mcf initially proposed in El Paso's February 27, 1981 PGAC filing.

Ordering paragraph (C) of the Commission's order issued March 31, 1981 further conditioned the acceptance of El Paso's rates upon El Paso filing revised tariff sheets to be effective April 1, 1981 reflecting the removal from Account 191 of all unpaid accruals of purchased gas costs. El Paso states that on April 27, 1981 it filed a motion for a

¹ Such service is rendered under rate schedules affected by and subject to Section 19, Purchased Gas Cost Adjustment Provision ("PGAC"), and Section 22, Louisiana First-Use Tax Tracking Provision, contained in the General Terms and Conditions applicable to El Paso's FERC Gas Tariff, Original Volume No. 1, Third Revised Volume No. 2 and Original Volume No. 2A.

further forty-five (45) day extension of time to comply with ordering paragraph (C) or, if later, until fifteen (15) days after the issuance of an order by the Commission clarifying the scope and intent of ordering paragraph (C) in response to El Paso's application for rehearing or clarification being filed concurrently with the instant filing. The Commission's action on El Paso's application for rehearing or clarification should resolve uncertainties that have arisen concerning the unpaid accrual issue and afford El Paso the guidance it needs to tender the revised tariff sheets required to be filed by ordering paragraph (C), if such filing is deemed necessary upon rehearing.

Ordering paragraph (D) of the Commission's order issued March 31, 1981 further required that El Paso file information responsive to the data request of the Director of the Office of Pipeline and Producer Regulation issued by letters dated March 18, 1981 and March 25, 1981. El Paso states that concurrently with the instant tender it is filing information responsive to such data request demonstrating that the pricing of company-owned production included in the subject PGAC adjustment does not exceed the amount paid in comparable first sales between persons not affiliated with El Paso as required by Section 601(b)(1)(E) of the Natural Gas Policy Act of 1978.

El Paso requests that the revised tariff sheets reflecting the adjusted rates in compliance with said ordering paragraph (B) be substituted for their respective counterparts tendered on February 27, 1981 at Docket No. TA81-2-33-000. El Paso further requests that the revised tariff sheets be permitted to become effective as of April 1, 1981 which is the effective date provided by the Commission in ordering paragraph (B) of said order issued March 31, 1981.

El Paso states that copies of the instant tender have been served upon all parties of record in Docket No. TA81-2-33-000, and, otherwise, upon all interstate pipeline system customers of El Paso and interested state regulatory commissions.

Any person desiring to be heard or to make any protest with reference to said tariff filing should, on or before May 22, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations Under the Natural Gas Act (18 CFR 157.10). Protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will

not serve to make any protestants parties to the proceeding. Any person wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15073 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-95-M

[Project No. 4132-000]

**Energenics Systems, Inc., Washington;
Application for Preliminary Permit**

May 15, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on February 6, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4132 to be known as Scootnay Wasteway located on the Scootnay Wasteway in Franklin County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., Energenics Systems, Inc., 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing inlet to the Scootnay Wasteway; (2) a penstock; (3) a powerhouse containing generating units with a combined capacity of 0.989 MW; and (4) a 1-mile long transmission line.

The Applicant estimates that the average annual energy output would be 5.20 GWh.

Purpose of Project—The power generated by the proposed project would be sold to local institutions, industrial users, or a utility.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which it would perform hydrologic and engineering studies; study marketing and financing; assess environmental impacts and safety hazards; consult with the appropriate agencies; determine the feasibility of the project; and develop a schedule for putting power on line. The cost of these studies is estimated by the Applicant to be \$30,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 24, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 22, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 24, 1981.

Filing and Service of Responsive Documents—Any comments, notices of

intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4132. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15100 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4171-000]

Energenics Systems, Inc.; Application for Preliminary Permit

May 15, 1981.

Take notice that ENERGENICS SYSTEMS, INC. (Applicant) filed on February 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 4171 to be known as the Crane Prairie Project located on the Deschutes River in Deschutes County, Oregon. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street, N.W., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a penstock diverting flows from the existing outlet works of the Water and Power Resources Service's Crane Prairie Dam;

(2) a powerhouse containing a single generating unit with a rated capacity of 605 kw; (3) a tailrace discharging into the existing stilling basin; and (4) associated electrical and transmission equipment.

The Applicant estimates that the average annual energy output would be 2,200 MWh.

Purpose of Project—Project energy would be sold.

Proposed Scope and Cost of Studies Under Permit—Applicant would conduct a detailed study to determine the technical, economic, financial, and environmental feasibility of the proposed project. Applicant estimates that the study would cost \$35,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies for examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Cascade Waterpower Development Corporation's Project No. 3446 filed on September 8, 1981, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will

consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 18, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4171. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15074 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-456-000]

Florida Power & Light Co.; Filing

May 14, 1981.

The filing Company submits the following:

Take notice that Florida Power & Light Company (FPL) on May 11, 1981, tendered for filing documents entitled "Exhibit I to Service Agreement for Interchange Transmission Service Implementing Specific Transactions Under Service Schedules A (Emergency Service), B (Short Term Firm Service), C (Economy Interchange Service) and D (Firm Service) of Contracts for Interchange Service."

FPL states that under the Exhibit, FPL will transmit power and energy for the City of Homestead (Homestead) as is required by Homestead in the implementation of its interchange agreement with the City of St. Cloud.

FPL requests that waiver of Section 35.3 of the Commission's Regulations be

granted and that the proposed Exhibit be made effective immediately. FPL states that copies of the filing were served on the Utilities Director of Homestead.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with § 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 8, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15089 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-454-000]

Florida Power & Light Co.; Termination of Delivery Point

May 14, 1981.

The filing company submits the following:

Take notice that on May 11, 1981, Florida Power & Light Company tendered for filing an Exhibit A to its FERC Electric Tariff, Revised Volume No. 1, for the termination of service to Lee County Electric Cooperative, Inc. at its Lee Switching Station Delivery Point. In accordance with the terms of the Exhibit A, all load previously served at that delivery point has been transferred to a different existing delivery point as of April 16, 1981.

The proposed effective date for the Exhibit A is April 16, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 8, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to

intervene. Copies of this filing are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15090 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-449-000]

Florida Power & Light Co.; Filing

May 14, 1981.

The filing company submits the following:

Take notice that on May 7, 1981, Florida Power & Light Company (FPL) tendered for filing four (4) Exhibits A which provide for the contract demands for the Utilities Authority; Florida Keys Electric Cooperative, Inc.; and City of Homestead.

The proposed effective date for the contract demands for New Smyrna Beach and Florida Keys is March 1, 1981; the proposed effective date for the contract demand for Fort Pierce is April 1, 1981; and the proposed effective date for the contract demand for Homestead is June 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 2, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15091 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4501-000]

Frankfort Electric and Water Plant Board; Application for Preliminary Permit

May 15, 1981.

Take notice that Frankfort Electric and Water Plant Board (Applicant) filed on April 8, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4501 to be known as the Kentucky River Lock and Dam No. 4 Project located on the Kentucky River in Franklin County,

Kentucky. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Rodney R. Tatloff, Board Chairman, Frankfort Electric and Water Plant Board, P.O. Box 308, Frankfort, Kentucky 40602. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers' Kentucky River Lock and Dam No. 4. The proposed project would consist of: (1) a proposed powerhouse containing an estimated installed generating capacity of 6 MW; (2) a proposed 300-foot long 69-kV transmission line to tie into an existing Plant Board's 69-kV transmission line; and (3) appurtenant facilities. The project would be located on Federal lands.

The Applicant estimates that the average annual energy output would be 40 GWh.

Purpose of Project—Electric power output from this project would be integrated into the existing electric system of the Plant Board and sold to their customers.

Proposed Scope and Cost of Studies Under Permit—The Applicant has requested a 36-month permit to prepare a definitive project report. Studies will include determination of size and configuration of generating equipment, field investigations including ground surveys and borings if needed, and hydrological, financial and legal analysis. The cost of the aforementioned activities is estimated to be \$100,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and

consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Dam Four Development Ltd. and ENERGENICS SYSTEMS, INC. Projects Nos. 3675 and 3977 respectively, filed on November 5, 1980, and January 12, 1981, respectively, under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 and 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 18, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4501. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each

representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15101 Filed 5-19-81; 9:45 am]

BILLING CODE 6450-85-M

[Project No. 3865-000]

**Guadalupe-Blanco River Authority;
Application for Preliminary Permit**

May 18, 1981.

Take notice that Guadalupe-Blanco River Authority (Applicant) filed on December 11, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3865 to be known as Canyon Dam Hydroelectric Project located on the Guadalupe River in Comal County, Texas. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. John H. Specht, General Manager, Guadalupe-Blanco River Authority, P.O. Box 271, Sequin, Texas 78155. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing Canyon Dam and Reservoir and would consist of two types of developments: (1) a conventional development consisting of: (a) a powerhouse with units having a rated capacity of 5, 280 kW; (b) a 9-mile long transmission line; and (c) appurtenant facilities. The Applicant estimate that the average annual energy output would be 22 million kWh; (2) a pumped-storage development utilizing Canyon Reservoir as the lower reservoir and comprising (a) an upper reservoir to be located during the permit term; (b) a powerhouse with reversible units having a rated capacity of 4,770 kW and; (c) appurtenant facilities. The Applicant estimates that the average annual energy output would be 35.8 million kWh.

Purpose of Project—Energy produced by the conventional development at Canyon Dam would be sold to Penderales Electric Cooperative or the City of New Braunfels Utilities. Energy generated at the pumped storage development would be sold to the Lower Colorado River Authority or the City of San Antonio Public Service Board.

Proposed Scope and Cost of Studies Under Permit—The term of the proposed preliminary permit is 36 months. The work proposed under the preliminary

permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be \$15,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion if an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Mitchell Energy Company, Inc.'s Project No. 3635 submitted on October 31, 1980, under 18 CFR (1980). Anyone desiring to file a competing application must submit to the Commission, on or before, April 27, 1981, either competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 26, 1981. A notice intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about the application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 and 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to

the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be received on or before June 19, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable.

Any of these filing must also state that it is made in response to this notice of application for preliminary permit for Project No. 3865. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15075 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ES81-44-000]

Gulf States Utilities Co.; Application

May 14, 1981.

Take notice that on May 6, 1981, Gulf States Utilities Company (Applicant) filed an application seeking authorization to negotiate the placement of up to 6,000,000 shares of Common Stock, without par value.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 5, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or

protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15092 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4401-000]

Hennepin County Park Reserve District; Application for Preliminary Permit

May 18, 1981.

Take notice that Hennepin County Park Reserve District (Applicant) filed on March 23, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4401 to be known as Coon Rapids Dam located on Mississippi River in Hennepin and Anoka Counties, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicants should be directed to: Mr. Clifton E. French, Superintendent, Hennepin County Park Reserve District, 3800 County Road 24, Maple Plain, Minnesota 55359. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an existing reservoir approximately 6.5 miles long with a storage capacity of 2,700 acre-feet and an area of 600 acres at power pool elevation of 830.1 feet m.s.l.; (2) an existing powerhouse containing space for several generating units. The proposed installed capacity of the powerhouse would be 9.0 MW; (3) an existing concrete dam consisting of a north and south section. The north section is approximately 450 feet long and 10 feet high and the south section is 75 feet long and 20 feet high; (4) proposed 7.3 kV transmission lines; and (5) appurtenant facilities. The Coon Rapids dam is owned by the Hennepin County Park Reserve District. The project's facilities would be located mostly on land owned by the Applicant. The Applicant estimates that the average annual energy output would be 53.5 GWh.

Purpose of Project—Energy produced at the project would be sold to the Northern States Power Company, the

United Power Association Cooperation, and the Elk River Municipal Utilities.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months. During this time engineering, economic, and environmental studies would be conducted to examine the feasibility of the project. In addition, cost estimates for rehabilitating the existing structure to correct deficiencies would be determined. Applicant estimates the cost of the studies would be \$50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Coon Rapids Development Ltd. Project No. 3613 filed on October 27, 1980. Anyone desiring to file a competing application must submit to the Commission, on or before April 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 26, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and

Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be received on or before June 22, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4401. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15076 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-1-45-001 (PGA81-1)]

Inter-City Minnesota Pipelines Ltd., Inc.; Proposed Rate Change Pursuant to Purchased Gas Cost Adjustment Provisions

May 13, 1981.

Take notice that Inter-City Minnesota Pipelines Ltd., Inc., (Inter-City) on March 30, 1981, tendered for filing Fourteenth Revised Sheet No. 4 to its FERC Gas Tariff, Original Volume No. 1, proposed to be effective April 1, 1981.

Inter-City states that the filing reflects a request for a purchased gas adjustment cost pursuant to § 154.38(d)(4) of the Commission's regulations. Inter-City further states that the instant filing is a result of recent increases in the border price of Canadian gas. In order to effect this increase, Inter-City requests waiver of the provisions of Order No. 13 (18 CFR 154.38(d)(4)) to the extent necessary to allow this filing to become effective on April 1, 1981, or in the alternative, that the request be permitted to become effective following a one-day suspension.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants party to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15000 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RA81-51-000]

J & W Refining, Inc.; Filing of Petition for Review

May 14, 1981.

Take notice that J & W Refining, Inc. on May 8, 1981, filed a Petition for Review under 42 U.S.C. 7194(b) (1977 Supp.) from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before May 29, 1981, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings

before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before May 29, 1981, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H-025, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15058 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. SA81-31-000]

Jerry Chambers; Application for Adjustment

May 14, 1981.

On April 30, 1981, Jerry Chambers, 3401 West Pershing Road, Chicago, Illinois 60632 (Applicant), filed with the Federal Energy Regulatory Commission an application for an adjustment under Section 107(d) of the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 3317(d). Applicant requested that the Commission deem the election required under NGPA section 107(d) regarding the applicability of incentive pricing and deregulation, which was filed by Applicant on November 3, 1980, to have been filed on or before May 2, 1980. Applicant stated that he spudded a well on July 25, 1980, but an election required under NGPA section 107(d) was not filed on or before May 2, 1980, by his key employees as a result of their diminished concern for his affairs or attention to their competing interests preceding their termination of employment with Applicant.

The procedures applicable to the conduct of this adjustment proceeding are found in § 1.41 of the Commission's Rules of Practice and Procedure, Order No. 24 issued March 22, 1979.

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of § 1.41. All petitions to

intervene must be filed on or before June 4, 1981.

Kenneth F. Plumb,

Secretary

IFR Doc. 81-15059 Filed 5-19-81 8:45 am

BILLING CODE 6450-85-M

[Project No. 4269-000]

**Lake Chelan Reclamation District;
Application for Preliminary Permit**

May 15, 1981

Take notice that Lake Chelan Reclamation District (Applicant) filed on February 27, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4269 to be known as the Manson Hydroelectric Project located on Antilon Lake in Chelan County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. John R. Beebe, Jr., AER Engineers, 203 Harper Building, Seattle, Washington 98101. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an intake structure constructed at Applicant's existing Antilon Lake Dam; (2) a 4-mile long penstock; (3) a powerhouse containing a single generating unit rated at 1.8 MW; and (4) associated electrical and transmission equipment. The Applicant estimates that the average annual energy output would be 14,200 MWh.

Purpose of Project—Project energy would be sold.

Proposed Scope and Cost of Studies Under Permit—Applicant would conduct a detailed study to determine the technical, economical, financial, and environmental feasibility of the proposed project. Applicant estimates that the studies would cost \$34,323.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for

inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 6, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 4, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 6, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for

Project No. 4269. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capital Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary

IFR Doc. 81-15102 Filed 5-19-81 8:45 am

BILLING CODE 6450-85-M

[Docket No. ST81-225-000]

**Louisiana Intrastate Gas Corp.;
Application**

May 14, 1981

Take notice that on April 8, 1981, Louisiana Intrastate Gas Corporation (LIG), P.O. Box 1352, Alexandria, Louisiana 71301, filed in Docket No. ST81-225-000 an application pursuant to Section 284.123(b)(2) of the Commission's Regulations under the Natural Gas Policy Act of 1978 for approval of rates charged for the transportation of natural gas for Entex, Inc. (Entex), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

LIG states that on July 28, 1980, it entered into a transportation agreement with Entex to provide transportation service for a two-year period commencing the date of initial deliveries of gas. It is stated that pursuant to the agreement, LIG is to accept gas from Entex for its account at a specified point of interconnection and redeliver thermally equivalent volumes to Intex for its system supply for resale. Applicant proposes to perform the transportation service through its facilities at no fee to Entex.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 5, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules

of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary

[FR Doc. 81-15060 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ST81-240-000]

**Louisiana Intrastate Gas Corp.;
Application**

May 14, 1981.

Take notice that on April 20, 1981, Louisiana Intrastate Gas Corporation (LIG), P.O. Box 1352, Alexandria, Louisiana 71301, filed in Docket No. ST81-240-000 an application pursuant to § 284.123(b)(2) of the Commission's Regulations under the Natural Gas Policy Act of 1978 for approval of rates charged for the transportation of natural gas for Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

LIG states that it and Tennessee have entered into an agreement dated March 12, 1981, wherein LIG would provide a transportation service for Tennessee. It is stated that pursuant to the agreement, LIG is to accept gas from Tennessee for its account at specified points of interconnection and redeliver thermally equivalent volumes of gas to Tennessee for resale less gas consumed as compressor fuel, company use and unaccounted for gas. LIG proposes to charge Tennessee a base transportation charge of 20.0 cents per million Btu of gas redelivered by LIG to Tennessee at the redelivery points specified in the transportation agreement.

LIG states that the transportation service would be for a term of two years commencing the date of initial deliveries and that the gas to be transported hereunder is owned by Tennessee and is for Tennessee's system supply for resale.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 5, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the

requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary

[FR Doc. 81-15061 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-54-000]

**Louisiana-Nevada Transit Co.;
Proposed Changes in FERC Gas Tariff**

May 13, 1981.

Take notice that Louisiana-Nevada Transit Company on April 30, 1981 tendered for filing proposed changes in its FERC Gas Tariff, Volume I. The proposed changes are to reflect changes in purchased gas cost as provided in the Company's Purchase Gas Adjustment Clause applicable to its Rate Schedule No. G-1. The change provides for a total adjustment of 15.93¢ per mcf including a deferred gas cost adjustment of 03.64¢ per mcf, to amortize a deferred balance, and a cumulative cost of gas adjustment of 12.29¢ per mcf.

Copies of the filing were served upon the Company's jurisdictional customer and the Arkansas Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary

[FR Doc. 81-15062 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA81-2-55-000 (PGA 81-2)]

**Mountain Fuel Resources, Inc.; Change
in Rates Pursuant to Purchased Gas
Cost Adjustment Provision**

May 13, 1981.

Take notice that on May 1, 1981, Mountain Fuel Resources, Inc. (Resources) tendered for filing a proposed change in rates applicable to service rendered under Rate Schedule No. 1 affected by and subject to Resources' Purchased Gas Cost Adjustment Provision contained in its FERC Gas Tariff, Original Volume No. 1. Resources filed Thirteenth Revised Sheet No. 7 and Third Revised Sheet No. 7-A of its FERC Gas Tariff, Original Volume No. 1.

The current adjustment to Resources rates results in an increase of \$0.2505 per Mcf to be effective June 1, 1981.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary

[FR Doc. 81-15063 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4462-000]

**North Valley Land Corp.; Application
for Preliminary Permit**

May 18, 1981.

Take notice that North Valley Land Corporation (Applicant) filed on April 2, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4462 to be known as Limesdyke located on Indian Valley Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Sam E. Nelson, North Valley Land Corporation, 50 Wilshire Drive, Redding, California 96002. Any person who wishes to file a

response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) A 2-foot high diversion structure; (2) a concrete intake structure; (3) a 5,200-foot long, 48-inch diameter low pressure conduit; (4) a 48-inch diameter high pressure conduit; (5) a powerhouse containing a 2,500 kW generating unit; and (6) a 2.5 mile long, 12-kV transmission line. The Applicant estimates that the average annual energy output would be 7.2 million kWh.

Purpose of Project—The power generated by the proposed project would be sold to Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time it would survey the project boundary; perform geological studies; prepare an environmental report; study the economic and financial feasibility; and apply for necessary rights. The cost of these studies is estimated by the Applicant to be \$60,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25,

1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments file, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4482. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15077 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4551-000]

North Valley Land Corp.; Application for Preliminary Permit

May 15, 1981.

Take notice that North Valley Land Corporation (Applicant) filed on April 20, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 4551 to be known as Mill Creek Project located on Mill Creek in Tehama County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: C. Donald Nelson, 50 Wilshire Drive, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) A 6-foot high concrete diversion structure; (2) an intake structure; (3) a 16,000-foot long conduit; (4) a 2,300-foot long and 60-inch diameter steel penstock; (5) a powerhouse containing one generating unit rated at 3,000 kW; and (6) a 10-mile long transmission line.

The Applicant estimates that the average annual energy output would be 17.7 million kWh.

Purpose of Project—The energy generated by the project would be sold to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would conduct engineering, economic, feasibility, and environmental studies, and prepare an FERC license application. No new roads would be required to conduct the studies.

The cost of the work to be performed under the preliminary permit is estimated to be \$60,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the

Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 24, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 22, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 24, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4551. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the

Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15078 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4513-000]

**Northwest Electric Power Co.;
Application for Preliminary Permit**

May 15, 1981.

Take notice that Northwest Electric Power Company (Applicant) filed on April 13, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4513 to be known as the North Canaan Hydroelectric Project located on the Blackberry River in Litchfield County, Connecticut. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Anthony J. Nania, Northwest Electric Power Company, P.O. Box 101, Canaan, Connecticut 06018. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed run-of-river project would consist of: (1) An existing dam 15 feet high and 100 feet long; (2) a small reservoir covering 2 acres; (3) a new penstock 1,965 feet long and 3 feet in diameter; (4) a new powerhouse; (5) a new turbine/generator unit rated at 228 kW and operating under a head of 25 feet; (6) a new 13.2-kV and 1,190-foot long primary transmission line and; (7) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 600,000 kWh.

Purpose of Project—All project power would be sold to the Harford Electric Light and Power Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a

period of three years, during which time it would perform surveys and geological investigations, determine the economic feasibility of the project, reach final agreement on sale of project power, secure financing commitments, consult with Federal, State, and local government agencies concerning the potential environmental effects of the project, and prepare an application for FERC license, including an environmental report. Applicant estimates the cost of studies under the permit would be \$70,500.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set forth below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 24, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 22, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to

the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 24, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4513. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15103 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket Nos. G-19593, etc.]

Oklahoma Natural Gas Co., A Division of ONEOK, Inc.; Redesignation

April 24, 1981.

On December 22, 1980, Oklahoma Natural Gas Company, a Division of ONEOK, Inc., filed a petition requesting that applications, tariffs, certificates and all filings and proceedings now in the name of Oklahoma Natural Gas Company be amended to substitute the name of Petitioner pursuant to a corporate name change.

Accordingly, the authorizations¹ issued by this Commission and by the Federal Power Commission, the FERC Gas Tariff on file, and any other records or proceedings relating to Oklahoma Natural Gas Company are redesignated as those of Oklahoma Natural Gas Company, a Division of ONEOK, Inc.

This action is taken pursuant to 18 CFR 375.302(s) of the Commission's rules.

Kenneth F. Plumb,
Secretary.

Appendix

Oklahoma Natural Gas Company, a Division of Oneok, Inc.

Docket No. and Date of Commission Order:

G-19593, Withdrawn.
C13-695, June 18, 1963.
CP64-273, November 8, 1965.
CP70-261, August 10, 1970.
CP71-220, August 23, 1971.
CP72-245, June 19, 1972.
CP74-93, February 19, 1974.
CP76-23, April 9, 1976 and May 10, 1976.
CP78-404, August 20, 1978.
SA79-3, Pending.
CP80-75, Pending.
CP80-200, May 7, 1980.

[FR Doc. 81-15094 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4380-000]

Patapsco Associates; Application for Preliminary Permit

May 18, 1981.

Take notice that Patapsco Associates (Applicant) filed on March 20, 1981, an application for preliminary permit pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r) for proposed Project No. 4380 to be known as the W.J. Dickey Project located on the Patapsco River in Baltimore County, Maryland. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Peter G. Ruff, Patapsco Associates, 840 Oella Avenue, Ellicott City, Maryland 21043. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed rehabilitated project would consist of: (1) The existing state-owned W. J. Dickey Dam, 24 feet high and 355 feet wide; (2) an impoundment with a surface area of 10 acres and a storage capacity of 48 acre-feet at a maximum pool elevation of 180 feet m.s.l.; (3) an existing power canal 70 feet wide and

1.6 miles long; (4) intake and gate works; (5) a penstock 7 feet in diameter and 60 feet long; (6) an existing powerhouse containing one 600-kW turbine/generator unit; (7) a short, 13.2-kV transmission line and (8) appurtenant facilities. The Applicant estimates that the average annual energy output would be 4.2 million kWh.

Purpose of Project—It is anticipated that all project power would be sold to Baltimore Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would perform surveys and geological investigations, determine the economic feasibility of the project, reach final agreement on sale of project power, secure financing commitments, consult with Federal, State, and local government agencies concerning the potential environmental effects of the project, and prepare an application for FERC license, including an environmental report. Applicant estimates the cost of studies under the permit would be \$41,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform

¹Set forth in Appendix below.

with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4380. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15079 Filed 5-19-81; 8:45 am]

BILLING CODE 8450-85-M

[Project No. 4517-000]

Power Resources, Inc.; Application for Preliminary Permit

May 18, 1981.

Take notice that Power Resources, Inc. (Applicant) filed on April 13, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4517 to be known as the Coffee Creek Project located on Coffee Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. C. Donald Nelson, Power Resources, Inc., 50 Wilshire Drive, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—the proposed project would consist of: (1) A 4-foot high diversion structure on Coffee Creek; (2) an 11,000-foot long, 54-inch diameter conduit; (3) a 1,500-foot long, 54-inch diameter penstock; (4) a powerhouse discharging into Coffee Creek and containing a single generating unit with a capacity of 2,500 kW; and (5) associated electrical and transmission equipment.

The Applicant estimates that the average annual energy output would be 8,800 MWh.

Purpose of Project—Project energy would be sold.

Proposed Scope and Cost of Studies Under Permit—Applicant would conduct detailed studies to determine the technical, economic, financial, and environmental feasibility of the proposed project. Applicant estimates that the studies and preparation of a license application would cost \$60,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the

application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4517. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North

Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15080 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4516-000]

Power Resources Inc.; Application for Preliminary Permit

May 18, 1981.

Take notice that Power Resources Incorporated (Applicant) filed on April 13, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4516 to be known as Swift Creek Power Project located on Swift Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. C. Donald Nelson, 50 Wilshire Drive, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) A diversion structure within the north bank of Swift Creek; (2) a 14,500-foot long combination open ditch and low head pipeline; (3) a 5,200-foot long, 48-inch diameter penstock; (4) a powerhouse containing a single-generating unit with a rated capacity of 4,300 kW; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 16.5 million kWh.

Purpose of Project—Project energy would be sold to a public utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested an 18-month permit to prepare a definitive project report including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Federal, State, and local agencies, preparing a license

application, conducting final field surveys, and preparing designs is estimated by the Applicant to be \$60,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's rules. Any comments, protest, or petition

to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capitals letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4516. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15081 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-444-000]

Public Service Company of Oklahoma; Filing

May 14, 1981.

The filing company submits the following:

Take notice that Public Service Company of Oklahoma, on May 4, 1981, tendered for filing the Second Amendment to the Interconnection Agreement between Western Farmers Electric Cooperative and Public Service Company of Oklahoma.

This Second Amendment provides for the establishment of additional transmission interconnect points between Western Farmers Electric Cooperative and Public Service Company of Oklahoma. This Amendment further provides for Public Service Company of Oklahoma to provide certain transmission deliveries for Western Farmers Electric Cooperative until 1984.

Copies of this filing were served upon the Oklahoma Corporation Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 2, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15094 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER81-448-000]

**Public Service Electric and Gas Co.;
Filing**

May 14, 1981.

The filing company submits the following:

Take notice that on May 5, 1981, Public Service Electric and Gas Company (PS), on behalf of the signatories to the Lower Delaware Valley Transmission System Agreement (LDV Agreement) filed new Schedules 13 and 14 supplementing the LDV Agreement which is on file with the Commission, to become effective on October 1, 1980. PS states that the parties to this Agreement are:

Atlantic City Electric Company
Delmarva Power & Light Company
Jersey Central Power & Light Company
Philadelphia Electric Company
Public Service Electric and Gas Company

PS states that all of the parties to the LDV Agreement have approved the new Schedules and the filing by PS.

PS states that the new schedules set forth methods and procedures for determining use, use entitlements, and charges for use of the LDV Transmission System for uses, by either signatories or non-signatories, compatible with but other than the delivery of energy and capacity from Peach Bottom, Salem and Forked River Generating Stations for the respective owners thereof to their underlying transmission systems; and for allocating payments among the signatories. There is no provision for any change in the monthly rate for excess of investment responsibility as previously filed.

PS states that this filing has been sent to the Regulatory Commissions of Pennsylvania, New Jersey, Maryland, Delaware and Virginia for their information.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before June 2, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15095 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4546-000]

**Rust Hydro Generation Co.;
Application for Preliminary Permit**

May 15, 1981.

Take notice that Rust Hydro Generation Co. (Applicant) filed on April 20, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4546 to be known as the Rock Creek Power Project located on Rock Creek in Shasta County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Terrance A. Rust, 2315 N. Bechelli Lane, Redding, California 96002. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) A 3-foot high, 30-foot long natural rock diversion structure and catch basin which would divert water into; (2) a 36-inch diameter, 5,750-foot long steel penstock; (3) a powerhouse containing a single generating unit with a rated capacity of 1,500 kW; and (4) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 10.5 million kWh.

Purpose of Project—Project energy would be sold to a public utility.

Proposed Scope and Cost of Studies Under Permit—Applicant has requested a 24-month permit to prepare a definitive project report including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be \$45,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Consolidated Hydroelectric, Inc.'s Project No. 4073 filed on March 18, 1981, under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before June 11, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 10, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this

application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate actions to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before June 18, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4548. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15104 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4320-000]

South Barre Hydro Electric Company, Inc.; Application for Exemption From Licensing of a Small Hydroelectric Project of 5 Megawatts or Less

May 15, 1981.

Take notice that the South Barre Hydro Electric Company, Inc.

(Applicant) filed with the Federal Energy Regulatory Commission on March 12, 1981, an application for exemption for its South Barre Mill Pond Project No. 4320 from all or part of Part F of the Federal Power Act pursuant to 18 CFR Part 4 Subpart K (1980) implementing in part Section 408 of the Energy Security Act of 1980.¹ The proposed project would be located on the Ware River in the Town of South Barre, Worcester County, Massachusetts. Correspondence with the Applicant should be directed to: Stephen W. Rider, Haussermann, Davison and Shattuck, One Boston Place, Boston, Massachusetts 02108.

Project Description—The proposed run-of-the-river project would consist of existing project works including: (1) An 18-foot-high, 180-foot-long, dual-crested, concrete, Ogee-type spillway topped by 4-foot-high flashboards on the north section, creating an overall crest elevation of 615.0 feet m.s.l.; (2) a mill pond with a total storage capacity of 115-acre feet; (3) a penstock intake structure; (4) a 10-foot diameter, 490-foot-long steel penstock dead-ended with a steel cap; (5) a powerhouse located about 323 feet downstream from the intake structure containing a single 150-kW turbine-generator; (6) a transmission line; and (7) appurtenant facilities. Applicant proposes to rehabilitate the existing facilities to operating condition.

Applicant estimates that the average annual energy output would be 788,000 kWh.

Purpose of Project—Project energy would be sold to Massachusetts Electric Company.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service and the Massachusetts Department of Fish and Wildlife are requested, for the purposes set forth in Section 408 of the Act, to submit appropriate terms and conditions to protect any fish and wildlife resources. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. No other

formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance to this notice, the agency will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 6, 1981.

Filing and Service of Responsive Documents—Any comments, protests or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for exemption for Project No. 4320. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Room 208 RB Building, Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15104 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

¹Pub. L. 96-294, 94 Stat. 611. Section 408 of the ESA amends *inter alia*, Sections 405 and 406 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705 and 2708).

[Docket No. ER81-447-000]

Southern California Edison Co.; Filing

May 14, 1981.

The filing company submits the following:

Take notice that on May 4, 1981, Southern California Edison Company (Edison) tendered for filing a notice of change of rates for transmission service as embodied in Edison's agreements with the following entities:

	Rate Schedules FERC No.
City of Los Angeles	102, 118
San Diego Gas & Electric Co.	107
Pacific Gas & Electric Co.	109, 110, 117
City of Burbank	114
City of Pasadena	115
Western Area Power Administration	120
Arizona Power Pooling Association	93

Edison requests waiver of the Commission's prior notice requirement and an effective date of January 1, 1981 for these rate changes.

Copies of this filing were served upon the Public Utilities Commission of the State of California and all interested parties.

Any person desiring to be heard or to protest this filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 2, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15005 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4480-000]

Suncook Leathers, Inc.; Application for Preliminary Permit

May 15, 1981.

Take notice that Suncook Leathers, Inc. (Applicant) filed on April 6, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4480 to be known as Suncook Leathers Hydro Project located

on the Suncook River in Merrimack County, New Hampshire. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Peter B. Clark, Swift River Company, Inc., 148 State Street, Boston, Massachusetts 02109. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of the following existing works: (1) A 21-foot-high, 421-foot-long concrete and stone gravity dam, known as the Pittsfield Mill Dam and currently owned by the State of New Hampshire; (2) a reservoir having a surface area of 76 acres and a storage capacity of 1,800 acre-feet; (3) a penstock, turbine case, tailrace, and powerhouse area located in the basement of the tannery. The powerhouse area contains two turbines. The Applicant proposes to rehabilitate the turbines and install new generators having a total installed generating capacity of 450 kW; and (4) appurtenant works. The Applicant estimates that the average annual energy output would be 1,400,000 kWh.

Propose of Project—Project energy would be sold to a local public utility.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of two years, during which time Applicant would investigate the engineering, economic and environmental aspects of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for license or exemption from licensing. Applicant estimates the cost of studies under the permit would be \$32,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly

from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before July 24, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 22, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 24, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4480. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C.

20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15106 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RE81-116-000]

**Tri-County Electric Association, Inc.;
Application for Exemption**

May 5, 1981.

Take notice that Tri-County Electric Association, Inc. (Tri-County), on April 24, 1981, filed an application for exemption from certain requirements of Part 290 of the Commission's Regulations concerning collection and reporting of cost of service information under Section 133 of the Public Utility Regulatory Policies Act, Order No. 48 (44 FR 58687, October 11, 1979). Exemption is sought from the requirements to file on or before June 30, 1982, information on the costs of providing electric service as specified in Subparts B, C, D and E.

In its application for exemption, Tri-County states that it should not be required to file the specified data for the following reasons:

1. Tri-County exceeds the threshold for reporting because of large steady loads to mines and oil fields. The total residential load was 14 percent of energy consumption and consists of only 6984 meters.

2. Tri-County is a distribution cooperative with no generation capacity.

Copies of the application for exemption are on file with the Commission and are available for public inspection. Any person desiring to present written views, arguments, or other comments on the application for exemption should file such information with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426, on or before 45 days following the date this notice is published in the Federal Register. Within that 45-day period such person must also serve a copy of such comments on: Tri-County Electric Association, Inc., Attention: Mr. Warren

H. Fraser, General Manager, P.O. Box 930, Sundance, Wyoming 82729.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15067 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-450-000]

Union Electric Co.; Filing

May 14, 1981.

The filing company submits the following:

Take notice that Union Electric Company (Union) on May 8, 1981 tendered for filing proposed changes in its FPC Electric Service Tariffs Nos. W-3, 88 and 49. The proposed changes would increase revenues from jurisdictional sales and service by \$19,140,000 based on the twelve-month period ending June 30, 1982.

Union states that its proposed increase in rates is due to the increased costs of construction, capital, wages, property and payroll taxes and other similar increases in costs, and Union contends that the rate increases are necessary in order to provide a fair return to Union and its investors and at the same time generate sufficient cash to insure Union's ability to continue to provide adequate and reliable service to its customers. Copies of the filing were served upon Union's jurisdictional customers, the Missouri Public Service Commission, and the Iowa State Commerce Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 4, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15098 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-446-000]

Union Electric Co.; Filing

May 14, 1981.

The filing company submits the following:

Take notice that on May 6, 1981, Union Electric Company (Union) tendered for filing Fourth Amendment and Fourth Revised Schedule II to the Interchange Agreement dated April 11, 1967 between Union and Missouri Public Service Company.

Said agreements provide for revisions in reservation charges for Short-Term Power and System Participation Power under said Interchange Agreement.

Union requests an effective date of June 1, 1981 for the Amendment and revised Schedule.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 2, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15097 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-452-000]

Union Electric Co.; Filing

May 14, 1981.

The filing Company submits the following:

Take notice that on May 7, 1981, Union Electric Company (Union) tendered for filing an Amendment to the Electric Service Agreement dated December 15, 1955 between Missouri Power & Light Company and Union. Said Amendment primarily provides for three additional delivery points, and additional facility use charges.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of

practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 8, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15098 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. TA81-2-56-000 and RP81-60-000]

Valero Interstate Transmission Co.; Purchased Gas Cost Adjustment Filing

May 13, 1981.

Take notice that on April 30, 1981, Valero Interstate Transmission Company (VITCO) tendered for filing Original Supplement No. 1 (purchased gas cost adjustment) to Rate Schedule 14 superseding previous purchased gas cost. VITCO stated that Exhibit A to Original Supplement No. 1 reflected the annualized change in purchased gas costs based on the twelve months ended February 28, 1981. VITCO requested waiver of any Commission regulation which would prohibit implementation of Supplement No. 1. The change in rate provided in Exhibit A to original Supplement No. 1 includes an increase in purchased gas costs of 13.45 cents/Mcf. It is stated that these rates include no incremental pricing feature because VITCO was granted an exemption from certain filing and accounting requirements in Docket No. SA80-42.

The proposed effective date for Original Supplement No. 1 is June 1, 1981. VITCO states that copies of the filing have been served on the only customer served under Rate Schedule 14, El Paso Natural Gas Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to

intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-15098 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4284-001]

Vidler Tunnel Water Co.; Application for Preliminary Permit

May 18, 1981.

Take notice that Vidler Tunnel Water Company (Applicant) filed on April 9, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4284 to be known as the Georgetown Project located near the Town of Georgetown on South Clear Creek in Clear Creek County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Herbert C. Young, 75 Manhattan Drive, Suite 201, Boulder, Colorado 80303. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would affect lands of the United States under the jurisdiction of the Bureau of Land Management and would consist of: (1) A diversion structure; (2) an 18-inch diameter 4,750-foot long penstock; (3) a powerhouse containing a generating unit having a rated capacity of 186-kW at a head of 550 feet; (4) a one-half-mile long 14.4-kV transmission line; and (5) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 1,621,550 kWh.

Purpose of Project—Project energy would be sold to several small municipalities or to the Public Service Company of Colorado.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would complete feasibility, engineering, and hydrologic studies, conduct field surveys, prepare environmental reports and detailed plans, and would prepare an application for an FERC license. Applicant estimates the cost of the work under the permit would be \$80,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the

permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before, either July 27, 1981 the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's rules. Any comments, protest, or petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE

COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4284. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15062 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4271-001]

Vidler Tunnel Water Co.; Application for Preliminary Permit

May 18, 1981.

Take notice that Vidler Tunnel Water Company (Applicant) filed on April 8, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4271 to be known as the Vidler Tunnel Project located on Peru Creek in Summit County and on Leavenworth Creek in Clear Creek County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Herbert C. Young, 75 Manhattan Drive, Suite 201, Boulder, Colorado 80303. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would affect lands of the United States under the jurisdiction of the Forest Service and would consist of three new developments:

A. The East Portal Development on Leavenworth Creek comprising: (1) A diversion structure located 60 feet downstream of the existing tunnel

outlet; (2) an 18-inch diameter 1,380-foot long penstock; (3) a powerhouse containing a generating unit having a rated capacity of 50-kW at a head of 200 feet; (4) a 6-mile long 14.4-kV transmission line; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 181,553 kWh.

B. The Upper Development on Peru Creek comprising: (1) A small diversion structure; (2) a 27-inch diameter 6,100-foot long penstock; (3) a powerhouse containing a generating unit having a rated capacity of 259-kW at a head of 400 feet; (4) a 4-mile long 14.4-kV transmission line; and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 1,126,807 kWh.

C. The Lower Development on Peru Creek comprising: (1) A rebuilt 40-foot long and 4-foot high concrete dam with crest elevation 11,000. m.s.l. owned by the Pennsylvania Gold & Silver Mines, Inc.; (2) a 42-inch diameter 9,850-foot long penstock; (3) a powerhouse containing a generating unit having a rated capacity of 1,927-kW at a head of 800 feet; and (4) appurtenant facilities. The Applicant estimates that the average annual energy output would be 8,389,829 kWh.

Purpose of Project—Project energy would be sold to several small municipalities or to the Public Service Company of Colorado.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would complete feasibility, engineering, and hydrologic studies, conduct field surveys, prepare environmental reports and detailed plans, and would prepare an application for an FERC license. Applicant estimates the cost of the work under the permit would be \$80,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly

from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before, either July 27, 1981 the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4271. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C.

20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15063 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Project No. 4259-001]

Vidler Tunnel Water Co.; Application for Preliminary Permit

May 18, 1981.

Take notice that Vidler Tunnel Water Company (Applicant) filed on April 13, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for proposed Project No. 4259 to be known as the Lower Georgetown Project located near the Town of Georgetown on Clear Creek in Clear Creek County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Herbert C. Young, 75 Manhattan Drive, Suite 201, Boulder, Colorado 80303. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would affect lands of the United States under the jurisdiction of the Bureau of Land Management and would consist of: (1) A diversion structure; (2) a 36-inch diameter 1,200-foot long penstock; (3) a powerhouse containing a generating unit having a rated capacity of 335-kW at a head of 60 feet; (4) a tailrace; (5) a one-half-mile long 14.4-kV transmission line; and (6) appurtenant facilities.

The Applicant estimates that the average annual energy output would be 2,792,700 kWh.

Purpose of Project—Project energy would be sold to several small municipalities or to the Public Service Company of Colorado.

Proposed Scope and Cost of Studies Under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would complete feasibility, technical and hydrologic studies, conduct field surveys, prepare environmental reports

and detailed plans, and would prepare an application for an FERC license. Applicant estimates the cost of the work under the permit would be \$80,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before, either July 27, 1981 the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than September 25, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or

petition to intervene must be received on or before July 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4259-001. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15064 Filed 5-19-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RP72-41-010 (TA81-2-57)]

Western Transmission Corp.; Proposed Changes

May 13, 1981.

Take notice that Western Transmission Corporation (Western), on April 30, 1981, tendered for filing as part of its FPC Gas Tariff, Original Volume No. 1, the following sheet: Fifteenth Revised Sheet No. 3-A, superseding Fourteenth Revised Sheet No. 3-A.

The proposed changes would decrease the monthly charges for purchased gas to Colorado Interstate Gas Company, Western's sole jurisdictional customer, pursuant to the provisions of Section 18 of Western's FPC Gas Tariff, Original Volume No. 1.

The proposed effective date of the above tariff sheet is June 1, 1981.

Copies of this filing have been served upon Colorado Interstate Gas Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825

North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to

become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-13069 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

[Volume 425]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 13, 1981.

JD NO	JA DKT	API NO	SEC D WELL NAME	FIELD NAME	PRCD	PURCHASER
CALIFORNIA DEPARTMENT OF CONSERVATION						
RECEIVED: 04/27/81 JA: CA						
-TENNECO OIL COMPANY						
8127312	81-4-0021	0402957822	103 TENNECO ET AL BENNETT 66	YOVLUMNE	12.0	ARCO OIL & GAS CO
8127313	81-4-0022	0402957363	103 TENNECO ET AL BENNETT 68X	YOVLUMNE	156.0	ARCO OIL & GAS CO
8127314	81-4-0023	0402959180	103 TENNECO ET AL BENNETT 84	YOVLUMNE	2.0	ARCO OIL & GAS CO
8127315	81-4-0024	0402958025	103 TENNECO ET AL BENNETT 86	YOVLUMNE	51.0	ARCO OIL & GAS CO
8127316	81-4-0025	0402956655	103 TENNECO ET AL BENNETT 88X	YOVLUMNE	202.0	ARCO OIL & GAS CO
8127318	81-4-0027	0402958030	103 TENNECO-TEXACO JAMIESON 68	YOVLUMNE	13.0	ARCO OIL & GAS CO
8127317	81-4-0026	0402959786	103 TENNECO-TEXACO JOHNSON 55X	YOVLUMNE	1.0	ARCO OIL & GAS CO
KENTUCKY DEPARTMENT OF MINES & MINERALS						
RECEIVED: 04/27/81 JA: KY						
-THE WISER OIL COMPANY						
8127265	501887	1612100000	108 CHESTER HAMPONS #1 & 6119-B	KNOX COUNTY FIELD	2.2	WISER OIL CO
8127268	501890	1612100000	108 CORBIN EQUIPMENT (GREGORY) 1-8084	CAMPBELL CHURCH FIELD	2.6	WISER OIL CO
8127260	501882	1612100000	108 J H WARREN #1 LEASE #6630	KNOX COUNTY FIELD	1.5	WISER OIL CO
8127262	501884	1612100000	108 JOHN CAMPBELL #1 LEASE #D-98152	KNOX COUNTY FIELD	5.6	WISER OIL CO
8127266	501888	1612100000	108 JOHN SPURLOCK #1 WELL LEASE #7414	KNOX COUNTY FIELD	5.2	WISER OIL CO
8127273	501895	1612100000	108 JOHNSON & MASON #1 LEASE #7788	CAMPBELL CHURCH FIELD	4.0	WISER OIL CO
8127272	501894	1612100000	108 PARKER-FRY #1 LEASE #8125	CAMPBELL CHURCH FIELD	2.7	WISER OIL CO
8127267	501889	1612100000	108 R B HENSLEY & R E VIALI COMM #1	CAMPBELL CHURCH FIELD	4.1	WISER OIL CO
8127271	501893	1612100000	108 R E VIALI #1 LEASE #8074	CAMPBELL CHURCH FIELD	5.9	WISER OIL CO
8127269	501891	1612100000	108 R E VIALI #6 WELL LEASE #8074	CAMPBELL CHURCH FIELD	4.2	WISER OIL CO
8127278	50189	1612100000	108 R E VIALI #7 WELL LEASE #8074	CAMPBELL CHURCH FIELD	4.2	WISER OIL CO
8127259	501881	1612100000	108 S CAMPBELL-WHITNER #1 LEASE #6124	KNOX COUNTY FIELD	4.8	WISER OIL CO
8127263	501885	1612100000	108 STRATTON CAMPBELL-LOCKE #1 6086	KNOX COUNTY FIELD	0.2	WISER OIL CO
8127261	501883	1612100000	108 W J CAMPBELL #1 WELL LEASE #4861	KNOX COUNTY FIELD	1.7	WISER OIL CO
8127264	501886	1612100000	108 WILL CARNES #1 WELL LEASE #6214	KNOX COUNTY FIELD	3.2	WISER OIL CO
RECEIVED: 04/27/81 JA: KY						
-W LINDSEY & W E ELLIOTT						
8127284	501907	1619500000	108 BETHLEHEM MINES CORP #1	DORTON CREEK	10.0	COLUMBIA GAS TRANSMI
8127278	501901	1619500000	108 CONSOLIDATION COAL (DARRON FORK) 2	CANEY CREEK	1.0	COLUMBIA GAS TRANSMI
8127277	501900	1619500000	108 CONSOLIDATION COAL (DARRON FORK) 1	CANEY CREEK	1.0	COLUMBIA GAS TRANSMI
8127279	501902	1619500000	108 G C ROVE WELL #1	MAXON	6.0	COLUMBIA GAS TRANSMI
8127283	501906	1619500000	108 GEORGE CHRISTOPHER ETAL #1	SHELBY CREEK	7.0	COLUMBIA GAS TRANSMI
8127274	501896	1619500000	108 H H COLEMAN #1 (BIG SANDY #1)	BITHE HOLLOW	3.0	COLUMBIA GAS TRANSMI
8127275	501897	1619500000	108 H H COLEMAN #2 (BIG SANDY #2)	SHELBY CREEK	12.0	COLUMBIA GAS TRANSMI
8127282	501905	1619500000	108 HENRY JOHNSON #1	MARROWBONE CREEK	7.0	COLUMBIA GAS TRANSMI
8127280	501903	1619500000	108 ISAAC PRATER WELL #1	SHELBY CREEK	7.0	COLUMBIA GAS TRANSMI
8127276	501899	1619500000	108 JOHN GREER HEIRS #2	GREASY CREEK	7.0	COLUMBIA GAS TRANSMI
8127286	501898	1619500000	108 JOHN GREER HEIRS #1	BEEFHIDE CREEK	7.0	COLUMBIA GAS TRANSMI
8127285	501908	1619500000	108 MALVRAJ JOHNSON #1	BEEFHIDE CREEK	5.0	COLUMBIA GAS TRANSMI
8127281	501904	1619500000	108 TROY SANDERS #1	DORTON CREEK	5.0	COLUMBIA GAS TRANSMI

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JD NO	JA DKT	API NO	SFC D	WELL NAME	FIELD NAME	PROD	PURCHASER
				LOUISIANA OFFICE OF CONSERVATION			
				RECEIVED: 04/24/81	LITTLE CHERIERE	511.0	
				MERMENTAU MFL D NO 1			
				RECEIVED: 04/24/81	DEEP LAKE	1865.0	MICHIGAN WISCONSIN P
				S L 2038 NO 36			
				WYOMING OIL & GAS CONSERVATION COMMISSION			
				RECEIVED: 04/20/81		200.0	
				#1 NIEMANN			
				RECEIVED: 04/20/81	OCONELL	0.0	MARATHON OIL CO
				OCONELL #2			
				NORTH DAKOTA GEOLOGICAL SURVEY			
				RECEIVED: 04/27/80	CHARLSON	505.0	MONTANA DAKOTA UTILI
				FEDERAL 33-30			
				RECEIVED: 04/27/80	S MCKENZIE AREA	2190.0	
				#1 STATE ROGNESS 41-22			
				RECEIVED: 04/27/80	MONDAX	11.7	MONTANA-DAKOTA UTILI
				PENNZOIL-DEFCO LELAND #26-#1			
				RECEIVED: 04/27/80	MONDAX	7.5	MONTANA DAKOTA UTILI
				KLANDL 43-26			
				RECEIVED: 04/27/80	MONDAX	10.5	MONTANA DAKOTA UTILI
				KLANDL-STATE 11-36			
				RECEIVED: 04/27/80	BLUE BUTTES SOUTH	97.0	MONTANA DAKOTA UTILI
				C M LOOMER WELL NO 12			
				RECEIVED: 04/27/80	YELLOWSTONE	1400.0	SHELL OIL CO
				STATE NO 1-36			
				OKLAHOYA CORPORATION COMMISSION			
				RECEIVED: 04/27/81	PERSIMMON CREEK	0.0	PANHANDLE EASTERN PI
				CREMAN NO 1			
				RECEIVED: 04/27/81	S W FORGAN	15.0	NORTHERN NATURAL GAS
				BLAKEMORE HEARS #1			
				RECEIVED: 04/28/81	CHEYENNE VALLEY	55.0	MICHIGAN WISCONSIN P
				ENGLISH RANCH #1			
				RECEIVED: 04/28/81	N W RICHLAND	105.0	PHILLIPS PETROLEUM C
				HRDY NO 11-1			
				RECEIVED: 04/28/81	SOONER TREND	75.0	WELLHEAD ENTERPRISES
				SEMPAD #1-33			
				RECEIVED: 04/27/81	SQUAW CREEK	250.0	TRANSOK PIPE LINE CO
				ROY KEITH BURNS NO 1			
				RECEIVED: 04/27/81	N W NOEL	253.3	PANHANDLE EASTERN PI
				BOUZIDEN 1-31			
				RECEIVED: 04/27/81	SOONER TREND	36.5	EXXON CO USA
				HILL 2-12			
				RECEIVED: 04/27/81	SOONER TREND	0.0	COMOCO INC
				POECKMAN NO 1			
				RECEIVED: 04/27/81	SOONER TREND	0.0	COMOCO INC
				HILL NO 1			
				RECEIVED: 04/27/81	SOONER TREND	0.0	COMOCO INC
				WACY NO 1			
				RECEIVED: 04/27/81	SOONER TREND	0.0	COMOCO INC
				SMITH NO 1			
				RECEIVED: 04/27/81	SOONER TREND	0.0	COMOCO INC
				SPENCER NO 1			

JD NO	JA DKT	API NO	SFC D WELL NAME	FIELD NAME	PROD	PURCHASER	VOLUME	PAGE
8127342	08502	3507300000	108 TERRELL NO 1	SOONER TREND	0.0	CONOCO INC	0.0	003
8127346	08501	3508300000	108 THARP NO 1	SOONER TREND	0.0	CONOCO INC	0.0	
-JACK CUTBIRTH			RECEIVED: 04/28/81					
8127293	08313	3504722205	103 ERNEST R #1	SOONER TREND	64.0	PHILLIPS PETROLEUM	64.0	
-JET OIL COMPANY			RECEIVED: 04/27/81					
8127341	08511	3508321242	103 HENKE #1	W MULHALL	29.0	EASON OIL CO	29.0	
-L O WARD			RECEIVED: 04/28/81					
8127307	08418	3512320882	103 HERMAN #1	ADA	73.0	ARKANSAS LOUISIANA G	73.0	
-LADD PETROLEUM CORPORATION			RECEIVED: 04/27/81					
8127360	08239	3504700000	108 TOENS B NO 1	ENID NORTHEAST	15.5	CITIES SERVICE GAS C	15.5	
-LAGUNA PETROLEUM CO			RECEIVED: 04/28/81					
8127292	8323	3501721582	102 ROTHER NO 1-14		86.0	PHILLIPS PETROLEUM C	86.0	
8127291	8322	3501721581	102 VAN BUSKIRK NO 1		91.0	PHILLIPS PETROLEUM C	91.0	
-LINCOLN ROCK CORP			RECEIVED: 04/28/81					
8127288	08464	3508520373	102 34-B #1	NORTHEAST HARIETTA	5.0	CIMARRON TRANSMISSIO	5.0	
-NATURAL GAS ANADARKO INC			RECEIVED: 04/27/81					
8127336	08541	3500721864	102 BECK #2-21	MOCANE LAVERNE	360.0	NORTHERN NATURAL GAS	360.0	
8127339	08505	3500721852	102 S A #1-22	SOUTH BALDO	360.0	TRANSWESTERN PIPELIN	360.0	
8127340	08506	3500700000	102 S A #1-22	SOUTH BALDO	100.0	TRANSWESTERN PIPELIN	100.0	
-PETROMARK EXPLORATION INC			RECEIVED: 04/27/81					
8127359	08352	3509321896	103 ZORRO 16-1	SOONER TREND	100.0	CITIES SERVICE GAS C	100.0	
-PHILLIPS PETROLEUM COMPANY			RECEIVED: 04/27/81					
8127357	08144	3513700000	108 DOYLE A #1	S E DOYLE	0.0	AMINOIL USA INC	0.0	
8127326	08531	3500700000	108 MEHNERT A #2	COMO SE - TONKAWA	3.5	EL PASO NATURAL GAS	3.5	
-PHILLIPS PETROLEUM COMPANY			RECEIVED: 04/28/81					
8127298	8148	3513700000	108 DOYLE OCTAU #1-1		0.0	AMINOIL USA INC	0.0	
-POST PETROLEUM COMPANY INC			RECEIVED: 04/28/81					
8127296	8251	3507322538	103 KOLLER A 1	REEDING SOUTH	73.0	CONOCO INC	73.0	
8127294	8253	3507322517	103 TRINDLE #1	REEDING SOUTH	72.0	CONOCO INC	72.0	
8127295	8252	3515321867	103 WHITE #1	CEARDALE	255.0		255.0	
-RICK BUCK			RECEIVED: 04/28/81					
8127290	08353	3504722146	103 CLEMENTINE NO 2	SOONER TREND	7.0	PANHANDLE EASTERN PI	7.0	
-SEARCH DRILLING CO			RECEIVED: 04/27/81					
8127337	08540	3500721895	103 HUGHES #1-28	W CLEARLAKE	15.0	PHILLIPS PETROLEUM C	15.0	
8127328	08539	3502520435	103 PUGH #2-4	RICE S W	89.0	PANHANDLE EASTERN PI	89.0	
8127327	08538	3500721827	103 THOMAS #1-21	W CLEARLAKE	13.0	PHILLIPS PETROLEUM C	13.0	
-SENECA OIL CO			RECEIVED: 04/27/81					
8127349	08427	3509321916	102 MARTENS NO 1-26	S ORIENTA	96.0	PANHANDLE EASTERN PI	96.0	
8127349	08427	3509321916	103 MARTENS NO 1-26	S ORIENTA	96.0	PANHANDLE EASTERN PI	96.0	
-TEHWECO OIL COMPANY			RECEIVED: 04/28/81					
8127309	08416	3505920274	108 S HOVEY UNIT 1-16	MAY EAST	13.0	DELHI GAS PIPELINE C	13.0	
8127308	08417	3515320866	108 SHORELINE 2-34	CHESTER WEST	6.0	NATURAL GAS PIPELINE	6.0	
-TEXACO INC			RECEIVED: 04/27/81					
8127332	08491	3511720644	103 W J LAUDERDALE NO 18	TERLTON NORTH	6.0	HJD CATTLE CO INC	6.0	
8127333	08492	3511720588	103 W J LAUDERDALE NO 19	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
8127298	08493	3511720806	103 W J LAUDERDALE NO 20	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
8127338	08494	3511720807	103 W J LAUDERDALE NO 21	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
8127330	08488	3511720808	103 W J LAUDERDALE NO 22	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
8127335	08487	3511720871	103 W J LAUDERDALE NO 23	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
8127331	08489	3511720872	103 W J LAUDERDALE NO 24	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
8127334	08486	3511720893	103 W J LAUDERDALE NO 26	TERLTON NORTH	29.0	HJD CATTLE CO INC	29.0	
-TEXAS PACIFIC OIL COMPANY INC			RECEIVED: 04/27/81					
8127329	08570	3508520345	103 TRAPP #1	S V ENVILLE	48.9	CIMARRON TRANSMISSIO	48.9	
8127358	08334	3508300000	108 BRIDAL NO 1	SOONER TREND	0.0	CONOCO INC	0.0	

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PI NO	JA CRT	API NO	SFC D WELL NAME	RECEIVED	JA	ST	FIELD NAME	PROD	PURCHASER
8127227	U00029-81	430730616	102	811-9-15-23	JA: UT	1	WILDCAT	54.8	NATURAL GAS DEV CORP
-SANTA FE ENERGY COMPANY									
8127256	UC 369-0	4301330424	102	TRIBAL FEDERAL #1-4			STARVATION	260.0	
* U.S. GEOLOGICAL SURVEY - ALBUQUERQUE, NH									
-SANTA FE ENERGY COMPANY									
8127257	UC 370-0	4301320179	102	RECEIVED: 04/23/81	JA: UT	4	INDIAN RIDGE	27.0	
* U.S. GEOLOGICAL SURVEY - CASPER, WY									
-MIDLANDS GAS CORPORATION									
8127215	M92-1	2507121531	108	0871 FEDERAL 1			WILDCAT	20.0	KANSAS-NEBRASKA NATU
-AL-AQUITAINE EXPLORATION LTD									
8127211	ND 76-1	3300700509	102	RECEIVED: 04/23/81	JA: ND	5	WILDCAT	50.0	
8127212	ND 77-1	3300700474	102	U S 1-28			WHISKEY JOE	50.0	
-CONOCO INC									
8127209	NO 8-1	3300700569	102	RECEIVED: 04/23/81	JA: ND	5	BIG STICK	25.0	KOCH HYDROCARBON CO
-GETTY OIL COMPANY									
8127216	NO 93-1	3300700389	102	RECEIVED: 04/23/81	JA: ND	5	T R FIELD (FRYBURG)	29.2	WESTERN GAS PROCESSO
8127217	ND 307-0	3300700389	102	MYSTERY CREEK WELL NO 1-16			T R FIELD (DUPEROV)	36.5	KOCH HYDROCARBON CO
-SHELL OIL CO									
8127213	NO 88-1	3305301075	102	USA 24-4			WILDCAT	370.0	MONTANA DAKOTA UTILI
-AMERICAN QUASAR PETROLEUM CO									
8127210	W 34-1	4900320564	103	DOBBIE CREEK 11-3			DOBBIE CREEK SEC 11 T49N	0.0	MONTANA-DAKOTA UTILI
-AMOCO PRODUCTION CO									
8127214	W 91-1-T	4900720521	107	COAL GULCH UNIT E NO 1			COAL GULCH	265.0	CITIES SERVICE GAS C
8127224	W 104-1 T	4902320266	107	WHISKEY BUTTES UNIT WELL NO 12			WHISKEY BUTTES UNIT	200.0	CITIES SERVICE GAS C
-BURTON/HAWKS INC									
8127207	W-480-0	4903721618	102	#18-1 8PI - MADEK			MARIANNE	600.0	
-CHAMPLIN PETROLEUM COMPANY									
8127206	W-473-0	4903720551	102	RECEIVED: 04/23/81	JA: WY	5	BRADY	1300.0	MOUNTAIN FUEL SUPPLY
-CONOCO INC									
8127209	W 501-9	4902906010	108	RECEIVED: 04/23/81	JA: WY	5	SOUTH ELK BASIN SV 32-15	3.5	MONTANA-DAKOTA UTILI
-INTERNORTH INC									
8127223	W 102-1	4901320952	103	FEDERAL 193 #3-18			FULLER	73.0	INTERNORTH INC
8127222	W 101-1	4901320930	103	FEDERAL 193 #2-18			FULLER	180.0	INTERNORTH INC
8127221	W 99-1	4901320993	103	FEDERAL 886 1-17			FULLER	220.0	INTERNORTH INC
-MARATHON OIL COMPANY									
8127205	W-394-0	4903721421	102	RECEIVED: 04/23/81	JA: WY	5	WAMSUTTER	1120.0	COLORADO INTERSTATE
-PACIFIC TRANSMISSION SUPPLY COMPANY									
8127220	W 98-1	4902320352	103	PTS 14-6 FEDERAL			FONTENELLE	140.0	PACIFIC GAS TRANSMIS
8127219	W 97-1	4902320376	103	PTS 33-24			FONTENELLE	19.5	PACIFIC GAS TRANSMIS
-TOM BROWN INC									
8127204	W 330-0	4901320947	102	RECEIVED: 04/23/81	JA: WY	5	WILDCAT	20.5	MONTANA-DAKOTA UTILI
8127203	W 329-0	4901320955	102	TRIBAL #25-41			WILDCAT	28.9	MONTANA-DAKOTA UTILI
-WOODS PETROLEUM CORP									
8127218	W 95-1	4903721653	102	RECEIVED: 04/23/81	JA: WY	5	RIM ROCK	261.0	

VOLUME NO: 425

OTHER PURCHASERS

- 8127308 MICHIGAN WISCONSIN PIPE LINE
- 8127309 MICHIGAN WISCONSIN PIPE LINE CO
- 8127353 TRANSWESTERN PIPELINE COMPANY

BILLING CODE #450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceeding the control number indicates that other pruchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before June 4, 1981.

Please reference the FERC Control Number (JD No.) in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[Volume 426]
 Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978
 Issued: May 13, 1981.

JD NO	JA NO	API NO	OFF D WELL NAME	RECEIVED	JA	ST	FIELD NAME	PRCD	PURCHASER
WEST VIRGINIA DEPARTMENT OF MINES									
-ALLEGHENY LAND & MINERAL COMPANY			RECEIVED: 04/28/81	JA: WV					
8127400		4706300339	103 A - 903				MIDDLE FORK DISTRICT		0.0 COLUMBIA GAS TRANSMI
8127396		4708300340	103 A - 907				MIDDLE FORK DISTRICT		0.0 COLUMBIA GAS TRANSMI
8127395		4704102929	103 A - 909				COURT HOUSE DISTRICT		0.0 CONSOLIDATED GAS SUP
-BAY STATE ENERGY COMPANY INC			RECEIVED: 04/28/81	JA: WV					
8127399		4708501024	108 E C PARKS NO 1				MURPHY		0.3 CONSOLIDATED GAS SUP
8127398		4708503634	108 W T PARKS #5				MURPHY		13.0 CONSOLIDATED GAS SUP
-CARDINAL DRILLING FURD 79-6 LTD			RECEIVED: 04/28/81	JA: WV					
8127410		4702123622	103 MILTON ALLMAN H-980				TROY DISTRICT		20.0 CONSOLIDATED GAS SUP
8127403		4702123623	103 MILTON F ALLMAN H-981				TROY DISTRICT		20.0 CONSOLIDATED GAS SUP
-CARSON HRS GAS CO			RECEIVED: 04/28/81	JA: WV					
8127453		4702101018	108 CARSON PPS 480 #1				STEWARTS CREEK		1.5 EQUITABLE GAS CO
-CHASE PETROLEUM			RECEIVED: 04/28/81	JA: WV					
8127391		4701170261	102 R LEGGETT #1				SOUTHWEST DISTRICT		112.5
-DENNIS D BLAUSER			RECEIVED: 04/28/81	JA: WV					
8127460		4702122385	106 MARY DAVIDSON #1				DEKALB		4.6 CONSOLIDATED GAS CCR
-FRANKLIN ADKINS			RECEIVED: 04/28/81	JA: WV					
8127371		4709901685	108 PERKINGTON #1				LINCOLN		14.0 COLUMBIA GAS TRANSMI
-GASOLEX			RECEIVED: 04/28/81	JA: WV					
8127397		4708503657	108 JAMES LAW #1				GRANT		16.0 CONSOLIDATED GAS SUP
-GENE STALMAKER INC			RECEIVED: 04/28/81	JA: WV					
8127398		4700101323	103 B-47-2				BARBOUR CO PARK & RECREA		0.0 COLUMBIA GAS TRANSMI
8127365		4702103445	108 I-001				SPROUSE		15.0 CABOT CORP
8127411		4701702457	103 MAXON B-33-1				WEST UNION		30.0 COLUMBIA GAS TRANSMI
8127362		4702103034	108 MESSENGER #2				R J MESSENGER		23.0 CONSOLIDATED GAS SUP
8127389		4700101325	103 PAYNE B-49-1				PAYNE		25.0 COLUMBIA GAS TRANSMI
-GILBERT EXPLORATION CO			RECEIVED: 04/28/81	JA: WV					
8127366		4705900942	107 GILPRT IMPORTED HARDWOODS #4				PIGEON CR		3.0 COLUMBIA GAS TRANSMI
-GULF OIL CORPORATION			RECEIVED: 04/28/81	JA: WV					
8127412		4702102062	108 KUB R #1				GLENVILLE WEST		14.0 CONSOLIDATED GAS SUP
-J & J ENTERPRISES INC			RECEIVED: 04/28/81	JA: WV					
8127448		4703301180	103 B-142				ELK		70.0 CONSOLIDATED GAS SUP
8127447		4703301955	103 B-217				COAL		500.0 CONSOLIDATED GAS SUP
8127373		4703302200	103 B-225				SARDIS		200.0 CONSOLIDATED GAS SUP
8127393		4703302175	103 B-235				UNION		200.0 CONSOLIDATED GAS SUP
8127452		4709701890	103 B-253				UNION		500.0 CONSOLIDATED GAS SUP
8127450		4700101184	103 B-284				ELK		500.0 CONSOLIDATED GAS SUP
8127375		4703302272	103 B-297				EAGLE		200.0 CONSOLIDATED GAS SUP
8127402		4703302151	103 B-305				SARDIS		200.0 CONSOLIDATED GAS SUP
8127392		4703302246	103 B-306				SARDIS		200.0 CONSOLIDATED GAS SUP

JD NO	JA DKT	API NO	SEC D	MELL NAPE	FIELD NAME	PRCD	PURCHASER
8127445		4703902749	107	CLEMOOTH CARNES #697	ELK DIST	7.3	PENNZOIL UNITED INC
8127439		4703902582	107	G G REYNOLDS #414	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127428		4703902746	107	GOSHORN #705	BIG SANDY	14.4	PENNZOIL UNITED INC
8127441		4703902664	107	GOSHORN #383	BIG SANDY DIST	14.4	PENNZOIL UNITED INC
8127444		4703902683	107	GOSHORN #467	ELK DIST	14.4	PENNZOIL UNITED INC
8127443		4703902682	107	GOSHORN #471	ELK DIST	14.4	PENNZOIL UNITED INC
8127427		4703902687	107	GOSHOVE #466	ELK DIST	14.4	PENNZOIL UNITED INC
8127438		4703902536	107	KANAWHA BK & TR #156-10700	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127434		4703902580	107	KANAWHA BK & TR #156-5300	BIG SANDY DIST	0.0	PENNZOIL UNITED INC
8127446		4703900000	107	KANAWHA BK & TR #372	BIG SANDY	12.1	PENNZOIL UNITED INC
8127432		4703902558	107	KANAWHA BK & TR #380	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127440		4703902587	107	KANAWHA BK & TR #417	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127431		4703902704	107	KANAWHA BK & TR #468	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127442		4703902680	107	KANAWHA BK & TR #473	BIG SANDY	12.1	PENNZOIL UNITED INC
8127429		4703902708	107	KANAWHA BK & TR #530	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127430		4703902709	107	KANAWHA BK & TR #531	ELK DIST	12.1	PENNZOIL UNITED INC
8127435		4703901045	107	KANAWHA BK&TR #156-11500	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127436		4703901180	107	SEATEX OIL CO #156-11600	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127437		4703902467	107	SEATEX OIL CO #156-8500	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
8127433		4703902468	107	SEATEX OIL CO #156-93-00	BIG SANDY DIST	12.1	PENNZOIL UNITED INC
-ROCKWELL PETROLEUM COMPANY				RECEIVED: 04/28/81 JA: WY	TROY	0.0	EQUITABLE GAS CO
8127415		4702123358	108	MARVEY-ELLYSON NO 1	WARREN DISTRICT	0.0	COLUMBIA GAS TRANS C
-UNION DRILLING INC				RECEIVED: 04/28/81 JA: WY	WARREN DISTRICT		
8127462		4709702109	103	ROBERT D XANDER #1 1572	ORMA	13.0	CONSOLIDATED GAS SUP
-VANDERBILT RESOURCES CORPORATION				RECEIVED: 04/28/81 JA: WY			
8127384		4701302573	108	BENNETT 1-374		12.0	CONSOLIDATED GAS SUP
-WACO OIL AND GAS CO INC				RECEIVED: 04/28/81 JA: WY			
8127461		4700701460	103	GRACE KNIGHT #2	MURPHY DISTRICT	9.0	CABOT CORP
-WARREN R HAUGHT AGENT				RECEIVED: 04/28/81 JA: WY	UNION DISTRICT	20.0	CONSOLIDATED GAS SUP
8127407		4708524124	108	ERNEST GOFF H-637	MURPHY DISTRICT	20.0	CONSOLIDATED GAS SUP
8127401		4708504889	103	J A COFFIELD #H-953	MURPHY DISTRICT	2.2	COLUMBIA GAS TRANSPI
8127394		4708504894	103	M M WELCH #H-1048	SOUTHWEST	18.6	CONSOLIDATED GAS SUP
8127406		4701722282	108	P B MICHAEL HEIRS #1	MURPHY DISTRICT		
8127408		4708523865	108	SCOTT H-609			
** U.S. GEOLOGICAL SURVEY - DENVER, CO				RECEIVED: 04/27/81 JA: UT 1	ISLAND FIELD	365.0	PACIFIC GAS & ELECTR
-MAPCO PRODUCTION COMPANY				RECEIVED: 04/26/81 JA: UT 1	ISLAND FIELD	182.5	
8127463	UC1265-9	4304730410	102	RBU 11-14E			
-MAPCO PRODUCTION COMPANY				RECEIVED: 04/26/81 JA: UT 1			
8127464	UC 493-0	4304730406	102	FED 7-250			

BILLING CODE #459-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before June 4, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-15106 Filed 5-19-81; 8:45 am]

BILLING CODE 6450-85-M

ENVIRONMENTAL PROTECTION AGENCY

[WH-FRL-1832-1]

Municipal Wastewater Treatment Works

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: The Office of Water Program Operations has published a comprehensive guidance document for preparation of facilities plans funded through EPA's construction grants program. The guidance document, known as "Facilities Planning 1981 (FP81)," will apply to EPA grants awarded after May 31, 1981. FP81 is the first document in a series to be updated annually.

FP81 references existing regulations and summarizes all Program Requirements Memoranda and Program Operations Memoranda previously applicable to facilities planning. The memoranda have been discontinued for users of the new guidance. FP81 does not add new requirements and does not apply retroactively to Step 1 grants

awarded prior to May 31, 1981, except at the option of the grantee.

FP81 does not replace facilities planning regulations. It is, however, intended to be a complete reference for consultants and grantees, defining requirements clearly in one place. No changes to the requirements for facilities planning are expected during the balance of fiscal year 1981. Future changes to facilities planning requirements will be incorporated into annual updates of "FP81" and will become effective only at the beginning of each fiscal year.

FP81 has been sent to the EPA Regional Offices and to State water pollution agencies which have received construction grant program delegation. Previous requests for draft or final copies of FP81 will be mailed, as supplies permit. New requests should be made to: General Services Administration (8BRC), Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, Colorado 80225.

FP81 is being updated and renamed for fiscal year 1982. A review draft of "Facilities Planning 1982 (FP82)" will be available shortly from the EPA address below, and the final document will be available by September 1981. FP82 will apply to facilities planning started in fiscal year 1982 only.

ADDRESS: Comments on FP81 are encouraged. Comments and requests for review drafts of FP82 may be sent to: Director, Facility Requirements Division (WH-595), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. William Kramer, (202) 426-8973.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management (WH-556).

[FR Doc. 81-15135 Filed 5-19-81; 8:45 am]

BILLING CODE 8560-29-M

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Protection of Historic and Cultural Properties; Meeting

Notice is hereby given in accordance with § 800.6(d)(3) of the Council's regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800), that a panel of members of the Advisory Council on Historic Preservation will meet on June 11, 1981, to consider the disposition and demolition of Lockefield Gardens, Indianapolis, Indiana, a property eligible for the National Register of Historic Places.

Pursuant to § 800.6(d)(2) of the Council's regulations, the Chairman of the Council decided on May 12, 1981, that a panel should consider this project in accordance with the May 1977 resolution of the Council under Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470f, as amended).

The Council was established by the National Historic Preservation Act to advise the President and Congress on matters relating to historic preservation and to comment upon Federal, federally assisted, and federally licensed undertakings having an effect upon properties listed in or eligible for inclusion in the National Register of Historic Places.

The Council's regulations require that the panel be composed of five members, three from the private sector with one chairing and two Federal members.

The Panel will meet in Washington, D.C. Place and time have yet to be set and may be obtained from the Executive Director.

The panel will consider written and oral statements from concerned parties. Written statements should be submitted to the Executive Director of the Council by June 4, 1981. Persons wishing to make oral statements should notify the Executive Director by June 9, 1981. Additional information concerning the meeting or the submission of statements to the panel is available from the Executive Director, Advisory Council on Historic Preservation, Suite 430, 1522 K Street, NW, Washington, D.C. 20005, 202-254-3967.

Dated: May 14, 1981.

Robert R. Garvey, Jr.,
Executive Director.

[FR Doc. 81-15003 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-10-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Multiple Use Advisory Council; Correction of Meeting

A meeting of the Vale District Multiple Use Advisory Council originally scheduled for May 27, 1981 and as published in the Federal Register April 23, 1981 page 23124, has been rescheduled for June 3, 1981. All other conditions of the notice remain as published.

Fearl M. Parker,
District Manager.

[FR Doc. 81-14988 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-84-M

(N-29850)

Public Lands in Lyon County, Nev.; Realty Action; Competitive Sale

May 19, 1981.

The following described lands have been identified as suitable for disposal by sale under Section 203 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701, 1713, at no less than the fair market value shown herein:

Parcel	Legal description	Acres	Value
A	T. 11 N., R. 23 E., Mt. Diablo Mer., Nv.; Sec. 1: S $\frac{1}{2}$ SE $\frac{1}{4}$.	80	\$80,000
B	T. 11 N., R. 23 E., Mt. Diablo Mer., Nv.; Sec. 12: NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$.	120	120,000
C	T. 11 N., R. 24 E., Mt. Diablo Mer., Nv.; Sec. 7: Lots 1 and 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$.	322.08	240,000
D	T. 11 N., R. 23 E., Mt. Diablo Mer., Nv.; Sec. 12: SE $\frac{1}{4}$.	160	192,000

The public land sale will be held on Tuesday, July 28, 1981, at the Carson City District Office of the Bureau of Land Management, 1050 E. William Street, Suite 335, Carson City, Nevada. Registration of bidders will begin at 8:00 a.m. and the sale will start at 9:00 a.m.

The lands are being offered for sale through competitive bidding. The sale is consistent with Bureau planning and is compatible with County plans. The lands are not needed for any federal purpose and would best be managed in private ownership to allow for the expansion of the community and for economic development. The public interest will be well served by making these lands available for public sale.

Patent for each parcel, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1980, 26 Stat. 391; 43 U.S.C. 945.

2. All minerals with the right to explore, prospect for, mine, and remove under applicable law and such regulations as the Secretary may prescribe. "All minerals" is defined as, but not limited to, metallic and non-metallic locatable minerals, leasable minerals such as oil, gas, coal, sodium, potassium, and geothermal resources, and saleable minerals such as sand and gravel. However, upon filing of an application under 43 CFR Part 2720, the Secretary may convey the mineral interest if all requirements of the law are met.

3. The road right-of-way Nev-055377, 60 feet in width, to assure continued ingress and egress by the Nevada Department of Transportation to their material site. (Affects only Parcel C)

4. The road right-of-way Nev-054978, 150 feet in width, to assure continued access to adjacent lands. (Affects only Parcels A, B and C)

5. The road right-of-way N-31384, 50 feet in width, to assure continued access to adjacent property. (Affects only Parcels B and D)

6. An easement, 50 feet in width, along the entire length of the north-south quarter section line of Section 12, T. 11 N., R. 23 E., Mt. Diablo Mer., Nev., to assure continued ingress and egress to adjacent land. (Affects only Parcels B and D)

The lands, once sold, will remain subject to Lyon County planning and zoning.

Detailed information concerning the sale, including the planning documents, and the land report/environmental assessment, is available for review at the Bureau of Land Management, Carson City District Office, 1050 E. William Street, Suite 335, Carson City, Nevada. No bid will be accepted for less than the appraised value and bids for a parcel must include all the land in the parcel. Federal law requires that bidders be U.S. citizens or, in the case of corporations, subject to the laws of any state or the United States.

Bids must be made by a principal or his agent, either by sealed bid mailed or delivered to the Bureau of Land Management, Carson City District Office, or by oral bidding at the sale. Bids delivered or sent by mail will be considered only if received at the Bureau of Land Management, Carson City District Office, 1050 E. William Street, Suite 335, Carson City, Nevada 89701, prior to 4:15 p.m. on Monday, July 27, 1981. Each bid must be in a sealed envelope accompanied by a certified check, postal money order, bank draft or cashier's check, made payable to the Bureau of Land Management for not less than one-fifth of the amount of the bid. The envelopes must be marked in the lower left-hand corner with the parcel(s) bid on properly identified by one or more of the following:

"Bid Parcel A, N-29850, Sale to be Held July 28, 1981."

"Bid Parcel B, N-29850, Sale to be Held July 28, 1981."

"Bid Parcel C, N-29850, Sale to be Held July 28, 1981."

"Bid Parcel D, N-29850, Sale to be Held July 28, 1981."

The highest sealed bid on the parcel will determine the base of the oral bidding conducted the day of the sale. If two or more envelopes are received containing valid bids of the same amount, the determination of which is to be considered the highest bid will be by drawing. The highest qualifying sealed bid will be publicly declared on the day of the sale and oral bids will then be invited. After oral bids, if any are received, the highest qualifying bid will be declared by the authorized officer. The person declared to have entered the

highest qualifying oral bid shall submit payment by cash, personal check, bank draft, money order, or any combination for not less than one-fifth of the amount of the bid immediately following the close of the sale. The successful bidder shall submit the remainder of the full bid price within 30 days of the sale. Failure to submit the full bid price within 30 days shall result in cancellation of the sale of the parcel and the deposit shall be forfeited and disposed of as other receipts of sale. All bids will be either returned, accepted or rejected in writing within 30 days of the sale date.

On or before July 6, 1981, interested parties may submit comments to the Secretary of the Interior (LLM-320), Washington, D.C. Any adverse comments will be evaluated by the Secretary of the Interior who may vacate or modify this realty action and issue a final determination. In the absence of any action by the Secretary of the Interior, this realty action will become a final determination of the Department of the Interior.

Thomas J. Owen,
District Manager.

May 19, 1981.

[FR Doc. 81-14990 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-84-M

Spokane District Advisory Council; Meeting

Notice is hereby given in accordance with Pub. L. 95-579 and 43 CFR Part 1780 that a meeting of the Spokane District Advisory Council will be held on Thursday, June 11, 1981.

The meeting will begin at 9:00 a.m. in Room 752 of the U.S. Court House, West 920 Riverside, Spokane, Washington.

The agenda for the meeting is:

1. Discussion of the Oregon State Office Program Priority Guides.
2. Basin Area Manager's report on the Management Framework Plan, Step 2 proposals and discussion of the public meeting held April 30, in Pasco, Washington.
3. Discussion on District Manager's Management Framework Plan Draft decisions.
4. General discussion of unfinished and new business, as time allows.
5. Next meeting agenda.

The meeting is open to the public and news media. Interested persons may make oral statements to the council between 3:00 and 4:00 p.m., or file written statements for the council's consideration. Anyone wishing to make an oral statement should notify the District Manager, Bureau of Land Management, Room 551, U.S. Court

House, Spokane, WA, 99201, Telephone (509) 456-2570, by close of business, 4:30 p.m., May 29.

Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

A report of the council meeting will be maintained at the District Office and made available for public inspection and reproduction at the cost of duplication.

Roger W. Burwell,
District Manager.

May 4, 1981.

[FR Doc. 81-14889 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-84-M

[Serial Nos. A-15984, A-15985, A-15986]

Arizona; Classification of Public Lands for State Indemnity Selection

1. Pursuant to the Act of June 20, 1910 (the Enabling Act, as amended), the provisions of Section 7 of the Taylor Grazing Act and the regulations in 43 CFR Part 2400, the public lands described below are hereby classified for State Indemnity Selection. The State of Arizona has filed applications to acquire the described lands in lieu of certain school lands that were encumbered by other rights or reservations before the State's title could attach. These applications were assigned serial numbers A-15984, A-15985, A-15986.

2. The notice of proposed classification of these lands was published February 6, 1981 in *Federal Register*, Vol. 46, No. 25, 11368 and 11369 and was widely publicized. Nearly all comments received supported the proposed classification, and the land is being classified as proposed.

3. The lands lie in Maricopa County, Arizona in the Buckeye and Gila Bend vicinities. The lands are described as follows:

Application A-15984

Gila and Salt River Meridian, Arizona

- T. 6 S., R. 5 W.,
Sec. 7: Lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 9: All;
Sec. 10: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 18: Lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 6 S., R. 6 W.,
Sec. 13: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 15: All;
Sec. 16: All;
Sec. 17: E $\frac{1}{2}$;

- Sec. 19: E $\frac{1}{2}$;
Sec. 21: All;
Sec. 22: N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 6 S., R. 7 W.,
Sec. 25: NE $\frac{1}{4}$.

The area described contains 5,718.91 acres.

Application A-15985

Gila and Salt River Meridian, Arizona

- T. 2 S., R. 4 W.,
Sec. 22: S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23: All;
Sec. 24: N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 25: N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 26: N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 27: N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28: N $\frac{1}{2}$;
Sec. 29: S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30: Lots 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 31: Lots 1, 2;
Sec. 32: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33: E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34: NE $\frac{1}{4}$, S $\frac{1}{2}$.
T. 3 S., R. 4 W.,
Sec. 2: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
Sec. 3: Lots 1, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 10: N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 11: Lots 1-15, 25, 26, 27, 30-35, 37-42, 45, 46, 47, 64, 66-70, 74-78, 81-86, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12: S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14: N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 23: NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24: W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 26: Lots 2, 3, 4, 5, 6, 11, 12, 13, 14;
Sec. 27: NE $\frac{1}{4}$;
Sec. 34: Lots 1-16;
Sec. 35: Lots 3, 4, 5, 6, 11, 12, 13, 14.

- T. 4 S., R. 4 W.,
Sec. 2: Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 3: S $\frac{1}{2}$;
Sec. 10: E $\frac{1}{2}$;
Sec. 11: W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 14: W $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 23: W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26: W $\frac{1}{2}$;
Sec. 35: W $\frac{1}{2}$;
T. 5 S., R. 4 W.,
Sec. 2: Lots 5-36, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 2 S., R. 5 W.,
Sec. 23: SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25: S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
Sec. 26: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27: N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{2}$.

The area described contains 11,808.37 acres.

Application A-15986

Gila and Salt River Meridian, Arizona

- T. 5 S., R. 4 W.,
Sec. 16: N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 27: N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

- Sec. 28: Lot 2;
Sec. 33: N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 34: All.
T. 6 S., R. 4 W.,
Sec. 3: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 4: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 8: NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9: All;
Sec. 10: All.
T. 6 S., R. 5 W.,
Sec. 12: N $\frac{1}{2}$ SW $\frac{1}{4}$.

The area described contains 4,250.96 acres.

4. This classification decision is based on the following disposal criteria set forth in Title 43, Code of Federal Regulations, Part 2400.

Transfer of the lands to the State will help fulfill the Federal government's common school land grant to the State, and constitutes a public purpose use of the land. Lands found to be valuable for a public purpose use will be considered chiefly valuable for public purposes (43 CFR 2430.2b).

5. The subject lands are under Section 3 grazing permits to Palomas Division of Cranco, Star Route 1, Box 175, Gila Bend, Arizona 85337; Ernie Jordan, 117 North Capitol, Gila Bend, Arizona 85337; James Parker, Box 265, Star Route, Buckeye, Arizona 85326; Art Arnold, Box 263E, Star Route, Buckeye, Arizona 85326; and Jolley Cattle Company, 5822 South Country Club Way, Tempe, Arizona 85283. There are various range improvements of record on the lands.

In the event these lands are clearlisted, this grazing use will be terminated at the time title to the land is transferred to the state.

Threatened and Endangered Species and Cultural Resources Evaluations have been performed and approved for subject classification. Any cultural resources on the above described parcels will be managed by the State of Arizona under the terms of the Memorandum of Agreement Regarding Cultural Resource Protection.

A study has been made of the area which indicates little potential for mineral exploration. There are no mining claims recorded with BLM for these lands, nor was any evidence of mining activity found on the ground.

Issued oil and gas leases on these lands will remain in effect. Rights-of-way will transfer with the land to the state.

6. The public lands classified by this notice are shown on maps on file and available for inspection in the Phoenix District Office, Bureau of Land

Management, 2929 West Clarendon, Phoenix, Arizona 85017.

7. For a period of 30 days from the date of publication in the *Federal Register*, this classification shall be subject to exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3 and 2462.3. Interested parties may submit comments to the Secretary of the Interior, LLM 320, Washington, D. C. 20240

Dated: May 6, 1981.

William K. Barker,
District Manager.

[FR Doc. 81-15018 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-84-M

DEPARTMENT OF INTERIOR

Public Review of Draft Interim Management; Plan for ORV's in the Challis Planning Unit

Pursuant to 43 CFR Part 8340 (Management of Off-Road Vehicle Use on Public Lands), the Salmon, Idaho District announces that its proposed ORV plan for the Challis Planning Unit is not available for public review. Comments on the plan will be solicited until August 18, 1981.

The proposed plan designates areas as either open, limited, or closed to ORV use. Proposed designations are:

1. Closed Areas:
 - a. Malm Gulch Frail Lands, 9,905 acres: closed to all ORV use the entire year.
 - b. Sand Hollow drainage, 4,397 acres: closed to all ORV use the entire year.
 - c. Herd Creek Trail, 1 mile: closed to all ORV use the entire year.
2. Limited Areas:
 - a. Challis Wild Horse critical winter range, 11,200 acres: organized ORV events prohibited during winter season (November 15 to April 15), 4,615 acres of which are in WSA 46-11.
 - b. Willow Creek Summit elk critical winter range, 9,297 acres: ORV use prohibited during winter season (November 15 to April 15).
 - c. Wilderness Study Areas: ORV use limited the entire year to existing roads and trails in the following WSA's:
 1. Corral-Horse Basin (46-11), 51,000 acres
 2. Boulder Creek (46-13), 2,573 acres
 3. Jerry Peak (46-14), 48,000 acres
 4. Jerry Peak West (46-14a), 15,000 acres
3. Open Area:
 - a. All other federal lands within the Challis Planning Unit, 182,865 acres.

Copies of the proposed plan can be obtained by writing or calling

BLM District Manager, P.O. Box 430, Salmon, Idaho 83467, (208) 756-2201.

Dated: May 12, 1981.

Jerry W. Goodman,
Acting District Manager.

[FR Doc. 81-15021 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-84-M

Intergovernmental Planning Program, South Atlantic Regional Technical Working Group; Meetings

As authorized by the Secretary of the Interior and pursuant to 43 CFR Part 1784, meetings of the Outer Continental Shelf Advisory Board's South Atlantic Regional Technical Working Group will be held on June 11 and June 25, 1981. The purpose of the meeting is to participate in the environmental briefings, nominations, and tract selection process for proposed OCS Sale #78.

The meetings will be held in the Bureau of Land Management's New Orleans OCS Office, 500 Camp Street, Suite 841, New Orleans, Louisiana 70130. Sessions are scheduled from 9:00 a.m. to 3:00 p.m. for both meetings. The meetings are open to the public and interested persons may make oral or written presentations.

A taped transcript and complete summary minutes of the meetings will be available for public inspection at the New Orleans OCS Office not later than 60 days after the June 25 meetings. Further information in regard to these meetings is available from Sydney Verinder in this office, telephone number (504) 589-6541, during normal business hours.

John L. Rankin,

Manager, New Orleans Outer Continental Shelf Office.

May 14, 1981.

[FR Doc. 81-15026 Filed 5-19-81; 8:45 am]

BILLING CODE 4310-84-M

Baker District Advisory Council; Meeting Postponement

The Baker District Advisory Council Meeting scheduled to be held on May 20, 1981 46 FR 17891, March 20, 1981 and 46 FR 25354, May 6, 1981 will be postponed until further notice. The delay will provide time to gather together a quorum so that business can be conducted.

Gordon R. Staker,

District Manager.

May 13, 1981.

[FR Doc. 81-15198 Filed 5-15-81; 8:45 am]

BILLING CODE 4310-84-M

INTERSTATE COMMERCE COMMISSION

[No. 37631]

Dunbar Armored Security, Inc.; Petition for Relief From Certain Filing Requirements

AGENCY: Interstate Commerce Commission.

ACTION: Notice of petition for relief from filing requirements.

SUMMARY: Petitioner, Dunbar Armored Security, Inc., a motor contract carrier, has requested relief from the requirements in 49 U.S.C. 10702 that it file with the Commission schedules of actual rates and charges. Petitioner would continue to file schedules of minimum rates and charges. The sought relief is provisionally granted.

DATES: Comments are due within 20 days. The sought relief will become effective 30 days from the date of publication of this notice in the *Federal Register*, unless, in response to comments filed, the Commission issues a further decision withdrawing this relief.

ADDRESS: An original and six copies of comments should be sent to: Interstate Commerce Commission, Room 5356, Washington, D.C. 20423.

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

SUPPLEMENTARY INFORMATION: The relief sought by petitioner is in connection with its authority to transport bank bills, bonds, securities, notes, drafts, and other valuable papers, between certain points in New England, for banks, banking institutions, insurance companies, and brokerage houses. The Commission granted this authority in No. MC-14933OF, *Dunbar Armored Security, Inc., Contract Carrier Application (Hartford, CT)* (not printed), served January 26, 1981.

49 U.S.C. 10702(b) requires contract carriers to file with the Commission actual and minimum rates for the transportation they provide. The section also permits the Commission to grant relief from the subsection when relief is consistent with the public interest and the transportation policy of section 10101. In *Armored Carrier Corp. Petition for Relief, Section 218(a)*, 303 I.C.C. 781 (1958), the Commission granted such relief to 16 armored carriers by permitting them to file only minimum rates rather than schedules of actual rates. The relief was granted because the services provided by these carriers are so specialized that filing actual rates

would be impractical. The Commission has granted similar relief to other armored carriers since that decision.

Petitioner requests that it receive this same relief as: (1) it provides the same sort of very specialized service; and (2) otherwise it will be at a competitive disadvantage with other armored carriers. The request appears justified by the public interest and section 10101. We will grant the relief unless we receive, within 20 days, comments giving sufficient reason why it should be denied.

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

(49 U.S.C. 10701(b))

Decided: May 12, 1981.

By the Commission, Division 1,
Commissioner Clapp, Alexis, and Gilliam,
Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-15033 Filed 5-19-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP5-93]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: May 13, 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 application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to

perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

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 150578 (Sub-7), filed January 6, 1981, previously noticed in the Federal Register (Republication) issue of February 3, 1981. Applicant: STEVENS TRANSPORT, a division of STEVENS FOODS, INC., 2944 Motley Drive, Mesquite, TX 75150. Representative: E. Lewis Coffey (same address as applicant). Transporting *such commodities* as are dealt in by department and variety stores, between points in Ellis County, and Dallas, TX, on the one hand, and, on the other, points in the U.S.

Note.—Purpose of republication is to modify the authority as above.

[FR Doc. 81-15006 Filed 5-19-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP5-92]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: May 13, 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 on 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). Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service and to comply with the appropriate statutes and Commission regulations. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and a 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 Number 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 147329 (Sub-5) filed February 6, 1981. Applicant: ALL STATE TRANSPORT, INC., 5959 South Alameda St., Los Angeles, CA 90001. Representative: William Davidson, P.O. Box 58408, Los Angeles, CA 90058, 213-589-8073. 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.

[FR Doc. 81-15007 Filed 5-19-81; 8-45 am]

BILLING CODE 7035-01-M

[Volume No. OPY-4-VOL-137]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: May 13, 1981.

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the *Federal Register* of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified

prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

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 141136 (Sub-6), filed May 4, 1981. Applicant: TRIANGLE TRANSPORTATION & WAREHOUSING SYSTEMS, INC., 5051

Still Creek Ave., Burnaby, BC Canada. Representative: Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055, (206) 235-4730. In foreign commerce only, transporting *general commodities* (except classes A and B explosives), between ports of entry on the international boundary line between the U.S. and Canada at WA, ID and MT, on the one hand, and, on the other, points in CA, ID, MT, OR, UT and WA.

MC 144036 (Sub-2), filed May 4, 1981. Applicant: J. R. PHILLIPS TRUCKING LTD., Rural Route No. 2, Maidstone, Ontario, Canada. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St., NW., Washington, DC 20005 (202) 783-3525. In foreign commerce only, transporting *commodities in bulk*, between ports of entry on the international boundary line between the U.S. and Canada at MI, on the one hand, and, on the other, points in that part of MI north of MI Hwy 55.

MC 149546 (Sub-8), filed May 5, 1981. Applicant: D & T TRUCKING CO., INC., P.O. Box 12505, New Brighton, MN 55112. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440 (612) 542-1121. Transporting *electrical machinery, or equipment, or supplies*, between points in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties, MN, on the one hand, and, on the other, points in the U.S.

MC 149546 (Sub-9), filed May 5, 1981. Applicant: D & T TRUCKING CO., INC., P.O. Box 12505, New Brighton, MN 55112. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440 (612) 542-1121. Transporting (1) *rubber and plastics products*, and (2) *metal products*, between points in Kane County, IL, White County, IN, and Ashtabula County, OH, on the one hand, and, on the other, Minneapolis, MN.

MC 155746, filed May 5, 1981. Applicant: BROWN'S TOURS & TRAVEL SERVICE, INC., P.O. Box 6217, 2707 Alms Place, Cincinnati, OH 45206. Representative: Mary B. Brown, 1071 Celestial St., Apt. 1703, Cincinnati, OH 45202 (513) 721-1773. To engage in operation, in interstate or foreign commerce, as a broker, at Cincinnati, OH, to arrange for the transportation of *passengers and their baggage*, in round-trip and charter operations, beginning and ending at Cincinnati, OH, and extending to points in the U.S.

[FR Doc. 81-15008 Filed 5-19-81; 8-45 am]

BILLING CODE 7035-01-M

[Volume No. 82]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: May 14, 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 7555 (Sub-81)X, filed April 17, 1981, notice in the *Federal Register* of May 1, 1981, republished as corrected this issue. Applicant: TEXTILE MOTOR FREIGHT, INC., P.O. Box 70, Ellerbe, NC 28338, Representative: Terrence D. Jones, 2033 K Street NW., Washington, DC 20006. Applicant seeks to remove restrictions in its lead and Sub-Nos. 52, 57, 74F, 76F, and 77F certificates to: (1) broaden the commodity description to (a) "such commodities as are dealt in or used by wholesale and retail grocery stores" from groceries in the lead; (b) "chemicals and related products" from cosmetics in the lead, and from paints and caulking compound in Sub-No. 74F; and (c) "food and related products" from canned goods in truckload lots in the 1st paragraph of sheet 3 of the lead, from foodstuffs and roasted peanuts in Sub-No. 76F and from foodstuffs in Sub-No.

77F; (2) broaden the territorial description from city to countywide service, in some cases, and authorize radial operations in place of existing one way service between Baltimore, MD and New York, NY and points in NC and SC; between Richmond and Norfolk, VA, and Scotland County (Laurinburg) and Charlotte, NC; between Philadelphia, PA, and Camden County, NJ, between Newark, NJ, and, points in NC, between Philadelphia and Adams County (Biglerville) PA and Cumberland County (Bridgeton) NJ and points in NC and SC in the lead; between Chemung County (facilities of Horseheads) NY, and points in NC, SC, GA, FL, and AL in Sub-No. 52; between Monroe County (facilities at Brockport) NY, and, points in NC, SC, GA, AL, and FL in Sub-No. 57; Dougherty County (Albany) GA, and points in FL, NC, SC, TN, MD, NJ, MA, OH, MI, IL, CT, DE, NY, PA, RI and IN; between Jacksonville, FL and points in GA, NC, SC, TN, MD, NJ, MA, OH, MI, IL, CT, DE, NY, PA, RI, and IN; between NJ, and FL, GA, NC, SC, TN, MD, MA, OH, MI, IL, CT, DE, NY, PA, RI and IN, between Worth County (Sylvester), GA and Bradley County (Cleveland) TN in Sub-No. 76F; (3) remove the facilities limitation in Sub-No. 57, 74F, and 76F and the "originating at" restriction in Sub-No. 52; (4) remove the exception of commodities in bulk in Sub-Nos. 57, 74F, 76F and 77F and the exception of frozen foods in Sub-Nos. 52 and 57; and (5) remove the equipment restriction in Sub-No. 76F. The purpose of this republication is to indicate the correct name of the carrier, to indicate expansion of a commodity description in Sub-No. 77F; remove a facilities limitation in Sub-No. 74F and 76F and removed an equipment restriction in Sub-No. 76F.

MC 26396 (Sub-398)X, filed April 30, 1981. Applicant: THE WAGGONERS TRUCKING, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Applicant seeks to remove restrictions from its Sub-Nos. 160, 186F, 215F, 217, 227, 240F, 259F, 268F, 270F, 271F, 276F, 282F, 319F, 323F, 336F, 344F, 345F, 347F, 351F, 360F, 362F, and 364F certificates to (A) broaden the commodity descriptions from various foodstuff items, such as pet foods, starch, etc., to (1) "food and related products" in Sub-Nos. 160, 186F, 240F, 270F, 323F and 347F; (2) from plastic pipe to "rubber and plastic products" in Sub-No. 215F; (3) from lumber to "lumber and wood products" in Sub-Nos. 227 and 259F; (4) from agricultural chemicals, etc. to "chemicals and related products" in Sub-No. 268F; (5)

from petroleum products, etc., to "petroleum, natural gas and their products" in Sub-Nos., 336F and 362F; (6) from drilling mud and drilling mud additives to "Mercer commodities" in Sub-No. 344F; (7) from seed to "farm products" in Sub-No. 268F; and (8) from various iron or steel articles to "metal products" in Sub-Nos. 271F, 276F, 282F, 319F, 345F, 351F, 360F and 364F; (B) remove the "except frozen" commodity restriction in Sub-No. 160; (C) remove the "commodities in bulk" restrictions in Sub-Nos. 160, 186F, 240F, 268F, 336F and 347F; (D) remove the "originating at and destined to" restrictions in Sub-Nos. 160, 186F, 227 and 270F; (E) remove the plantsite restrictions in Sub-Nos. 160, 270F and 360F; (F) remove the "mixed loads" restriction in Sub-No. 186F; (G) remove the "in barrels" restriction in Sub 362F; (H) remove the "except AK and HI" restrictions in Sub-Nos. 319F, 344F, 351F; (I) authorize radial service between specified points located throughout the U.S. in all sub-numbers except Sub-No. 268; and (J) replace city-wide authority with county-wide authority wherever they appear in each certificate as follows: Rochelle with Ogle County, IL; Mendota with La Salle County, IL; DeKalb with DeKalb County, IL; Plover with Clinton County, IN; Markesan with Green Lake County, WI; Arlington with Columbia County, WI; Frankfort with Portage County, WI; Napoleon with Henry County, OH; Winnebago with Faribault County, MN; Keokuk with Lee County, IA; Franklin and Pulaski with Lawrence County, PA; Oil City with Venango County, PA; Atlantic with Cass County, IA; Union with Franklin County, MO; Staunton with Macoupin County, IL; Buffalo and Tonawanda with Erie County, NY; Emlenton with Venango County, PA; Farmers Valley with McKean County, PA; New Kensington with Westmoreland County, PA; North Warren with Warren County, PA; Congo with Hancock County, WV; St. Marys with Pleasants County, WV; Jewett with Leon County, TX; Norfolk with Madison County, NW; and Grapeland with Houston County, TX.

MC 108589 (Sub-37)X filed April 24, 1981. Applicant: EAGLE EXPRESS COMPANY, 1333 West Seventh St., P.O. Box 14484, Cincinnati, OH 45203. Representative: Paul J. Lowry, 2029 Claudia Court, Cincinnati, OH 45230. Applicant seeks to remove restrictions in its Sub-No. 11 certificate to (A) change the commodity description to "textile mill products" from textile products, and materials, equipment, and supplies used in the manufacture of textile products, (B) broaden the

territorial description to authorized county-wide authority in place of the plantsite at Campbellsville, KY, and (C) change one-way service to authorize radial service, between Taylor County, KY, and, Cincinnati, OH.

MC 111401 (Sub-620)X, filed May 4, 1981. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, OK 73701. Representative: Alvin J. Meiklejohn 1600 Lincoln Center, 1660 Lincoln Street, Denver, CO 80264. Applicant seeks to remove restriction in its Sub-Nos. 262, 264, 265, 266, 268, 269, 273, 276, 281, 283, 419G, 420G, 421G, and 425G certificates to (1) broaden its commodity descriptions (a) to "commodities in bulk", from sulphuric acid and phosphatic fertilizer solutions; chemicals; anhydrous ammonia; formaldehyde; sodium silicate; fertilizer, fertilizer ingredients, pesticides, and pesticide ingredients; anhydrous ammonia, and fertilizer solutions; wax; liquid and gaseous helium, and petrochemicals, petroleum products, liquid petrochemicals, such nitrogen fertilizer solutions as are derived from petroleum or petroleum products, lubricating oil, antifreeze preparations and insecticides, and petroleum treating compounds (all of the above commodities are in bulk and/or in tank vehicles), in Sub-Nos. 262, 266, 268, 269, 281, 419G parts (1) and (2), 420G, 421G, and 425G, (b) to "commodities in bulk, food and related products, and chemicals and related products", from liquid animal feeds, supplements and ingredients, and molasses and phosphatic acids, in Sub-No. 264, (c) to "machinery", from material handling devices, Sub-No. 265, (d) to "commodities in bulk, and chemicals and related products", from dry fertilizer and fertilizer materials, in Sub-No. 273, (e) to "food and related products", from meats, meat products, meat by-products, and articles distributed by meat packinghouses (with exceptions), in Sub-Nos. 276 and 283, (f) to "commodities in bulk, and food and related products", from tallow, in bulk, in tank vehicles, in Sub-No. 283, and (g) to "commodities in bulk, and chemicals and related products", from fumigants, in Sub-No. 419G, (2) replace facilities and cities with county-wide authority: in Sub-No. 262, facilities near Uncle Sam, St. James Parish, LA, with St. James Parish, LA; in Sub-No. 264, Liberal, KS, with Seward County, KS; in Sub-Nos. 265 and 283, facilities at or near Liberal, KS, with Seward County, KS; in Sub-No. 268, facilities at or near Borger, TX, with Hutchinson County, TX, facilities at or near Conway, KS, with McPherson

County, KS, facilities at or near Greenwood, NE, with Cass County, NE, facilities at or near Whiting, Early, and Garner, IA, with Monona, Sac, and Hancock Counties, IA; in Sub-No. 269, Vicksburg, MS, with Warren County, MS; in Sub-No. 273, Beaumont, TX, with Jefferson County, TX; in Sub-No. 276, facilities at or near Great Bend, KS, with Barton County, KS; in Sub-No. 281, facilities at Pineville, LA, with Rapids Parish, LA; in Sub-No. 283, Decatur and Rockford, IL, with Macon and Winnebago Counties, IL; in Sub-No. 419G, Hogue, NE, with Gage County, NE, and Clarksdale, MS, with Coahoma County, MS; in Sub-No. 425G, Kingsport, TN, with Sullivan County, TN; (3) change its one-way to radial authority in all of the above-sub numbers between several specified counties, cities and States throughout the U.S., (4) eliminate the originating at or destined to restrictions, in Sub-Nos. 264, 265, 268, 276, and 283, (5) remove commodity exceptions, such as except molasses, urea, fats, and oils in Sub-Nos. 264, wherever they appear in the above Sub-Nos; (6) remove the exceptions of Luling, LA in Sub-No. 264, Kingsport and Elizabethton, TN in Sub-No. 268; Kingsport, TN in Sub-No. 281; Lueders, TX Sub-No. 425G, and AK and HI; (7) remove the restriction against transportation of dry chemicals to St. Louis, MO—E. St. Louis, IL in Sub-No. 268; (8) remove the restriction against transportation of commodities in bulk to NM and CO in Sub-No. 273; (9) remove the restriction against transportation of (a) liquefied petroleum gases and natural gasoline to points in MS and (b) antifreeze preparations from Freeport, TX to CO or KS in Sub-No. 425G; and (10) remove the restriction to traffic destined to facilities near Longview, TX or which is interchanged in Longview, TX, in Sub-No. 425G.

MC 113855 (Sub-533)X, filed April 29, 1981. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE, Rochester, MN 55901. Representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, ND 58126. Applicant seeks to remove restrictions from authority acquired in MC-F-14421 to (1) broaden the commodity description from various commodities such as trailer, semi-trailer, and trailer chassis (except those designed to be drawn by passenger automobiles) to "machinery and transportation equipment and materials, equipment and supplies", (2) eliminate a restriction against interlining, (3) remove a restriction limiting service to transportation in secondary movements, and in truckaway service, and (4)

remove the restriction against transportation to AK and HI in its authority between points in the U.S.

MC 118959 (Sub-262)X, filed April 20, 1981. Applicant: JERRY LIPPS, INC., 130 S. Frederick St., Cape Girardeau, MO 63701. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. This application seeks to remove restrictions in Sub-Nos. 35, 37, 49, 54, 60, 61, 62, 63, 76, 97, 100, 105, 122, 123, 140, 145, 168, 173, 190, 212, 225, 228, 240, 252, E-2, E-2(b), E-3, E-5, E-6, E-7, E-8, E-9, E-11, E-12, E-13, E-15, E-17, E-19, E-21, E-22, E-23, E-24, E-25, E-27, E-28, E-29, E-30, E-32, E-33, E-34, E-35, E-36, (c) and E-38 certificates to (1) broaden the commodity description to "pulp, paper and related products," in Sub-Nos. 35, 37, 49, 54, 60, 61, 62, 76, 97, 100, 105, 122, 123, 140, 145, 168F, 173F, 190F, 212F, 225F, 240F, 252F, E-2, E-2(b), E-3, E-5, E-6, E-9, E-11, E-12, E-13, E-15, E-17, E-19, E-21, E-22, E-25, E-27, E-28, E-30, E-32, E-33, E-34, E-35, E-36(b), E-36(c) and E-38, from paper and paper product and in most instances, related equipment, materials and supplies; in Sub-No. 49, cellulose materials; in Sub-Nos. 63, E-6, E-7, E-19, E-23, E-24 and E-29, honeycomb paper products; Sub-no. 100, woodpulp, paper and paper products, cellulose film and disposable diapers, tissue paper, wrappers and cellulose film wrappers, and checkbook covers, binders and book covers, and for each related materials, equipment and supplies on return; in Sub-No. 140, pulpboard, paper and paper products; and in Sub-No. 228F, paper products and cellulose products; (2) in Sub-Nos. 35, 37, 49, 54, 76, 100, 123, 145, 168, 173, 190F, E-9, E-11, E-12, E-13, E-17, E-21, E-22, E-23, E-24, E-25, E-27, E-28, E-29, E-30, E-32, E-33, E-34, E-35, E-36(c) and E-38, remove commodities in bulk exceptions; (3) in Sub-No. 37, remove a restriction limiting operations to foreign commerce only; (4) Sub-Nos. 37, 76, 100, 145, E-11, E-12, E-27, E-28, E-29, E-30, E-33, and E-34, remove exceptions of articles which because of size or weight require the use of special equipment; (5) in Sub-Nos. 63, 100, 105, 123, 145, 190F, 225, 228F, and 252F, applicant seeks to remove restrictions limiting service to traffic originating at or destined to named points; (6) in Sub-No. 122, remove a restriction limiting service to traffic having a subsequent movement by rail or water; (7) broaden the territorial descriptions by placing city-wide and/or named facilities with county-wide authority as follows: in Sub-Nos. 35, E-2(b), E13, E-16, E-31, and E-35, Wickliffe, KY with Ballard County, KY; in Subs 37 and E-2, Cantonment and Yulee, FL with Escambia and Nassau

Counties, FL; in Subs 49, E-9, E-22, E-36(c) and 38, Neely's Landing, MO with Cape Girardeau County, MO; in Sub-54, Taylorville, IL with Christian County, IL; in Sub-60, Affton, MO with St. Louis County, MO; in Subs 61, E-2, E-5, E-25, and E-32, Franklin, VA; in Subs 62 and E-36(b), Normal, IL with McLean County, IL; in Subs 63, E-7, E-19, E-24, Kalamazoo, MI with Kalamazoo County, MI; in Subs 76, E-17, and E-34, Reading, PA with Berks County, PA; in Sub 97, Taylorville, IL with Christian County, IL; in Sub 100, Gilman, VT with Essex County, VT; Utica, Lyons Falls, and Plattsburg, NY with Oneida, Lewis and Clinton Counties; NY; Kalamazoo, MI with Kalamazoo County, MI; Taylorville, IL with Christian County, IL; Reading, PA with Berks County, PA; Woodland, ME with Washington County, ME; Warwick, NY with Orange County, NY; Tomahawk, WI with Lincoln County, WI; and Lawrenceville, GA with Gwinnett County, GA; in Subs 105 and E-3, Chillicothe, OH with Ross County, OH; Kingsport and Gray, TN with Sullivan and Hawkins Counties, TN; in Sub 122, Neely's Landing, MO with Cape Girardeau, MO; in Sub 123, Norwood, OH with Hamilton County, OH; in Sub 140, St. Mary's GA with Camden County, GA; in Sub-145, Muskogee, OK with Muskogee County, OK; in Sub 190, DePere, WI with Brown County, WI; in Subs 212 and 252 Cairo, IL with Alexander County, IL; in Sub 228F, Cheboygan, MI to Cheboygan County, MI; in Sub 240F, Marinette, Oconto Falls, Fond du Lac, and Green Bay, WI with Marinette, Oconto, Fond du Lac, and Brown Counties, WI in Sub E-2(b), Wickliffe, KY with Ballard County, KY and Cantonment, FL with Escambia County, FL; in Subs E-8, E-21, and E-27, Cantonment, FL with Escambia County, FL; and in Subs E-11, E-15, and E-33, Yulee, FL with Nassau County, FL; (8) replace one-way with radial authority in all of the named Sub-Nos between the above counties generally and points in various States, and (9) remove except AK and HI wherever they appear.

MC 115322 (Sub-205)X, filed April 30, 1981. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, FL 32809. Representative: James E. Wharton, Suite 811, Metcalf Building, 100 South Orange Ave., Orlando, FL 32801. Applicant seeks to remove restrictions in its Sub-Nos. 182F and 200 certificates to (1) broaden the commodity descriptions in both Sub-Nos. from general commodities (with exceptions) to "general commodities (except classes A and B explosives); (2) move a restriction requiring traffic to move on bills of lading of freight

forwarders in Sub-No. 182F; and (3) remove restrictions against traffic having a prior or subsequent movement by air in Sub-No. 182F and to traffic having a prior or subsequent movement by rail in Sub-No. 200.

MC 119160 (Sub-12)X, filed May 1, 1981. Applicant: H. E. SPANN AND COMPANY, INC., P.O. Box 111, Highway 67 East, Mt. Pleasant, TX 75455. Representative: Paul D. Angenend, P.O. Box 2207, Austin, TX 78768. Applicant seeks to remove restrictions in its Sub-No. 7 certificate to (1) remove the "in bulk, in dump vehicles" restriction. (2) remove the restriction limiting service to the transportation of traffic having an immediately prior movement by water, and (3) broaden the territorial scope by replacing one-way with radial authority between points in LA and AR, and points in TX.

MC 119741 (Sub-300)X, filed April 30, 1981. Applicant: GREEN FIELD TRANSPORT CO., INC., P.O. Box 1235, Fort Dodge, IA 50501. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501. Applicant seeks to remove restrictions in its authority acquired in MC-F-13773 (Sub-No. 124F) to (1) broaden the commodity descriptions from livestock and agricultural commodities to "farm products and agricultural commodities"; from farm machinery and parts to "machinery"; from livestock to "farm products"; from feed, wire, twine, coal, windmills and agricultural implements and parts to "food and related products, metal products, textile mill products, petroleum or coal products, and machinery"; from household goods, as defined by the Commission, and emigrant movables to "household goods"; and delete from the general commodity authority all exceptions but classes A and B explosives; (2) replace one-way with (a) radial authority between Marquoketa, IA, East St. Louis, IL, Elwood, IA, Jackson County, IL, Henry County, IL, and 2 WI Counties and (b) return authority in its regular routes between Elwood, IA, Marquoketa, IA and Chicago, IL, and East Mobile, IL, and Elwood, IA; (3) authorize service at all intermediate points in its regular routes; (4) in the irregular route portion, replace Marquoketa, IA with Jackson County, IA; and part of Henry County, IL, with all of that county.

MC 121298 (Sub-28)X, filed May 5, 1981. Applicant: SEAWAY TRANSPORT COMPANY, 1149 E. Fifth St., P.O. Box 101, Ashtabula, OH 44004. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215.

Applicant seeks to remove restrictions in its Sub-No. 3F certificate to (1) broaden the commodity description from general commodities (with the usual exceptions) to "general commodities (except classes A and B explosives)," (2) eliminate the restriction prohibiting service to HI, and (3) replace the facilities authority with county-wide authority: facilities at Ashtabula, OH, with Ashtabula County, OH.

MC 121332 (Sub-7)X, filed May 1, 1981. Applicant: STEVE J. DUNNE CARTAGE, INC., 1800 South Wolfe Road, Des Plaines, IL 60018. Representative: William H. Towle, 180 North LaSalle Street, Chicago, IL 60601. Applicant seeks to remove restrictions in its Sub-No. 3 certificate to (1) broaden the commodity description by removing exceptions in its general commodity authority, except classes A and B explosives, and (2) remove the restriction to traffic originating at or destined to be named facilities on radial authority Chicago, IL, and, points in several States.

MC 126528 (Sub-3)X, filed April 27, 1981. Applicant: BULK HAULERS, INC. Airport Road, Nashua, NH 03061. Representative: T. J. O'Loughlin, Jr., 18 Baker St., Hudson, NH 03051. Applicant seeks to remove restrictions to (1) broaden the commodity description in its lead permit to "metal products" from pig iron, in dump vehicles; and in its Sub-No. 2 permit to "food and related products" from alcoholic beverages; and (2) expand the territorial authority in both permits to authorize service between points in the U.S., under continuing contract(s) with named shippers.

MC 140464 (Sub-11)X, filed May 4, 1981. Applicant: D-X TRUCKING, INC., 5660 Southwyck Blvd., Ste. P, Toledo, OH 43614. Representative: Michael M. Briley, Esq., P.O. Box 2088, Toledo, OH 43603. Applicant seeks removal of restrictions in its Sub Nos. 1, 3, 5F and 8F certificates to (1) broaden the commodity description from glass and flat glass to "clay, concrete, glass or stone products" in all Sub-Nos.; (2) broaden the territorial description by removing restrictions which limit service to the transportation of traffic originating at or destined to named facilities replacing the specifically named facilities and cities with county-wide authority, and authorizing radial service between: (a) Navarro County, TX (Corsicana, TX) and Wyandot County, OH (Upper Sandusky, OH), and points in U.S., in Sub-Nos. 1 and 8; (b) Monroe County, MI (Carleton, MI) and points in the U.S. (except AZ, CA, ID,

NV, OR, UT, WA and WY) in Sub-No. 5; and (c) ports of entry on the international boundary line between the U.S. and Canada on the St. Clair, Detroit, Niagara and St. Lawrence Rivers; and points in CT, DE, IL, IN, IA, KY, ME, MD, MA, MI, MN, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI and DC in Sub-No. 3; and (3) remove restrictions in Sub-No. 3 limiting traffic to that having Ontario, Canada origins and destinations, and against service to AK, HI, and the origin state in Sub-Nos. 1, 5F, and 8F.

MC 140829 (Sub-371)X, filed April 20, 1981. Applicant: CARGO, INC., P.O. Box 206, U.S. Highway 20, Sioux City, IA 51102. Representative: David L. King (same as applicant). Applicant seeks to remove restrictions in its lead and sub-Nos. 1, 2, 4, 7, 11, 15, 21, 22, 24, 25, 26, 27, 31, 33, 35, 42, 45, 46, 50, 52, 53, 54, 55, 58, 61, 62, 63, 64, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 81F, 82F, 85F, 86F, 87F, 88F, 89F, 90F, 91F, 92F, 94F, 96F, 97F, 98F, 99F, 101F, 102F, 103F, 104F, 105F, 106F, 107F, 108F, 109F, 110F, 111F, 112F, 113F, 114F, 116F, 117F, 118F, 119F, 120F, 121F, 122F, 123F, 124F, 125F, 126F, 130F, 131F, 132F, 133F, 134F, 135F, 137F, 138F, 140F, 142F, 143F, 144F, 147F, 149F, 150F, 151F, 152F, 153F, 154F, 157F, 158F, 160F, 161F, 162F, 163F, 164F, 165F, 166F, 167F, 168F, 169F, 170F, 171F, 172F, 175F, 176F, 177F, 178F, 179F, 181F, 185F, 186F, 187F, 189F, 190F, 191F, 192F, 195F, 196F, 203F, 204F, 205F, 206F, 211F, 212F, 213F, 214F, 215F, 216F, 217F, 218F, 219F, 224F, 225F, 226F, 227F, 228F, 229F, 230F, 231F, 232F, 235F, 236F, 238F, 239F, 240F, 241F, 252F, 253F, 254F, 255F, 256F, 257F, 258F, 259F, 260F, 261F, 262F, 270F, 271F, 272F, 273F, 274F, 276F, 277F, 279F, 280F, 291F, 293F, 294F, 296F, 297F, 298F, 299F, 301F, 304F, 305F, 306F, 307F, 309F, 311F, 312F, 313F, 314F, 315F, 316F, 317F, 318F, 323F, 324F, 327F, 328F, 329F, 330F, 333F, 334F, 335F, 337F, 340F, 341F, 342F, 348F, 349F, 350F, 351F, 352F, 353F, 354F, 355F, 356F, 357F, 360F, 361F, 362F, 363F, 365F, 366F, 367F, and 369F, to (1) broaden the commodity descriptions in its lead and sub-nos. 2, 4, 7, 11, 21, 24, 25, 26, 27, 31, 33, 35, 42, 43, 45, 46, 50, 52, 53, 54, 61, 62, 63, 64, 67, 69, 70, 73, 75, 76, 79, 81F, 82F, 87F, 90F, 92F, 97F, 98F, 101F, 109F, 111F, 113F, 120F, 130F, 131F, 133F, 140F, 144F, 148F, 150F, 151F, 153F, 154F, 158F, 161F, 162F, 169F, 170F, 172F, 176F, 177F, 181F, 185F, 195F, 206F, 213F, 216F, 218F, 225F, 226F, 235F, 236F, 240F, 253F, 254F, 280F, 291F, 293F, 297F, 301F, 304F, 305F, 306F, 315F, 317F, 323F, 324F, 333F, 334F, 340F, 352F, 354F, 355F, 357F, and 369F to "food and related products" from commodities such as: meats, meat products, meat by-products, and articles distributed by meat packing houses as described in

Sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, foodstuffs, bone chews, animal feed additives and supplements, food, food products, food ingredients, canned and preserved foodstuffs, foodstuffs and materials, equipment and supplies used in the manufacture, sale and distribution of, animal food, coffee and beverage preparations, spaghetti and macaroni, cooking oils, shortening and related products, frozen foods, confectionery, candy, orange juice, grapefruit juice, lemonade, packaged meats, alcoholic beverages, cereals, and malt beverages; (2) remove restrictions against bulk commodities, hides, skins and pieces thereof, frozen meats, frozen foods, mixed loads, tank vehicles, and the restriction for vehicles equipped with mechanical refrigeration in the Subs listed in (1); (3) broaden the commodity description in Sub-No. 5 from bananas and agricultural commodities in mixed loads to "farm products and food and related products"; (4) broaden the commodity descriptions in Sub-Nos. 1, 15, 22, 55, 72, 88F, 89F, 103F, 112F, 114F, 116F, 117F, 124F, 134F, 152F, 163F, 166F, 178F, 212F, 214F, 227, 262, 295, 318, 342, 360, 362 and 367 from toilet preparations, deodorants, disinfectants, breath fresheners, cleaning compounds, swimming pool treatment compounds, insecticides and materials, equipment and supplies used by deodorant and cleaning compound manufacturers, medicine, chemicals and materials, equipment and supplies used in the business of a pharmaceutical company coal tar dye, cotton softeners, herbicides, soap, chemicals and materials, equipment and supplies used by manufacturers and distributors of chemicals, personal care products, agricultural herbicides, insecticides, fungicides, drugs, health care products, magnesium hydroxide, alumina calcined, washing compounds, scouring compounds, lime in packages, sodium bicarbonate, soap products and toilet preparations and materials, equipment and supplies used in the manufacture and distribution of soap products and toilet preparations, and paint and materials, equipment and supplies used in the manufacture, sale and distribution of paint to "chemicals and related products"; (5) remove bulk restrictions and the restriction for vehicles equipped with mechanical refrigeration in the Subs listed in 4; (6) broaden commodity descriptions in Sub-Nos. 58, 108F, 138F, 142F, 147F, 192F, 196F, 307F, 348F and 353F from plastic film and sheeting, plastic materials, plastic, plastic articles, rubber articles, rubber and plastic

articles, materials, equipment and supplies used in the manufacture of, and synthetic resin granular to "rubber and plastic products"; (7) remove restrictions against cellulose, bulk commodities, tank vehicles, and for vehicles equipped with mechanical refrigeration in the Subs listed in (6); (8) broaden commodity descriptions in Sub-Nos. 66, 91F, 105F, 106F, 107F, 205F, 219F, 232F, 257F, 260F, 294F, 330F, 358F, 361F and 365F from paper, paper products, printed matter and materials, equipment and supplies used in the manufacture of paper products and printed matter, uncut greeting cards in sheets, stationery products and materials, equipment and supplies used in the manufacture and distribution of stationery products, pulpboard cores and tubes and such materials, equipment and supplies used in the manufacture of paper cores and tubes, paper articles, and computing machine paper to "pulp, paper and related products and printed matter"; (9) remove in bulk restrictions in the Subs in (8); (10) in Sub-Nos. 71, 94F, 125F, 164F, 189F, 224F, 230F, 233F, 241F, 256F, 314F and 350F to remove restrictions against bulk commodities and for vehicles equipped with mechanical refrigeration; (11) in Sub-Nos. 99F, 217F, 299F, 309F and 313F remove the exception of commodities of unusual value, household goods as defined by the Commission, bulk commodities, and those requiring special equipment; (12) in Sub-Nos. 149, 171, 238, 274 and 276 to broaden the commodity descriptions from battery acids, brake fluids, gasoline antifreeze, windshield washer solutions, lacquer, charcoal briquettes, petroleum and petroleum products, and materials, equipment and supplies used in the manufacture and distribution of petroleum and petroleum products, oil filters, and vehicle body sealers to "chemicals and related products, petroleum, natural gas and their products, coal and coal products, and machinery", and remove bulk restrictions; (13) in sub-Nos. 179F, 258F, 296F, 337F and 351F broaden the commodity descriptions from new kitchen cabinets and vanities, wooden doors, metal shelving, tables, check-out counters, display cases, wooden screens, wooden blinds, compressed wood fire logs, and wood products to "lumber and wood products, and furniture and fixtures"; (14) in Sub-Nos. 157F, 165F, 187F, 270F and 312F broaden the commodity descriptions from iron and steel articles, tin plate tubes, perforated tin plate, aluminum ingots, zinc alloy ingots, magnesium, furnace pipe, elbow duct work, register boots,

register boxes, well stack, gutters, and rain carrying accessories and materials, equipment and supplies used in the manufacture and distribution thereof to "metal products"; (15) in Sub-Nos. 126F, 204F, 273F and 279F broaden the commodity description from polishing and cleaning compounds, buffing pads, cleaning cloths, putty, paint, tools for repairing automobiles and parts and accessories for, swimming pools, swimming pool equipment and supplies used in the manufacture of, tools, fuel supplements, anti-freeze and containers to "chemicals and related products, metal products, waste or scrap materials not identified by industry producing, miscellaneous freight shipments, and miscellaneous products of manufacture", and remove bulk restrictions; (16) in Sub-Nos. 123F, 167F, 186F, and 190F, broaden the commodity descriptions from appliances, parts, accessories and attachments for appliances, lawn mowers, and household appliances to "machinery"; (17) in Sub-Nos. 143F, 328F and 329F broaden the commodity descriptions from paper, paper products, plastic, plastic products, and material, equipment and supplies used in the manufacture and distribution of paper and plastic products, bags, envelopes, packets, pouches, wrappers, bag ties, and materials, equipment and supplies used in the manufacture thereof to "pulp, paper and related products, rubber and plastic products, and metal products", and remove bulk restrictions; (18) in Sub-Nos. 137F, 277F and 335F broaden the commodity descriptions from medical and surgical supplies, animal health care products, dry goods, industrial tape, pipe coverings, coatings, adhesives, fabrics, chemicals, cleaning compounds, offset printing plate, rubber coated fabric, sealing and packing compounds, conveyor belts, gaskets, battery boxes, covers, and vents, and materials, equipment and supplies used in the manufacture, installation, distribution and sale of, to "textile mill products, chemicals and related products, petroleum, natural gas and their products, coal and coal products, rubber and plastic products, printed matter, clay, concrete, glass or stone products, and instruments and photographic goods", and remove bulk restrictions; (19) in Sub-Nos. 78F, 203F and 341F broaden the commodity description from wire, cable, aluminum, metal products and materials, equipment and supplies used in the manufacture and distribution of, and water heaters to "metal products and machinery", and remove bulk restrictions and those requiring the use

of special equipment; (20) in Sub-Nos. 259F, 271F and 311F broaden the commodity descriptions from outdoor recreational equipment, heating and air conditioning apparatus, gasoline powered lawn mowers, edgers, mini-bikes, electric lawn edgers and trimmers, boat, motorcycle, snowmobile and utility trailers, and trailer parts to "machinery, metal products, transportation equipment, and miscellaneous products of manufacturing"; (21) in Sub-Nos. 119F, 121F and 239F broaden the commodity descriptions from artificial trees, light sets, display, artificial Christmas trees, Christmas novelties, Christmas tree accessories, decorations, and materials, equipment and supplies used in the manufacture of, to "miscellaneous products of manufacturing" and remove bulk restrictions; (22) in Sub-Nos. 168F and 188F broaden the commodity descriptions from chemicals, pigments, food products, electronic pianos and organs, and hides and materials, equipment and supplies used in the process of tanning to "food and related products, chemicals and related products, miscellaneous products of manufacturing, and waste or scrap materials not identified by industry producing", and remove bulk restrictions; (23) in Sub-Nos. 110F and 358F broaden the commodity descriptions from toilet preparations, foodstuffs, ferrous sulphate, fertilizer and animal feed to "chemicals and related products, and food and related products", and remove bulk restrictions; (24) in Sub-Nos. 104F and 118F broaden the commodity descriptions from chemicals and plastic materials to "chemicals and related products, and rubber and plastic products", and remove bulk restrictions; (25) in Sub-Nos. 77 and 231 broaden the commodity descriptions from wire and plastic products, and materials, equipment and supplies utilized by the manufacturer of wire and plastic products, batteries, battery acid, battery parts and materials, equipment and supplies used in the manufacture and distribution of, to "chemicals and related products, rubber and plastic products, metal products, machinery, and miscellaneous freight shipments", and remove bulk restrictions; (26) in Sub-Nos. 122F and 363F broaden the commodity descriptions from rubber mats, plastic and wire houseware articles, hand tools, and safety equipment to "rubber and plastic products, metal products, and machinery"; (27) in Sub-Nos. 316 and 327 broaden the commodity descriptions from wire, cable, and tape, and materials, equipment and supplies used

in the manufacture and distribution of, to "textile mill products, pulp, paper and related products, metal products, and machinery", and remove bulk restrictions; (28) in Sub-Nos. 86F and 160F broaden the commodity descriptions from tape, tape products, materials, equipment and supplies used in the manufacture of tape and tape products, clothing and materials, equipment and supplies used in the sale of clothing to "textile mill products, pulp, paper and related products, and miscellaneous products of manufacturing", and remove bulk restrictions; (29) in Sub-Nos. 135F and 261F broaden the commodity descriptions from ground clay, floor sweeping compounds, absorbents, and vinyl siding to "chemicals and related products, and clay, concrete, glass or stone products", and remove bulk restrictions; (30) in Sub-Nos. 96 and 127 broaden the commodity descriptions from plumbing goods, bathroom fixtures and accessories, and equipment, materials and supplies used in the manufacture of bathroom accessories, traffic control products and equipment, materials and supplies used in the manufacture and installation of, to "rubber and plastic products, clay, concrete, glass or stone products, metal products, machinery, and miscellaneous mixed shipments", and remove bulk restrictions; (31) in Sub-Nos. 51 and 339F broaden the commodity descriptions from brick veneer, glazed quarry tile, grout and tile adhesives, concrete modular panels, fireplaces, man-made cultured marble, cabinets, vanities, and ceramic wall and floor tile to "clay, concrete, glass or stone products, and furniture and fixtures", and remove bulk restrictions; (32) in Sub-No. 74 broaden the commodity description from mops, brooms, brushes, wooden articles and plastic articles to "textile mill products, lumber and wood products, rubber and plastic products, and miscellaneous products of manufacturing"; (33) in Sub-No. 85 broaden the commodity description from abrasives and insulation to "ores and minerals, pulp, paper and related products, petroleum, natural gas and their products, coal and coal products, and clay, concrete, glass or stone products", and remove bulk restrictions; (34) in Sub-No. 102F broaden the commodity description from television sets, radios, phonographs, stereo systems, recorders and players, speaker systems, and audio equipment, and accessories, components and parts for, to "lumber and wood products, furniture and fixtures, pulp, paper and related products, clay, concrete, glass or stone

products, metal products, machinery, and waste or scrap materials not identified by industry producing", and remove the restriction against phonograph records; (35) in Sub-No. 191F broaden the commodity description from folding cartons, carton-forming machinery, and plastic film to "pulp, paper and related products, rubber and plastic products, and machinery"; (36) in Sub-No. 132F broaden the commodity description from malt beverages, malt beverage containers, packaging materials, pallets, and scrap malt beverage containers to "food and related products, pulp, paper and related products, rubber and plastic products, waste or scrap materials not identified by industry producing, and containers, carriers or devices, shipping, returned empty", and remove bulk restrictions; (37) in Sub-No. 175F broaden the commodity description from medicines, cosmetics, plastic boxes, weed killing compounds, animal feed supplements, and poultry feed supplements, and materials, equipment and supplies used in the manufacture of, to "food and related products, chemicals and related products, rubber and plastic products", and remove bulk restrictions; (38) in Sub-No. 211 broaden the commodity description from confectionery, dessert preparations, gum ball machines, and gum ball machine stands to "food and related products and machinery"; (39) in Sub-No. 215F broaden the commodity description from household products to "textile mill products, furniture and fixtures, metal products, machinery, and miscellaneous products of manufacturing"; (40) in Sub-No. 228F broaden the commodity description from wall and insulating boards, insulating materials and supplies used in the installation of, to "pulp, paper and related products, and clay, concrete, glass or stone products", and remove bulk restrictions; (41) in Sub-No. 229F broaden the commodity description from electric light bulbs, lighting fixtures, and materials, equipment and supplies used in the manufacture of, to "clay, concrete, glass or stone products and machinery", and remove bulk restrictions; (42) in Sub-No. 252F broaden the commodity description from retail store fixtures, and equipment, materials and supplies used in the manufacture of retail store fixtures to "furniture and fixtures, pulp, paper and related products, printed matter, and miscellaneous products of manufacturing", and remove bulk restrictions; (43) in Sub-No. 255F broaden the commodity description from dry fertilizer, ice melting compounds, and vermiculite to ores and minerals, chemicals and related products, and

clay, concrete, glass or stone products, and remove bulk restrictions; (44) in Sub-No. 272F broaden the commodity description from zinc, zinc compounds, lead sheets, and metallic cadmium, and materials, equipment and supplies used in the production of the commodities above to "ores and minerals, chemicals and related products, and metal products", and remove bulk restrictions; (45) in Sub-No. 298F broaden the commodity description from oxy-acetylene cutting and welding apparatus and medical gas pressure regulators to "instruments and photographic goods, and miscellaneous freight shipments"; (46) in Sub-No. 336F broaden the commodity description from foodstuffs, health and beauty aids, cleaning compounds, kitchen gadgets, dog food, and cheese to "food and related products, chemicals and related products, and metal products", and remove bulk restrictions; (47) in Sub-No. 349F broaden the commodity description from chemicals, chemical compounds, plastics, plastic products, naval stores, glass products, treated fiber products, and materials, equipment and supplies used in the manufacture, distribution, or sale of the commodities above to "chemicals and related products, rubber and plastic products, forest products, clay, concrete, glass or stone products, coal and coal products, petroleum, natural gas and their products, and textile mill products", and remove bulk restrictions; (48) in Sub-No. 366F broaden the commodity description from aluminum cots, rollaway beds, folding tables and chairs, polyfoam mattresses, stadium seats, trampolines, ping pong tables, weight lifting benches, and gym apparatus to "furniture and fixtures, rubber and plastic products, and miscellaneous products of manufacturing"; (49) remove facilities limitations at and/or replace Crete, NE, with Saline County, NE, in its lead; Morristown, NJ, with Morris County, NJ, in Sub-No. 1; Denison, and Fort Dodge, IA, with Crawford and Webster Counties, IA, Emporia, KS, with Lyon County, Laverne, MN, with Rock County, MN, Dallas City, and West Point, NE, with Dakota and Cuming Counties, NE, in Sub-No. 2; Amarillo, TX, with Potter County, TX, in Sub-No. 4; Brownsville, Hidalgo, Laredo, McAllen, Rio Grande City and Roma, TX, with Potter, Cameron, Hidalgo, Webb, and Starr Counties, TX, in Sub-No. 5; Hawarden, IA, with Sioux County, IA, in Sub-No. 7; Denison, IA, with Crawford County, IA, in Sub-No. 11; Carlstadt, NJ, with Bergen County, NJ, Maple Heights, OH, with Cuyahoga

County, OH, St. Peters, MO, with St. Charles County, MO, and Stockton, CA, with San Joaquin County, CA in Sub-No. 15; Madison, NE, with Madison County, NE, in Sub-No. 21; Carlstadt, NJ, with Bergen County, NJ and St. Peters, MO, with St. Charles County, MO, in Sub-No. 22; Fort Dodge, Hartley, and Spencer, IA, with Webster, O'Brien, and Clay Counties, IA, in Sub-No. 25; Garden City, KS, with Finney County, KS, in Sub-No. 26; Cherokee, IA, with Cherokee County, IA, in Sub-No. 27; Whitehall and Eau Claire, WI, with Trempealeau and Eau Claire Counties, WI, in Sub-No. 31; Albert Lea, MN, with Freeborn County, MN, in Sub-No. 33; TX, with Lamar County, TX, in Sub-No. 35; Fremont and Schuyler, NE, with Dodge and Colfax Counties, NE, in Sub-No. 42; NE, with Saline County, NE, and Denison, Carroll and Iowa Falls, IA, with Crawford, Carroll, and Hardin Counties, IA, in Sub-No. 43; Greeley and Sterling, CO, with Weld and Logan Counties, CO, in Sub-No. 45; Menominee, Vesper, Cameron, Wisconsin Rapids, and Eau Claire, WI, with Dunn, Wood, Barron, and Eau Claire Counties, WI, in Sub-No. 46; Chicago Heights, IL, with Cook County, IL, in Sub-No. 50; Hamilton, Ironton, Minerva, and New Philadelphia, with Butler, Lawrence, Stark, and Tuscarawas Counties, OH, Brazil, IN, with Clay County, IN, Palatine, IL, with Cook County, IL, Wisconsin Rapids, WI, with Wood County, WI, Adrian, MI, with Lenawee County, MI, and Stanley, KS, with Johnson County, KS, in Sub-No. 51; Jacksonville, IL, with Morgan County, IL, in Sub-No. 53; Searcy, AR, with White County, AR, in Sub-No. 54; Barberton, OH, with Summit County, OH, Carlstadt, NJ, with Bergen County, NJ, Maple Heights, OH, with Cuyahoga County, OH, St. Peters, MO, with St. Charles County, MO, and San Diego, CA, with San Joaquin County, CA, in Sub-No. 55; Danville, KY, with Boyle County, KY, and South Durfield, MA, with Franklin County, MA, in Sub-No. 58; Kenosha, WI, with Kenosha County, WI, and North Chicago, IL, with Lake County, IL, in Sub-No. 61; Decatur, IL, with Macon County, IL, in Sub-No. 62; Achbold, OH, with Fulton County, OH, in Sub-No. 63; Joslin, IL, with Rock County, IL, in Sub-No. 64; Urbana, OH, with Champaign County, OH, in Sub-No. 66; Melrose Park and Millstadt, IL, with Cook and St. Clair Counties, IL, and Carrollton County, TX, with Dallas County, TX, in Sub-No. 67; Cedar Rapids, IA, with Linn County, IA, in Sub-No. 69; Lowell, MA, with Middlesex County, MA, in Sub-No. 70; Scranton, PA, with Lackawanna County, PA, in Sub-No. 71; Jersey City, Kenilworth, and

Dayton, NJ, with Hudson, Union, and Middlesex Counties, NJ, in Sub-No. 72; Edgewater, NJ, with Bergen County, NJ, in Sub-No. 73; Greenville, NC, with Pitt County, NC, in Sub-No. 74; Fort Atkinson and Jefferson, WI, with Jefferson County, WI, Jersey City, NJ, with Hudson County, NJ, in Sub-No. 76; Wilkes-Barre and Quakertown, PA, with Luzerne and Bucks Counties, PA, and Berkeley Heights, NJ, with Union County, NJ, in Sub-No. 77F; Linden and Hillside, NJ, with Union County, NJ, in Sub-No. 78F; Estherville and Humboldt, IA, with Emmet and Humboldt Counties, IA, in Sub-No. 79; Lowell, MA, with Middlesex County, MA, in Sub-No. 81; Allen Township, MI, with Hillsdale County, MI, in Sub-No. 82F; Niagara Falls, NY, with Niagara County, NY, in Sub-No. 85; Beacon, NY, with Dutchess County, NY, Passaic, NJ, with Passaic County, NJ, and Carbondale, IL, with Jackson County, IL, in Sub-No. 86F; Joliet, IL, with Will County, IL, in Sub-No. 87F; Fair Lawn and East Hanover, NJ, with Bergen and Morris Counties, NJ, in Sub-No. 88F; El Paso, IL, with Woodford County, IL, in Sub-No. 89F; Hammond, IN, with Lake County, IN, Somerset, PA, with Somerset County, PA, in Sub-No. 96F; Ft. Smith, AR, with Sebastian County, AR, Arkansas City, and Wichita, KS, with Cowley and Sedgewick Counties, KS, in Sub-No. 97F; Plover, WI, with Portage County, WI, in Sub-No. 98F; Berlin, CT, with Hartford County, CT, in Sub-No. 99F; Grand Junction, CO, with Mesa County, CO, in Sub-No. 101F; Bloomington, IN, with Monroe County, IN, in Sub-No. 102F; Elizabeth, Carteret, Hackettstown and Rockport, NJ, with Union, Middlesex and Warren Counties, NJ, Andover and Mansfield, MA, with Bristol and Essex Counties, MA, in Sub-No. 104F; Binghamton, NY with Broome County, NY, Scranton, PA, with Lackawanna County, PA, San Jose, CA, with Santa Clara County, CA, and Troy, MO, with Lincoln County, MO, in Sub-No. 105F; Marinette, WI, with Marinette County, WI, in Sub-No. 106F; Lancaster, PA, with Lancaster County, PA, Willard, OH, with Huron County, OH, Dwight, IL, with Livingston County, IL, Mattoon, IL, with Cole County, IL, Crawfordville and Warren, IN, with Montgomery and Kosciusko Counties, IN, Glasgow, KY, with Barren County, KY, and Old Saybrook, CT, with Middlesex County, CT, in Sub-No. 107F; South Deerfield, MA, with Franklin County, MA, in Sub-No. 108F; Reading PA, with Berks County, PA, in Sub-No. 109F; Melrose Park, IL, with Cook County, IL, in Sub-No. 110F; Covington, TN, with Tipton County, TN, in Sub-No. 111F; Berkeley,

MO, with St. Louis County, MO, in Sub-No. 112F; Carol Stream, IL, with DuPage County, IL, in Sub-No. 113F; Jamaica, NY, with Queens County, NY, in Sub-No. 114F; Birmingham, McIntosh, and Mobile, AL, with Jefferson, Washington, and Mobile Counties, AL and St. Gabriel, LA, with Iberville Parish, LA, in Sub-No. 116F; Lewes, DE, with Sussex County, DE, Lakewood, NJ, with Ocean County, NJ, Friendship, NC, with Duphin County, NC, San Leandro, CA, with Alameda County, CA, and Reno, NV, with Washoe, NV, in Sub-No. 117F; Freehold and Toms River, NJ, with Monmouth and Ocean Counties, NJ, in Sub-No. 118F; East Douglas, MA, with Worcester County, MA, in Sub-No. 119F; Darr, NE, with Dawson County, NE, in Sub-No. 120F; Aurora, NE, with Kane County, NE, in Sub-No. 121F; Wooster, OH, with Wayne County, NE, in Sub-No. 122F; Newton, IA, with Jasper County, IA, in Sub-No. 123F; Elizabethton, TN, with Carter County, TN, in Sub-No. 124F; Canton, OH, with Stark County, OH, in Sub-No. 126F; Lufkin, TX, with Angelica County, TX, in Sub-No. 130F; Winston-Salem, NC, with Forsyth County, NC, in Sub-No. 131F; Golden, CO, with Jefferson County, CO, in Sub-No. 132F; Ochlocknee, GA, with Thomas County, GA, in Sub-No. 135F; Walpole, Coltraine and Griswoldville, MA with Norfolk and Franklin Counties, MA, Windham, CT, with Windham County, CT, Bethune, SC, with Kershaw County, SC, and Augusta, GA, with Richmond County, GA, in Sub-No. 137F; Florence, MA, with Hampshire County, MA, in Sub-No. 138F; Landsdowne, MD, with Baltimore County, MD, in Sub-No. 140F; Lawrence and Coldwater, MA, with Essex and Branch Counties, MA, in Sub-No. 142F; Saginaw, TX, with Tarrant County, TX and Millville, NJ, with Cumberland County, NJ, in Sub-No. 143F; Warsaw, IN, with Kosciusko County, IN, and Ridgefield, NJ, with Bergen County, NJ, in Sub-No. 144F; East St. Louis, IL, with St. Clair County, IL, in Sub-No. 148F; Garland, TX, with Dallas County, TX, and Raytown, MO, with Jackson County, MO, in Sub-No. 149F; New Ulm, MO, with Jackson County, MO, in Sub-No. 151F; Bonner Springs, KS, with Wyandotte County, KS, in Sub-No. 153F; Dodge City, KS, with Ford County, KS, in Sub-No. 154F; Rock Falls and Sterling, IL, with Whiteside County, IL, in Sub-No. 157F; Newman Grove, NE, with Madison County, NE, in Sub-No. 158F; Secaucus, NJ, with Hudson County, NJ, in Sub-No. 160F; Poynette, WI, with Columbia County, WI, in Sub-No. 161F; Carrollton, Marshall, Macon, and Moberly, MO, with Carroll, Saline, Macon, and Randolph Counties, MO, in

Sub-No. 162F; Des Plaines, IL, with Cook County, IL, in Sub-No. 163F; Holbrook, MA, with Norfolk County, MA and Kearney, NY, with Buffalo County, NY, in Sub-No. 165F; Manawa, WI, with Waupaca County, WI, in Sub-No. 167F; Bridgeview, IL, with Cook County, IL, in Sub-No. 168F; Perry, IA, with Dallas County, IA, Wookstock County, IL, with McHenry County, IL, Madison, WI, with Dane County, WI, in Sub-No. 169F; Dickerson, ND, with Stark County, ND, and Branson, MO, with Taney County, MO, in Sub-No. 171F; North Aurora, IL, with Kane County, IL, in Sub-No. 172F; Clinton and Lafayette, IN, with Vermillion and Tippecanoe Counties, IN, and Mendota, IL, with La Salle County, IL, in Sub-No. 175F; Benton Harbor, Frankfort, and Hart, MI, with Berrien, Benzie, and Oceana Counties, MI, in Sub-No. 176F; Kankakee, IL, with Kankakee County, IL, in Sub-No. 177F; Tuscaloosa, AL, with Tuscaloosa County, AL, in Sub-No. 178F; Goshen, IN, with Elkhart County, IN, in Sub-No. 179F; West Chicago, IL, with DuPage County, IL in Sub-No. 181F; Ripon and Wantoma, WI, with Fond Du Lac and Waushara Counties, WI, Madisonville, KY, with Hopkins County, KY, Albion, MI, with Calhoun County, MI, and Searcy, AR, with White County, AR, in Sub-No. 186F; Maple Heights, OH, with Cuyahoga County, OH, in Sub-No. 187F; San Diego, CA, with San Diego County, CA, Tampa, FL, with Hillsborough County, FL, and Macon, GA, with Bibb County, GA, in Sub-No. 189F; Bridgeport, CT, with Fairfield County, CT, in Sub-No. 189F; Arlington, TX, with Tarrant County, TX, in Sub-No. 196F; Carlstadt, NJ, with Bergen County, NJ, in Sub-No. 203F and 204F; Jacksonville, IL, with Morgan County, IL, and Sherman and Humboldt, TX, with Grayson and Gibson Counties, TX, in Sub-No. 206F; Lowell, MA, with Middlesex County, MA, in Sub-No. 213F; Waxdale and Racine, WI, with Racine County, WI, in Sub-No. 215F; Carroll, Denison, and Iowa Falls, IA, with Carroll, Crawford, and Hardin Counties, IA, Crete, NE, with Saline County, NE, and Cherokee, Ft. Dodge, and Des Moines, IA, with Cherokee and Webster Counties, IA, in Sub-No. 216F; Reading, PA, with Berks County, PA, in Sub-No. 218F; Alpena, MI, with Alpena County, MI, in Sub-No. 224F; Denison and Fort Dodge, IA, with Crawford and Webster Counties, IA, Emporia and Wichita, KS, with Lyon and Sedgewick Counties, KS, Lavern, MN, with Rock County, NM, Dakota City and West Point, NE, with Dakota and Cuming Counties, NE, in Sub-No. 226F; St. Marys and Montoursville, PA, with Elk and Lycoming Counties, PA,

Dyersburg, TN, with Dyer County, TN, and Versailles, KY, with Woodford, KY, in Sub-No. 229F; Charlotte, NC, with Mecklenburg County, NC, in Sub-No. 233F; Britt and Mason City, IA, with Hancock and Cerro Gordo Counties, IA, in Sub-No. 235F; Gibson City, Hoopeston, and Rochelle, IL, with Ford, Vermillion, and Ogle Counties, IL, Tipton, IN, with Tipton County, IN, Hart and Scottville, MI, with Oceana and Mason Counties, MI; Fairmont and Lakeland, MN, with Martin and Washington Counties, MN, Norwalk and Paulding, OH, with Huron and Paulding Counties, OH, and Columbus, Cumberland, Frederic, and Plymouth, WI, with Columbia, Barron, Polk, and Sheboygan Counties, WI, in Sub-No. 236F; Cheek, TX, with Jefferson County, TX, in Sub-No. 239F; Carol Stream, IL, with DuPage County, IL, in Sub-No. 240F; East Hampton, MA, with Hampshire County, MA, in Sub-No. 241F; Scottsboro, AL, with Jackson County, AL, and McClure, PA, with Snyder, PA, in Sub-No. 252F; Laramie, WY, with Albany, NY, in Sub-No. 254F; Kenosha, WI, with Kenosha County, WI, in Sub-No. 255F; Springfield, MA, with Hampden County, MA, in Sub-No. 257F; Wichita, KS, with Sedgewick County, KS, and New Braunfels, TX, with Comal County, TX, in Sub-No. 259F; Weatherford, TX, with Parker County, TX, in Sub-No. 261F; Saginaw, TX, with Tarrant County, TX, in Sub-No. 271F; Josephstown, PA, with Beaver County, PA, in Sub-No. 272F; Canton and Gnadenhutten, OH, with Stark and Tuscarawas Counties, OH, in Sub-No. 273F; Maryland Heights, MO, with St. Louis County, MO, in Sub-No. 274F; Vicksburg, MS, with Warren County, MS, North Tonawanda, NY, with Niagara County, NY, Emlenton, Farmer's Valley, New Kensington, and North Warren, PA, with Venango, McKean, Westmoreland, and Warren Counties, PA, Congo, WV, with Hancock County, WV, and St. Mary's PA, with Elk County, PA, in Sub-No. 276; Weatherford, TX, with Parker County, TX and Oil City, PA, with Venango County, PA, in Sub-No. 279F; Wethersfield, CT, with Hartford County, CT, in Sub-No. 280F; Palestine, TX, with Anderson County, TX, in Sub-No. 291F; Amarillo, TX, with Potter County, TX, in Sub-No. 293F; Syracuse, NY, with Onondaga County, NY, in Sub-No. 295F; Terrell, TX, with Kaufman County, TX, in Sub-No. 296F; Edgewater, NJ, with Bergen County, NJ, in Sub-No. 301F; Fairmont, MN, with Martin County, MN, and Clarie, WI, with Eau Claire County, WI, in Sub-No. 305F; Leominster, MA, with Worcester County, MA, and

Illioipolis, IL, with Sangamon County, IL, in Sub-No. 307F; Berlin, CT, with Hartford County, CT, in Sub-No. 309F; Kenosha, WI, with Kenosha County, WI, and North Chicago, IL, with Lake County, IL, in Sub-No. 315F; Willimantic, CT, with Windham County, CT, in Sub-No. 316F; Hamilton, MI, with Allegan County, MI, in Sub-No. 317F; Rockport, MO, with Atchison County, MO, in Sub-No. 324F; Siloam Springs, AR, with Benton County, AR, in Sub-No. 327F; Tyler, TX, with Smith County, TX, in Sub-No. 329F; Boone, IA, with Boone County, IA, in Sub-No. 330F; Amarillo, Lubbock, and El Paso, TX, with Potter, Lubbock, and El Paso Counties, TX and Arkansas City and Ft. Smith, AR, with Desha and Sebastian Counties, AR, in Sub-No. 333F; Ripon, WI, with Fond Du Lac County, WI, in Sub-No. 334F; Lena and Portage, WI, with Oconto and Columbia Counties, WI, in Sub-No. 336F; Mt. Pleasant, TX, with Titus County, in Sub-No. 337F; Bedford Park, IL, with Cook County, IL, in Sub-No. 340; San Antonio with Bexar County, TX, in Sub-No. 342F; Alpena, MI, with Alpena County, MI, in Sub-No. 350F; Goshen, IN, with Elkhart County, IN, in Sub-No. 351F; Elk Rapids, MI, with Antrim County, MI, in Sub-No. 352F; Grand Prairie, TX, with Dallas County, TX, in Sub-No. 353F; Jacksonville, IL, with Morgan County, IL, in Sub-No. 354F; Skokie, IL, with Cook County, IL, in Sub-No. 363F; Tyler, TX, with Smith County, TX, in Sub-No. 366F; and Holcomb, KS, with Finney County, KS, in Sub-No. 369F; (50) remove facilities limitations at Cook County, in Sub-No. 15, 55, and 342F; Dallas, TX, in Sub-Nos. 15, 55, 258F, 262F, 294F, 362F, and 365F; Detroit, MI, in Sub-Nos. 15, 55, and 125F; Milwaukee, WI, in Sub-Nos. 15, 55 and 212F; Minneapolis, MN, in Sub-Nos. 15 and 55; Omaha, NE, in Sub-Nos. 15, 51, 55, 101F, 191F, 225F, 252F and 254F; Sioux City, IA, in Sub-Nos. 24 and 79; Denver, Co, in Sub-Nos. 45 and 101F; Cleveland, OH, in Sub-No. 51; Owensboro, KY, in Sub-No. 51; Des Moines, IA, in Sub-No. 51 and 69; St. Louis, MO, in Sub-Nos. 51 and 94F; Dayton, OH, in Sub-No. 66; East St. Louis, IL, in Sub-No. 67; Boston, MA, in Sub-No. 67, 90F, 92F, 109F and 233F; Sioux Falls, SD, in Sub-Nos. 79 and 328F; Chicago, IL, in Sub-Nos. 87F, 107F, 113F, 143F, 152F, 164F, 191F, 193F, 211F, 233F, 240F, 254F, 260F, 309F, 336F and 367F; Indianapolis, IN, in Sub-Nos. 102F, 175F, 236F, and 304F; Philadelphia, PA, in Sub-Nos. 106F, 117F and 233F; Memphis, TN, in Sub-Nos. 116F and 333F; Los Angeles, CA, in Sub-No. 119F; Athens, GA, in Sub-No. 137F; Atlanta, GA, in Sub-No. 137F; Ft. Worth, TX, in Sub-Nos. 143F,

297F, 337F, and 339F; Irving, TX, in Sub-No. 147F; Davenport, IA, in Sub-Nos. 169F and 323F; Pittsburgh, PA, in Sub-No. 185F; Montgomery, IL, in Sub-No. 189F; Rochester, NY, in Sub-No. 189F; Cincinnati, OH, in Sub-No. 205F; New York, NY, in Sub-No. 233F; Appleton, WI, in Sub-No. 236F; Beaumont, TX, in Sub-No. 238F; Baton Rouge, LA, in Sub-No. 238F; Kansas City, MO, in Sub-No. 252F; Snyder, TX, in Sub-No. 270F; Buffalo, NY, in Sub-No. 276F; Peoria, IL, in Sub-Nos. 298F and 312F; Louisville, KY, in Sub-No. 306F; Holland, MI, in Sub-No. 317F; Shreveport, LA, in Sub-No. 333F; Green Bay, WI, in Sub-No. 336F; Camden, Middlesex, and Somerset Counties, NJ, in Sub-Nos. 343F; Traverse City, MI, in Sub-No. 352F; Baltimore, MD, in Sub-No. 358F; and Columbia, GA, in Sub-No. 361F; (51) remove originating at or destined to restrictions in its lead and in Sub-Nos. 2, 4, 11, 15, 21, 22, 24, 25, 26, 27, 31, 33, 35, 42, 43, 45, 46, 50, 51, 52, 53, 54, 55, 58, 61, 62, 63, 64, 66, 67, 69, 70, 71, 72, 73-74, 75, 76, 78F, 79, 81F, 85F, 86F, 87F, 88F, 89F, 91F, 94F, 97F, 98F, 99F, 101F, 104F, 105F, 106F, 107F, 108F, 109F, 110F, 111F, 112F, 113F, 114F, 116F, 117F, 118F, 119F, 120F, 121F, 123F, 124F, 125F, 126F, 127F, 130F, 131F, 132F, 133F, 135F, 137F, 140F, 142F, 143F, 147F, 148F, 149F, 154F, 160F, 162F, 163F, 164F, 165F, 168F, 170F, 172F, 175F, 176F, 185F, 186F, 187F, 190F, 192F, 195F, 196F, 203F, 204F, 205F, 206F, 211F, 212F, 213F, 215F, 216F, 217F, 218F, 219F, 224F, 225F, 226F, 229F, 230F, 231F, 232F, 233F, 235F, 236F, 238F, 239F, 240F, 241F, 253F, 254F, 255F, 256F, 257F, 258F, 259F, 260F, 261F, 262F, 270F, 271F, 272F, 273F, 274F, 276F, 277F, 279F, 280F, 291F, 293F, 294F, 295F, 296F, 297F, 298F, 299F, 301F, 304F, 305F, 306F, 307F, 309F, 312F, 313F, 314F, 315F, 316F, 317F, 318F, 323F, 324F, 327F, 328F, 329F, 330F, 333F, 334F, 335F, 336F, 337F, 339F, 340F, 341F, 342F, 348F, 349F, 350F, 351F, 352F, 353F, 354F, 355F, 356F, 357F, 358F, 360F, 361F, 362F, 363F, 365F, 366F, 367F; and (52) replace one-way with radial authority between the above the points and counties and various combinations of States.

MC 145356 (Sub-1)X, filed April 28, 1981. Applicant: L. E. MARKLAND, 655 Lion Court, Casper, WY 82601. Representative: Ward A. White, P.O. Box 568, Cheyenne, WY 82001. Applicant seeks to remove restrictions in its lead permit to (1) broaden the commodity description from (a) cement, in bulk, (b) fly ash, in bulk, and (c) sand, in bulk to "Mercer commodities" and (2) broaden the territorial description to between points in the U.S., under continuing contract(s) with a named shipper.

MC 148966 (Sub-6)X, filed April 28, 1981. Applicant: DROTSMANN, INC., P.O. Box 10176, Yakima, WA 98909. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Applicant seeks to remove restrictions to (A) broaden the commodity description in its lead, and Sub-Nos. 1F and 2F certificates to "food and related products" from meats and meat products and byproducts (except hides and commodities in bulk), frozen bagels, and frozen potato products, and in Sub-No. 3F, to remove all exceptions in its general commodities authority "except classes A and B explosives"; (B) remove the restriction in the lead certificate limiting service to the transportation of traffic originating at or destined to a named shipper's facilities; and (C) expand the territorial descriptions to authorize country-wide authority in place of the facilities and city points, and change one-way service to radial service between: in lead certificate, Buena Vista and Cherokee Counties, IA (facilities at Storm Lake and Cherokee, IA), and, points in three States; Sub-No. 1, Erie County, NY (facilities at Buffalo, NY), and, points in eight States; Sub-No. 2, Morrow, Jefferson and Umatilla Counties, OR (facilities at Boardman, Metolius, and Hermiston, OR) and Walla Walla County, WA (Walla Walla, WA), and, points in 13 States and DC; and Sub-No. 3, (a) Boston, MA (facilities at Boston, MA), Hudson County, NJ (North Bergen, NJ), Philadelphia, PA, and Cleveland, OH, and, Seattle, WA, Portland, OR, Los Angeles, CA, and Bannock County, ID (Pocatello, ID), and (b) between Los Angeles, CA (facilities at Los Angeles, CA), and, Seattle, WA, Portland, OR, Bannock County, ID (Pocatello, ID), and Salt Lake County, UT (Murray, UT).

MC 149195 (Sub-14)X, filed April 4, 1981, noticed in the Federal Register of April 15, 1981, republished as corrected this issue. Applicant: ARCADIAN MOTOR CARRIERS, 1100 Sierra Street, P.O. Box 427, Kingsburg, CA 93631. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68510. Applicant seeks to remove restrictions in its Sub-Nos. 2F, 3F, 4F, 5F, 6F, 7F, 8F, 9F, 10F, 11F and 12F certificates to (1) broaden the commodity descriptions: from charcoal and charcoal briquettes, lighten fluid hickory chips and equipment material and supplies to "such commodities used or dealt in by manufacturers and distributors of barbecue products" in Sub-No. 2F; from seat belts and seat belts parts, and materials to "such commodities as are used or dealt in by manufacturers and distributors of automotive products" in

Sub-No. 3F; from recreation equipment and sporting goods and materials, equipment and supplies to "such commodities as are used or dealt in by manufacturers and distributors of recreational equipment and sporting goods" in Sub-No. 4F; from grape products and byproducts and commodities otherwise exempt from economic regulation in mixed shipments with those commodities to "food and related products" in Sub-No. 5F; from electronic equipment and parts, accessories, materials and supplies to "such commodities as are used or dealt in by manufacturers and distributors of electronic equipment" in Sub-no. 6F; from malt beverages and materials, equipment and supplies to "alcoholic beverages" in Sub-No. 7F; from labels, bottle filling and labeling machines and materials and supplies to "(1) such commodities as are used or dealt in by manufacturers and distributors of labels and (2) machinery" in Sub-No. 8F; from plastic expanded foam and products and materials, equipment and supplies to "rubber and plastic products" in Sub-No. 9F; from fiberboard to "pulp, paper, and related products" in Sub-No. 10F; from welders, welder parts, welder systems, welding compound and welding supplies and materials and supplies to "such commodities as are used or dealt in by manufacturers of metal articles" in Sub-No. 12F; (2) expand the territorial authority from named points to county-wide authority: Medford, OR to Jackson County, OR in Sub-No. 2F; Fresno, CA to Fresno County, CA, Palmyra, MO to Marion County, MO, and Brownsville, TX to Cameron County, TX in Sub-No. 3F; Sunnyvale, CA to Santa Clara County, CA, El Paso, TX to El Paso County, TX, Wheeling, IL to Cook County, IL, and Edison, NJ to Middlesex County, NJ in Sub-No. 6F; Aurora, IL to Kane and DuPage Counties, IL, Jefferson City MO to Cole and Calloway Counties, MO, Marceline to Lynn County, MO, Iola, KS to Allen County, KS, and Topeka, KS to Shawnee County, KS in Sub-No. 10F; (3) delete the facilities restriction in Sub-No. 10F; (4) remove "in bulk" and "in tank vehicle" restriction in Sub-Nos. 5F and 7F; and (5) authorize radial authority to replace existing one-way service between points in OR, CA, IL, and points in the US or specified portions thereof in Sub-Nos. 2f, 5F, 9F, and 10F. The purpose of republication is to indicate the expansion of Marceline to Lynn County, MO in Sub-No. 10F.

MC 149267 (Sub-1)X, filed April 27, 1981. Applicant: SUPER TRUCK LINES, INC., 801 North Pershing Road, Chicago, IL 60609. Representative: James A. Ahlf

(same as applicant). Applicant seeks to remove restrictions in its lead certificate, which authorizes the transportation of general commodities (with exceptions), to (1) remove the exclusion of service in HI in its nationwide authority, and (2) expand the plantsite facilities and cities to county-wide authority to serve between Oakland County, MI (facilities at Troy, MI) and Garland County, AR (Hot Springs, AR), and, points in the U.S.

MC 149591 (Sub-3)X, filed April 8, 1981, previously noticed in the Federal Register of April 28, 1981, republished as corrected this issue. Applicant: VALLEY EXPRESS, INC., P.O. Box 68, Glyndon, MN 56547. Representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, ND 58128. Applicant seeks to remove restrictions in its Sub-No. 1 certificate to (1) broaden the commodity description to "food and related products," from frozen potato products; (2) remove the facilities restriction; (3) remove the restriction prohibiting service to AK, HI, and ND; and (4) authorize radial, county-wide authority to replace existing one-way, city-wide service between points in Grand Forks County, ND (for Grand Forks, ND) and Polk County, MN (for East Grand Forks, MN), and, points in the U.S.

The purpose of this republication is to add Polk County, MN, to part (4) of the caption summary, as East Grand Forks, MN, is located in the Grand Forks, ND commercial zone.

[FR Doc. 81-15009 Filed 5-19-81; 8:45 am]

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[Volume No. 83]

Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: May 15, 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 13777 (Sub-10)X, filed April 27, 1981. Applicant: AAA TRANSPORTATION, INC., 2957 South East St., Indianapolis, IN 46206. Representative: Stephen J. Habash, 100 E. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions from the lead and Sub-Nos. 4, 5, 6 and 7 to (1) broaden the commodity description (a) from asphalt and asbestos building and paving materials and insulating materials to "building materials"; and scrap materials to "waste or scrap materials not identified by industry producing"; and from asphalt to "building materials" in the lead, (b) from iron and steel articles in part (1) to "metal products" in Sub-No. 4F, (c) from roofing and building materials in part (1) to "building materials" in Sub-No. 7, (2) remove facilities limitations in Sub-No. 5 and replace Franklin, OH and Hampton, GA with Warren County, OH and Henry County, GA, (b) in Sub-No. 6 and replace Franklin, OH and St. Matthews, KY with Warren County, OH and Jefferson County, KY, (c) in Sub-No. 7 and replace Hamilton and Fairfield, OH with Butler County, OH (3) change city to county-wide authority from Lockland, OH and Lawrenceville, IL to Hamilton County, OH and Lawrence County, IL in the lead, (4) remove the "originating at or destined to" named points restriction in Sub-No. 4 and (5) change one-way to radial authority between (a) points in Lawrence County, IL, and points in IN in the lead, and (b) points in Hamilton County, OH, and points in the US in Sub-No. 7.

MC 19416 (Sub-15)X, filed May 1, 1981. Applicant: DUNN BROS., INC., P.O. Box 1710, 1410 Mercantile Securities Bldg.,

Dallas, TX 75221. Representative: Paul D. Angenend, P.O. Box 2207, Austin, TX 78768. Applicant seeks to remove restrictions in its lead and Sub-Nos. 10 and 13 certificates to (1) broaden the commodity description from pipe, pipeline material, machinery, and equipment incidental to and/or used in connection with the construction, repairing, or dismantling of gas, gasoline, and oil pipelines in its lead and from machinery, equipment, materials, and supplies used in or in connection with the construction, operation, servicing, maintenance, and dismantling of pipelines in Sub-Nos. 10 and 13 to "pipe and pipeline machinery, equipment, materials and supplies"; and (2) to eliminate the restriction in its lead and Sub-No. 13 which limits service to the transportation of shipments moving to or from pipeline rights-of-way.

MC 74681 (Sub-15)X, filed May 11, 1981. Applicant: STEVENS VAN LINES, INC., 121 South Niagara St., Saginaw, MI 48602. Representative: Robert J. Gallagher, 1000 Connecticut Ave., N.W., Washington, DC 20036. Applicant seeks to remove restrictions in its Sub-No. 7 certificate to broaden its commodity description from household goods to "household goods and furniture and fixtures".

MC 82063 (Sub-124)X, filed April 24, 1981. Applicant: KLIPSCH HAULING CO., 10795 Watson Road, Sunset Hills, MO 63127. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-Nos. 39, 47, 52, 54, 59, 62, 82, 87, 94, 98, 106, 108, 111, 115, 116, 117, 118, and 120 certificates to (A) broaden the commodity descriptions: to "chemicals and related products" from printing ink and liquid chemicals, in bulk, in Sub-Nos. 39, 94, 111, and 117; and to "commodities in bulk" from hydrofluosilicic acid, chemicals (with some exceptions), phosphoric acid, liquid chemicals (with various exceptions), calcium bromide, petroleum oils and petrochemicals, cleaning and washing compounds, and bromine, all in bulk in Sub-Nos. 47, 52, 54, 59, 62, 82, 87, 98, 106, 108, 115, 116, 118, and 120; (B) remove exceptions excluding service in AK, HI, and IA in Sub-Nos. 52 and 82, and AK and HI in Sub-Nos. 87, 94, 106, 117, and 120; (C) delete restriction against service originating at a certain pipeline terminal near West Memphis, AR in Sub-No. 59, and delete "originating at and destined to" restrictions in Sub-Nos. 82 and 94; (D) expand plantsites and towns to city or county-wide authority, and change one-way service to radial service between:

Sub-No. 39, Kansas City, KS-Kansas City, MO commercial zone (North Kansas City, MO), and, points in 12 States; Sub-No. 47, St. James Parish, LA (Uncle Sam, LA), and, points in four States; Sub-No. 52, Muscatine County, IA and Rock Island County, IL (facilities near Muscatine, IA), and, points in the U.S. (except the St. Louis, MO/East St. Louis, IL commercial zone); Sub-No. 54 (a) Muscatine and Scott Counties, IA (Montpelier, IA), and, points in eight States and IL (except the East St. Louis, IL commercial zone), and (b) Sequoyah and Muskogee Counties, OK (Gore, OK), and points in three States; Sub-No. 59, Shelby, Fayette and Tipton Counties, TN, Crittenden County, AR, and DeSoto County, MS (Memphis, TN), and, described parts of the U.S., and points in six States; Sub-No. 62 (sheet 2), Davidson, Williamson, Wilson and Sumner Counties, TN (Nashville, TN), and, points in a MS county and an AL county; Sub-No. 82, Johnson County, IA (facilities at Iowa City, IA), and, points in the U.S.; Sub-No. 87, Pettis County, MO (Sedalia, MO), and, points in the U.S. (except the St. Louis, MO/East St. Louis, IL commercial zone); Sub-No. 94, Brazoria County, TX (facilities in Brazoria County), and, points in the U.S.; Sub-No. 98, Harrison County, MS (facilities near Gulfport, MS), and, points in two States; Sub-No. 106, Haywood County, TN (Brownsville, TN), and, points in the U.S.; Sub-No. 108, Harris, Brazoria, Galveston, Chambers, Fort Bend, Montgomery and Waller Counties, TX (facilities near Chocolate Bayou, Texas City, and Houston, TX), and, those points in the U.S. in and east of five States; Sub-No. 111, Calcasieu Parish, LA (facilities at Lake Charles, LA), and Jefferson, Orange, Hardin and Harris Counties, TX (Beaumont and LaPorte, TX), and, points in the U.S.; Sub-No. 115, Adams County, MS (Natchez, MS), and, points in nine States; Sub-No. 116, Hamilton County, OH (facilities at Ivorydale, OH), and Chicago, IL, and Lee County, IA and Hancock County, IL (Fort Madison, IA); Sub-No. 117, Liberty County, TX (facility in Liberty County, TX), and, points in the U.S.; Sub-No. 118, Columbia County, AR (facilities near Magnolia, AR), and, those points in the U.S. east of Hwy 85; and Sub-No. 120, Orange and Victoria Counties, TX and Calcasieu and Cameron Parishes, LA (facilities near Orange and Victoria, TX).

MC 12551 (Sub-24)X, filed May 4, 1981. Applicant: K & W TRUCKING CO., INC., P.O. Box 1415, St. Cloud, MN 56301. Representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions

in its Sub-No. 18F certificate to (1) eliminate all exceptions to its general commodity authority (except classes A and B explosives), and (2) eliminate restriction requiring service to be performed in containers or trailers having a prior or subsequent movement by water.

MC 126427 (Sub-15)X, filed May 4, 1981. Applicant: L.P. TRANSPORTATION, INC., Cross & Main Streets, Chester, NY 10918. Representative: John L. Alfano, 550 Mamaronck Ave., Harrison, NY 10528. Applicant seeks to remove restrictions in MC-109849 Sub-No. 18 certificate acquired in MC-F-13753 to broaden the commodity description from liquified natural gas, in bulk to "commodities in bulk".

MC 126927 (Sub-5)X, filed May 11, 1981. Applicant: PANTHER TRANSPORTATION, INC., 7301 West 15th Avenue, Gary, Indiana 46406. Representative: William H. Towle, 180 N. LaSalle Street, Chicago, IL 60601. Applicant seeks to remove restrictions in its Sub-Nos. 2 and 4F certificates to (1) remove the "in bulk, in tank" restriction; (2) broaden the commodity descriptions to "food and related products" from liquid sugar and corn syrup, in Sub-No. 2 and liquid sugar and corn syrup, and blends thereof, in Sub-No. 4F; (3) replace the plantsite at Ft. Wayne, IN, with authority to serve Allen County, in Sub-No. 4F; and (4) remove the plantsite limitations at Charlestown, MA, Brooklyn, NY, and Chicago, IL, in Sub-No. 2.

MC 129790 (Sub-18)X, filed May 1, 1981. Applicant: JOSEPH A. BECKER d.b.a. BECKER, HI-WAY FRATE, Route 5 Box 10B Albert Lea, MN 56007. Representative: Andrew R. Clark, 1600 TCF Tower, 121 South 8th Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions in Sub-Nos. 13, 14 and 15 permits to broaden the territorial description to between points in the United States under continuing contract(s) with named shippers and to change the commodity description to "food and related products" from meat, meat products, meat by-products, articles distributed by meat packing houses and such commodities as are used by meat packers in Sub-No. 13 and from canned goods in Sub-No. 14; and, to "rubber and plastic products" from plastic articles in Sub-No. 15.

MC 134645 (Sub-46)X, filed April 30, 1981. Applicant: LAKE STATE TRANSPORT, INC., P.O. Box 944, St. Cloud, MN 56301. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Applicant seeks to remove restrictions in its Sub-No. 34F

certificate to (A) broaden the commodity description in part (1) to "transportation equipment" from rubber tires, tubes, wheels and rims, and remove the exception excluding commodities in bulk in part (2); and (B) broaden the territorial description to authorize county-wide authority, and change one-way service to radial service, between Kansas City, MO, Chicago, IL, Memphis, TN, Franklin and Hancock Counties, OH (Columbus and Finley, OH), Muscatine County, IA (Muscatine, IA) and Multnomah County, OR (Portland, OR), and Stearns County, MN (St. Joseph and St. Cloud, MN).

MC 135762 (Sub-20)X, filed April 27, 1981. Applicant: JOHN H. NEAL, INC., P.O. Box 3877, Ft. Smith, AR 72913. Representative: Don A. Smith, P.O. Box 43, Ft. Smith, AR 72902. Applicant seeks to remove restrictions in its Sub-Nos. 1 and 10 permits to broaden the territorial description to "between points in the U.S." under continuing contracts with named shippers in both, (2) change the commodity description (a) in Sub-No. 1 from home or office appliances and home entertainment products to "such commodities as are used or dealt with in the manufacture and distribution of home or office appliances and home entertainment products" and (b) in Sub-No. 10 from household appliances to "such commodities as are used or dealt with in the manufacture and distribution of household appliances."

MC 136636 (Sub-6)X, filed May 4, 1981. Applicant: MIKE'S TRUCKING, INC., Rural Route No. 2, Bourbonnais, IL 60914. Representative: Jack. H. Blanshan, 205 West Touhy Avenue, Suite 200-A, Park Ridge, IL 60068. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2 and 5F certificates to (a) broaden commodity descriptions to "metal products and machinery" from animal waste storage tanks, steel, knocked down, glass lined, livestock scales, steel, knocked down, with weighing attachments, livestock feed bunkers, steel, knocked down, glass lined, forage metering devices, animal waste spreader tanks, steel, glass lined, and soil savers, steel, knocked down, glass lined and iron or steel silos, glass enameled or galvanized, knocked down or in sections, and component parts of iron or steel silos, including silo unloading devices, and materials incidental to the erection and completion of silos, when moving in connection with such silos in its lead; from enameled steel silos, loading and unloading devices, waste storage tanks, livestock tanks, livestock scales, livestock feed bunkers, forage metering devices, animal waste spreader tanks,

livestock feeding systems, and parts and accessories for the above-named commodities in Sub-No. 2, and from (a) animal feed processing systems, (b) animal feed storage systems, (c) animal waste storage and spreader tanks, and (d) components of (a), (b), and (c) above in Sub-No. 5F; (2) broaden the territorial scope to county-wide authority from Kankakee, IL to Kankakee County, IL, in its lead: from De Kalb and Eureka, IL and Elkhorn, WI to De Kalb and Woodford Counties, IL and Walworth County, WI in Sub-No. 2; and from De Kalb and Eureka, IL to De Kalb and Woodford Counties, IL in Sub-No. 5F; (3) remove the facilities limitation in Sub-No. 2; (4) remove an originating at or destined to restriction in its lead; and (5) replace one-way with radial authority between Kankakee County, IL and NY and PA in its lead; between De Kalb and Woodford Counties, IL and Walworth County, WI, in Sub-No. 2; and between De Kalb and Woodford Counties, IL, and CT, DE, MD, MA, MI, NJ, OH, RI, VA and WV in Sub-No. 5F.

MC 138328 (Sub-135)X, filed May 6, 1981. Applicant: CLARENCE L. WERNER, d.b.a. WERNER ENTERPRISES, I-80 & Hwy. 50, P.O. Box 37308, Omaha, NE 68137. Representative: Donna Ehrlich (same address as applicant). Applicant seeks to remove restrictions in its MC-133233 Sub-Nos. 39 and 59F permits to (1) broaden the commodity descriptions from appliances to "furniture and fixtures", and (2) broaden the territorial authorities to between points in the United States, under continuing contract(s) with a named shipper.

MC 139482 (Sub-187)X, filed April 22, 1981. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 877, New Ulm, MN 56073. Representative: Barry M. Bloedel, P.O. Box 877, New Ulm, MN 56073. Applicant seeks to remove restrictions in its Sub-Nos. 2, 5, 7, 9, 11, 16, 19, 20, 22, 26, 27, 28, 30, 31, 32, 35F, 37F, 42F, 44F, 51F, 57F, 58F, 59F, 60F, 61, 62F, 63F, 64F, 66F, 68F, 70F, 73F, 75F, 76F, 77F, 78F, 79F, 80F, 81F, 82F, 84F, 85F, 88F, 87F, 88, 94F, 95F, 97F, 98F, 99F, 100F, 101F, 102, 103F, 104F, 115F, 117F, 121F, 123F, 124F, 125F, 126F, 128, 130F, 133F, 135F, 136F, 138F, 139F, 140F, 144F, 146F, 147F, 148F, 149F, 150F, 151F, 152F, 153F, 157F, 158F, 168F, 170F, 171, 172F, 174F, 176F, 177F, 178F, 179, 180, 181F, 182, 183, 185, and 186 to (1) broaden the commodity descriptions (a) in Sub-Nos. 16, 19, 26, 28, 31, 35F, 37F, 42F, 44F, 47F, 51F, 57F, 59F, 61, 62F, 64F, 70F, 73F, 75F, 76F, 80F, 81F, 84F, 88, 94F, 95F, 99F, 100F, 101F, 103F, 104F, 117F, 123F, 125F, 126F, 128, 135F, 140F, 150F, 168F, 170F, 171,

174F, 179, 180, and 186 to "food and related products" from foodstuffs, frozen foods, cheese, meat, candy, dairy products, butter, salt; (b) in Sub-Nos. 7, 32, 79F, 144F, and 181F to "building materials and related products" from building board, wall board, insulating board, ceiling tiles, composition board, glazed clay tile, mechanical construction forms and cellulose insulation, vermiculite and polyethylene; (c) Sub-No. 20 to "furniture and fixtures" from redwood furniture; (d) in Sub-Nos. 11, 60F, 68F, 147F, 149F, 152F, 172F, and 185 to "electrical appliances, supplies and related products" from electric ranges and microwave ovens, and such commodities as are used in the manufacture of electric ranges and microwave ovens, television sets, radios, and audio equipment, electric light bulbs, copper wire and household appliances and equipment; (e) in Sub-Nos. 22, 27, 77F, 78F, 85F, 102F, 130F, and 153F to "pulp, paper and related products" from cardboard boxes and sheets, paper and paper products and printed matter; (f) in Sub-Nos. 58F, 124F, 133F, 157F, 158F, and 178F to "chemicals and related products" from deodorants, disinfectants, breath fresheners, cleaning compounds, swimming pool treatment compounds and insecticides, drugs, agricultural chemicals, maintenance and industrial chemicals and dry fertilizer compound; (g) in Sub-No. 66F to "rubber and plastic products" from scrap rubber; (h) in Sub-No. 98F to "agricultural equipment" from turkey, poultry and hog feeding equipment; (i) in Sub-No. 115F to "rubber and plastic products" from plastic pellets; (j) in Sub-No. 177F to "coal and coal products, and lumber and wood products" from charcoal and charcoal briquets; (k) in Sub-No. 182 and 183 to "automotive supplies and related products" from automotive supplies and accessories and automotive fluids and cleaning compounds; (l) in Sub-Nos. 2 and 121F from "general commodities (with exceptions) to "general commodities (except classes A and B explosives)"; (2) remove "except AK and HI" in the territorial description in Sub-Nos. 5, 16, 20, 42F, 70F, 81F, 85F, 94F, 99F, 103F, 126F, 128, 133F, 138F, 140F, 151F, 170F, 174F, 178F, 179, and 180; (3) remove the restriction "in vehicles equipped with mechanical refrigeration" from Sub-Nos. 31, 32, 35F, 84F, 117F, and 135F; (4) remove the restriction limiting service to the transportation of shipments originating at or destined to the facilities of a named shipper in Sub-Nos. 2, 5, 9, 11, 16, 19, 22, 26, 27, 28, 30, 31, 35F, 42F, 44F, 47F, 57F, 61, 62F, 63F, 66F, 68F, 70F, 75F, 76F, 78F, 79F, 80F, 81F, 82F, 84F, 85F,

86F, 87F, 88 (parts 1 and 3), 94F, 95F, 100F, 102, 117F, 124F, 126F, 128, 130F, 135F, 136F, 140F, 148F, 151F, 170F, 174F, and 178F; (5) to expand one-way authority to radial authority in Sub-Nos. 2, 7, 9, 16, 19, 20, 22, 26, 27, 28, 31, 32, 35F, 37F, 42F, 44F, 47F, 51F, 57F, 59F, 60F, 61, 62F, 63F, 64F, 66F, 68F, 70F, 73F, 75F, 76F, 79F, 80F, 82F, 84F, 85F, 86F, 87F, 88, 94F, 95F, 97F, 98F, 99F, 100F, 101F, 102F, 103F, 104F, 115F, 117F, 123F, 124F, 125F, 126F, 128, 130F, 135F, 136F, 147F, 148F, 149F, 150F, 153F, 158F, 168F, 170F, 171, 172F, 174F, 177F, 178F, 181F, and 182 between various combinations of points and States; (6) remove a restriction requiring a prior to subsequent movement by water in Sub-Nos. 37F, 64F, and 73F; and (7) remove the restriction "except commodities in bulk, "in tank vehicles" and "requiring special equipment" where applicable in Sub-Nos. 2, 5, 7, 9, 16, 20, 26, 31, 35F, 37F, 42F, 44F, 47F, 58F, 62F, 63F, 75F, 76F, 77F, 78F, 80F, 81F, 82F, 86F, 87F, 88, 95F, 99F, 100F, 115F, 123F, 125F, 128, 133F, 138F, 144F, 151F, 152F, 170F, 174F, 179, 180, 181F, 182, and 183.

MC 142539 (Sub-9)X, filed May 1, 1981. Applicant: B.W.T. TRANSPORT, INC., 757 River Drive, Passaic, NJ 07055. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. Applicant seeks to remove restrictions in its No. MC-142539 permit to (1) broaden the commodity description from (a) toys, pool supplies, chemicals, and cleaning compounds (except commodities in bulk), and (b) materials, equipment and supplies, used in the manufacture and sale of the commodities named in (a) (except commodities in bulk) to "(a) toys, pool supplies and chemicals and related products, and (b) materials, equipment and supplies used in the manufacture and sale of the commodities named in (a)", (2) broaden the territorial description to between points in the United States under continuing contract(s) with a named shipper.

MC 143551 (Sub-6)X, filed April 28, 1981. Applicant: TRIANGLE ENTERPRISES, INC., Route 2, Box 436, Delano, MN 55328. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions to (A) broaden the commodity descriptions in its Sub-Nos. 2 and 3 permits to "textile mill products; lumber and wood products; furniture and fixtures; chemicals and related products; petroleum or coal products; rubber and plastic products; clay, concrete, glass or stone products; metal products; machinery; miscellaneous products of manufacturing; waste or scrap materials; and miscellaneous freight shipments,"

from floor coverings, stair treads, wall tile, counter top coverings, mouldings and materials and supplies used in the installation, maintenance and repair of the foregoing commodities, china bath accessories, and ceramic and quarry tile and tile setting products; and (B) broaden the territorial description in both permits to authorize service between points in the U.S., under continuing contract(s) with a named shipper.

MC 145476 (Sub-3)X, filed May 7, 1981. Applicant: RAY MABRY d.b.a. MABRY TRUCKING SERVICE, 307 Lime Street, Auburndale, FL 33823. Representative: J. Greg Hardeman, 618 United American Bank Bldg., Nashville, TN 37219. Applicant seeks to remove restrictions in its lead and Sub-No. 2F certificates to (1) broaden its commodity description from frozen foodstuffs, in vehicles equipped with mechanical refrigeration, and frozen foods and food products (except commodities in bulk), to "food and related products" in both certificates; and (2) change its one-way to radial authority: in the lead, between Louisville, KY, and points in 10 eastern States in the U.S., and in Sub-No. 2F, between Louisville and Brooks, KY, and points in 8 eastern States in the U.S.

MC 147278 (Sub-3)X, filed April 29, 1981. Applicant: GARY WETHERELL, d.b.a. RANGER TRUCK, Route 2, Box 542, Hutchinson, MN 55350. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Ste. 307, Edina, MN 55424. Applicant seeks to remove restrictions in its Sub 2F certificate to (1) broaden the commodity descriptions from iron and steel articles and aluminum to "metal products"; and (2) replace one-way with radial authority between Minneapolis, MN, and IA, WI, 5 IL counties and 2 IN counties.

MC 149427 (Sub-1)X, filed April 30, 1981. Applicant: ROBERT L. OLSON d.b.a. OLSON TRUCKING, P.O. Box 777, Glasston, ND 58236. Representative: Andrew R. Clark, 1600 TCF Tower, 121 South 8th Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions in authority acquired in MC-FC-78505 to (1) broaden the commodity description to "food and related products" from meat, meat products, meat by-products and articles distributed by meat packinghouses, dry buttermilk, cheese, condensed whey and dried whey, and butter (2) remove the "originating at and destined to" named points restriction. (3) remove the facilities limitation and replace Fargo and West Fargo, IN with Cass County, IN. (4) change to county wide authority: from points in MN and WI within 100

miles of Bongards, MN to Morrison, Tood, Pope, Stearns, Swift, Chippewa, Kandiyohi, Renville, Yellow Medicine, Lyon, Redwood, Murray, Cottonwood, Martin, Watonwan, Blue Earth, Faribault, Freeborn, Mankato, Nicollet, Sibley, McLeod, Scott, Dakota, Rice, Steele, Dodge, Olmstead, Kanabec, Mille Lacs, Sherburne, Benton, Wright, Anoka, Isanti, Jackson, Mower, Winona, Fillmore, Ramsey, Goodhue, Waseca, Wabasha, Carver, Washington, LeSuer, Brown, Hennepin, Meeker, Chisago Counties, MN, and Bernette, Baron, Polk, St. Croix, Dunn, Pierce, Peppin and Buffalo Counties, WI, and (5) change one-way to radial authority between points in the above named counties, and, AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA, and WY.

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BILLING CODE 7035-01-M

Motor Carrier; Temporary Authority Application

Important Notice

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F-121

The following applications were filed in Region 2. Send protests to: ICC, Fed. Res. Bank Bldg., 101 North 7th St., Rm. 620, Philadelphia, PA 19106.

MC 138438 (Sub-II-29TA), filed May 8, 1981. Applicant: D. M. BOWMAN, INC., Rt. 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. Food and related products, between Essex County, NJ and Houston County, GA on the one hand and on the other points in MD, for 270 days. Supporting shipper: Filsinger Distributing, P.O. Box 39, Eckhart Mines, MD 21528.

MC 134639 (Sub-II-2TA), filed May 8, 1981. Applicant: ROSS TRANSFER & STORAGE, INC., P.O. Box 2164, Hagerstown, MD 21740. Representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740. Household goods as defined by the Commission, between points in Morgan, Berkeley, and Jefferson Counties, WV; Frederick and Washington Counties, MD; and Franklin, Fulton and Adams Counties, PA on the one hand, and, on the other, points in NY, VT, NH, ME, MA, RI, CT, NJ, DE, MD, DC, PA, OH, WV, VA, NC and SC, for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: There are 5 supporting shippers. Their statements may be examined at the ICC Reg. Ofc., Phila., PA.

MC 110683 (Sub-II-12TA), filed May 8, 1981. Applicant: SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, VA 24401. Representative: Francis W. McInerney, Suite 502, 1000 16th St., N.W., Washington, D.C. 20036. Common; regular: General commodities (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment) serving the facilities of Robbins and Myers at or near Foley, AL, as an off-route point in connection with carrier's regular routes for 270 days. Applicant intends to tack the authority sought herein with existing authority held under MC110683. Applicant intends to interline at all present interchange points. An underlying ETA seeks 120 days authority. Supporting shipper(s): Robbins & Myers, Inc., 2919 Commonwealth Blvd., Tallahassee, FL.

MC 150817 (Sub-II-2TA), filed May 11, 1981. Applicant: HOFFMAN & DAVIS,

Route #6, Box 89, Hagerstown, MD 21740. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. Meat, meat by-products, materials, supplies and equipment used in the manufacture thereof between Grantsville, MD on the one hand, and, on the other, Riverside, NJ and New York, NY, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Yoder, Inc., Grantsville, MD 21536.

MC 152724 (Sub-II-2TA), filed May 11, 1981. Applicant: MID-ATLANTIC FREIGHT CARRIER, INC., 869 N. Liberty St., Harrisonburg, VA 22801. Representative: Charles D. Clinedinst (same as applicant). Non-exempt food or kindred products between San Antonio, TX and points in LA, TN, MS, AL, GA, NC, SC, VA, MD, WV, PA, NY, and NJ, for 270 days. Supporting shipper: C. H. Guenther Inc., d.b.a. Pioneer Flour Mills, P.O. Box 118, 129 E. Guenther St., San Antonio TX, 78291.

MC 152724 (Sub-II-3TA), filed May 11, 1981. Applicant: MID-ATLANTIC FREIGHT CARRIER, INC., 869 N. Liberty St., Harrisonburg, VA 22801. Representative: Charles D. Clinedinst (same as applicant). Non-exempt food or kindred products between Winchester, VA and points in and east of MT, WY, CO, and NM, for 270 days. Supporting shipper: The Zeropack Co., 562 N. Cameron St., Winchester, VA 22601.

MC 150339 (Sub-2-36TA), filed May 11, 1981. Applicant: PIONEER TRANSPORTATION SYSTEMS, INC., 151 Easton Blvd., Preston, MD 21655. Representative: J. Cody Quinton, Jr., (same as applicant). Contract; irregular: Stirrups, concrete or plaster reinforcements, from Defiance, OH, to Kresson, NJ, and Providence, RI, under continuing contract(s) with Defiance Welding Company P.O. Box 445, Defiance, OH 43512, for 270 days. Supporting shipper: Defiance Welding Company, P.O. Box 445, Defiance, OH 43512.

MC 149484 (Sub-II-18TA), filed May 8, 1981. Applicant: MUMMA FREIGHT LINES, INC., 6495 Carlisle Pike, Mechanicsburg, PA 17055. Representative: E. J. Mumma, Jr., 6495 Carlisle Pike, Mechanicsburg, PA 17055. Loudspeakers and phonograph sound mechanism assemblies and material, equipment and supplies used in the manufacture and distribution thereof: Between the facilities of Fisher Corp., Milroy, PA on the one hand, and, on the other, pts. in IL for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Fisher Corp., Fisher Park, Milroy, PA 17063.

MC 134798 (Sub-II-3TA), filed May 7, 1981. Applicant: BLAIR CARTAGE, INC., 11330 Kinsman Road, P.O. Box 252, Newbury, OH 44065. Representative: Lewis S. Witherspoon, 88 East Broad Street, Columbus, OH 43215. *Contract, irregular: such commodities as are dealt in by grocery stores and agricultural feed business houses:* (1) between Dunkirk, NY, on the one hand, and, on the other, Circleville, OH and Mechanicsburg, PA; (2) between Circleville, OH, on the one hand, and, on the other, the commercial zones of Batavia, Clarence, Freedom, Hamburg, Jamestown, Sanborn, Spencerport, and Victor, NY for 270 days. Supporting shipper(s) Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188.

MC 151706 (Sub-II-4TA), filed May 8, 1981. Applicant: JAN-AL SALES, INC., 5321 Southwyck Blvd., Toledo, OH 43614. Representative: Joseph E. Ludden, 2707 South Ave., P.O. Box 1567, La Crosse, WI 54601. *Chemicals and related products: washing, scouring, cleaning compounds, polishing and buffing compounds, disinfectants, deodorants, drugs and toilet preparations, insecticides, other household cleaning supplies, chemicals, hydraulic cement, sand, coal, tar, adhesive tape, plastic synthetics, paint solvents, rubber cement, caulking and brazing compounds, varnish, liquid paints, paste paints, dry paints, phosphoric acid and titanium dioxide, and materials, equipment and supplies used in the manufacture and distribution of the above described commodities, commodities in bulk, between points in KS, AR, MS, AL, FL, KY, NC, SC, VA, WV, MD and DE for 270 days. Applicant intends to tack authority sought herein with authority held under MC 151706. Supporting shipper: Lehn & Fink Products, Division of Sterling Drug, Inc., 225 Summit Ave., Montvale, NJ 07645.*

MC 135556 (Sub-II-3TA), filed May 7, 1981. Applicant: CARPENTER BROTHERS TRUCKING, INC., 3282 S.R. 98, Bucyrus, OH 44820. Representative: Raymond R. Carpenter, 3315 S.R. 98, Bucyrus, OH 44820. *Contract, irregular: general commodities (except classes A and B explosives) between points in OH for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Rail-Van of Bellevue, Inc., 130 McKim Street, Bellevue, OH 44811.*

MC 140889 (Sub-II-14TA), filed May 11, 1981. Applicant: FIVE STAR TRUCKING, INC., 4720 Beidler Rd., Willoughby, OH 44094. Representative: Ignatius B. Trombetta, 1220 Williamson Bldg., Cleveland, OH 44114. Type of

service: *Contract, irregular: textile mill products from points in GA to facilities located in Cuyahoga County, OH under continuing contract(s) with Regal Carpet Center, Inc. of South Euclid, OH for 270 days. An underlying ETA seeks 120 days authority. Shipper: Regal Carpet Center, Inc., 2104 Warrensville Center Rd., South Euclid, OH 44121.*

MC 109448 (Sub-II-7TA), filed May 11, 1981. Applicant: PARKER TRANSFER COMPANY, P.O. Box 256, Elyria, OH 44036. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Such commodities as are dealt in or used by manufacturers and distributors of heating and air-conditioning units (except commodities in bulk) between pts in Davidson, Marshall and Rutherford Counties, TN, on the one hand, and, on the other, pts in the U.S. (except AK and HI) for 270 days. Supporting shipper: Heil-Quaker Corp., 635 Thompson Lane, Nashville, TN 37204.*

MC 109448 (Sub-II-6TA), filed May 11, 1981. Applicant: PARKER TRANSFER COMPANY, P.O. Box 256, Elyria, OH 44036. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Such commodities as are dealt in or used by manufacturers and distributors of heating and air-conditioning units (except commodities in bulk) between Columbus, and Bellevue, OH including pts in their respective commercial zones, on the one hand, and, on the other, pts in the U.S. (except AK and HI) for 270 days. Supporting shipper: Johnson Corporation, Division of Magic Chef, 851 W. Third Ave., Columbus, OH 43212.*

The following applications were filed in Region 3. Send protests to: ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 134105 (Sub-3-19TA), filed April 8, 1981. Applicant: CELERYVALE TRANSPORT, INC., 3420 New Cummings Road, Chattanooga, TN 37419. Representative: James E. Elgin, (same address as applicant). *Meat, Meat Products, Meat By-Products and other items produced by meat packing companys (except hides), between points in Bell County, KY, on the one hand, and on the other, points in the U.S. (except AK and HI). Supporting shipper: Cumberland Gap Provision Co., P.O. Box 429, Middlesboro, KY 40965*

MC 140484 (Sub-3-21TA), filed April 8, 1981. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Fort Meyers, Florida 33902. Representative: Frank T. Day (same as applicant). *Clay tile from the facilities of Sikes Corp. at or near Lakeland, FL and Lawrenceburg, KY, to points in the U.S. (except AK and*

HI). Supporting shipper: Sikes Corp., P.O. Box 81, Lawrenceburg, KY 40342:

MC 115841 (Sub-3-52TA), filed April 8, 1981. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., McBride Lane, P.O. Box 22168, Knoxville, TN 37922. Representative: Michelene Good (same as above). *Foodstuffs (except commodities in bulk), between Jackson, MS on the one hand, and, on the other, Atlanta, GA; Nashville, TN and Tampa, FL. Supporting shipper: Morco Food Dist., 146 Forest Parkway, Forest Park, GA 30050.*

MC 115841 (Sub-3-51TA), filed April 8, 1981. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., McBride Lane P.O. Box 22168, Knoxville, TN 37922. Representative: Michelene Good (same as above). *General Commodities (except those of unusual value, Class A and B explosives and household goods as defined by the Commission), between points in the US (except AK and HI). Restricted to traffic originating at or destined to the facilities utilized by ITOFCA, Inc. Supporting shipper: ITOFCA, Inc., Two Walker Avenue, Clarendon Hills, IL 60514.*

MC 151975 (Sub-3-2TA), filed April 8, 1981. Applicant: DIRECT DELIVERY, INC., 1239 Willingham Drive, East Point, GA 30344. Representative: J. L. Fant, P.O. Box 577, Jonesboro, GA 30237. *Food and related products, between Atlanta, GA, on the one hand, and, on the other, points in AL, FL, GA, LA, MS, NC, PA, SC, TN, KY and VA. Supporting shipper: Food King Stores of Atlanta, Inc., 417 Central Avenue, Hapeville, GA 30354.*

MC 152763 (Sub-3-3TA), filed March 30, 1981. Applicant: EXPRESSCO, INC., 105 Rhine St., Madison, TN 37115. Representative: Roland M. Lowell, 618 United American Bank Bldg., Nashville, TN 37219. *Metal Buildings, parts thereof, and steel, between Sumner County, TN, on the one hand, and, on the other, points in the U.S. Supporting shipper: Kirby Building Systems, P.O. Box 390 Kirby Drive, Portland, TN 37148.*

MC 154899 (Sub-3-1TA), filed April 7, 1981. Applicant: FLORIDA LIMOUSINE SERVICE, INC., d.b.a. FLORIDA TOUR AND LIMO, 5400 McCoy Road, P.O. Box 30023, Orlando, Florida 32862. Representative: Gregory A. Presnell, Akerman, Senterfitt & Edison, 17th Floor, CNA Building, P.O. Box 231, Orlando, Florida 32802. *Common carrier: regular routes: passengers and their baggage, and express and newspapers in the same vehicle with passengers (charter and special operations not involved) (1) Between Orlando, FL and Ft. Pierce, FL: from Orlando over FL*

Hwy 527 or 436 to junction FL Hwy 528, then over FL Hwy 528 to junction U.S. Hwy 1, then over U.S. Hwy 1 to Ft. Pierce, and return over the same route, serving all intermediate points; (2) Between Cocoa, FL and Melbourne, FL: from Cocoa over FL Hwy 520 to junction U.S. Hwy A-1-A, then over U.S. Hwy A-1-A to Indialantic, then over U.S. Hwy 192 to Melbourne, and return over the same route, serving all intermediate points; (3) Between Cocoa, FL and Ft. Pierce, FL: from Cocoa over FL Hwy 520 to junction Interstate Hwy 95, then over Interstate Hwy 95 to Ft. Pierce, as an alternate route, serving the intermediate points of Melbourne and Vero Beach via U.S. Hwy 192 and FL Hwy 60. Applicant intends to interline with other carriers at Ft. Pierce, Melbourne and Orlando, FL. There are approximately 15 statements of support to the application which may be examined at the ICC Regional Office Atlanta, GA.

MC 154942 (Sub-3-1TA), filed April 8, 1981. Applicant: MUSIC CITY TRANSPORT, 33 Cleveland Ave., Nashville, Tennessee 37210. Representative: Leslie B. Hall, 204 Norway Terrace, Nashville, Tennessee 37211. *Contract Carrier: Irregular Routes: Electric motors, controllers, transformers, capacitors and other products manufactured by or purchased by General Electric Corporation* between points in the United States, under a continuing contract with General Electric Corporation. Supporting shipper: General Electric Corporation, 2000 Taylor Street, Fort Wayne, Indiana, 46804.

MC 111302 (Sub-3-9TA), filed April 6, 1981. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10108, Knoxville, TN 37919. Representative: David A. Petersen (same address as applicant). *Liquid Chemicals, in bulk, in tank vehicles, from Los Angeles County, CA to points in TX, LA, TN, OH and Cranston, RI, Tonawanda, NY, Toms River, NJ and Cumberland, MD.* Supporting shipper: Ferro Corp./Productol Chemical Div., 10051 Romandel Ave., Santa Fe Springs, CA 90670.

MC 146610 (Sub-3-1TA), filed April 8, 1981. Applicant: CHARLES JOINER, 104 South Central, Tennesse, GA 31087. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Contract: (1) Adhesives, from Sandersville, GA to pts. in AL, AR, FL, GA, IL, IN, IA, KS, KY, LA, MD, MI, MN, MS, MO, NE, NC, OH, OK, PA, SC, TN, TX, VA, WV, WI and DC; (2) Materials and supplies used in the manufacture of adhesives, from GA, IA, MS, NC, NJ, OH, SC, TX and VA to Sandersville, GA*

under continuing contract with Evans Adhesives Corporation; and (3) *Wooden veneer and plywood, from Washington County, GA to pts. in FL, NC, TX, MI, OH, WI, VA and AL* under a continuing contract with Corbett Plywood Corp. Supporting shippers: Evans Adhesive Corporation, P.O. Box 575, Sandersville, GA 31082 and Corbett Plywood Corp., Zeta Street, Tennesse, GA 31078.

MC 154997 (Sub-3-1TA), filed April 8, 1981. Applicant: KIDDY ENTERPRISES, Route 2, Box 307, Corinth, MS 38834. Representative: W. Lee Whitman, Attorney, 4515 Poplar, Suite 500, Memphis, TN 38117. *Contract carrier: Irregular; paper, printed matter, ink, solvents, carton, pallets and tops, magazines, glue, drums, catalogues, printing cylinders, paper cores, & miscellaneous supplies, between the facilities of W. F. Hall Printing Co. at Corinth, MS; Evans, GA; Dresden, TN; and Chicago, IL; on the one hand, and on the other, points in the U.S. (except AK and HI) under a continuing contract with W. F. Hall Printing Co. Restricted to traffic originating at or destined to facilities owned, utilized, or operated by W. F. Hall Printing Co., Hall of Mississippi and Mobil Corp. Supporting shipper: Hall of Mississippi, Golding Drive, Corinth, MS 38834.*

MC 77972 (Sub-3-5TA), filed April 2, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: Robert L. McCarty, P.O. Box 22828, Jackson, MS 39205. *Common: Regular routes: Wearing apparel serving Ramer, TN, as an off-route point in connection with applicant's otherwise authorized regular routes. Supporting shipper: Levi Strauss & Co., 501 Denium Way, Canton, MS 39046. Applicant intends to tack.*

MC 31875 (Sub-3-41TA), filed April 8, 1981. Applicant: NORTHERN FREIGHT LINES, INC., P.O. Box 34303, Charlotte, NC 28234. Representative: Jay R. Hanson (same as above). *Plastic Pipe, Plastic Pipe Fittings and material, equipment and supplies used in the manufacture and installation thereof, between Colfax, NC, on the one hand, and on the other, points in and east of MT, SD, NE, KS, OK and TX. Supporting shipper(s): Tridyn Industries, Inc., P.O. Box 156, Colfax, N.C. 27235.*

MC 155170 (Sub-3-1TA), filed April 8, 1981. Applicant: PEACH STATE TRUCK BROKERS, INC., P.O. Box 2937, Gainesville, GA 30503. Representative: Frank D. Hall, Postell & Hall, P.C., Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30328. *Contract, irregular, (1) Frozen foods; and (2) materials, equipment, and supplies used, sold or dealt in by frozen food processors, between all points in*

the US, under a continuing contract(s) with Dutch Quality House. Supporting shipper: Dutch Quality House, P.O. Box 2397, Old Oakwood Rd., Gainesville, GA 30503.

MC 151040 (Sub-3-4TA), filed April 7, 1981. Applicant: RTL HOLDINGS, INC., 2050 Kings Road, Jacksonville, FL 32209. Representative: S. E. Somers, Jr. (same address as applicant). *Contract carrier: Irregular routes: Such commodities as dealt in by wholesale/retail food stores between Holland, MI, and points in FL, SC, and TX, under a continuing contract(s) with H. J. Heinz Company. Supporting shipper: Heinz USA, Div. of H. J. Heinz Co., P.O. Box 57, Pittsburgh, PA 15230.*

MC 111045 (Sub-3-5TA), filed April 8, 1981. Applicant: REDWING CARRIERS, INC., P.O. Box 426, Tampa, Florida 33601. Representative: L. W. Fincher (same address as applicant). *PETROLEUM PRODUCTS, between points in Alabama and Mississippi. Supporting shipper: Vicks Oil Co., Fayette, Alabama 35555.*

MC 149218 (Sub-3-17TA), filed April 3, 1981. Applicant: SUNBELT EXPRESS INC., U.S. Hwy. 78, W. Bremen, GA 30110. Representative: Clyde W. Carver, Atty., P.O. Box 720434, Atlanta, GA 30328. *General Commodities (except household goods, and classes A and B explosives) between Haralson County, GA on the one hand, and, on the other, pts. in the U.S. in and east of MN, IA, NE, KS, OK, and TX. Restricted to the transportation of traffic originating at the facilities utilized by King Packaging Company, Inc. Supporting shipper: King Packaging Company, Inc., 407 Sangamore Rd., Bremen, GA 30110.*

MC 149563 (Sub-3-11TA), filed April 3, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Ave., Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. *Contract, Irregular; Forest products, lumber and wood products, between the facilities of Industrial Wood Products, Inc. Division Wrape Forest Industries, Inc. at or near Little Rock, AR, on the one hand, and, on the other, points in the U.S. under continuing contract with Industrial Wood Products, Inc. Division Wrape Forest Industries, Inc., P.O. Box 182, Little Rock, AR 72203.*

MC 149218 (Sub-3-18TA), filed April 8, 1981. Applicant: SUNBELT EXPRESS INC., U.S. Hwy. 78, W. Bremen, GA 30110. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Paper and paper products, from La Grange, GA to pts. in PA, NJ and NY. Supporting shipper: S.P.C. Company,*

1707 Shorewood Drive, La Grange, GA 30240.

MC 99648 (Sub-3-1TA), filed April 8, 1981. Applicant: TERMINAL TRUCKING CO., INC., P.O. Box 562 Terminal Court, Concord, NC 28025. Representative: Charles Eugene Isenhour, Jr. (same as applicant). *General Commodities* between points in NC and SC. Applicant intends to tack with existing authority in MC-99648 and intends to interline at Greenville, Spartanburg and Charleston, SC and Charlotte, Wilmington, Greensboro and Statesville, NC. There are approximately 32 statements of support to the application which may be examined at the ICC Regional Office in Atlanta, GA.

MC 55312 (Sub-3-1TA), filed April 10, 1981. Applicant: TRAILWAYS TENNESSEE LINES, INC., 327 Gayoso Street, Memphis, TN 38103. Representative: George W. Hanthorn, 1500 Jackson Street, Dallas, TX 75201. Common; Regular. *Passengers and their baggage, and express and newspapers in the same vehicle with passengers*, between Birmingham, AL, and junction AL Hwy. 157 and U.S. Alt. Hwy. 72 as follows: From Birmingham over Interstate Hwy. 65/U.S. Hwy 31 to junction AL Hwy. 157, then over AL Hwy. 157 to junction U.S. Alt. Hwy. 72 and return over the same route, serving all intermediate points. Supporting shipper: There are 26 supporting witnesses. Applicant intends to tack with existing authority and also intends to interline.

MC 124154 (Sub-3-25TA), filed April 6, 1981. Applicant: WINGATE TRUCKING COMPANY, INC., P.O. Box 645, Albany, GA 31703. Representative: W. D. Wingate (same address as applicant). *Iron or steel articles* between points in Chicago, IL, Norcross, GA, Irondale, AL, Butler, PA, Charlotte, NC, Lemont, IL, Denver, CO, Houston, TX, Kansas City, MO, Richmond, VA, Salt Lake City, UT, Auburn, WA, and Worcester, MA, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper: Marmon/Keystone Corporation, Box 992, Butler, PA 16001.

The following applications were filed in region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 720 (Sub-4-1TA), filed May 5, 1981. Applicant: BIRD TRUCKING COMPANY, INC., P.O. Box 227, Waupun, WI 53963. Representative: Tom Westerman, P.O. Box 227, Waupun, WI 53963. *Common, irregular, Fabricated Steel Products*, from Stevens Point and New London, WI to points in and East of ND, SD, KS, NE, OK, and TX, restricted

to shipments originating at the facilities of Steel King Industries, Inc. Supporting shipper: Steel King Industries, Inc., 2700 Chamber Street, Stevens Point, WI 54481.

MC 97932 (Sub-4-4TA), filed May 7, 1981. Applicant: WREN, INC., d.b.a. LAKEVILLE MOTOR EXPRESS, 1665 West County Road C, St. Paul, MN 55113. Representative: Richard L. Gill, 1805 American National Bank, St. Paul, MN 55101. *Common, regular, General commodities (except those of unusual value and Classes A and B explosives)*, between Minneapolis-St. Paul, MN and Rochester, MN, serving intermediate points: From Minneapolis-St. Paul over U.S. Highway 52 to Rochester, and return over the same route. Supporting shippers: There are nine supporting shippers. Tacking and Interlining intended.

MC 105501 (Sub-4-6TA), filed May 8, 1981. Applicant: TERMINAL TRANSPORT INC., formerly known as TERMINAL WAREHOUSE COMPANY, 1851 Raddison Road N.E., Blaine, MN, 55434. Representative: Joseph J. Dudley, Dudley and Smith, W-1260 First National Bank Building, Saint Paul, MN, 55101. *Commodities dealt in and sold through retail and wholesale building material stores* between points in MO, SD, ND and MN. Supporting shipper: Knox Lumber Co., 801 Transfer Rd., St. Paul, MN, 55114.

MC 118838 (Sub-4-9TA), filed May 6, 1981. Applicant: GABOR TRUCKING, INC., R.R. 4, Detroit Lakes, MN 56501. Representative: Robert D. Gisvold, 1600 TCF Tower, Minneapolis, MN 55402. *Contract, irregular route, Salt and salt products*, from Ogden and Saline, UT, to Chicago and Peoria, IL; Dillon, MT, and Seattle, Spokane and Tacoma, WA, under continuing contract(s) with Processed Minerals, Inc., First National Center, Hutchinson, KS 67501. An underlying ETA seeks 120 days authority. Supporting shipper: Processed Minerals, Inc., First National Center, Hutchinson, KS 67501.

MC 124159 (Sub-4-2TA), filed May 6, 1981. Applicant: DAGGETT TRUCK LINE, INC., Frazee, MN 56544. Representative: Robert N. Maxwell, P.O.B. 2471, Fargo, ND 58108. *Charcoal and charcoal briquettes*, from the facilities of Husky Industries, Inc., at Dickinson, ND, to Albany, Scotia and Stamford, NY. An underlying ETA seeks 120 days authority. Supporting shipper: Husky Industries, Inc., 62 Perimeter Center East, Atlanta, GA 30346.

MC 136899 (Sub-4-14TA), filed May 7, 1981. Applicant: HIGGINS TRANSPORTATION LTD., P.O. Box 637, Richland Center, WI 53581.

Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *Contract: General commodities (except classes A & B explosives)* from Salt Lake City and Ogden, UT; San Antonio, TX, Columbus, OH, Starke, FL, and Norfolk, VA to Madison and Camp Douglas, WI under a continuing contract(s) with the state of Wisconsin. Underlying ETA seeks 120 days authority. Supporting shipper: State of Wisconsin, 101 S. Webster Street, Madison, WI 53702.

MC 140276 (Sub-4-2TA), filed May 6, 1981. Applicant: LARRY SCHEFUS TRUCKING, INC., Route 1, P.O. Box 202, Redwood Falls, MN 56283. Representative: James B. Hovland, 525 Lumber Exchange Building, 10 South Fifth Street, Minneapolis, MN 55402. (1) *Fabricated metal products*, and (2) *equipment, materials and supplies used in the manufacture or fabrication of the commodities named in part (1) above* between points in the U.S. under continuing contract with Continental Custom Bridge Company, Inc., Alexandria, MN. Supporting shipper: Continental Custom Bridge Company, Inc., Rt. 5, Box 178, Alexandria, MN 56308.

MC 143500 (Sub-4-8TA), filed May 7, 1981. Applicant: R.B. CARRIERS, INC., P.O. Box 92, Jeffersonville, IN 47130. Representative: Dean N. Wolfe, Esq., Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. *Contract, irregular, Chemicals except in bulk*, from Louisville, KY, to points in CA, ID, MT, NV, NM, OR, UT, WA, WY. Supporting shipper: Chou Chen Chemicals, Inc., 901 S. 15th St., Louisville, KY 40210.

MC 148389 (Sub-4-2TA), filed May 6, 1981. Applicant: MILBAX TRUCKING LINES, INC., 807 Rathbone Ave., Aurora, IL 60507. Representative: William H. Towl, 180 North LaSalle St., Chicago, IL 60601. *Insulation materials and materials used in the manufacture and distribution of insulation materials* between Aurora, IL, and Alliance, OH, on the one hand, and, on the other, points in the U.S. in and east of MT, WY, CO and NM. An underlying ETA seeks 120 days authority. Supporting shipper: Forty-Eight Insulation, Inc., P.O. Box 1148, Aurora, IL 60507.

MC 148966 (Sub-4-7TA), filed May 4, 1981. Applicant: DROTZMANN, INC., P.O. Box 667, Yankton, SD 57078. Representative: James M. Hodge, 1000 United Central Bank Bldg., Des Moines, IA 50309. *Canned fruit juices and frozen concentrates*, from the facilities of Seneca Foods Corporation at or near Prosser, WA to points in and west of WI, IL, MO, OK and TX. Supporting

shipper(s): Seneca Foods Corporation, Western Division, P.O. Box 71, Prosser, WA 99350.

MC 149308 (Sub-4-4TA), filed May 7, 1981. Applicant: VICTORY FREIGHTWAY SYSTEM, INC., Post Office Box P, Sellerburg, IN 47172. Representative: William P. Jackson, Jr., Post Office Box 1240, Arlington, VA 22210. *Contract; irregular: Such commodities as are dealt in, used or distributed by a manufacturer of concrete forms, between Pima County, AZ, on the one hand, and, on the other, points in NM, TX, OK, LA, AR, MS, AL, GA, FL, SC, NC, TN, KY, VA, WV, IN, OH, PA, DE, MD, NJ and DC.* *Restriction: Restricted to the transportation of shipments handled under a continuing contract or contracts with Mortex Manufacturing Co., Inc. Supporting shipper: Mortex Manufacturing Co., Inc., 1818 W. Price Street, Tucson, AZ 85705.*

MC 151899 (Sub-4-8TA), filed May 6, 1981. Applicant: BLACKHAWK EXPRESS, INC., 89 North Main Street, Fort Atkinson, WI 53538. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, IL 60603. *Contract: Food and related products between Belleville, WI on the one hand, and, on the other, points in the U.S. under continuing contracts with Deltown Chemurgic Corporation. An underlying ETA seeks 120 days authority. Supporting shipper: Deltown Chemurgic Corporation, P.O. Box 69, Belleville, WI 53508.*

MC 153829 (Sub-4-17TA), filed May 7, 1981. Applicant: UNITED SHIPPING COMPANY, 2104 Lower St., Dennis Road, St. Paul, MN 55116. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. *Envelopes between the facilities of Tension Envelope Corporation located at or near Winston-Salem, NC, South Hackensack, NJ, Memphis, TN, St. Louis and Kansas City, MO, Des Moines, IA, Minneapolis, MN, Fort Worth, TX and Los Angeles, CA, on the one hand, and, on the other, points in the U.S. Supporting shipper: Tension Envelope Corporation, 19th and Campbell Streets, Kansas City, MO.*

MC 154970 (Sub-4-2TA), filed May 6, 1981. Applicant: HASBROUCK, ENTERPRISE, P.O. Box 328, Crookston, MN 56716. Representative: James B. Hovland, 525 Lumber Exchange Building, 10 South Fifth Street, Minneapolis, MN 55402. *Non-alcoholic beverages, from Jamestown, ND to Crookston, MN. Supporting shipper: Crookston Coca-Cola Bottling Co., Crookston, MN 56716.*

MC 155482 (Sub-4-1TA), filed May 4, 1981. Applicant: COMSTOCK TRUCKING, Caledonia, MN 55921. Representative: Joseph E. Ludden, 2707 South Ave., P.O. Box 1567, La Crosse, WI 54601. *Fertilizer, in bulk, in dump vehicles (farm products) between La Crosse County, WI and Houston, Winona and Fillmore Counties in MN. Supporting shippers: Houston Money Creek Creamery, Houston, MN 55943; Land O' Lakes, Inc., Caledonia, MN 55921; Wiebke Produce, Inc., Eitzen, MN 55931.*

MC 155740 (Sub-4-1TA), filed May 5, 1981. Applicant: CROCUS, LTD., 2091 Highway W, Crafton, WI 53024. Representative: Richard A. Westley, 4506 Regent Street, Suite 100, Madison, WI 53705. *Metal products from Sheboygan, WI to Le Roy, MN. An underlying ETA seeks 120 day authority. Supporting shipper, Eclipse MFG., Co., 1828 Oakland Avenue, Sheboygan, WI 53081.*

MC 155742 (Sub-4-1TA), filed May 5, 1981. Applicant: COBB TRANSPORT COMPANY, INC., d.b.a. THE COBB COMPANY, 10140 North Port Washington Road, Mequon, WI 53092. Representative: Daniel R. Dineen 710 North Plankinton Avenue, Milwaukee, WI 53203. *Contract; irregular: Machinery and metal products; and materials, equipment, and supplies used in the manufacture and distribution of machinery and metal products, between the facilities of the Rose Company of Milwaukee, WI, on the one hand, and, on the other, points in the U.S., under continuing contracts with the Rose Company of Milwaukee, WI. An underlying ETA seeks 120 days authority. Supporting shipper: Rose Company, 7044 North Teutonia Avenue, Milwaukee, WI, 53209.*

MC 155772 (Sub-4-1TA), filed May 6, 1981. Applicant: DETROIT REFRIGERATED EXPRESS, INC., 7336 W. 15th Ave., Gary, IN 46406. Representative: Bernard J. Kompare, Suite 1600, 10 S. LaSalle Street, Chicago, IL 60603. *Such commodities as are dealt in or used by manufacturers or distributors of foodstuffs (except in bulk), between points in MI and OH, on the one hand, and on the other, points in and east of ND, SD, NE, KS, OK and TX. Supporting shippers: There are eight (8) supporting shippers.*

MC 155773 (Sub-4-1TA), filed May 6, 1981. Applicant: GERALD J. GROB, d.b.a. JB & J TRUCKING, 5214 County Trunk P, Cross Plains, WI 53528. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. *Plastic forms and foodstuffs from Cross Plains and Blue Mounds, WI to*

points in IL and SC. Underlying ETA seeks 120 days authority. Supporting shippers: Plastic Ingenuity, Inc., 1017 Park, Cross Plains, WI 53528; and Stauffer and Sons, Incorporated, P.O. Box 88, Blue Mounds, WI 53517.

The following applications were filed in region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 30378 (Sub-5-2TA), filed May 7, 1981. Applicant: ASSOCIATED TRANSPORTS, INC., 9050 Pershall Road, Hazelwood, MO 63042. Representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, IL 60601. *Transportation Equipment, between Detroit, MI, AR, OK, CO, and TX. Supporting shipper: Ford Motor Company, P.O. Box 1529-B, NAAO Bldg.; Dearborn, MI 48121.*

MC 59444 (Sub-5-3TA), filed May 7, 1981. Applicant: WALLER TRUCK CO., INC., Highway 10 East, Box 5900, Richmond, MO 64085. Representative: Robert D. Waller (same as applicant). *Common; regular: General Commodities (except Classes A and B explosives and household goods as defined by the Commission), (1) between Kansas City, MO and its commercial zone and Boonville, MO and its commercial zone; From Kansas City over Interstate Hwy 70 to Boonville and return over the same route, serving all intermediate points and serving the off-route point of Blackwater, MO and its commercial zone; and (2) between Kansas City, MO and its commercial zone and Maysville, MO and its commercial zone: From Kansas City over Interstate Hwy 35 to junction MO Hwy 33, then over MO Hwy 33 to Maysville, and return over the same route, serving all intermediate points and serving all points in DeKalb and Clinton Counties, MO as off-route points. Applicant intends to tack and interline. Supporting shipper: 26.*

MC 123476 (Sub-5-8TA), filed May 8, 1981. Applicant: CURTIS TRANSPORT, INC., P.O. Box 388, Arnold, MO 63010. Representative: David G. Dimit (same as applicant). *Adhesives, Coatings, Plastic Resins & Chemicals (except in bulk in tank vehicles) between points in the U.S., restricted to loads originating at or destined to the facilities of Estech Speciality Chemical Corporation. Supporting shipper: Estech Speciality Chemicals Corp., 30 North La Salle, St. Chicago, IL 60602.*

MC 126118 (Sub-5-65TA), filed May 8, 1981. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same as applicant).

Synthetic products, cordage, cordage products, and scrap materials generated in the manufacture of cordage and cordage products, between points in KS and SC, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper: Exxon Chemical Americas, Gene Lamb, Business Manager, 100 S. Penalosa, Box 517, Kingman, KS 67068.

MC 138104 (Sub-5-10TA), filed May 7, 1981. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, TX 76106. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. (1) *Primary metal products, (2) fabricated metal products, and (3) machinery and supplies, as described in items 33, 34 and 35 of the Standard Transportation Code Tariff, between points in the U.S. Supporting shippers: There are 13 supporting shippers.*

MC 142215 (Sub-5-1TA), filed May 7, 1981. Applicant: DUKE TRANSPORTATION, INC., Route 3, Box 29-A, Scott, LA 70583. Representative: Colleen McDaniel, P.O. Box 3959, Lafayette, LA 70502. (1) *Machinery, equipment, materials, and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and (2) machinery, materials, equipment and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof, between points in LA, MS, AR, TX and OK. Supporting shippers: (1) Dual Drilling, Inc., P.O. Box 52880, Lafayette, LA 70505; (2) Power Rig Drilling Co., P.O. Box 52808, Lafayette, LA 70505; (3) Cliffs Drilling Co., P.O. Box 888, Scott, LA 70583; (4) El Jay Drilling Corp., 8955 Katy Freeway, Suite 101, Houston, TX 77024.*

MC 147248 (Sub-5-5TA), filed May 8, 1981. Applicant: CONTAINER SHUTTLE SERVICE CORP., Route 8, Box 139, Beaumont, TX 77705. Representative: Charles N. Driver (same as applicant). *General Commodities (except Classes A & B Explosives, household goods as defined by the Commission, and hazardous wastes.)* Between points in the Dallas, TX, Commercial Zone, on the one hand, and on the other, points in the Commercial Zone of Houston, TX, having a prior or subsequent move to or from points beyond the state of Texas. Supporting shipper: Inter-City Trucking and Warehouse Co., Inc., P.O. Box 10044, Dallas, TX.

MC 148648 (Sub-5-2TA), filed May 8, 1981. Applicant: GREAT PLAINS TRANSPORTS, INC., P.O. Box 923, Clinton, OK 73601. Representative: Clayte Binion, 623 South Henderson, 2nd Floor, Fort Worth, TX 76104. *Oilfield commodities, between points in TX and LA, on the one hand, and, on the other points in OK. There are 10 support shippers.*

MC 149088 (Sub-5-5TA), filed May 7, 1981. Applicant: TRANSPORTATION, INC., P.O. Box 362, Ottawa, KS 66067. Representative: Clyde N. Christey, 1010 Tyler, Suite 110L, Topeka, KS 66612. *Bentonite, between all points and places in Weston County and Crook County, WY on the one hand and points and places in the State of KS and OK on the other hand. Supporting shipper: Industrial Supply of Wichita, Inc., P.O. Box 2139, Wichita, KS 67201.*

MC 149147 (Sub-5-2TA), filed May 8, 1981. Applicant: DECKERT TRANSPORT, INC., 10104 S. 197th E. Ave., Broken Arrow, OK 74012. Representative: Elaine C. Deckert (same as above). *Frozen foodstuffs in cases from the states of WA, OR and ID to the facilities of K & G Fish Co. in OK. Supporting shipper: K & G Fish Co., 2213 South Villa, Oklahoma City, OK 73108.*

MC 150496 (Sub-5-17TA), filed May 8, 1981. Applicant: P.A.M. TRANSPORT, INC., P.O. Box 188, Tontitown, AR 72770. Representative: Robert W. Weaver, P.O. Box 188, Tontitown, AR 72770. *Furniture, lighting fixtures, paper and paper products, plastic articles, expanded; and equipment, materials, and supplies used in the manufacture and distribution of the above products, between Rogers, AR; Cape Girardeau, MO; Cincinnati, OH; Columbus, OH; Green Bay, WI; Landisville, NJ; Marinette, WI; Philadelphia, PA; Chester, PA; and Newport, AR. Supporting shipper: Scott Paper Company, Scott Plaza I, Philadelphia, PA 19113.*

MC 151314 (Sub-5-2TA), filed May 7, 1981. Applicant: B & W EXPRESS, INC., P.O. Box 2122, San Antonio, TX 78205. Representative: Kenneth R. Hoffman, P.O. Box 2165, Austin, TX 78768. *General Commodities, except Classes A and B explosives, between Houston, TX, and its commercial zone and San Antonio, TX and its commercial zone, on the one hand, and, on the other, points in Gonzales, Lavaca, Caldwell, Comal, Bexar and Guadalupe Counties, TX. Restricted to traffic having a prior or subsequent movement by rail or water in TOFC Service or COS service. Shipping supporters: Robert F. Barnes Customsbroker and Airfreight Forwarder, 9327 E. Terminal Dr., San Antonio, TX. Welaire Corp., 10613,*

Sentinel, San Antonio, TX. Burch Traffic Service, 10205 Oasis, San Antonio, TX.

MC 151819 (Sub-5-8TA), filed May 8, 1981. Applicant: CARGO MASTER, INC., 917 S. Harwood, Dallas, TX 75201. Representative: Jackson Salasky, P.O. Box 45538, Dallas, TX 75245. *Food and related products, between Anderson County, TX, on the one hand, and on the other, points in AL, AZ, AR, CA, CO, FL, GA, IL, IA, KS, KY, LA, MI, MN, MS, MD, NY, NM, NC, NE, OH, OK, PA, SC, TN, WI, VT and VA. Supporting shipper(s): Vernon Calhoun Packing Co., P.O. Box 709, Palestine, TX 78701.*

MC 153483 (Sub-5-2TA), filed May 7, 1981. Applicant: ANTWEILER TRUCKING COMPANY, INC., Star Route, Montgomery City, MO 63361. Representative: David Earl Tinker, Esq., 1000 Connecticut Avenue, N.W., Suite 1112, Washington, D.C. 20036. (1) *paint and paint products, and (2) materials and supplies used in the manufacture and distribution of the commodities named in (1), between Randolph County, MO and OK, TX, and LA. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, DE 19898.*

MC 153773 (Sub-5-3TA), filed May 7, 1981. Applicant: NDC TRUCKING CO., A division of National Distributing Company, Inc., 820 McKesson Drive, Longview, TX 75601. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. *Outdoor Furniture between Longview, TX; Alexandria, IN; Calhoun, GA; Potstown, PA; Riverside and Willits, CA, and Leominster, MA. Restricted to traffic originating at or destined to the facilities of Little Lake Industries. Supporting shipper: Little Lake Industries, P.O. Box 6555, Longview, TX 75604.*

MC 153773 (Sub-5-4TA), filed May 7, 1981. Applicant: NDC TRUCKING CO., P.O. Box 7364, Longview, TX 75601. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. *Building and Construction Materials, between Dallas, TX, on the one hand, and, on the other, points in AR, AZ, CA, CO, FL, IL, IN, KY, MO, NM, OH, and PA. Restricted to traffic originating at or destined to the facilities of Spann Metals Corporation. Supporting shipper: Spann Metals Corporation, P.O. Box 26288, Worth Street, Dallas, TX 75226.*

MC 155801 (Sub-5-1TA), filed May 7, 1981. Applicant: JAMES H. LONG d.b.a. SENECA EXPRESS, Route 2, Box 209-A, Seneca, MO 64865. Representative: Bruce McCurry, 910 Plaza Tower, Springfield, MO 65804. *General commodities (except Class A and B Explosives and commodities in bulk in*

tank vehicles) between points in Jasper and Newton Counties, MO on the one hand and Ottawa County, OK on the other hand.

MC 155804 (Sub-5-1TA), filed May 7, 1981. Applicant: OILFIELD HEAVY HAULERS, INC., Highway 95, Duson, LA. Representative: C. W. Ferebee, 720 North Post Oak Road, Suite 230, Houston, TX 77024. *Oil and gas well drilling rigs, their parts and accessories* between TX, on the one hand, and LA, on the other hand. Supporting shippers: Pernie-Bailey Drilling Co., P.O. Box 70, Port Barre, LA. Goldrus Drilling Co., 300 Midway St., Lafayette, LA.

MC 155805 (Sub-5-1TA), filed May 7, 1981. Applicant: GOVER TRANSPORT, INC., 206 West Jefferson, Clinton, MO 64735. Representative: Tom B Kretsinger, P.O. Box 258, Liberty, MO 64066. *Contract irregular Petroleum, natural gas and their products*, between all points in the U.S. Supporting shippers: G & G Oil Company, 206 W. Jefferson, Clinton, MO 64735; Lowe Oil Company, 510 Price Lane, Clinton, MO 64735.

MC 155830 (Sub-5-1TA), filed May 8, 1981. Applicant: B & S HEAVY HAULERS SERVICE COMPANY, Route 2, Box 251W, Abbeville, LA. 70510. Representative: John Schwab, P.O. Box 3036, Baton Rouge, LA. 70821. (1) *machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products*, and (2) *machinery, materials, equipment and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof*, between points in LA, TX, MS, and OK. Supporting shippers: There are fourteen supporting shippers.

MC 155832 (Sub-5-1TA), filed May 8, 1981. Applicant: CADD OPERATING COMPANY, INC., 3050 South Post Oak, Suite 200, Houston, TX 77056. Representative: Robert A. Harris (same as applicant). *Machinery and equipment*, between Greenwood, LA and points in LA and TX. Supporting shipper: Lyon Petroleum Company, 1500 Beck Bldg., Shreveport, LA 71101.

The following applications were filed in region 6. Send protests to: Interstate Commerce Commission, Region 6 Motor Carrier Board, P.O. Box 7413, San Francisco, CA 94120.

MC 135865 (Sub-6-1TA), filed May 7, 1981. Applicant: APPLGATE DRAYAGE COMPANY, 325 N. 5th St.,

Sacramento, CA 95814. Representative: Michael T. Applegate (same as applicant). *Common Carrier*, regular routes: *General commodities*, (except classes A and B explosives, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment and hazardous waste) between Stockton, CA and Fresno, CA along Hwy 99, serving all intermediate points and their commercial zones, for 270 days. Applicant intends to interline and tack this authority to existing authority. Supporting shippers: Golden Gate Periodical Distributors, 1400 6th St., San Francisco, CA 94107; The Learning Line, POB 577, Palo Alto, CA 94302; Sweetheart Cup Corp., 2155 E. 7th St., Los Angeles, CA 90023.

MC 149195 (Sub-6-13TA), filed May 7, 1981. Applicant: ARCADIAN MOTOR CARRIERS, 1100 Sierra St., Kingsburg, CA 93631. Representative: James F. Hauenstein (same as applicant). (1) *Carpet and fabric steam cleaning machinery and supplies*. (2) *Material, equipment and supplies used in the manufacture or distribution of commodities in (1) above*. (1) From: Fresno, CA. To: Fenton, MO and (2) From: Fenton, MO To: Nashville, TN and Dallas, TX for 270 days. Supporting shipper: Rug Doctor, Inc., 2788 Larkin Ave., Fresno, CA 93727.

MC 134387 (Sub-6-12TA), filed May 6, 1981. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Ave., South Gate, CA 90280. Representative: Patricia M. Schnegg, 707 Wilshire Blvd., No. 1800, Los Angeles, CA 90017. *Food and foodstuffs*, from Portland, OR, to Spokane, WA, for 270 days. An underlying ETA seeks up to 120 days. Supporting shipper: Nabisco, Inc., East Hanover, NJ 07936.

MC 155745 (Sub-6-1TA), filed May 4, 1981. Applicant: JOHN H. BURROWS, INC., d.b.a. BONANZA REFRIGERATED TRUCKING, 1925 Freeport Blvd., Sparks, NV 89431. Representative: Mike Pavlakis, P.O. B. 846 Carson City, NV 89701. *Contract Carrier*, irregular routes: *general commodities*, between points in Los Angeles, Sacramento, Santa Clara and San Francisco Counties, CA, and points in Washoe County, NV, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Bender Warehouse Co., P.O. Box 11430, Reno, NV.

MC 151028 (Sub-6-61TA), filed May 6, 1981. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. B. 3062, Portland, OR

97208 *Contract carrier*, irregular routes: *General commodities*, (except Classes A and B explosives), from Taft, LA and Texas City, Houston and North Seadrift, TX and points in their Commercial Zones to points in IL, IN, OH and MI, for 270 days. (Hazardous materials involved from Taft, LA). Supporting shipper(s): Union Carbide Corporation, 270 Park Avenue New York, NY 10017.

MC 155756 (Sub-6-6TA), filed May 1, 1981. Applicant: NEIL H. FULKERSON, INC., 3451 Losee Rd. Suite B, N. Las Vegas, NV. 89030. Representative: (same as applicant). *Contract Carrier*, Irregular routes: *Lumber, Building Materials, Gypsum Products; Gypsum Wallboard; Heavy Equipment and Machinery*, between points in CA, OR, NV, UT, and AZ. For the accounts of: Las Vegas Plywood & Lumber, Advance Equipment, Flintkote Corporation, for 270 days. Supporting shippers: Las Vegas Plywood & Lumber, 2810 N. Nellis Blvd., Las Vegas, NV; Flintkote Corporation, Star Route Box 2900, Blue Diamond, NV; and Advance Equipment, 4660 W. Tropicana, Las Vegas, NV.

MC 133779 (Sub-6-3TA), filed May 6, 1981. Applicant: FUNDIS COMPANY, P.O.B. 740, Lovelock, NV 89419. Representative: Pete Fundis (same as applicant). *Alcoholic beverages; including liquor, wine, beer and malt beverages, materials and supplies used in the packaging and shipping thereof*: in Sea-Van containers. From Alameda, Colusa, Contra Costa, Fresno, Glenn, Humboldt, Kern, Madera, Marin, Mendocino, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, and Stanislaus counties in CA to Carson City, Churchill, Humboldt, and Washoe counties in NV for 270 days. An underlying ETA seeks authority for 120 days. Supporting shippers: Luce and Sons Inc., P.O.B. 2191, Reno, NV 89505, L. W. Peraldo Co., Inc., 405 W. Winnemucca Blvd., Winnemucca, NV 89445 Capitol Beverages, Inc., 2333 Fairview Dr., Carson City, NV 89701.

MC 155426 (Sub-6-1TA), filed May 6, 1981. Applicant: JOHN H. GARLAND, d.b.a. GARLAND TRANSPORTATION, 612 23rd St., Richmond, CA 94804. Representative: Arden Riess 4509 Pacific Ave, Suite "A", Stockton, CA 95207. (1) *candy and confectionery items* (not hollow mold) in packages; (2) *nuts* in packages; and (3) *raw material used in manufacture of candy and confectionery items* between points in the U.S., except AK and HI for 270 days. Supporting

shipper: California Peanut Co., P.O. Box 157, Point Station Richmond, CA 94807.

MC 155755 (Sub-6-1TA), filed May 4, 1981. Applicant: WILLIAM L. GARRETT, d.b.a., W. L. GARRETT TRUCKING, 2501 Blackstone Ct., Bakersfield, CA 93304. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306. *Contract carrier*; irregular routes: (1) *Lumber Products* from Seattle and Tacoma, WA and Portland, Bend and Eugene, OR to points in CA and from Bakersfield, CA to Phoenix and Tucson, AZ. (2) *Plastic Pipe and Tubing* from Shafter, CA to points in AZ, ID, NV, NM, OR, UT and WA, for 270 days. Supporting shippers: Pacific Wood Preserving of Bakersfield, Inc., 5601 District Blvd., Bakersfield, CA 93309 and Wynn Plastics, Rt. 1, Bx. 640, Bakersfield, CA 93308.

MC 48958 (Sub-6-10TA), filed May 5, 1981. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., P.O.B. 16404, Denver, CO 80216. Representative: Robert A. Haddock (same as applicant). *Contract Carrier*, Irregular route: *Paper boxes and paper containers* between Kansas City, KS and Chicago, IL commercial zone for the account of Sealright Co., Inc. for 270 days. Supporting shipper: Sealright Co., Inc., 2925 Fairfax Rd., Kansas City, KS 66115.

MC 139908 (Sub-6-71TA), filed May 5, 1981. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O.B. 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O.B. 81849, Lincoln, NE 68501. *Paper, fabric, cleaning and scouring products* (except in bulk) between the facilities of Chicopee, a Division of Johnson & Johnson, at or near East Camden and North Little Rock, AR; Benson, NC; Walhalla, SC; Gainesville, GA and East Brunswick, NJ on the one hand, and, on the other, points in the U.S. for 270 days. Supporting shipper: Chicopee, Div. of Johnson & Johnson, P.O.B. 1151, New Brunswick, NJ 08903.

MC 150290 (Sub-6-3TA), filed May 4, 1981. Applicant: MIDLAND TRANSPORTATION CO., INC., 801 W. Artesia Blvd., Compton, CA 90220. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904. (1) *Sodium carbonate; sodium bicarbonate; cleaning, scouring or washing compounds*, and (2) *equipment and supplies used in the manufacture of (1) except in bulk*; Between points in the U.S. RESTRICTED to traffic originating at or destined to the facilities of or utilized by Church & Dwight Co., located in Sweetwater County, WY, Seneca and Sandusky Counties, OH, Syracuse, NY

and Salt Lake City, UT, for 270 days. Supporting shipper: Church and Dwight Co., Inc., P.O. Box 369, Piscataway, NJ 08854.

MC 127115 (Sub-6-4TA), filed May 7, 1981. Applicant: MILLERS TRANSPORT, INC., 510 W. 4th N., Hyrum, UT 84319. Representative: Bruce W. Shand, 311 S. State St., Salt Lake City, UT 84111. *Contract carrier*, irregular routes: *iron and steel articles*, between points in WA, OR, CA, NV, ID, UT, AZ, NM, CO, WY, and MT, under a continuing contract(s) with The David J. Joseph Co., for 270 days. An ETA seeks 120 days authority. Supporting shipper: The David J. Joseph Co., 801-A W. 8th St., Cincinnati, OH 45201.

MC 155760 (Sub-6-1TA), filed May 5, 1981. Applicant: RONALD S. YAROS, d.b.a. RMEX, P.O. Box 24808, Oakland, CA 94623. Representative: Same as applicant. *Contract Carrier*, Irregular routes: *General Commodities* (except those of unusual value, Classes A & B explosives, commodities in bulk, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between points in the Los Angeles and Oakland, CA commercial zones on the one hand, and on the other points in ID, MT, OR, UT and WA, for 270 days. Restriction: Restricted to traffic moving on bills of lading of freight forwarders operating under 49 U.S.C. Section 10102 (8) and further restricted to traffic moving on bills of lading of Rocky Mountain Express, Inc., and the transportation of hazardous waste materials. Supporting shipper: Rocky Mountain Express, Inc., 730 11th Ave., Oakland, CA 94660.

MC 151418 (Sub-6-2TA), filed May 6, 1981. Applicant: ROY L. T. TRUCKING, INC., 7117 E. Firestone Blvd., Downey, CA 90241. Representative: Roy Tyra (same as applicant). *Contract Carrier*, Irregular Routes: *Furniture; Plastic Articles, expanded; lighting fixtures; paper and paper products; equipment and supplies* used in the manufacture and distribution of the above commodities (except in bulk). Between points in AZ, CA, NV, OR, and WA, for 270 days. Supporting shipper: Scott Paper Company, Scott Plaza II, Philadelphia, PA 19113.

MC 155812 (Sub-6-1TA), filed May 6, 1981. Applicant: SEA-PAC FREIGHT LINES, INC., P.O. Box 3763, Seattle, WA 98124. Representative: Russell A. Evans, 410 Maynard Bldg., 119 1st Ave. S., Seattle, WA 98104. *Contract Carrier*, Irregular routes: *General commodities (except classes A and B explosives)*, between points in WA, OR, CA, ID, MT,

AZ, CO, UT, WY, AK, NV, NM, for the accounts of Pacific Food Products, Seneca Foods Corp., National Fruit Canning Co., Hi-Country Foods Corp., Wash-Oregon Shippers Association, Continental Mills, Inc., for 270 days. Supporting shippers: There are six (6) shippers. Their statements may be examined at the Regional office listed.

MC 138875 (Sub-6-53TA), filed May 4, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell, (same as applicant). *Boxes, paperboard, other than corrugated, knocked down flat, pulpboard sheets, printed paper labels and various paper and pulpboard strips used in packaging bakery goods*, from Beacon, NY to Portland, OR, for 270 days. Supporting shipper: Nabisco, Inc., East Hanover, NJ 07936.

MC 107576 (Sub-6-4TA), filed May 7, 1981. Applicant: SILVER WHEEL FREIGHTLINES, INC., 1321 S.E. Water Ave., Portland, OR 97214. Representative: Ronald D. Browning, 1321 S.E. Water Ave., Portland, OR 97214. *Common Carrier*: Regular Route: *General Commodities* (except Classes A and B explosives) between Grants Pass, OR and Crescent City, CA, serving all intermediate points. From Grants Pass, OR via U.S. Hwy 199 to junction U.S. Hwy 101, then over U.S. Hwy 101 to Crescent City and return over the same route, for 270 days. Supporting shippers: There are twenty-one (21) shippers. Their statements may be examined at the Regional office listed.

MC 67015 (Sub-6-3TA), filed May 7, 1981. Applicant: TIGARD SHERWOOD TRUCK SERVICE, INC., 1818 S.E. 2nd St., Portland, OR 97214. Representative: F. Roger Price, (same as applicant). *Contract Carrier*, Irregular routes: *Electric storage batteries, lead pigs and waste or scrap* described by STC Code No. 40. Between Chloride Western Batteries, Beaverton, OR and Hayward and Los Angeles, CA; Seattle, Spokane and Pasco, WA, Salt Lake City, UT, Pocatello, Twin Falls and Kellogg, ID; for 270 days for the account of Chloride Western Batteries. An underlying ETA seeks 120 days authority. Supporting shipper: Chloride Western Batteries, 11155 S.W. Denny Rd. Beaverton, OR 97005.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-15010 Filed 5-19-81; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-100]

Certain Thermal Conductivity Sensing Gem Testers and Components Thereof; Investigation

AGENCY: International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 13, 1981, and amended on May 6, 1981, under section 337 of the Tariff Act of 1930 (19 U.S.C. sec. 1337), on behalf of Ceres Electronics Corp., at 411 Waverly Oaks Park, Waltham, Mass. 02154, Adams-Smith, Inc., at P.O. Box 130, 34 Tower Street, Hudson, Mass. 01749, and MSB Industries, Inc., at 1180 Avenue of the Americas, New York, N.Y. 10036. The amended complaint (hereinafter referred to as the complaint) alleges unfair methods of competition and unfair acts in the importation of certain thermal conductivity sensing gem testers and components thereof into the United States, or in their sale, by reason of alleged (1) infringement by said thermal conductivity sensing gem testers of claims 21, 22, and 26 of U.S. Letters Patent 4,255,962, (2) infringement of claims 1, 2, 23, and 24 of U.S. Letters Patent 4,255,962 in the operation of said thermal conductivity sensing gem testers and the inducement of and/or contribution to said infringement, and (3) false advertising. The complaint further alleges that the effect or tendency of the unfair methods of competition and unfair acts is to destroy or substantially injure an industry, efficiently and economically operated, in the United States.

The complainant requests that, after a full investigation, the Commission issue an exclusion order and a cease and desist order.

AUTHORITY: The authority for institution of this investigation is contained in Section 337 of the Tariff Act of 1930 (19 U.S.C. sec. 1337) and in § 210.12 of the Commission's Rules of Practice and Procedure.

SCOPE OF THE INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission on May 13, 1981, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, an investigation be instituted to determine whether there is a violation of subsection (a) of section 337 in the unlawful importation of certain thermal

conductively sensing gem testers and components thereof into the United States, or in their sale, by reason of alleged (1) infringement by said thermal conductivity sensing gem testers of claims 21, 22, or 26 of U.S. Letters Patent 4,255,962, (2) infringement of claims 1, 2, 23, or 24 of U.S. Letters Patent 4,255,962 in the operation of said thermal conductivity sensing gem testers and the inducement of and/or contribution to said infringement, and (3) false advertising, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are—

Ceres Electronics Corp., 411 Waverly Oaks Park, Waltham, Mass. 02154
Adams-Smith, Inc., P.O. Box 130, 34 Tower Street, Hudson, Mass. 01749
MSB Industries, Inc., 1180 Avenue of the Americas, New York, N.Y. 10036

(b) The following respondents are alleged to infringe claims 1, 2, 21, 22, 23, 24, and 26 of U.S. Letters Patent 4,255,962 and to induce and/or contribute to the infringement of claims 1, 2, 23, and 24 of said patent and are the parties upon which the complaint is to be served:

Presidium Diamonds Pte Ltd., P.O. Box 383, Benoni, Tvl., 1500, South Africa
Lien International Trading Pte Ltd., Suite 2104, Shaw Towers, Beach Road, Singapore, Singapore 0718
Gem Instruments Corp., P.O. Box 2147, 1735 Stewart Street, Santa Monica, Calif. 90406
Gemological Institute of America, P.O. Box 2110, 1660 Stewart Street, Santa Monica, Calif. 90406.

The latter two above-named respondents are also alleged to be engaged in false advertising.

(c) Although the complaint named as proposed respondents Rayner Optical Company Ltd., 17 Lorna Road, Hove, East Suffolk, England, BN3 3ET, and Gemological Instruments Ltd., St. Dunstan's House, Carey Lane, London, England EC2V 8AB, they are not so named in this investigation because they are not alleged to be involved in the importation of thermal conductivity sensing gem testers or components thereof which infringe the '962 patent.

(d) M. Brooke Murdock, Unfair Import Investigations Division, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, shall be the Commission investigative attorney, a party to this investigation; and

(3) For the investigation so instituted, Donald K. Duvall, Chief Administrative Law Judge, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, shall designate the presiding officer.

Responses must be submitted by the named respondents in accordance with § 210.21 of the Commission's rules of practice and procedure (19 CFR 210.21), Pursuant to §§ 201.16(d) and 210.21(b) of the rules, such responses will be considered by the Commission if received not later than 20 days after the date of service of the complaint. Extensions of time for submitting a response will not be granted unless good and sufficient cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the presiding officer and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both a recommended determination and a final determination containing such findings.

The complaint, except for any confidential information contained therein, is available for inspection during official working hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0161.

FOR FURTHER INFORMATION CONTACT: M. Brooke Murdock, Unfair Import Investigations Division, U.S. International Trade Commission, Telephone 202-523-0113.

Issued: May 15, 1981.

By order of the Commission.

Kenneth R. Mason,
Secretary.

[FR Doc. 81-15029 Filed 5-19-81, 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 731-TA-40 (Preliminary)]

Secondary Aluminum Alloy in Unwrought Form From the United Kingdom

Determination

On the basis of the record¹ developed in investigation No. 731-TA-40 (Preliminary), the Commission

¹The record is defined in § 207.2(f) of the Commission's rules of practice and procedure (19 CFR 207.2(f)).

unanimously determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)), that there is no reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of imports from the United Kingdom of secondary aluminum alloy in unwrought form, provided for in item 618.0650 of the Tariff Schedules of the United States Annotated, which are allegedly being sold in the United States at less than fair value (LTFV).

Background

On March 24, 1981, the U.S. International Trade Commission and the U.S. Department of Commerce each received a petition from the Aluminum Recycling Association, Inc., alleging that secondary aluminum alloy in unwrought form from the United Kingdom, is being, or is likely to be, sold in the United States at LTFV. Accordingly, the Commission instituted a preliminary antidumping investigation under section 733 of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of the imports of such merchandise into the United States. The statute directs that the Commission make its determination within 45 days of its receipt of the petition, or in this case by May 8, 1981.

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was duly given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, D.C. and by publishing the notice in the Federal Register on April 8, 1981 (46 FR 21120). The public conference was held in Washington, D.C. on April 20, 1981, and all persons who requested the opportunity were permitted to appear in person or by counsel.

Views of the Commission

Determination

On the basis of the record in investigation No. 731-TA-40 (Preliminary), undertaken by the Commission under section 733(a) of the Tariff Act of 1930, we determine that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry is being

materially retarded by reason of imports from the United Kingdom of secondary aluminum alloy in unwrought form,² which are allegedly sold at less than fair value (LTFV).

The domestic industry. In general the domestic industry is defined as consisting of all domestic producers of a like product or those producers whose total output of the like product constitutes a major portion of domestic production of that product.³ A like product is a product which is like, or in the absence of like, most similar in characteristics and uses with, the imported product which is the subject of the investigation.⁴

The imported product which is the subject of this investigation is secondary unwrought aluminum alloy from the United Kingdom (U.K.).⁵ Secondary aluminum is included in a basket category under item 618.0650 of the TSUSA which also includes unwrought primary aluminum alloy.⁶ The majority of U.S. imports of unwrought aluminum alloy consist of primary aluminum from Canada and Ghana.⁷ Most of the remainder of the imports is of secondary aluminum, the majority of which is LM24 series alloy in the form of casting ingot from the U.K.⁸ France and West Germany are also alleged to have exported small amounts of secondary aluminum to the United States.⁹

There are two forms of unwrought aluminum alloys, primary and secondary. Primary aluminum, produced from bauxite ore, has a high degree of purity and hence cannot be produced from scrap.¹⁰ The majority of primary aluminum alloy production is converted into wrought aluminum mill products.¹¹

Unwrought secondary aluminum generally differs from primary in composition, use and price. Secondary aluminum is recovered from scrap and is available in different grades determined by alloy content. The great majority of secondary alloy produced in the U.S. is used in the production of castings.¹² Primary aluminum alloys, which are of similar chemical composition, can be substituted for secondary aluminum alloys in many instances; however, primary alloys and secondary alloys are

not generally used for the same purposes since primary alloys are more expensive.¹³ It is possible, however, that, if the demand for primary were to drop significantly, causing the price of primary to decline, the primary and secondary markets could overlap. Our investigation did not reveal that any such overlap occurred during the period covered by the investigation. Therefore we do not consider primary alloy to constitute a like product.

With respect to secondary aluminum alloys, our investigation revealed no significant differences in quality, characteristics, or use between the domestic 380 series and the U.K. LM24 series.¹⁴ Both the 380 series and the LM24 series are generally sold in ingot form, used almost exclusively in die casting and have a very similar chemical composition.¹⁵ Therefore the 380 series, which constitutes a majority of all casting alloy produced in the United States by independent smelters, is clearly like the imports of LM24 secondary aluminum alloy from the United Kingdom.¹⁶ In addition, there are other casting alloys which, although distinguishable by alloy content from the 380 series, may be used for essentially the same purposes. In the absence of information suggesting otherwise, we believe that they also constitute products which are like the imported article.¹⁷ We thus conclude that the domestic industry in this case consists of all producers of secondary aluminum alloy used for casting.

In normal circumstances we would have assessed the impact of the alleged LTFV imports on the domestic industry defined above. In connection with this, the staff requested separate information on casting alloys, which would have allowed us to assess the impact of the alleged LTFV sales on these products. However, we received complete data

¹³ The distinctions made between primary and secondary aluminum in the staff report are also supported by the conclusions reached by the second circuit in the landmark decision involving the Sherman Act in *U.S. v. Aluminum Co. of America*, 148 F.2d 416, 424 (2nd Cir. 1945).

¹⁴ Staff Report at A-2.

¹⁵ *Id.* at A-2 and A-5.

¹⁶ Under section 771(4)(B) the Commission is given the discretion to exclude a domestic producer from the industry if it imports the dumped product. In this case one of the domestic producers imports a significant percentage of the LTFV imports. Thus, the Commission could have excluded it from the domestic industry. However, its exclusion would not have altered the Commission's determination.

¹⁷ Vice Chairman Calhoun disassociates himself from this conclusion. In his view the like product should be unwrought secondary aluminum alloys used for die casting because there is insufficient evidence to support a conclusion that other casting alloys are like die casting alloys in characteristics and uses.

² Classifiable under item 618.0650 of the Tariff Schedules of the United States Annotated (TSUSA).

³ Section 771(4)(A) of the Tariff Act of 1930.

⁴ Section 771(10).

⁵ ARA Petition at 2.

⁶ Staff Report at A-5.

⁷ *Id.* at A-17.

⁸ *Id.*

⁹ Brief of U.K. Association of Aluminum Refiners of April 24, 1981, Appendices B-D.

¹⁰ Staff report at A-2.

¹¹ *Id.*

¹² *Id.*

only for the broader category of all secondary aluminum alloys, which includes extrusion billets, alloys used for steel deoxidization and miscellaneous alloys. These products differ from casting alloys in composition and uses. In situations such as this, the statute requires us to assess the impact of the alleged LTFV imports on the narrowest group or range of products, which includes a like product, for which the necessary information can be provided.¹⁸ Therefore, our determination in this case is based upon an examination of the impact of these imports on all secondary aluminum alloy production.

The petitioner alleges that this is an appropriate case for the Commission to find a regional industry¹⁹ consisting of 10 states in the North central region of the United States.²⁰ We take no position as to whether there is a regional industry. The information gathered by staff suggest that the regional criteria may have been met, with the possible exception of the requirement that regional producers sell all or almost all of their production within the region. But assuming *arguendo* that this case satisfies the statutory criteria for consideration of a regional industry comprising the north-central United States, we have analyzed injury on the basis of both regional and nationwide data. This choice did not prove to be a determining factor, since the trends in the data collected on the regional industry are essentially the same as those of the nationwide industry.

¹⁸ Section 771(4)(C) of the Tariff Act of 1930 states that—in appropriate circumstances, the United States, for a particular product market, may be divided into 2 or more markets and the producers within each market may be treated as if they were a separate industry if—

(i) The producers within such market sell all or almost all of their production of the like product in question in that market, and

(ii) The demand in that market is not supplied, to any substantial degree, by producers of the product in question located elsewhere in the United States.

In such appropriate circumstances, material injury, the threat of material injury, or material retardation of the establishment of an industry may be found to exist with respect to an industry even if the domestic industry as a whole, or those producers whose collective output of a like product constitutes a major proportion of the total domestic production of that product, is not injured, if there is a concentration of subsidized or dumped imports into such an isolated market and if the producers of all, or almost all, of the production within that market are being materially injured or threatened by material injury or if the establishment of an industry is being materially retarded, by reason of the subsidized or dumped imports.

¹⁹ The North Central region proposed by petitioner includes Nebraska, North and South Dakota, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota and Iowa. The ports of entry for these states are Chicago, Cleveland, Toledo, and Milwaukee.

No Reasonable Indication of Material Injury. We have determined on the basis of the best information available²¹ that there is no reasonable indication that the domestic industry is being materially injured or threatened with material injury on either a nationwide or regional basis by reason of the alleged LTFV imports. Our conclusion is based on the extremely low level of penetration of the LTFV imports and the absence of any significant effect on domestic prices as a result of the low level of the LTFV imports. Thus there is no causal link between the declines experienced by the domestic industry and the LTFV imports.²²

Despite the increase in imports from October to December, 1980 and in March 1981, the overall import penetration level remained extremely low throughout the period covered by this investigation. As a percentage of total domestic consumption, U.K. imports accounted only for 0.2 percent of apparent consumption in 1978, decreased to less than 0.05 percent in 1979, and then rose to 0.2 percent in 1980.²³ Penetration in the North Central region followed a similar trend.²⁴

The low level of import penetration did not have a significant effect on domestic prices. First, although domestic prices did decline during the last three quarters of 1980,²⁵ prices began to increase by the end of the first quarter of 1981.²⁶ Second, the margins of underselling declined during this period while imports increased.²⁷ Third, the price decline in 1980 was due to factors other than the sales of U.K. imports such as low scrap prices²⁸ and the 16 percent drop in domestic consumption during 1980 brought on by declines in the auto industry.²⁹ The principal end use of secondary aluminum alloys is in auto production.³⁰ The relationship of the state of the auto industry and scrap prices to the domestic price is further demonstrated by the fact that, as auto sales increased and scrap prices rose in 1981, aluminum prices also increased. Thus, we have determined that the U.K. imports of secondary aluminum did not

significantly affect the price of the domestic like product.

While we recognize that data on production, shipments, inventories capacity, and financial performance indicate that the domestic industry was depressed in 1980 and the first quarter of 1981,³¹ we have found no causal link between this decline and the alleged LTFV imports. This conclusion is based on the very low level of import penetration and the presence of other factors which explain any injury such as the substantial decline in auto production and the resulting price drop in the aluminum market. As a result of these factors, total consumption fell by about 16 percent in 1980, while consumption in the North Central region fell by 18 percent.³² The conclusion is further supported by the fact that the staff was able to confirm only four of the 11 instances of lost sales alleged by petitioner.³³ Additionally, all of the four firms reporting purchases of U.K. imports stated that their main concern was to maintain alternate supply sources and that the amount purchased was a very insignificant portion of their total secondary aluminum alloy purchases.³⁴

No threat of material injury. The secondary aluminum alloy industry in the United Kingdom is a mature industry with no planned additions to capacity, in fact, some reductions are likely.³⁵ During 1980, only 3.6 percent of the United Kingdom's total exports of secondary aluminum alloy were shipped to the United States despite a depressed market in the United Kingdom and in Europe, the principle U.K. export market. Thus, there is no reason to expect increased exports to the United States in the future. U.S. producers have greatly increased their export shipments (U.S. producers responding to Commission questionnaires reported exports of 8 million, 18 million, and 62 million pounds, respectively, in 1978, 1979, and 1980).³⁶ Furthermore, U.S. producers' inventories are declining. Future prospects for the industry are bright as government forecasts call for increasing per unit usage of aluminum in automobiles in the 1980's. Information was presented at the public conference that some producers increased prices in March 1981 and planned further

²¹ Section 733(a).

²² Section 771(A), (B) and (C)

²³ Staff report at A-24.

²⁴ Id.

²⁵ Id. at A-26.

²⁶ Id. at A-29.

²⁷ Id. at A-30.

²⁸ During the Preliminary Conference, industry witnesses testified that the scrap market is highly competitive and that the cost of scrap accounts for 85 percent of U.S. producer's cost of goods sold. See Transcript of Conference at 27 and Staff Report at A-3.

²⁹ Staff Report at A-20.

³⁰ Id. at A-6, A-20.

³¹ Id. at A-10 through A-24.

³² Id. at A-20.

³³ Id. at A-30-A-31.

³⁴ Id. at A-31, and Transcript of Preliminary Conference at 33 and 34.

³⁵ Post-conference brief of respondent, app. A.

³⁶ Staff report at A-14.

increases in April in response to increased automobile production.²⁷

Conclusion

On the basis of the information developed in the course of this investigation, we have determined that there is no reasonable indication that an industry in the United States is materially injured or is threatened with material injury by reason of alleged LTFV imports of unwrought secondary aluminum alloy from the United Kingdom.

Issued: May 8, 1981.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 81-15090 Filed 5-19-81; 8:45 am]

BILLING CODE 7020-02-M

NATIONAL SCIENCE FOUNDATION

Physiology, Cellular and Molecular Biology Advisory Committee, Development Biology; Subcommittee; Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Subcommittee on Developmental Biology of the Advisory Committee for physiology, Cellular and Molecular Biology.
Date and time: June 4, 5, 6, 1981—starting at 9:00 A.M.

Place: Room 338, National Science Foundation, 1800 G Street N.W.

Type of Meeting: Closed.

Contract person: Dr. Mary E. Clutter, Program Director, Developmental Biology, Room 332-E, National Science Foundation, Washington, D.C., 20550, telephone 202/357-7989.

Purpose of subcommittee: To provide advice and recommendations concerning support of research in developmental biology.

Agenda: To review and evaluate research proposals as part of the selection process for awards.

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552(c), Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-462. The Committee Management Officer was delegated the authority to make

determinations by the Director, NSF, July 6, 1979.

M. Rebecca Winkler,

Committee Management Coordinator.

May 14, 1981.

[FR Doc. 81-14979 Filed 5-19-81; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

International Atomic Energy Agency Draft Safety Guide; Availability of Draft for Public Comment

The International Atomic Energy Agency (IAEA) is completing development of a number of internationally acceptable codes of practice and safety guides for nuclear power plants. These codes and guides are in the following five areas: Government Organization, Design, Siting, Operation, and Quality Assurance. All of the codes and most of the proposed safety guides have been completed. The purpose of these codes and guides is to provide guidance to countries beginning nuclear power programs.

The IAEA codes of practice and safety guides are developed in the following way. The IAEA receives and collates relevant existing information used by member countries in a specified safety area. Using this collation as a starting point, an IAEA working group of a few experts develops a preliminary draft of a code or safety guide which is then reviewed and modified by an IAEA Technical Review Committee corresponding to the specified area. The draft code of practice or safety guide is then sent to the IAEA Senior Advisory Group which reviews and modifies as necessary the drafts of all codes and guides prior to their being forwarded to the IAEA Secretariat and thence to the IAEA Member States for comments. Taking into account the comments received from the Member States, the Senior Advisory Group then modifies the draft as necessary to reach agreement before forwarding it to the IAEA Director General with a recommendation that it be accepted.

As part of this program, Safety Guide SG-S7, "Nuclear Power Plant Siting—Hydrogeological Aspects," has been developed. An IAEA working group, consisting of Mr. Z. Dlouhy from the International Atomic Energy Agency, Vienna, Austria; Mr. K. Balu from India; and Mr. D. Schreiber from the U.S.A., developed this guide from an IAEA collation. The working group draft was modified by the IAEA Technical Review Committee, and we are now soliciting

public comment on this draft (Rev. 2, 11/28/80). Comments received by June 12, 1981, will be particularly useful to the U.S. representatives to the Technical Review Committee and the Senior Advisory Group in developing their positions on its adequacy prior to their next IAEA meetings.

The NRC reviewed an earlier version of this safety guide and had some negative comments. This later version does not reconcile all of our differences; yet we are circulating it for public comment. We will resolve our problems along with those received from the public at the next scheduled review.

Single copies of this draft Safety Guide may be obtained by a written request to the Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(5 U.S.C. 522(a))

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

For the Nuclear Regulatory Commission.

Robert B. Minogue,

Director, Office of Nuclear Regulatory Research.

[FR Doc. 81-15037 Filed 5-19-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-395 OL]

South Carolina Electric & Gas Co., et al. (Virgil C. Summer Nuclear Station, Unit 1); Scheduling of Evidentiary Hearing

May 14, 1981.

Please take notice that the evidentiary hearings are scheduled for 9:30 a.m. on June 22 and 23, 1981 at The Townhouse, 1615 Gervais Street, Columbia, South Carolina 29202. Limited appearance statements will be heard during the morning of June 22, 1981 under limitations to be imposed by the Board.

The hearing will continue at 9:30 a.m. on June 24, 1981 at a different location, the Carolina Inn, 937 Assembly Street, Columbia, South Carolina 29202, until July 2, 1981 if necessary.

If the hearing is not concluded by July 2, 1981, the Carolina Inn has been reserved from 9:30 a.m. on July 13, 1981 until July 24, 1981. If further sessions are necessary, they will be scheduled by the Board on July 24, 1981. The public is invited to all sessions.

Dated at Bethesda, Md., this 4th day of May 1981.

By order of the Board.

²⁷ Transcript of Preliminary Conference at 13 and 24.

For the Atomic Safety and Licensing Board.
Herbert Grossman,
Chairman, Administrative Judge.
 [FR Doc. 81-15036 Filed 5-19-81; 8:45 am]
 BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-17796; File No. SR-NASD-81-7]

Self-Regulatory Organizations; Proposed Rule Change by National Association of Securities Dealers, Inc.

Proposed rule change by National Association of Securities Dealers, Inc. Relating to Amendment to Schedule C of the NASD By-Laws.

Comments requested on or before June 10, 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 Association proposes to amend Schedule C of its By-Laws to delete an expiration date of May 31, 1981, for Parts I and II of Schedule C.

II. Self-Regulatory Organization's Statements Regarding the Proposed Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in 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 amendment will delete an expiration date of May 31, 1981, for Parts I and II of Schedule C. As noted in

File No. SR-NASD-78-16 (approved in Securities Exchange Act Release No. 15883) and in File No. SR-NASD-80-1 (approved in Securities Exchange Act Release No. 16936), Parts I and II were adopted as interim measures pending Commission approval of proposed Rule 15b7-1 (Securities Exchange Act Release No. 13079). While the Commission has not yet acted on proposed Rule 15b7-1, deletion of the May 31, 1981 expiration date for Parts I and II will insure continuous qualification and registration of persons associated with NASD members. The Association anticipates that upon Commission approval of proposed Rule 15b7-1, or an amended version thereof, it will submit any required conforming amendments to Schedule C. It is the responsibility of the Association under Section 15A(g)(3) of the Securities Exchange Act of 1934, as amended, to implement appropriate qualification standards for persons associated with a member or seeking entrance into the securities industry. Schedule C contains these standards.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Association does not envision any 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 Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, 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 person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., 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 10, 1981. For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 11, 1981.

George A. Fitzsimmons,
Secretary.

[FR Doc. 81-15110 Filed 5-19-81; 8:45 am]
 BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 1987]

Oklahoma; Declaration of Disaster Loan Area

Tulsa County and adjacent counties within the State of Oklahoma constitute a disaster area as a result of damage caused by tornadoes which occurred on April 19, 1981. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on July 13, 1981, and for economic injury until the close of business on February 12, 1982, at: Small Business Administration, District Office, 200 N.W. 5th Street—Suite 670, Federal Building, Oklahoma City, Oklahoma 73102, or other locally announced locations.

For recent changes in disaster loan eligibility see 46 FR 18526 (March 25, 1981).

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: May 12, 1981.

Michael Cardenas,
Administrator.

[FR Doc. 81-15031 Filed 5-19-81; 8:45 am]
 BILLING CODE 8025-01-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Organization and Functions of the Office of the Assistant Secretary (Domestic Finance)

(Number: 103-1)

Dated: April 30, 1981.

Subject: Organization and Functions of the Office of the Assistant Secretary (Domestic Finance).

By virtue of the authority vested in me as the Secretary of the Treasury, including the authority of Reorganization Plan No. 26 of 1950, the following constitutes the functions and the organizational structure of the Office of the Assistant Secretary (Domestic Finance).

1. *The following are the functions of the Office of the Assistant Secretary (Domestic Finance):*

a. Advises and assists the Secretary and Deputy Secretary of the Treasury, and the Under Secretary for Monetary Affairs, on debt management, Federal financing affairs, financing of non-Federal sectors of the economy, and general capital markets policy.

b. Directs the Treasury operations that relate to: (1) the Federal Financing Bank; (2) the development of legislative and administrative principles and standards for Federal credit programs; and (3) the determinations of interest rates for various Federal borrowing, lending, and investment purposes under pertinent statutes.

c. Administers Treasury operations under the New York City Loan Guarantee Act of 1978 (PL-95-339), as well as the formation of Treasury policy dealing with general problems of State and local finance and urban economics.

d. Administers Treasury operations under the Chrysler Corporation Loan Guarantee Act of 1979 (PL-96-185).

e. Administers the operations and responsibilities of the Treasury Department under the State and Local Fiscal Assistance Act of 1972 (PL 92-512, the Revenue Sharing Act), as amended and related statutes.

f. Also, exercises policy direction and control over Treasury staff work on the substance of proposed legislation relating to the general activities and regulation of private financial intermediaries, and coordinates Treasury activities relating to financing regulatory agencies.

2. The structural organization and functions of the Office are as follows:

a. *The Office of the Deputy Assistant Secretary (Federal Finance).* Within this office are the following:

(1) *The Office of Government Financing* which provides the Assistant Secretary (Domestic Finance) with technical assistance, financial and economic data, and background briefing on matters related to government financing and public debt management.

(2) *The Office of Market Analysis and Agency Finance* which provides for: (1) and on-going review of Federal credit programs; (2) approving and coordinating the borrowings of Federal and federally-sponsored agencies, and federally guaranteed entities; (3) monitoring the volume of funds raised and supplied in the credit markets and preparing flow-of-funds projections; (4) determining interest rates to be used in loan programs throughout the government; and (5) administering the operation of the Federal Financing Bank.

b. *The Office of the Deputy Assistant Secretary (Financial Institutions and Capital Markets Policy).* Within this office are the following:

(1) *The Office of Capital Markets Legislation* which coordinates the Treasury Department's legislative effort with regard to financial institutions legislation and legislation affecting the agencies of the Federal government that regulate financial institutions.

(2) *The Office of Securities Markets Policy* which develops the Treasury Department's policy on all matters relating to the rules and regulations of, and the investigations conducted by, the Securities and Exchange Commission.

c. *The Office of the Deputy to the Assistant Secretary (Corporate Finance).* Within this office is the following:

The Office of Corporate Finance and Special Projects which provides a focal point for the comprehensive analysis of the Federal government's involvement in financing in the corporate sector of the economy.

d. *The Office of the Deputy Assistant Secretary (State & Local Finance).* Within this office are the following:

(1) *The Office of Municipal Finance* which monitors, evaluates, and analyzes the impact of fiscal and financial conditions relating to the financial management policies and practices of State and local governments, and the municipal credit market.

(2) *The Office of Urban and Regional Economics.* The office monitors and evaluates State and local financial trends, particularly as they affect, or are affected by, Federal fiscal and grant-in-aid policies.

(3) *The Office of State and Local Fiscal Research and Evaluation* which provides evaluations of the effects on State and Local financial and economics conditions and practices of all existing Federal programs, pending legislation, and tax or regulatory proposals.

(4) *The Office of New York Finance* carries out the obligations under the New York City Loan Guarantee Act of 1978 (PL-95-339).

(5) *The Office of Revenue Sharing* administers the operations and responsibilities of the Treasury Department under the State and Local Fiscal Assistance Act of 1972 (PL-92-512), amended 1976 by (PL-94-488).

e. *The Office of Chrysler Finance* which provides support to the Chrysler Loan Guarantee Board and the Secretary of the Treasury in his role as Chairman of that Board on matters relating to the Chrysler Loan Guarantee Act of 1978 (PL-96-185).

This order supersedes Treasury Department Order No. 103-1 (dated September 15, 1980).

Donald T. Regan,

Secretary.

[FR Doc. 81-15001 Filed 5-19-81; 8:45 am]

BILLING CODE 4810-25-M

Sunshine Act Meetings

Federal Register

Vol. 46, No. 97

Wednesday, May 20, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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[M-316, Amdt. 2; May 13, 1981]

CIVIL AERONAUTICS BOARD.

Notice of deletion of items from the May 14, 1981 board meeting.

TIME AND DATE: 1:30 p.m., May 14, 1981.

PLACE: Room 1027, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT:

2. Docket 29044, Proposals to Amend 14 CFR Part 252 Smoking Aboard Aircraft Instructions to staff. (OGC)

19. Docket 39285—Texas International-Continental Acquisition Case; petitions for reconsideration of Order 81-3-100 submitted by Air Florida and American Airlines (Memo 305-E, BIA, OGC, BDA, BALJ)

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary, (202) 673-5068.

[S-717-81 Filed 5-18-81; 4:00 pm]

BILLING CODE 6320-01-M

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[M-316, Amdt. 1; May 13, 1981]

CIVIL AERONAUTICS BOARD.

Notice of deletion of item from the May 14, 1981 board meeting.

TIME AND DATE: 1:30 p.m., May 14, 1981.

PLACE: Room 1027, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT: 17. Dockets 38885, 38979, 38418, 38570, 39115, 38978, 38720, 38816, 39524, 38586, 34562, 34711, 38883, 38184, 38193, 38196, 38884, 39013, 39032, 38571, 38882, and 39525, Employee Protection Program (BDA, OGC, OEA).

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, Secretary, (202) 673-5068.

[S-788-81 Filed 5-18-81; 4:00 pm]

BILLING CODE 6320-01-M

3

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., Friday, May 29, 1981.

PLACE: 2033 K Street, N.W., Washington, D.C., 8th floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6314.

[S-790-81 Filed 5-18-81; 9:30 am]

BILLING CODE 6351-01-M

4

FEDERAL COMMUNICATIONS COMMISSION.

The Federal Communications Commission will hold a Closed Meeting on the subject listed below on Thursday, May 21, 1981, following the Open Meeting, which is scheduled to commence at 9:30 A.M., in Room 856, at 1919 M Street, N.W., Washington, D.C.

Agenda, Item No., and Subject

HEARING—1—Authorized Appeal from an ALJ's interlocutory ruling in the Aurora, Illinois Section 307(b) proceeding. (BC Docket Nos. 80-432, 80-433).

GENERAL—1—Consideration of request for Remand of RKO Decision.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen P. Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: May 15, 1981.

Federal Communications Commission.

William J. Tricarico,
Secretary

[S-765-81 Filed 5-18-81; 11:22 am]

BILLING CODE 6712-01-M

5

FEDERAL COMMUNICATIONS COMMISSION.

The Federal Communications Commission held an Emergency Closed Meeting on Wednesday, May 13, 1981, at

1919 M Street, N.W., Washington, D.C. on the following subject:

Litigation Strategy—AT&T Tariffs.
The prompt and orderly conduct of Commission business did not permit announcement of this matter prior to the meeting.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: May 15, 1981.

Federal Communications Commission.

William J. Tricarico,
Secretary.

[S-784-81 Filed 5-18-81; 11:22 am]

BILLING CODE 6712-01-M

6

FEDERAL COMMUNICATIONS COMMISSION.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, May 21, 1981, which is scheduled to commence at 9:30 A.M., in Room 856, at 1919 M Street, N.W., Washington, D.C.

Agenda, Item No., and Subject

General—1—General Title: Implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979. **Summary:** The Commission is soliciting public comments, through a series of documents in this proceeding (Docket 80-739), on national implementation of the Final Acts of the 1979 World Administrative Radio Conference. This Second Notice of Inquiry considers frequency allocations for the portion of radio spectrum from 28 MHz through 1215 MHz.

General—2—Title: In re General Docket 80-398 for preparations for the 1983 ITU Conference on Region 2 Broadcasting-Satellite Service planning. **Summary:** The Commission will consider a further Notice of Inquiry in the ongoing preparations for this upcoming Western Hemisphere planning conference for DBS. Issues addressed include service requirements, technical parameters and planning approaches.

Issued: May 15, 1981.

Federal Communications Commission.

William J. Tricarico,
Secretary.

Agenda, Item No., and Subject

General—3—Title: Waiver of rules requiring the submission of FCC Form 740 for importation of certain electronic equipment. **Summary:** The Commission has

relaxed its rules and waived the requirements for use of FCC Form 740 with entry papers of RF devices or subassemblies which are imported into the U.S. This requirement was originally established by the Report and Order in Docket No. 20194 adopted by the Commission on December 10, 1975 (FCC 75-1352). This waiver is intended to be temporary as dictated by the current funding and personnel limitations.

General—4—Title: Memorandum Opinion and Order addressing Petition for Reconsideration in General Docket No. 80-619. **Summary:** The Commission will consider the petition filed by ATS Mobile Telephone, Inc., and Telocator Network of America for reconsideration of its order of February 11, 1981, terminating the Section 403 inquiry in General Docket No. 80-619.

Private Radio—1—Title: Amateur radio transmitter power limitations in the 1800-2000kHz band. **Summary:** The Commission will consider changes to its Rules governing transmitter power limitations in the 1800-2000kHz band.

Private Radio—2—Title: Revision of Subpart 95(C), Radio Control (R/C) Radio Service Rules, into plain language. **Summary:** The Commission will consider whether or not to adopt a Report and Order revising the R/C Rules into plain language.

Private Radio—3—Title: Tentative Decision and Further Notice of Proposed Rule Making. Docket No. 18921. **Summary:** The Commission will consider whether to adopt a Tentative Decision and Further Notice of Proposed Rule Making dealing with the cooperative sharing and multiple licensing of facilities in the private land mobile radio service.

Private Radio—4—Title: Amendment of Part 90, of the Commission's rules to designate frequencies in the 806-821 MHz and 851-866 MHz bands for slow-growth land mobile radio systems of certain categories of users; to allocate frequencies in these bands for specific groups of radio services frequency pools; to facilitate authorization of wide-area mobile radio communications systems on frequencies allocated for trunked systems; and to allocate additional frequencies in these bands to loaded Specialized Mobile Relay-Trunked systems located in areas having all presently allocated trunked frequencies assigned (PR Docket Nos. 79-191 and 79-334; RM-3691). **Summary:** The FCC will consider whether to adopt a Further Notice of Proposed Rule Making that acts upon petitions for reconsideration of its Report and Order making special provision for slow-growth private land mobile radio systems in the 806-821 MHz and 851-866 MHz bands for certain categories of radio users (PR Docket No. 79-191, FCC 80-663, released December 10, 1980); whether to allocate frequencies in these bands, which have been held in reserve, for specific groups of radio services frequency pools; whether to adopt proposed rules facilitating authorization of wide-area mobile radio communications systems on frequencies in these bands allocated for trunked systems (PR Docket No. 79-334, FCC 79-855, released January 3, 1980); and whether to

institute rule making to allocate additional frequencies in these bands to loaded Specialized Mobile Relay-Trunked systems located in areas having all presently-allocated trunked frequencies assigned (RM-3691).

Common Carrier—1—Title: Amendment of Section 22.521(b) of the Commission's rules to add Memphis, Tennessee to the table of assignments for air-ground stations in the Domestic Public Land Mobile Radio Service. **Summary:** The Commission will consider whether to propose adding Memphis, Tennessee to the Air-Ground Table of Assignments in response to a petition filed by Mobile/Comm, Inc.

Common Carrier—2—Title: Delegation of Authority to the Chief, Common Carrier Bureau. **Summary:** The Commission will consider whether to delegate authority to the Chief, Common Carrier Bureau to amend the table of assignments for air-ground stations in the Domestic Public Land Mobile Radio Service.

Common Carrier—3—Title: American Telephone and Telegraph Company, Revisions to Tariff F.C.C. Nos. 258 and 260, and the Establishment of Tariff F.C.C. No. 269, for Series 7000 Terrestrial Television Transmission Services. **Summary:** On Feb. 13, 1981, AT&T filed revisions to its Series 7000 TV transmission tariffs in response to the FCC MO&O, 67 FCC 2d 1134 (1978), which rejected an earlier filing. This decision was affirmed, *ABC v. FCC*, D.C. Cir., decided Oct. 6, 1980. The present transmittal proposes to increase and restructure rates. Petitions to reject and suspend have been filed by a number of customers for these services.

Common Carrier—4—Title: Investigation into proposed revisions filed by RCA American Communications to Tariff FCC Nos. 1 and 2. CC Docket No. 80-766. **Summary:** The Commission will consider the investigation of tariff revisions by RCA Americom for its domestic satellite service which seek to substantially restructure its service offering as well as to increase rates.

Common Carrier—5—Title: Applications of Comsat to participate in INTELSAT programs to procure up to six INTELSAT VA satellites. **Summary:** This item considers two Comsat applications. The first application concerns Comsat participation in an already approved INTELSAT procurement program. The second application concerns Comsat participation in a procurement program under consideration by INTELSAT.

Renewal—1—Title: Applications for renewal of licenses of Stations KEEE and KJCS(FM), Nacogdoches, Texas. **Summary:** The Commission considers the goals and timetables submitted by Stone Fort Broadcasting Company, licensee of Stations KEEE and KJCS(FM), Nacogdoches, Texas.

Aural—1—Title: Petition for reconsideration by Atlantic City Television Corporation, permittee of a new UHF television station in Atlantic City, New Jersey. **Summary:** This matter concerns the assignment of the call letters WWAC-TV to that facility.

Aural—2—Title: Memorandum Opinion and Order in re application of Billy G. Mize and

Marshall W. Rowland d/b/a Mize & Rowland Radio for a new daytime AM station in Lawrenceburg, Tennessee, and a petition to deny it filed by the licensee of WDXE and WDXE-FM, Lawrenceburg, Tennessee. **Summary:** The Commission considers the petitioner's contentions that the application should be returned to the processing line because of ownership changes, that the applicant misrepresented its ascertainment efforts, and other matters.

Broadcast—1—Title: In the Matter of FM Subsidiary Communications Authorization use for Utility Load Management purposes. **Summary:** Use of SCA subcarrier signals for Utility Load Management purposes could improve the Nation's utilization of energy and thus be in the public interest, but is presently prohibited by Commission rules. The Commission will consider whether to amend its rules and allow such use.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen P. Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

[S-783-81 Filed 5-18-81; 11:22 am]

BILLING CODE 6712-01-M

7

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: (46 FR 26597, May 13, 1981.)

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: May 18, 1981, 10:00 a.m.

CHANGE IN THE MEETING: The following item has been rescheduled for May 19, 1981, at 9:00 a.m.

Item No., Docket No., and Company

6. CP80-435, Alaskan Northwest Natural Gas Transportation Company.

Kenneth F. Plumb,
Secretary.

[S-786-81 Filed 5-18-81; 2:59 pm]

BILLING CODE 6450-85-M

8

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 46, Issue No. 94, Page No. 26980, Date Published, Friday, May 15, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:00 a.m., Thursday, May 21, 1981.

PLACE: 1700 G Street NW., Board Room, 6th Floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

CHANGES IN THE MEETING: The following item has been added to the open portion of the Bank Board meeting scheduled for Thursday, May 21, 1981.

Merger: Maintenance of Branch Offices; Cancellation of Membership and Insurance; Transfer of Stock and Change of Name—First Federal Savings and Loan Association of Nashville, Nashville, Tennessee (Mutual) and First Franklin Federal Savings and Loan

Association, Franklin, Tennessee (Mutual) into Home Federal Savings and Loan Association of Nashville, Nashville, Tennessee (Mutual).
No. 486, May 18, 1981.

[S-781-81 filed 5-18-81; 10:17 am]
BILLING CODE 6720-01-M

9

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 8:30 a.m., Monday, May 18, 1981.

PLACE: 1700 G Street NW., Board Room, 6th Floor, Washington, D.C.

STATUS: Open Meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

MATTERS TO BE CONSIDERED: Technical Regulatory Amendment Relating to Receiverships.

No. 485, May 18, 1981.

[S-782-81 Filed 5-18-81; 10:17 am]
BILLING CODE 6720-01-M

federal register

Wednesday
May 20, 1981

Part II

**Department of
Health and Human
Services**

Office of Human Development Services

**Administration on Developmental
Disabilities, Special Project Grant
Program; Projects of National
Significance in Developmental Disabilities**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

[Program Announcement No. 13631.811]

Administration on Developmental Disabilities, Special Project Grant Program, Projects of National Significance in Developmental Disabilities

AGENCY: Office of Human Development Services, HHS.

SUBJECT: Announcement of Availability of Grant Funds for Projects of National Significance in Developmental Disabilities Under the Special Project Grants Program.

SUMMARY: The Administration on Developmental Disabilities (ADD) announces that applications will be accepted for grants under the Special Project Grants Program, Projects of National Significance authorized by Title I, Section 145 of the Developmental Disabilities Assistance and Bill of Rights Act, Pub. L. 95-602, (42 U.S.C. 6001). Regulations applicable to this program include the Administration on Developmental Disabilities general regulations (45 CFR Part 1385) and the regulations governing Discretionary Grant Programs, (45 CFR Part 1387).

DATE: Closing date for receipt of applications is July 20, 1981.

Scope of This Announcement

This program announcement covers only projects of national significance authorized under the Special Project Grants Program of the Developmental Disabilities Assistance and Bill of Rights Act, Pub. L. 95-602.

Program Purpose

The Special Project Grants Program authorizes the Administration on Developmental Disabilities to award grants for a variety of purposes, among which are:

1. to demonstrate how to establish programs which will expand or improve services to developmentally disabled persons
2. to increase public awareness and public education programs
3. to demonstrate services for economically disadvantaged developmentally disabled persons
4. to gather and disseminate information

Projects of National Significance must be designed:

1. to have a direct impact on developmental disabilities programs throughout the country;

2. to have an objective(s), which if achieved, could be replicated, could result in an improved delivery system for developmental disabilities services; or could affect National policies and/or standards; or

3. to involve activities to be conducted in a number of sites in various parts of the country as part of a unified program.

Program Objectives and Project Information

The objectives for the Special Project Grants Program, Projects of National Significance are:

1. to strengthen and assist the State Developmental Disabilities Protection and Advocacy Agencies;
2. to assist the State Developmental Disabilities Councils and other agencies to further their deinstitutionalization planning and implementation;
3. to strengthen the National network of Developmental Disabilities University Affiliated Programs and related agencies; and
4. to improve the quality of deinstitutionalization efforts.

In order to achieve these objectives, the ADD will award grants in the following types of project areas:

Project Area #1: Develop and Implement a Model Demonstration Training and Staff Development Program to Assist Employees in the Transition from State Residential Facilities to Community Programs

A major concern of employees working in State residential facilities is that of continued employment when clients are deinstitutionalized and/or placed in community-based programs. Oftentime facility-based caregivers do not possess the necessary skills and background competencies to work in the community. The primary purpose of this project is to upgrade the skills and competencies of caregivers (i.e.: outreach workers, case managers, and direct service personnel). This project will focus on training and retraining activities that are specifically designed to facilitate employees' transition from State residential facilities to community-based programs.

It is estimated that two (2) grants for approximately \$150,000 to \$225,000 will be awarded for one year.

Special Considerations for Funding—Special consideration will be given to applicants with a demonstrated commitment to community-based programs and negotiated agreement(s) with organization representing Developmental Disabilities (DD) direct service workers that assures that the interests of employees will be protected.

Project Area #2: To Increase the Number and Quality of Minority

Professionals in the Development Disabilities Service System by Soliciting the Participation of Historically and Predominantly Black Colleges

This project will demonstrate ways of maximizing desperately needed person power resources by tapping heretofore under-utilized skills and talents of Historically and Predominantly Black educational institutions. The focal points to be examined include: innovative ways of providing specialized training, career development, and the dissemination of program information, techniques and skills related to the provision of services for persons who are developmentally disabled. The primary goal of this project will be to encourage Black and minority students to choose careers within the developmental disabilities service system.

It is anticipated that one (1) grant for approximately \$150,000 will be awarded for fifteen (15) months to a Historically or Predominantly Black College or University.

Project Area #3: A Model Demonstration Program in the Provision of Services to Long Term Care Developmentally Disabled Individuals in Community Residences

This project will demonstrate how to develop and implement model programs designed to assist States to improve the efficiency and effectiveness of meeting the differential needs of persons with developmental disabilities requiring long term care in community settings. Attention will be devoted to those persons who are no longer eligible for participation in day activity programs. It will identify the kinds of service models that will best serve the developmentally disabled population. Most program services provisions are skewed toward institutional as opposed to community-based care. Thus, this project will provide support for: demonstrating system changes and innovative methods for developing and providing residential and basic supportive personal care services at the community level; emergency and respite services to families in informal support systems; and the ability to monitor the suitability of placements for persons with developmental disabilities.

It is anticipated that one (1) grant for approximately \$200,000 to \$250,000 will be awarded for fifteen months.

Project Area #4: A Model Demonstration Program that will Assist States Improve the Effectiveness and Efficiency of Providing Services to Hearing Impaired Developmentally Disabled (HIDD) Persons

This project is a follow-up to a three year project of national significance that was awarded to the University of Arizona at Tucson which crystallized the needs of HIDD persons and identified the widespread lack of understanding and expertise in the area of education, habilitation, and rehabilitation programs. This model demonstration project will assist States to improve the efficiency and effectiveness of services to HIDD persons by:

1. Developing an action program to create national awareness among special education programs for the deaf at the State level of techniques and methodology currently available as a result of the Arizona Project and from other Developmental disabilities programs, including the UAF system;
2. Undertaking a similar awareness program directed toward university and college programs currently engaged in the preparation of teachers of deaf children;
3. Developing an information exchange system, including seminars between major national centers on deafness, such as Gallaudet College, and the UAF network, which will result in a two way flow of technical expertise between the two fields of specialization; and
4. Developing and managing a program of direct technical assistance to major programs for deaf children at state levels, including information dissemination as well as actual in-service type training seminars and/or workshops.

It is anticipated that one (1) grant for approximately \$150,000 will be awarded for one (1) year.

Project Area #5: Develop Model Demonstrations of Protection and Advocacy with Institutionalized Developmentally Disabled Persons

A significant number of severely handicapped persons with DD are institutionalized without apparent ties or support from their families or their original communities. These persons are not cognizant of their rights and, in some cases, their environments militate against advocacy efforts on their behalf. These model projects will demonstrate strategies for achieving the following objectives:

- establishing external mechanisms and stimulating internal mechanisms for monitoring client welfare and habilitation;
- involving advocates in developing effective programs for institutionalized developmentally disabled persons;

- involving advocates in returning institutionalized DD persons to the community; and
- organizing and monitoring the provision of support services to appropriate community programs in order to prevent or minimize recidivism.

It is anticipated that three (3) grants for approximately \$100,000 each will be awarded for (1) year to Protection and Advocacy Systems.

Project Area #6: Determine to What Extent Economic, Social and Psychological Barriers Impact Upon Developmentally Disabled Family Units and Develop a Model for Alleviating Their Negative Effects

Spiraling and inflationary medical costs plus the trend of placing more clients in community settings and/or at home has impacted negatively upon family life styles. Families that have attempted to keep a developmentally disabled child or adult at home have experienced a high degree of frustration. In many cases, their frustrations have resulted in disunity of the family structure.

The purpose of this project is to assist States by developing and demonstrating strategies for preserving families and promoting family stability.

This project will:

1. examine the impact of economic, social and psychological factors on developmentally disabled family units; and
2. identify/demonstrate ways of coping with the negative effects or problems associated with increased medical costs and barriers to services.

It is anticipated that one (1) grant for approximately \$100,000 will be awarded for one year.

Project Area #7: A Model Demonstration Project That Will Assess the Incidence, Degree of Severity and Service Needs of Developmentally Disabled Persons Pursuant to the New Functional Definition

The shift from a categorical to a functional definition of developmental disabilities resulted in an increase in the types of disabilities eligible for services. Approximately 3.9 million developmentally disabled persons are now eligible for services and new handicapping conditions have been identified that must be addressed by the Developmental Disabilities program.

This project will assist States to improve the efficiency and effectiveness of services by demonstrating effective ways of identifying and delivering services to those persons who are now eligible for services as a result of the new functional definition.

An objective of this project will be to establish inter- or intra-agency agreements with agencies that are conducting needs assessments, screening activities, and providing information and referral services, to identify the new handicapping conditions and refer such DD persons to appropriate agencies for services.

It is anticipated that one (1) grant for approximately \$100,000 will be funded for fifteen (15) months.

Eligible Applicants

Applications may be made by public or private non-profit agencies, organizations, and institutions. State(s) without an approved Developmental Disabilities State plan may not apply for a project of national significance under this grant announcement.

Available Funds

Of the amount available for this program, the ADD expects to award approximately \$1.5 million in fiscal year 1981 for new grant awards under this announcement. (A new grant is the initial award made in support of a project for this program). It is expected that approximately ten grants will be awarded ranging from \$100,000 to \$250,000 each. Projects will be supported for a period of one (1) year to fifteen (15) months.

Applicants will compete for awards within priority areas for which the application has been submitted. However, the Commissioner may determine not to fund an application in any given priority area.

Grantee Share of Project

Grantees will be required to provide at least ten (10) percent of the total project costs. The non-Federal share of projects may be in the form of cash or in-kind contributions. Please refer to HHS regulation 45 CFR Part 74, Administration of grants (see 38 FR 26274, September 19, 1973) which is included in the application kit.

The Application Process

Availability of Application Forms—In order to be considered for a grant under the Developmental Disabilities Projects of National Significance program, all applications must be submitted on standard forms provided for this purpose and in accordance with established guidelines.

Please specify by *project area* and *title* which project(s) are contemplated so that more detailed information may be forwarded.

Application kits containing the prescribed application forms, project

descriptions, and other related information may be obtained by contacting:

Division of Management Service,
Administration on Developmental
Disabilities, Office of Human
Development Services, Department of
Health and Human Services, Room
3166H, North Building, 330
Independence Avenue, SW.,
Washington, D.C. 20201, Attn:
13631.811 Telephone: (202) 472-7227.

Application Submission—One signed original and two copies of the grant application, including all attachments must be submitted to the address specified in the application kit.

In addition, concurrently, one (1) copy of the application should be submitted to the applicant's State Planning Council and one (1) copy to the appropriate DHHS Regional Office for review and comment. (Addresses for the DHHS Regional Offices are included in the application kit). The application must be signed by an individual authorized to act for the applicant agency and to assume for the agency the obligations imposed by the terms and conditions of the grant award including the regulations for the Special Project Grants Program—Projects of National Significance.

A-95 Notification Process—Projects of National Significance are exempt from the A-95 Clearinghouse requirements.

Application Consideration—The Commissioner determines the final action to be taken with respect to each grant application.

Applications received by the closing date which are completed and conform to the requirements of this program announcement are subject to a competitive review and evaluation conducted by a panel of experts in the specific area being addressed or closely related program areas.

The Commissioner's decision takes into account the recommendation resulting from the competitive review by the panel members, the comments by the State Planning Council, and the Administration on Developmental Disabilities' Regional Program Directors, as well as any other persons qualified to give advice.

The Commissioner makes grant awards consistent with the purposes of

the DD Act, the Regulations, and program announcements within the limits of Federal funds available. After the Commissioner has reached a decision either to disapprove or not to fund a competing grant application, unsuccessful applicants will be notified in writing of that decision. Successful applicants are notified through the issuance of a Notice of Financial Assistance Awarded which sets forth in writing the amount of funds granted, the purpose of the grant, the terms and conditions of the grant award, the effective date of the award, the budget period for which support is given and the total grantee participation. The initial award, when applicable, also specifies the project period for which support is contemplated.

Criteria for Review and Evaluation of Applications

Competing grant applications will be reviewed and evaluated against the following criteria:

1. *Quality of the Application* (20 points)

The description of the purposes and objectives of the grant activities, the major tasks to be accomplished, and difficulties likely to be encountered are clearly stated and show that the applicant has a thorough understanding of the Developmental Disabilities program and the particular project area of the Developmental Disabilities program the project addresses.

2. *Technical Approach and Methodology* (30 points)

The proposed procedures and methodology for the project should be of high quality and technically sound. The methodology should be consistent with the applicant's stated purposes and objectives and show how the anticipated results of the project will be orderly and systematically achieved. Timetables for completion of the project should be definitive and realistic. Applicants should also include a discussion of how the procedures and results of the project will be evaluated.

3. *Applicant Qualifications* (30 points)

Qualifications and professional experience of staff should be appropriate and adequate to fulfill their proposed roles and functions. The facilities and resources available to the project should be adequate for fulfilling

the objectives of the project. Applications should be accompanied by letters of support from agencies and organizations whose interests and/or responsibilities are relevant to the purpose of the proposed project.

4. *Relevance of Project Objectives to Program Goals* (10 points)

The objectives of the project should be clearly delineated. The discussion of the objectives should articulate the relevance of the project objectives to the objectives of the Special Project Grants Program—Projects of National Significance, and how the results of the proposed project will contribute to the achievement of those objectives.

5. *Budget* (10 points)

The proposed budget should be realistic, reasonable, and justifiable in terms of the project activities. If project costs are not within the range described in the program announcement, sufficient explanation should be provided to justify the discrepancies. Applications should include discussions of the feasibility and propriety of continuing the project after Federal funding ends, and plans for securing financial support, if appropriate.

The closing date for receipt of applications under this program announcement is (60 days from date of publication).

Applications may be mailed or hand delivered to the receiving office. Hand delivered applications will be accepted during the work hours of 9:00 a.m. to 5:00 p.m. An application will be considered to have arrived by the closing date if:

1. it was sent by registered or certified mail no later than (60 days from date of publication), as evidenced by the U.S. Postal Service;

2. it is sent by mail and received on or before the closing date in the Department of Health and Human Services or the Office of Human Development Services mail rooms as evidenced by the time date stamp or other documentary evidence of receipt maintained by such mail rooms; or

3. it is hand delivered to the office designated to receive the application in the application instructions. Hand delivered applications will be accepted no later than the close of business July 20, 1981, in any case.

Late Applications

Late applications will not be accepted and applicants will be notified accordingly.

(Catalog of Federal Domestic Assistance
Program Number: 13.631 Special Project
Grants, DD)

Dated: May 8, 1981.

Francis X. Lynch,

*Acting Commissioner on Developmental
Disabilities.*

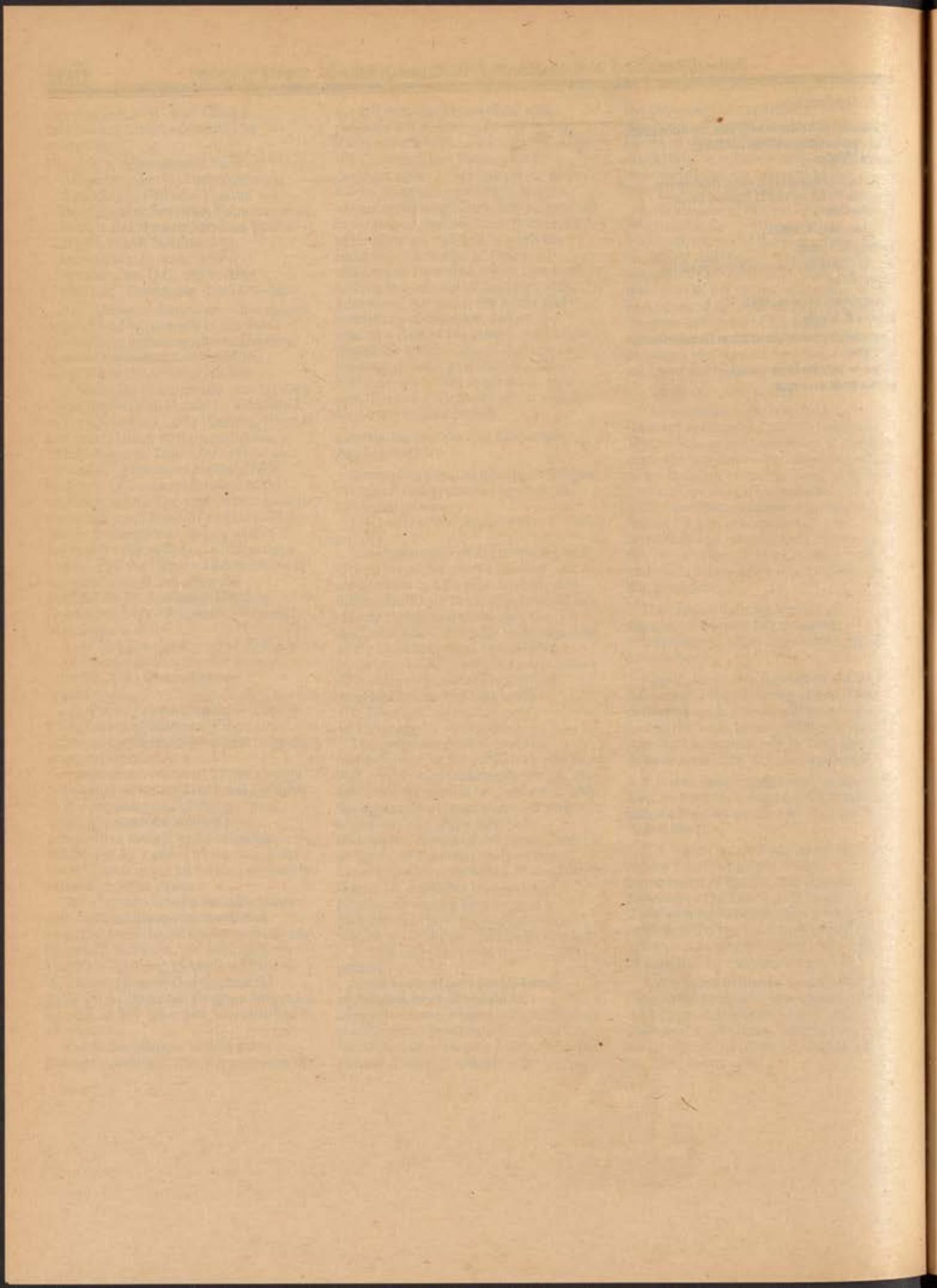
Approved: May 14, 1981.

Dorcas R. Hardy,

*Assistant Secretary for Human Development
Services.*

[FR Doc. 81-15027 Filed 5-19-81; 8:45 am]

BILLING CODE 4110-92-M



federal register

Wednesday
May 20, 1981

Part III

Environmental Protection Agency

**Polychlorinated Biphenyls (PCBs); Court
Order, Clarification of Issues, and
Proposed Rulemaking**

**ENVIRONMENTAL PROTECTION
AGENCY**
40 CFR Part 761
[OPTS-62015; TSH-FRL-1832-8]
**Polychlorinated Biphenyls (PCBs); Use
in Electrical Equipment Interim
Measures Program**
AGENCY: Environmental Protection
Agency (EPA).

ACTION: Rule-related notice.

SUMMARY: On October 30, 1980, the United States Court of Appeals for the District of Columbia Circuit remanded to EPA regulations that had characterized intact, non-leaking transformers containing PCBs as "totally enclosed" uses of PCBs for purposes of section 6(e) of the Toxic Substances Control Act. On February 12, 1981, the Court issued an order staying issuance of the Court's mandate with respect to the use of PCBs in electrical equipment by persons who adhered to the terms of an inspection, maintenance, recordkeeping, and reporting program called the "Interim Measures Program." This notice clarifies issues that have arisen in connection with the Interim Measures Program.

FOR FURTHER INFORMATION CONTACT: John B. Ritch, Jr., Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460. In Washington, D.C.: (554-1404). Toll free: (800-424-9065). Outside the USA: (Operator-202-554-1404).

SUPPLEMENTARY INFORMATION: On February 12, 1981, the United States Court of Appeals for the District of Columbia Circuit entered an order temporarily staying issuance of its mandate in *Environmental Defense Fund, Inc. v. Environmental Protection Agency*, D.C. Cir. No. 79-1580, as the mandate related to the use of electrical equipment containing PCBs. The February 12, 1981 order permitted the continued use of such electrical equipment for a period of eighteen months by persons adhering to the terms of an interim inspection, maintenance, recordkeeping and reporting program (the Interim Measures Program) which was made part of the Court's order. On March 10, 1981, the text of the Court's February 12, 1981 order, an explanation of the requirements of the Interim Measures Program, and an ANPR relating to future rulemaking with respect to the use of PCBs in electrical equipment appeared in the *Federal Register*, 46 FR 16090.

Questions have arisen with respect to a number of issues relating to the

Interim Measures Program. Below are some of those questions and the Agency's responses to them.

Question 1: Does reporting a leak under the Interim Measures Program satisfy all my federal reporting requirements?

Answer: No. Reporting leaks in accordance with the terms of the Interim Measures Program does not relieve persons from whatever reporting responsibilities they may have under federal statutory authorities other than TSCA. Moreover, persons who do not have reporting responsibilities under the Interim Measures Program may nevertheless have such reporting responsibilities under other federal statutes. Such requirements are found in Section 311 of the Clean Water Act, 33 U.S.C. 1321 and regulations promulgated thereunder, 33 CFR Part 153, and 40 CFR Parts 116, 117 (applicable to spills of PCBs into the navigable waters), and Section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund), 42 U.S.C. 9603 (persons in charge of facilities, including equipment, containing PCBs must notify the National Response Center, established under the Clean Water Act, of releases of reportable quantities of PCBs).

Question 2: Are liquids considered food and feed products?

Answer: Yes, almost all liquids used for human or animal consumption (excluding drugs) are considered food and feed products.

Question 3: Are seeds considered food and feed products?

Answer: Seeds used to plant are not considered food and feed products for purposes of the Interim Measures Program. Seeds that are ingested by humans or animals are considered food and feed products.

Question 4: Are there any exceptions to the Interim Measures Program for food and feed products?

Answer: Yes, the requirements of the Interim Measures Program do not apply to transformers located in:

1. Retail establishments, such as grocery stores and restaurants,
2. Open fields where food and feed products are grown or stored, or
3. Animal grazing areas.

Question 5: Does the Interim Measures Program cover the food and feed products of farm facilities?

Answer: Yes, except for the open field and animal grazing area exclusions listed in the previous answer. Farm facilities where food or feed is held are subject to the weekly inspection requirement of the Interim Measures Program if a PCB exposure risk is posed to the food or feed. Farm facilities

include barns, bins, sheds, silos, other structures, and feedlots holding food or feed products.

Question 6: The February 12, 1981, Court order states that the weekly inspection requirement does not apply if "the PCB Unit is in a location such that a discharge of the dielectric fluid cannot contaminate the food and feed products or processes." How does EPA interpret this exclusion?

Answer: Exposure risks from PCB Units (PCB Transformers and PCB-Contaminated Transformers) to food and feed products depend upon the locations of individual PCB Units. To determine whether a PCB Unit poses an exposure risk to food or feed products, one should hypothesize a situation in which all PCBs in the PCB Unit were discharged from the PCB Unit. Assuming this occurred, and considering the individual circumstances of the PCB Unit, might the PCBs contaminate food or feed products or processes? If contamination is possible, the PCB Unit is *not* "in a location such that a discharge of the dielectric fluid cannot contaminate the food and feed products or processes."

Question 7: Suppose I own a mineral-oil transformer that would pose an exposure risk to food and feed products if it contained PCBs. The transformer has never been tested for PCB concentration. Is the transformer subject to the weekly inspection and other requirements applicable to PCB Transformers and PCB-Contaminated Transformers posing an exposure risk to food or feed products?

Answer: Many transformers manufactured before July 1, 1979 are PCB-Contaminated Transformers. These transformers must be inspected weekly if they pose an exposure risk to food and feed products. If you have not tested for PCB concentration, you should comply with the requirements for PCB Transformers and PCB-Contaminated Transformers posing exposure risks to food and feed products.

Question 8: Are facilities which manufacture, process, package or hold human food or animal feed and also distribute the food or feed at the retail level on the same site exempt from the requirements of the Interim Measures Program for PCB Units posing an exposure risk to food or feed products?

Answer: Only the retail operation of the facility is excluded from the requirements of the Interim Measures Program applicable to PCB Units posing an exposure risk to food and feed products. The remainder of the facility must comply with those requirements.

Dated: May 14, 1981.

Edwin H. Clark II,
Acting Assistant Administrator for Pesticides
and Toxic Substances.

[FR Doc. 81-15042 Filed 5-19-81; 8:45 am]

BILLING CODE 6560-31-M

40 CFR Part 761

[OPTS-62012; TS-FRL-1832-4]

Polychlorinated Biphenyls (PCBs); Court Order Regarding PCBs in Concentrations Below Fifty Parts Per Million

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Rule-related notice.

SUMMARY: On October 30, 1980, the U.S. Court of Appeals for the District of Columbia Circuit ruled, in litigation brought by the Environmental Defense Fund, Inc., that EPA regulations which generally excluded from the purview of sections 6(e)(2) and 6(e)(3) of the Toxic Substances Control Act Polychlorinated Biphenyls (PCBs) in concentrations below fifty parts per million (ppm) were unsupported by the rulemaking record. On April 13, 1981, the Court issued an order staying issuance of the Court's mandate with respect to PCBs in concentrations below fifty ppm for a period of eighteen months while EPA commences certain activities directed towards further rulemaking. This notice contains the Court's April 13, 1981 Order.

FOR FURTHER INFORMATION CONTACT: John B. Ritch, Jr., Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20406, In Washington, D.C.: (554-1404), Toll free: (800-424-9065), Outside the USA: (Operator-202-554-1404).

SUPPLEMENTARY INFORMATION:

I. Background

Section 6(e) of the Toxic Substances Control Act generally prohibits the manufacture of PCBs after January 1, 1979, the processing and distribution in commerce of PCBs after July 1, 1979, and the use of PCBs, other than totally enclosed uses, after July 1, 1978. The broad prohibitions of Section 6(e) are subject to certain exceptions.

EPA promulgated regulations implementing Section 6(e) on May 31, 1979. These regulations are codified at 40 CFR Part 761 and were published in the Federal Register of May 31, 1979 (44

FR 31514). Among other things, these regulations generally excluded PCBs in concentrations below fifty ppm from the purview of the prohibitions of Section 6(e).

The Environmental Defense Fund, Inc. (EDF) challenged the exclusion of PCBs in concentrations below fifty ppm and other aspects of the Agency's May 31, 1979 regulations. On October 30, 1980, the United States Court of Appeals for the District of Columbia Circuit upheld EDF's challenge to the fifty ppm threshold EPA had established for purposes of Section 6(e). *Environmental Defense Fund, Inc. v. Environmental Protection Agency*, D.C. Cir. No. 79-1580.

If the Court's mandate had issued, making effective immediately the part of its EDF decision that overturned the fifty ppm threshold, the broad prohibitions of Section 6(e) would have applied to PCBs in any concentration.

On February 20, 1980, EPA and EDF filed a Joint Motion with the Court, requesting that the Court withhold issuing its mandate with respect to the fifty ppm regulatory threshold for a period of eighteen months. During the eighteen-month period, EPA planned to conduct two activities relating to further rulemaking with respect to PCBs in low concentrations. First, EPA would publish an Advance Notice of Proposed Rulemaking (ANPR) requesting comments upon, and data with respect to, the possible exclusion from Section 6(e)'s manufacturing ban of PCBs generated in low concentrations when generation occurs in a manner which EPA believes presents little or no risk to health and the environment. This activity might result in EPA's promulgating a final rule within eighteen months from the date the Court issued the stay. Second, EPA would attempt to obtain information on the manufacture, processing, distribution in commerce, and use of PCBs in low concentrations which might present risk. This information-gathering effort would include EPA's publishing an ANPR requesting interested persons to submit such information. As part of this effort, the Chemical Manufacturers Association (CMA) and the Dry Color Manufacturers' Association (DCMA) would generate and supply EPA with relevant data and information.

On April 13, 1981, the Court granted the requested eighteen-month stay of mandate and entered an order requiring EPA to conduct the activities outlined in the February 20, 1981 Joint Motion. The text of the Court's April 13, 1981 order is

set forth in Part II of this notice.

II. Test of the Court's April 13, 1981 Order

Upon consideration of the joint motion filed by Respondent and Petitioner on February 20, 1981, to stay further the issuance of the mandate in this case, it is

Ordered, by the Court, that the mandate of the Court is stayed for a period of eighteen months insofar as the decision of the Court set aside the regulation promulgated by the Environmental Protection Agency ("EPA") defining "PCBs" (for purposes of the statutory prohibition on further manufacture, processing, distribution in commerce, and use of PCBs) as PCBs in concentrations of 50 parts per million or greater, 40 CFR 761.2(x), (44 FR 31444).

Further ordered, that during the period of the stay Respondent EPA undertake two parallel activities as follows:

1. With respect to chemical manufacturing processes which generate PCBs but from which no PCBs are released ("closed manufacturing processes") and chemical manufacturing processes from which PCBs are released only as constituents of wastes which are incinerated or disposed of in EPA-approved landfills, or held for such disposal ("controlled wastes");

A. Within thirty days after the date of this Order, publish in the Federal Register an Advance Notice of Proposed Rulemaking relating to the possible exclusion of these processes from the prohibition on further manufacturing, processing, distribution in commerce, and use of PCBs.

B. Within eighteen months after the date of this Order, promulgate a final rule with respect to the exclusion.

C. If EPA decides not to promulgate a final rule, promptly advise the Court of that decision, the reasons therefor, what action EPA proposes to take in lieu of the contemplated rulemaking, and the proposed schedule for any such action.

2. With respect to manufacturing, processing, distribution in commerce, and use of PCBs in concentrations less than 50 ppm, other than in closed manufacturing processes or in processes producing only controlled wastes:

A. Within thirty days after the date of this Order, publish in the Federal Register an Advance Notice of Proposed Rulemaking seeking comments and information relating to possible future regulatory action.

B. Within eleven months after the date

of this Order, advise the Court of EPA's plans for further action and of the schedule for such further action.

Further ordered, that if Respondent EPA fails to comply with the orders of this Court set out above, any party may apply to the Court for appropriate relief, including the immediate issuance of the Court's mandate.

Dated: May 14, 1981.

Per Curiam;

For the Court:

George A. Fisher,
Clerk.

Edwin H. Clark II,

*Acting Assistant Administrator for Pesticides
and Toxic Substances.*

[FR Doc. 81-15043 Filed 5-19-81; 8:45 am]

BILLING CODE 6560-31-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 761**

(OPTS 62013; TS-FRL-1832-3)

**Polychlorinated Biphenyls (PCBs);
Manufacture of PCBs in
Concentrations Below Fifty Parts Per
Million; Possible Exclusion From
Manufacturing Prohibition****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Advance notice of proposed rulemaking.

SUMMARY: On April 13, 1981, the United States Court of Appeals for the District of Columbia Circuit entered an order staying, for eighteen months, issuance of the Court's mandate with respect to the part of the Court's decision in *Environmental Defense Fund, Inc. v. Environmental Protection Agency* (No. 79-1580) which overturned EPA's exclusion of PCBs in concentrations below fifty ppm from regulation under section 6(e)(3) of the Toxic Substances Control Act. In accordance with the Court's April 13, 1981 order, EPA is issuing this Advance Notice of Proposed Rulemaking relating to the possible exclusion of PCBs generated in processes which do not release PCBs or which release PCBs only in a manner EPA defines as "controlled wastes" from the manufacturing prohibitions of section 6(e)(3) of the Toxic Substances Control Act.

DATES: Comments upon the issues raised in this Notice should be submitted by November 16, 1981.

ADDRESSES: All comments should be sent to: Document Control Officer (TS-793), Office of Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St., SW, Washington, D.C. 20460.

EPA requests that comments be submitted in triplicate. Comments should include the docket number OPTS-62013. Comments received in connection with this Notice will be available for reviewing and copying from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays, in Rm. E-107, Environmental Protection Agency, 401 M St., SW, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: John B. Ritch, Jr., Industry Assistance Office (TS-799), Office of Toxic

Substances, Environmental Protection Agency, 401 M St., SW, Washington, D.C. 20460, In Washington, D.C.: (554-1404), Toll free: (800-424-9065), Outside the U.S.A.: (Operator-202-554-1404).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 6(e)(3) of the Toxic Substances Control Act, 15 U.S.C. 2605(e)(3) ("Section 6(e)(3)") generally prohibits the manufacture of PCBs after January 1, 1979, and the processing and distribution in commerce of PCBs after July 1, 1979. The broad prohibitions of Section 6(e)(3) are subject to certain exceptions.

EPA promulgated regulations implementing Section 6(e)(3) on May 31, 1979. These regulations are codified at 40 CFR Part 761 and were published in the *Federal Register* of May 31, 1979 (44 FR 31514). Among other things, these regulations generally excluded PCBs in concentrations below fifty parts per million (ppm) from the purview of the prohibitions of Section 6(e)(3). The Environmental Defense Fund, Inc. (EDF) challenged the exclusion of PCBs in concentrations below fifty ppm and other aspects of the Agency's May 31, 1979 regulations. *Environmental Defense Fund, Inc. v. Environmental Protection Agency*, D.C. Cir. No. 79-1580. On October 30, 1980, the United States Court of Appeals for the District of Columbia Circuit (the D.C. Circuit or the Court) upheld EDF's challenge to the fifty ppm threshold EPA had established for purposes of Section 6(e)(3).

If the Court's mandate had issued, making effective immediately the part of its *EDF* decision that overturned the fifty ppm threshold, the broad prohibitions of Section 6(e)(3) would have applied to PCBs in any concentration. On February 20, 1981, EPA and EDF filed a Joint Motion with the Court, requesting that the Court withhold issuing its mandate with respect to the fifty ppm regulatory threshold for a period of eighteen months. During the eighteen-month period, EPA planned to conduct two activities relating to further rulemaking with respect to PCBs in low concentrations. The first of these activities, which is the subject of this Advance Notice of Proposed Rulemaking (ANPR), would be directed towards the possibility of excluding PCBs in low concentrations from Section 6(e)(3)'s manufacturing ban when

generation occurs in a manner which EPA believes presents little or no risk to health and the environment. Another ANPR in this issue of the *Federal Register* addresses PCBs in low concentrations which may present risks.

On April 13, 1981, the D.C. Circuit granted the eighteen-month stay of mandate as had been requested and entered an order requiring EPA to conduct the activities outlined in the February 20, 1981 Joint Motion. The complete text of the Court's order is set forth elsewhere in this issue of the *Federal Register*.

This ANPR satisfies the portion of the Court's April 13, 1981 order which directed EPA to do the following:

1. With respect to chemical manufacturing processes which generate PCBs but from which no PCBs are released ("closed manufacturing processes") and chemical manufacturing processes from which PCBs are released only as constituents of wastes which are incinerated or disposed of in EPA-approved landfills, or held for such disposal ("controlled wastes"):

A. Within thirty days after the date of this Order, publish in the *Federal Register* an Advance Notice of Proposed Rulemaking relating to the possible exclusion of these processes from the prohibition on further manufacturing, processing, distribution in commerce, and use of PCBs.

As was noted in the February 20, 1981 Joint Motion, relatively-safe generation of PCBs may occur in two situations: First, PCBs may be generated in chemical manufacturing processes from which no PCBs are released ("closed manufacturing processes"). A "closed manufacturing process" would generate PCBs within closed reaction equipment, and the chemical reactions in the process would destroy those PCBs in a continuous cycle as they are produced. Second, PCBs may be generated in chemical manufacturing processes from which the PCBs are released only as constituents of wastes which are either incinerated or disposed of in EPA-approved landfills, or stored for such disposal ("controlled waste").

If factual information gathered in connection with this ANPR convinces EPA that generation of PCBs in low concentrations does occur in the hypothesized manner and that the situations in which it does occur can be described in a regulation that would be enforceable, EPA will promulgate a rule

excluding such generation of PCBs from Section 6(e)'s manufacturing prohibition. This ANPR is intended to elicit comments on the appropriateness of the regulatory approach described above as well as technical and factual information which could be used in rulemaking.

After the close of the ANPR comment period, the Agency will decide whether to proceed with the rulemaking. If the Agency decides not to proceed with rulemaking, the Agency must return to the Court and describe what actions the Agency would take and an estimate of the expected schedule for such actions. If the Agency decides to proceed with rulemaking, a proposal will be published as promptly as possible. The comment period for the proposal will include the time necessary for the informal public hearing required by section 6(e)(4) of the Toxic Substances Control Act, 15 U.S.C. 2605(e)(4). After the expiration of reasonable time to review comments on the proposal, the final rule would be published. Thus, a rule, if one is promulgated, will become final no later than October, 1982.

II. Requests for Comments and Further Information To Support Rulemaking

PCBs generated in closed manufacturing processes and PCBs generated in manufacturing processes which release PCBs only in controlled wastes are defined as follows:

Closed manufacturing process. Closed manufacturing processes are processes in which PCBs are generated but from which no PCBs are released. Such processes generate PCBs within closed reaction equipment and the chemical reactions within the processes destroy those PCBs continuously as they are produced.

Controlled waste process. Controlled waste processes are processes in which PCBs are generated and from which the PCBs are released only as constituents of wastes which are either incinerated, disposed of in EPA's approved chemical waste landfills, or stored for such incineration or landfilling.

Any rule excluding closed manufacturing processes or controlled waste processes from the prohibitions of Section 6(e)(3) must be based upon a substantial body of factual information. Any pertinent material contained in records of previous PCB rulemakings will be useful. The Chemical Manufacturers Association (CMA) and the Dry Chemical Manufacturers' Association (DCMA) will supply

information.¹ Additional information must come from public comments. EPA therefore invites public comments and data relevant to:

1. The appropriateness of the suggested regulatory approach.
2. Technical information concerning the quantity of PCBs generated in such processes.
3. Methods of reducing PCB generation in such processes.
4. The nature of human and environmental exposure to PCBs generated in such processes. In particular, EPA seeks information related to worker exposure.
5. Methods used to control such processes to minimize human and environmental exposure to PCBs in such processes. In particular, EPA seeks information related to minimizing worker exposure.
6. Analytical problems associated with detecting PCBs in such processes and wastes.
7. How closed manufacturing and controlled waste processes should be identified; particularly, how "no PCBs are released" should be defined for purposes of defining "closed manufacturing processes."
8. What limits of PCB detection, if any, should be imposed as a standard for determining that closed manufacturing or controlled waste processes present little or no risk.
9. What methods of thermal destruction should be included within the term "incinerated," for purposes of defining "controlled waste processes," and what technical criteria the incinerators should be required to meet?
10. What monitoring or recordkeeping requirements might be appropriate with respect to closed manufacturing processes or controlled waste processes.
11. What worker protection requirements might be appropriate with respect to closed manufacturing processes of controlled waste processes.

III. Comment Period

The comment period for this ANPR is 180 days, until November 16, 1981.

After the close of the comment period, EPA will decide whether to proceed with rulemaking. If the Agency decides not to proceed with rulemaking, the Agency is required to notify the Court promptly. EPA also must advise the

¹ Information with respect to the CMA and DCMA studies may be obtained from EPA. Contact John Ritch, Jr., in EPA's Industry Assistance Office, whose address and telephone number appear before Part I of this ANPR.

Court of what action EPA proposes to take in lieu of the contemplated rulemaking and provide the Court with a proposed schedule for any such action. If the Agency decides to proceed with rulemaking, a proposal would be published as quickly as possible. After a reasonable time to review the comments, the final rule would be promulgated. Promulgation would occur no later than October, 1982.

EPA will consider the need for public meetings during the rulemaking process and will entertain requests for such meetings from interested persons. The comment period for the proposed rule would include the time necessary for an informal public hearing in accordance with section 6(e)(4) of the Toxic Substances Control Act, 15 U.S.C. 2605(e)(4).

IV. Enforcement

The effect of the Court's order of April 13, 1981 is to leave intact for eighteen months EPA's Final PCB Ban Rule, 40 CFR Part 761, as it applies to the manufacture, processing, distribution in commerce and use (other than in transformers, capacitors and electromagnets) of PCBs. Thus, unless authorized or exempted, these activities are now prohibited if they involve any materials with PCB concentrations of 50 ppm or greater or materials containing less than 50 ppm PCBs because of any dilution. Activities that were permitted before the Court rendered its opinion, including activities for which timely exemption petitions had been submitted to EPA, may continue. The Agency intends to enforce vigorously the prohibitions that were in effect prior to the court's decision until these prohibitions are changed by Court order or by a final rule.

Manufacture of PCBs in concentrations of 50 ppm or greater at any point in any process is subject to the prohibitions of Section 6(e)(3). Process described as "closed manufacturing processes" and "controlled waste processes" in this notice remain subject to the manufacturing prohibitions.

Dated: May 14, 1981.

Edwin H. Clark II,

Acting Assistant Administrator for Pesticides and Toxic Substances.

[FR Doc. 81-15041 Filed 5-19-81; 8:45 am]

BILLING CODE 5560-31-M

40 CFR Part 761

[OPTS-62014 TS-FRL-1832-2]

Polychlorinated Biphenyls (PCBs); Manufacturing, Processing, Distribution in Commerce and Use Prohibitions; PCBs in Concentrations Below Fifty Parts Per Million**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Advance notice of proposed rulemaking.

SUMMARY: On April 13, 1981, the United States Court of Appeals for the District of Columbia Circuit entered an order staying, for eighteen months, issuance of the Court's mandate with respect to the part of the Court's decision in *Environmental Defense Fund, Inc. v. Environmental Protection Agency* (No. 79-1580) which overturned EPA's exclusion of Polychlorinated Biphenyls (PCBs) in concentrations below fifty parts per million (ppm) from regulation under Sections 6(e)(2) and 6(e)(3) of the Toxic Substances Control Act. In accordance with the Court's April 13, 1981, order, EPA is issuing this Advance Notice of Proposed Rulemaking relating to the manufacture, processing, distribution in commerce and use of PCBs in concentrations below fifty ppm to which people or the environment may be exposed.

DATES: Comments upon the issues raised in this Notice must be submitted by November 16, 1981.

ADDRESSES: All comments should be sent to: Document Control Officer (TS-793), Office of Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St., SW, Washington, D.C. 20460.

Comments, preferably in triplicate, should include the docket number OPTS-62014. Comments received in connection with this Notice will be available for reviewing and copying from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays, in Rm. E-107, Environmental Protection Agency, 401 M St., SW, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: John B. Ritch, Jr., Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW, Washington, D.C. 20460, in Washington, D.C.: (554-1404). Toll free: (800-424-9065). Outside the U.S.A.: (Operator-202-554-1404).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 6(e)(2) of the Toxic Substances Control Act (Section 6(e)(2))

prohibits the use of PCBs, other than totally enclosed uses, after January 1, 1978. Section 6(e)(3) of the Toxic Substances Control Act (Section 6(e)(3)) generally prohibits, subject to certain exceptions, the manufacture of PCBs after January 1, 1979 and the processing and distribution in commerce of PCBs after July 1, 1979.

EPA promulgated regulations implementing Section 6(e) on May 31, 1979. These regulations are codified at 40 CFR Part 761 and were published in the *Federal Register* of May 31, 1979 (44 FR 31514). Among other things, these regulations generally excluded PCBs in concentrations below fifty ppm from the purview of the prohibitions of Section 6(e).

The Environmental Defense Fund, Inc. (EDF) challenged the exclusion of PCBs in concentrations below fifty ppm from the prohibitions of Sections 6(e)(2) and 6(e)(3) and other aspects of the Agency's May 31, 1979 regulations. *Environmental Defense Fund, Inc. v. Environmental Protection Agency*, D.C. Cir. No. 79-1580. On October 30, 1980, the United States Court of Appeals for the District of Columbia Circuit upheld EDF's challenge to the fifty ppm threshold.

If the Court's mandate had issued, making effective the part of its *EDF* decision that overturned the fifty ppm threshold, the broad prohibitions of Sections 6(e)(2) and 6(e)(3) would have applied to PCBs in any concentration. On February 20, 1980, EPA and EDF filed a Joint Motion with the Court, requesting that the Court withhold issuing its mandate with respect to the fifty ppm regulatory threshold for a period of eighteen months. During the eighteen-month period, EPA committed itself to conducting two activities relating to further rulemaking with respect to PCBs in low concentrations which would lead to the publication of two Advance Notices of Proposed Rulemaking (ANPRs). First, EPA would publish an ANPR requesting comments upon, and data with respect to, the possible exclusion from Section 6(e)'s manufacturing ban of PCBs generated in low concentrations when generation occurs in a manner which EPA believes presents little or no risk to health and the environment. This activity might result in EPA's promulgating a final rule no later than eighteen months from the date the Court issued the stay. Second, EPA would attempt to obtain information on the manufacture, processing, distribution in commerce, and use of PCBs in low concentrations which might present risk. This information-gathering effort would include EPA's publishing an ANPR

requesting such interested persons to submit such information. As part of these efforts, the Chemical Manufacturers Association (CMA) and the Dry Color Manufacturers' Association (DCMA) committed themselves to generating and supplying EPA with data and information relevant to the manufacture of PCBs in low concentrations.¹

On April 13, 1981, the D.C. Circuit granted the eighteen-month stay which had been requested. The Court entered an order requiring EPA to conduct the activities outlined in the February 20, 1981 Joint Motion. The complete text of the Court's order appears elsewhere in this issue of the *Federal Register*. A companion ANPR initiating rulemaking with respect to the possible exclusion from the purview of Section 6(e)(3) of PCBs generated in a manner which presents little or no risk also appears elsewhere in this issue of the *Federal Register*.

This ANPR satisfies the following portion of the Court's April 13, 1981 order:

With respect to manufacturing, processing, distribution in commerce, and use of PCBs in concentrations less than 50 ppm, other than in closed manufacturing processes or in processes producing only controlled wastes:

A. Within thirty days after the date of this Order, publish in the *Federal Register* an Advance Notice of Proposed Rulemaking seeking comments and information relating to possible future regulatory action.

As was explained in the February 20, 1981 Joint Motion, a factual base must be developed before EPA can regulate appropriately the manufacture, processing, distribution in commerce and use of "uncontrolled" PCBs in low concentrations, *i.e.*, PCBs other than those generated in "closed manufacturing processes" and "controlled waste processes" as those terms are defined in the companion ANPR relating to the possible exclusion of certain low concentration PCBs from the purview of Section 6(e)(3). In the absence of such regulations, the absolute prohibitions of Section 6(e) will take effect at the time the Court's stay of mandate expires.

As part of the effort to develop a factual base for the regulation of PCBs in low concentrations that may present health and environmental risks, CMA and DCMA will gather and supply to the

¹ Information with respect to the CMA and DCMA studies may be obtained from EPA. Contact John Ritch, Jr., in EPA's Industry Assistance Office, whose address and telephone number appear before Part I of this ANPR.

Agency information with respect to the manufacture of PCBs in low concentrations. The CMA and DCMA studies will supply information principally with respect to the manufacture of PCBs in low concentrations and as to the companies and industries these trade associations represent. These studies may provide little information with respect to processing, distribution in commerce, and use of PCBs in concentrations below 50 ppm and as to other industries which might generate PCBs in low concentrations. This ANPR is intended to elicit from persons other than CMA and DCMA information on the manufacture, processing, distribution in commerce and use of PCBs in any manner which may result in human or environmental exposure to the PCBs. The Agency will need this information to enable it to identify the scope of the problem of PCBs in low concentrations which might present risk to health or the environment in order to determine whether additional rulemaking is warranted.

EPA will evaluate the information obtained in response to the ANPR, as well as the CMA and DCMA studies, and will determine what, if any, rulemaking or other action to take. In accordance with the Court's April 13, 1981 order, EPA will advise the Court of EPA's plan for further action and of EPA's schedule for such action by March 13, 1982.

II. Purpose of This Notice

By this ANPR and through information generated by CMA and DCMA (see below), EPA is compiling a factual record which may support further rulemaking excluding specific types of manufacturing, processing, distribution in commerce, or use of PCBs in low concentrations from the broad prohibitions of Sections 6(e)(2) and 6(e)(3). Any such exclusion, to withstand judicial scrutiny, must be well supported by factual data.

If the current effort to obtain information with respect to PCBs in low concentrations produces little information to support exclusions, the statutory ban of Sections 6(e)(2) and 6(e)(3) will apply to all uses of PCBs in low concentrations except for those uses which have been authorized pursuant to Section 6(e)(2)(B) and all manufacture, processing, and distribution in commerce of such PCBs except those for which exemptions have been granted pursuant to Section 6(e)(3)(B) or for which timely exemption petitions are pending.

III. Requests for Comments and Further Information

If EPA is to determine whether it should develop new regulations which establish generic exclusions from the broad statutory prohibitions of Section 6(e)(3), EPA must build a substantial rulemaking record which would document the facts concerning the manufacture, processing, distribution in commerce, and use of PCBs in low concentrations. This record will include pertinent material contained in the records of previous PCB rulemakings, the studies being conducted by CMA and DCMA, and public comments regarding PCBs in low concentrations received in response to this notice. Since the Agency currently has a limited amount of information on the circumstances under which PCBs in low concentrations are being produced or used, and since the scope of CMA and DCMA studies will be limited, it is essential that anyone who has any reason to believe he manufactures, processes, distributes in commerce, or uses PCBs in concentrations below fifty ppm submit comments to EPA in response to this ANPR. Otherwise, these activities, even permitted under the previous EPA regulations, may be prohibited when the Court's mandate takes effect. The terms "manufacture," "process," and "distribute in commerce" of PCBs are defined at 40 CFR 761.2(a), 40 CFR 761.2(bb), and 40 CFR 761.2(i), respectively.

It is essential that comments with respect to these matters be factual. Unsupported opinions will be of little value in further rulemaking.

In order to conduct further rulemaking which may lessen the impact of the statutory prohibitions, EPA will need facts on the following specific issues:

(1) Under what conditions or situations might PCBs in low concentrations be produced? What is the quantity of PCBs produced and the frequency with such situations occur? Such situations include, but are not limited to:

(a) contaminants in commercial chemical products whose normal processing generate PCBs as byproducts. PCBs are likely to be generated in processes in which chlorination is involved, processes that use chlorinated intermediates, and processes that use chlorinated solvents.

Note.—This is an area where CMA and DCMA will be providing information. The information obtained by CMA and DCMA, however, will not represent all possible manufacturers of PCBs as contaminants in chemical products. Persons who believe the CMA study will not reflect their processes in regard to the manufacture of PCBs in low

concentrations should submit their comments with respect to these matters to EPA and may do so in either of two ways. They may submit comments in any convenient format directly to EPA, or they may submit responses to the CMA questionnaire to CMA to be included in the CMA survey.²

(b) products of combustion of municipal, commercial, and industrial waste. Such wastes are likely to contain materials required for PCB formation. The chlorine content of municipal waste is relatively high because of widespread use of polyvinyl chloride and other chlorinated polymers.

(c) byproducts of the chlorination of water and wastewater.

(2) What is the fate of low concentration PCBs that are generated? Are the low concentration PCBs found in final products? In wastes? If low concentration PCBs are in final products, may there be human or environmental exposure to the PCBs? If not, why not? If low concentration PCBs can be found in wastes, what is the PCBs' fate? Are they being disposed of by incineration, landfilling, or ground injection? Are they discharged into the air, or into surface waters?

(3) If PCBs are being produced in low concentrations, it is likely that these PCBs also are processed, distributed in commerce and used. Moreover, processing, distribution in commerce and use of PCBs may occur with respect to PCBs produced in the past. What activities involve processing, distribution in commerce, and use of PCBs in concentrations below fifty ppm? How many people are exposed to these PCBs, and what is the level of exposure? EPA is aware that PCBs have been widely used in the past as additives to products such as paints, inks, adhesives, sealants, textile coatings, and plastic products. Although most domestic sales of PCBs for these uses were discontinued in 1971, many of the PCBs so used in the past will continue to exist in commerce as a result of recycling and the long life of sealants, paints, and other products containing PCBs. Future rulemaking by EPA may therefore affect persons who recycle, process or otherwise use products such as waste

² Persons who elect to submit responses to the CMA questionnaire may contact CMA, directly or through their trade association, to arrange for participation in CMA's survey. Participating business organizations must submit survey responses to CMA's consultant by August 11, 1981, and must enter mutually agreeable financial arrangements with that Association. CMA is also conducting a survey relating to the so-called "totally enclosed" issue, 46 FR 16090 (March 10, 1981); 46 FR 16096 (March 10, 1981); business organizations can also arrange with CMA to participate in that survey project. For more information, contact David F. Zoll, Assistant General Counsel, CMA, 202-687-1156.

oil, contaminated rags, soil, pipes, and any items coated with PCB-impregnated substances.

(4) What quantities of PCBs exist in sewage sludges and dredging wastes, and what is the degree of exposure caused by the presence of PCBs in such materials? Unlike the May, 1979 PCB ban rule, the statutory prohibitions or new EPA regulations could apply to sewage sludges, and dredge spoils which contain low concentrations of PCBs (<50 ppm).

(5) What are the risks associated with the manufacturing processing, distribution in commerce, and use of low concentration PCBs. How many people are exposed to PCBs in these various kinds of activities? What is the level of exposure? What is the nature of environmental releases from various activities? How could these risks be lowered? What precautions are being taken now, or are planned to protect workers who may be exposed to PCBs?

(6) What are the possible regulatory approaches for dealing with PCBs in low concentrations, and what are the advantages and disadvantages of each?

(7) How might "ambient" PCBs be defined for purposes of excluding ambient PCBs from the prohibitions of Section 6(e)(3)? What are the

background levels of PCBs currently present in air, water, and soil? In many areas of the country, the ground is contaminated with PCBs as the result of past practices. What should be done if such ground is excavated, for example, to build a structure? In such areas, should rain runoff be regulated?

(8) Could a regulatory cutoff be established such that uncontrolled PCBs below that cutoff would not significantly increase ambient PCB concentrations? What cutoff would be appropriate, and why?

IV. Comment Period

The comment period for responses to this ANPR will be six months. This comment period coincides with the schedule for completion of the CMA study.

EPA will consider the need for public meetings during the rulemaking process and will entertain requests for such meetings from interested persons.

V. Enforcement

The effect of the Court's April 13, 1981 order is to leave in place during the rulemaking EPA's regulations as they pertain to the manufacture, processing, distribution, and use of PCBs (other than in transformers, capacitors and electromagnets). Those rules appear at

40 CFR Part 761. With two exceptions, those rules do not regulate materials containing less than 50 ppm PCBs. The two exceptions are:

(1) Materials containing less than 50 ppm PCBs because of any dilution (whether intentional or accidental) must be treated as though they contained greater than 50 ppm PCBs.

(2) The use of waste oil containing any detectable amount of PCBs for road oiling, coating or dust control is prohibited.

The Agency intends to enforce vigorously the ban on the manufacture, processing, distribution in commerce, and use of PCBs in concentrations above 50 ppm. (See 46 FR 16090, March 10, 1981, concerning the use of PCBs in transformers, capacitors and electromagnets). Except as noted above, the 50 ppm cutoff will continue to be the basis for enforcement action until the Court order expires or is modified, or until the Agency promulgates a new final regulation in this area.

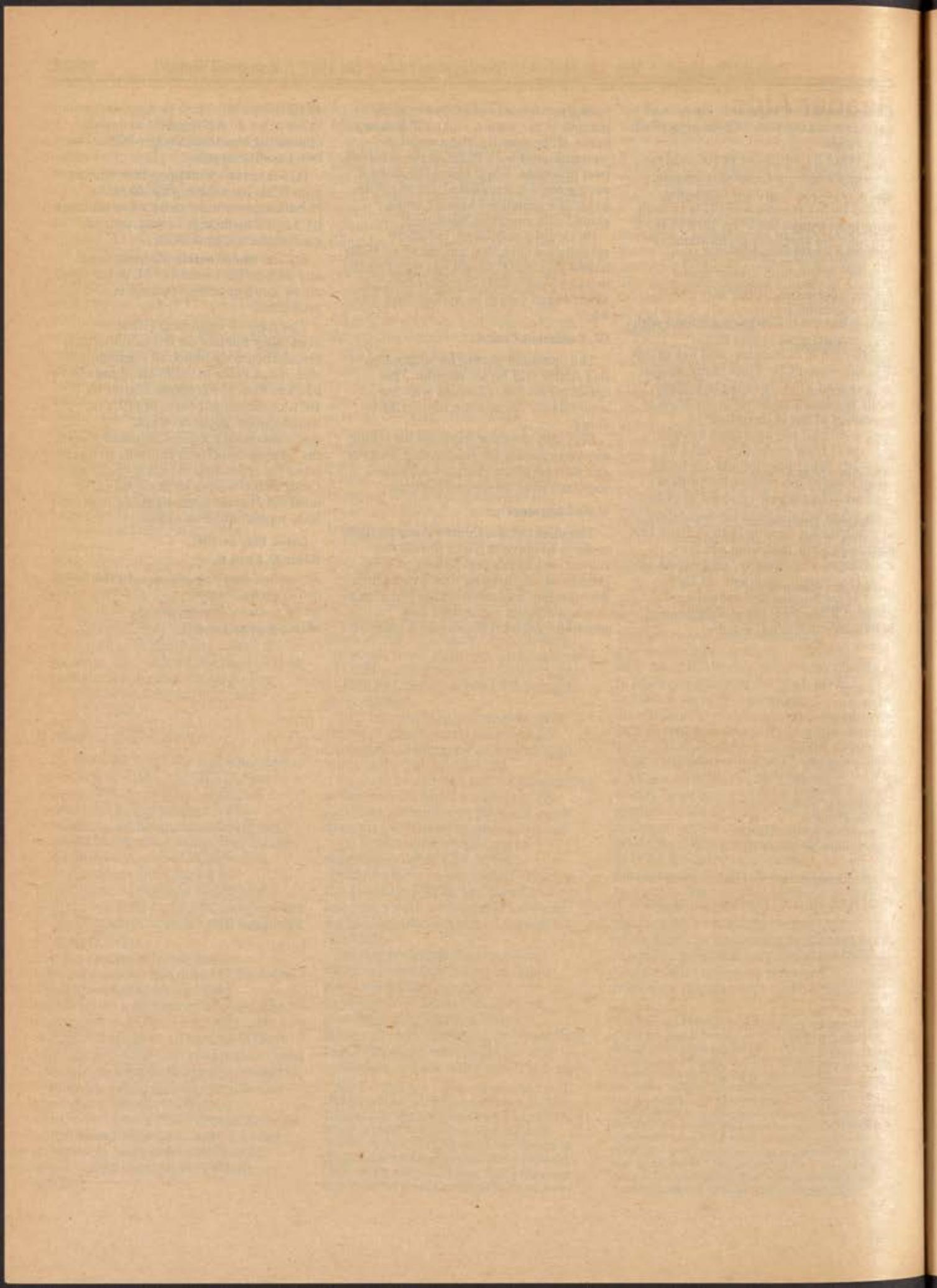
Dated: May 14, 1981.

Edwin H. Clark II,

Acting Assistant Administrator for Pesticides and Toxic Substances.

[FR Doc. 81-15044 Filed 5-19-81; 8:45 am]

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
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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.

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Deadlines or Comments on Proposed Rules for the Week of May 24 through May 30 1981

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

- 23263 4-24-81 / Tobacco, U.S. Type 32, Maryland Broadleaf in untied form; comments by 5-29-81
[See also 46 FR 22002, 4-15-81]

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

- 21793 4-14-81 / Atlantic Mackerel Fishery of the Northwest Atlantic Ocean, initial approval and availability of a plan; comments by 5-29-81
23070 4-23-81 / Deep seabed mining preliminary regulatory impact analysis and initial regulatory flexibility analysis; availability; comments by 5-30-81
18448 3-24-81 / Deep seabed mining regulations for exploration licenses; comments by 5-29-81

CONSUMER PRODUCT SAFETY COMMISSION

- 19247 3-30-81 / Refuse bins, unstable, front-loading, small capacity, and straight-sided; proposed ban; comments by 5-26-81
[See also 46 FR 23469, 4-27-81, and 46 FR 25638, 5-8-81]

COPYRIGHT ROYALTY TRIBUNAL

- 2566 4-6-81 / Copyright owner access to phonorecord players (jukeboxes) and certain establishments; reply comments by 5-26-81

DEFENSE DEPARTMENT

Defense Logistics Agency—

- 23070 4-23-81 / Environmental protection policy, proposed implementation; comments by 5-30-81

EDUCATION DEPARTMENT

- 2308 4-23-81 / Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance; comments by 5-26-81

ENERGY DEPARTMENT

Conservation and Solar Energy Office—

- 9004 1-27-81 / Residential Conservation Service program; comments by 5-27-81
Federal Energy Regulatory Commission—
23487 4-27-81 / Expansion of list of agricultural uses of natural gas; exemption from incremental pricing by adding certain stages in the manufacture of gelatin, glue and carboxy methyl cellulose (CMC); comments by 5-29-81

ENVIRONMENTAL PROTECTION AGENCY

- 23768 4-28-81 / Air quality; Massachusetts State Implementation Plan; approval and promulgation; comments by 5-26-81
23770 4-28-81 / Air quality; Oregon State Implementation Plan; comments by 5-28-81
23772 4-28-81 / Air quality; Oregon State Implementation Plan; volatile organic compound emissions; comments by 5-28-81
26076 5-11-81 / Application from Subaru of America, Inc. (Subaru) for waiver of effective date of 1981 and 1982 model year carbon monoxide emission standard for light-duty motor vehicles; comments by 5-26-81
16322 3-24-81 / Biological control agents; certain proposed exemptions from regulations; comments by 5-26-81
14125 2-26-81 / Hazardous Waste Guidelines and Regulations; reopening of comment period on delisting petition of Stablax Corp.; comments by 5-27-81
23228 4-24-81 / Herbicide, oxyfluorfen in foods; soybean oil; comments by 5-26-81
23238 4-24-81 / Herbicide oxyfluorfen in or on raw agricultural commodities; soybeans and corn, grain; comments by 5-26-81

- 23053 4-23-81 / High-altitude emission standards for 1982 and 1983 model year light-duty motor vehicles (final regulations); compliance procedures; comments by 5-26-81
- 23237 4-24-81 / Plant growth regulator chemicals; 1-naphthaleneacetic acid in or on raw agricultural commodities apples, pears, olives, pineapples and quinces; comments by 5-26-81

- 25114 5-5-81 / Porcelain enameling; Point source category; effluent limitations guidelines pretreatment standards and new source performance standards; comments by 5-27-81
- 23955 4-29-81 / Washington State; Primary nonferrous smelter Orders; maintenance of pay provisions; comments by 5-29-81

FEDERAL COMMUNICATIONS COMMISSION

- 85125 12-24-80 / Direct broadcast satellites for the period following the 1983 Regional Administrative Radio Conference, development of regulatory policy (permanent regulatory issues); reply comments by 5-29-81
- 20708 4-7-81 / FM broadcast stations in Arroyo Grande and Pismo Beach, Calif., changes in table of assignments; comments by 5-25-81
- 17811 3-20-81 / FM broadcast station in Bend, Oreg.; changes in table of assignments; reply comments by 5-25-81
- 20709 4-7-81 / FM broadcast stations in Powell, Wyo.; changes in table of assignments; comments by 5-25-81
- 20711 4-7-81 / FM broadcast stations in San Manuel, Miami, Claypool, and Summerhaven, Ariz.; changes in table of assignments; comments by 5-25-81

FEDERAL HOME LOAN BANK BOARD

- 24579 5-1-81 / Futures transactions; interest rate futures markets by insured institutions; comments by 5-29-81
- 22626 4-20-81 / Interservice sharing of frequencies in the private land mobile service below 470 MHz; reply comments by 5-29-81
- 17813 3-20-81 / Land mobile radio stations; additional technologies which can improve efficiency of radio spectrum use; comment period extended to 5-26-81 [See also 45 FR 63305, 9-24-80]
- 21397 4-10-81 / Radio service-sharing of certain frequencies by the Forest Products Radio Service in Washington, Oregon and California; comments by 5-29-81
- 19599 3-31-81 / Privacy Act of 1974; establishment of records system for Office of Internal Evaluation and Compliance; comments by 5-30-81

HEALTH AND HUMAN SERVICES DEPARTMENT**Food and Drug Administration—**

- 23765 4-28-81 / General biological product standards for aluminum in biological products; comments by 5-28-81
- 23227 4-24-81 / Indirect food additives; polymers toluene; comments by 5-26-81

INTERSTATE COMMERCE COMMISSION

- 21618 4-13-81 / Classification of carriers in the uniform system of accounts for motor carriers of passengers; revision final rule; comments by 5-28-81

LABOR DEPARTMENT**Occupational Safety and Health Administration—**

- 18999 3-27-81 / Enforcement inspection; walkaround compensation for employee representatives; comments by 5-30-81
- [See also 46 FR 3852, 1-16-81, and 46 FR 11253, 3-30-81]

PERSONNEL MANAGEMENT OFFICE

- 23262 4-24-81 / Retired Federal employees health benefits program; transfer of enrollment from Uniform Plan to Indemnity Benefit Plan; comments by 5-26-81

TRANSPORTATION DEPARTMENT**Federal Aviation Administration—**

- 21184 4-9-81 / New York Air petition for clarification of interpretation of the High Density Rule; summary; comments by 5-26-81
- 19245 3-30-81 / Petitions for rule making; summary of petitions received and dispositions of petitions denied; comments by 5-29-81
- Office of the Secretary—
- 21205 4-9-81 / Federal motor vehicle safety standards; alternative amendments to automatic restraint requirements of occupant crash protection standard; comments by 5-26-81

VETERANS' ADMINISTRATION

- 23085 4-23-81 / Schedule for Rating Disabilities; proposed amendment of portion that deals with the endocume of the system; comments by 5-26-81

Deadlines for Comments on Proposed Rules for the Week of May 31 through June 6, 1981**AGRICULTURE DEPARTMENT****Animal and Plant Health Inspection Service—**

- 19817 4-1-81 / Change in disease status of the Channel Islands and Great Britain (England, Scotland, Wales, and Isle of Man), because of foot-and-mouth-disease; comments by 6-1-81

Federal Grain Inspection Service—

- 19699 3-31-81 / U.S. standards for rough rice, brown rice for processing and milled rice; comments by 6-1-81

Food Safety and Quality Service—

- 25097 5-5-81 / U.S. standards for grades of canned ripe olives; comments by 6-4-81

Rural Electrification Administration—

- 19500 3-31-81 / Revision of REA Bulletin 80-11, "Reports of Progress of Construction and Engineering Services"; comments by 6-1-81
- 19500 3-31-81 / Revision of REA Specification DT-5C:PE-9, "Wood Poles, Stubs, and Anchor Logs and the Preservative Treatment of These Materials"; comments by 6-1-81

CIVIL AERONAUTICS BOARD

- 20563 4-6-81 / Liberalization of rules for indirect cargo air carriers; comments by 6-5-81

DEFENSE DEPARTMENT**Office of the Secretary—**

- 24964 5-4-81 / Implementation of the Civilian Health and Medical Program of the Uniform Services; comments by 6-3-81

EDUCATION DEPARTMENT

- 19000 3-27-81 / Review of regulations and interpretations; comments by 5-31-81

ENERGY DEPARTMENT

- 25302 5-6-81 / Procurement regulations; comments by 6-5-81
- Economic Regulatory Administration—
- 25315 5-6-81 / Tertiary incentive program in the Crude oil price regulations; comments by 6-5-81
- Federal Energy Regulatory Commission—
- 25643, 25644 5-8-81 / High-cost natural gas produced from tight formations; price; Colorado (2 documents); comments by 6-3-81
- 17023 3-17-81 / Revision of Commission Rules of Practice; comments by 6-1-81
- ENVIRONMENTAL PROTECTION AGENCY
- 24596 5-1-81 / Air pollution; stack height emission limitation control additional technical information; comments by 6-1-81

- 24597 5-1-81 / Air quality Connecticut State Implementation Plan; fuels with higher sulfur content; comments by 6-1-81 [Corrected at 46 FR 25659, 5-8-81]
- 20235 4-3-81 / Air quality. Iowa; designation of acres for planning purposes; comments by 6-2-81
- 24601 5-1-81 / Air quality. Maryland State Implementation Plan, amendments, comments by 6-1-81
- 24604 5-1-81 / Air quality. Missouri; redesignation of areas for planning purposes; comments by 6-1-81
- 25324 5-6-81 / Designation of areas for air quality planning purposes: Attainment status designations—Nevada and California; comments by 6-5-81
- 25325 5-6-81 / Designation of areas for air quality planning purposes; ozone attainment status—Utah; comments by 6-5-81
- 25322 5-6-81 / Georgia; Bubble action of the ITT Rayonier, Inc. in Jesup, Ga.; comments by 6-5-81
- 24948 5-4-81 / High-altitude emission standards for 1982 and 1983 model year light-duty motor vehicles; final rule; comments by 6-3-81
- 24968 5-4-81 / Kansas application for Interim Authorization, Phase I, Hazardous Wastes Management Program; comments by 6-3-81
- 25113 5-5-81 / National emission standards for hazardous air pollutants; Benzene emissions from Ethylbenzene/Styrene plants; comments by 6-1-81
- 24966 5-4-81 / Ohio State Implementation Plan; sulfur dioxide (502) for Lucas County; comments by 6-3-81
- 24605 5-1-81 / Pesticides; ammonium mlocyanate; exemption from tolerance requirements when used for cotton and soybeans; comments by 6-1-81
- 24214 4-30-81 / Redesignation of attainment status for the District of Columbia; comments by 6-1-81
- 24967 5-4-81 / Revisions to New Hampshire State Implementation Plan; comments by 6-3-81
- 19829 4-1-81 / Revision to the New York State implementation plan; comments by 6-1-81
- FEDERAL COMMUNICATIONS COMMISSION**
- 152976 3-5-81 / Competitive common carrier services and facilities authorizations; rates and deregulatory approaches; reply comments period extended to 6-5-81 [See also 46 FR 10924, 2-5-81]
- 26509 5-13-81 / FM broadcast station in Ansley, Ala., change in table of assignments; comments extended to 6-3-81 [See also 46 FR 17809, 3-20-81]
- 22006 4-15-81 / FM broadcast Station in Bay City, Tex., changes in table of assignments; comments by 6-1-81
- 22008 4-15-81 / FM broadcast Stations in Beaumont, Lake Jackson and Part Lavaca, Tex., changes in table of assignments; comments by 6-1-81
- 26798 5-15-81 / FM broadcast stations in Fort Bragg and Mendocimo, Calif.; reply comments by 6-5-81 [See also 46 FR 17810, 3-20-81]
- 22769 4-21-81 / FM Broadcast Station in Freeport, Texas; changes in table of assignments; comments by 6-1-81
- 22770 4-21-81 / FM Broadcast Station in Lockhart, Texas; changes in table of assignments; comments by 6-1-81
- 22400 4-17-81 / FM broadcast stations in Montpelier, Stowe, Vergenores, and Waterbury, Vermont; and Marish and Port Henry, N.Y.; changes in table of assignment; comments by 6-2-81
- 8048 1-26-81 / Petition to reallocate VHF-TV Channel 9 from New York, N.Y. to a city within the city grade contour of station WOR-TV; reply comments by 6-5-81
- 16692 3-13-81 / Radio services, special marine stations; Safety of Life at Sea Convention; operational standards; reply comments by 6-1-81
- 22624 4-20-81 / Talk-around in the Private Land Mobile Radio Services on shared conventional channels above a specific frequency band; comments by 6-4-81
- 19267 3-30-81 / TV broadcast stations in Arcata and Eureka, Calif.; changes in table of assignments; reply comments by 6-4-81
- 26663 5-14-81 / TV broadcast station in Santa Barbara, Calif.; changes in table of assignments; reply comment period extended to 6-5-81 [See also 45 FR 28770, 4-11-80]
- 19269 3-30-81 / TV broadcast station in Orchard, Nebr.; changes in table of assignments; reply comments by 6-4-81
- 19005 3-27-81 / TV broadcast station in Conder, Wyo.; changes in table of assignments; reply comments by 6-1-81
- INTERIOR DEPARTMENT**
- Indian Affairs Bureau—
- 16916 3-16-81 / Tribal regulation of reserved waters on Indian reservations; comment period extended to 6-6-81 [Originally published at 46 FR 944, 1-5-81]
- Land Management Bureau—
- 24139 4-29-81 / Amendment to provide segregation for States indemnity lands; comments by 6-1-81
- INTERSTATE COMMERCE COMMISSION**
- 25326 5-6-81 / Changes in the fee schedule; comments by 6-5-81
- JUSTICE DEPARTMENT**
- Attorney General—
- 24213 4-30-81 / Exemption of records systems under the Privacy Act; comments by 6-1-81
- Drug Enforcement Administration—
- 24593 5-1-81 / Schedules of controlled substances; placement of fenethylline into schedule I; comments by 6-2-81
- LABOR DEPARTMENT**
- Occupational Safety and Health Administration—
- 22764 4-21-81 / Reevaluation and reconsideration of the occupational health standards regulating exposure to lead; comments by 6-1-81
- Wage and Hour Division, Employment Standards Administration—
- 25108 5-5-81 / Employment of homeworkers in certain industries; comments by 6-4-81
- NATIONAL CREDIT UNION ADMINISTRATION**
- 22003 4-15-81 / Federal Credit Union insurance and group purchasing activities; comments by 6-1-81
- PERSONNEL MANAGEMENT OFFICE**
- 20213 4-3-81 / Displaced employee program; revision and updating of basic provisions; comments by 6-2-81
- POSTAL SERVICE**
- 25109 5-5-81 / Third-class bulk rate merchandise samples; comments by 6-4-81
- SECURITIES AND EXCHANGE COMMISSION**
- 21020 4-8-81 / Financial statement requirements applicable to insurance companies, proposed revision; comments by 6-1-81
- 15178 3-4-81 / Records not obtained by the Commission; comments by 6-1-81
- Next Week's Meetings**
- AGRICULTURE DEPARTMENT**
- Forest Service—
- 21044 4-8-81 / Coronado National Forest Grazing Advisory Board, Tucson, Ariz. [open], 5-19-81

- 25331 5-6-81 / Gospel-Hump Advisory Committee, Moscow, Idaho (open), 5-30-81
Rural Electrification Administration—
- 23276 4-24-81 / Colorado-Ute Electric Association, Inc., draft environment impact statement, Delta Colo. 5-27-81; Grand Junctions, Colo., 5-28-81 (both sessions open)
- AIRCRAFT CREW COMPLEMENT, PRESIDENT'S TASK FORCE**
- 20645 4-6-81 / Certification of "new generation" commercial airlines, Washington, D.C., 5-27 through 5-29-81
- ARTS AND HUMANITIES, NATIONAL FOUNDATION**
- 25379 5-6-81 / Music Panel (Solo Recitalists Section), Washington, D.C. (closed), 5-27-81
- CIVIL RIGHTS COMMISSION**
- 24978 5-4-81 / Maine Advisory Committee, Augusta, Maine (open), 5-28-81
- 24979 5-4-81 / Nebraska Advisory Committee, Omaha, Nebr. (open), 5-29-81
- 24221 4-30-81 / New York Advisory Committee, New York, N.Y. (open), 5-27-81
- 25667 5-8-81 / Texas Advisory Committee, San Antonio, Tex. (open), 5-29-81
- COMMERCE DEPARTMENT**
International Trade Administration—
- 26365 Computer Systems Technical Advisory Committee, Washington, D.C. (partially open), 5-27-81
National Oceanic and Atmospheric Administration—
- 24616 5-1-81 / Marine sanctuary sites in waters off of Puerto Rico, (open), 5-26, 5-28, and 5-29-81
- 24616 5-1-81 / Mid-Atlantic Fishery Management Council, Surf Clam/Ocean Quahog Resources Subpanel, Dover, Del. (open), 5-29-81
- 26093 5-11-81 / New England Fishery Management Council, Providence, R.I. (open), 5-26 and 5-27-81
- 25334 5-6-81 / North Pacific Fishery Management Council Scientific and Statistical Committee and Advisory Panel, Anchorage, Alaska (open), 5-26 through 5-29-81
- DEFENSE DEPARTMENT**
Air Force Department—
- 25679 5-8-81 / Scientific Advisory Board, Non-Nuclear Armanent Ad Hoc Committee, Eglin, AFB, Fla. (closed), 5-26 through 6-5-81
- Army Department—
- 22789 4-21-81 / National Hydropower Study, Arlington, Va. (open), 5-26-81
Office of the Secretary—
- 22924 4-22-81 / Defense Science Board, Arlington, VA. (closed), 5-28 and 5-29-81
- 23968 4-29-81 / Defense Science Board Review on MX Missile Basing, San Francisco, Calif. (closed), 5-28, 5-29 and 5-30-81
- 22924 4-22-81 / Defense Science Board Task Force on Mapping, Charting and Geodesy (MC&G), Arlington, Va. (closed), 5-27-81
- 22790 4-21-81 / Electron Devices Advisory Group, San Diego, Calif. (closed), 6-25-81
- 17826 3-20-81 / Wage Committee, Washington, D.C. (closed), 5-28-81
- EDUCATION DEPARTMENT**
- 24980 5-4-81 / National Advisory Council on Bilingual Education, Boston, Mass. (open), 5-28-81
- 23968 4-29-81 / National Board of the Fund for the improvement of Postsecondary Education, Elkridge, Md. (closed), 5-28 through 5-30-81
- EMPLOYMENT POLICY NATIONAL COMMISSION**
- 26411 5-12-81 / Washington, D.C. (open), 5-28 and 5-29-81 (2 documents)
- ENERGY DEPARTMENT**
- 18784 3-26-81 / National Petroleum Council, Air Quality Task Group of the Committee on Environmental Conservation, Washington, D.C. (open), 5-27-81
[Rescheduled at 46 FR 26677, 5-14-81]
- 23285 4-24-81 / Pantex Plant operations, nuclear weapons facility; intent to prepare an environmental impact statement, Amarillo, Tex. (open), 5-28-81
Energy Information Administration—
- 26096 5-11-81 / American Statistical Association Ad Hoc Committee on Energy Statistics, Washington, D.C. (open), 5-29-81
- FEDERAL COMMUNICATIONS COMMISSION**
- 25545 5-7-81 / Advisory Committee for the 1983 region 2 DBS Planning Conference, Subcommittees (open), 5-21 and 5-22-81
- 23531 4-27-81 / International Telegraph and Telephone Consultative Committee, Study Group A of the U.S. organization, Washington, D.C. (open), 5-28-81
- 26174 5-11-81 / National Industry Advisory Committee, Domestic and International Common Carrier Communications Services Subcommittee, Washington, D.C. (open), 5-27-81
- FEDERAL PREVAILING RATE ADVISORY COMMITTEE**
- 23301 4-24-81 / Committee Meetings, Washington, D.C. (partially open), 5-28-81
- HEALTH AND HUMAN SERVICES DEPARTMENT**
Alcohol, Drug Abuse, and Mental Health Administration—
- 19602 3-31-81 / Board of Scientific Counselors, Bethesda, Md. (partially open), 5-28 and 5-29-81
- 23118 4-23-81 / National Advisory Council on Alcohol and Alcoholism, Washington, D.C. (partially open), 5-27 and 5-28-81
[Amended at 45 FR 26699, 5-14-81]
- 23119 4-23-81 / Social Work Education Review Committee, Bethesda, Md. (partially open), 5-27 and 5-28-81
Food and Drug Administration—
- 21824 4-14-81 / Cardiovascular and Renal Drugs Advisory Committee, Bethesda, Md. (open), 5-28 and 5-29-81
- 26376 5-12-81 / Consumer participation, Buffalo, N.Y. (open), 5-27-81
- 23304 4-24-81 / Consumer exchange meeting, Honolulu, Hawaii (open), 5-28-81
Health Services Administration—
- 21448 4-10-81 / Maternal and Child Health Research Grants Review Committee, Rockville, Md. (partially open), 5-27 through 5-29-81
National Institutes of Health—
- 21449 4-10-81 / Aging National Advisory Council, Bethesda, Md. (partially open), 5-27 and 5-28-81
- 24712 5-1-81 / Cancer Research Manpower Review Committee, Madison, Wis. (partially open), 5-27 and 5-28-81
- 15778 3-9-81 / Cancer Institute, Scientific Counselors Board, Cancer Cause and Prevention Division, Bethesda, Md. (open), 5-28 and 5-29-81
- 18069 3-23-81 / Mandatory retirement age for commercial airline pilots; report; meeting, Bethesda, Md. (open), 5-27 through 5-29-81
- 24301 4-30-81 / National Advisory Allergy and Infectious Diseases Council, and its Subcommittees, Bethesda, Md. (partially open), 5-28 and 5-29-81
- 25701 5-8-81 / National Advisory Research Resources Council, Bethesda, Md. (partially open), 5-28 and 5-29-81

- 22463 4-17-81 / National Heart, Lung, and Blood Advisory Council, and Manpower and Research Subcommittees; Bethesda, Md. (partially open), 5-20 through 5-23-81
- 22464 4-17-81 / National Library of Medicine Board of Regents and Extramural Programs and Lister Hill Center National Medical Audiovisual Center Subcommittees; Bethesda, Md. (partially open) 5-28 and 5-29-81
- 24303 4-30-81 / National Toxicology Program Board of Scientific Counselors, Research Triangle Park, North Carolina, (open), 5-27 and 5-28-81
- 22465 4-17-81 / Neurological Disorders Program—Project Review A Committee, Washington, D.C. (partially open), 5-28 through 5-30-81
- 22465 4-17-81 / Neurological Disorders Program—Project Review B Committee, Washington, D.C. (partially open), 5-28 through 5-30-81
- 24712 5-1-81 / Research Grants Division, Behavioral & Neurosciences B Study Section, Bethesda, Md. (partially open), 5-29-81
- 24712 5-1-81 / Research Grants Division, Biomedical Sciences B Study Section, Bethesda, Md. (partially open), 5-26 and 5-27-81
- 24712 5-1-81 / Research Grants Division, Biomedical Sciences D Study Section, Bethesda, Md. (partially open), 5-28 and 5-29-81
- 24712 5-1-81 / Research Grants Division, Molecular Cytology Study Section, Bethesda, Md. (partially open), 5-28 through 5-30-81
- 24712 5-1-81 / Research Grants Division, Pathology A Study Section, Washington, D.C. (partially open), 5-27 through 5-30-81
- 24692 5-1-81 / Federal Council on the Aging, Washington, D.C. (open), 5-26 and 5-27-81
- INTERIOR DEPARTMENT**
Fish and Wildlife Service—
- 24607 5-1-81 / American alligators in Louisiana; change in legal status as an endangered or threatened species; Baton Rouge, La. (open), 5-28-81
- Land Management Bureau—
- 24310 4-30-81 / Burley District Grazing Advisory Board, Malad, Idaho (open), 5-27-81
- 24310 4-30-81 / California Desert Conservation Area Advisory Committee, San Bernardino, Calif. (open), 5-27-81
- 23818 4-28-81 / Canon City District Advisory Council, Alamosa, Colorado (open), 5-28 and 5-29-81
- 23995 4-29-81 / Fort Union Regional Coal Team, Bismarck, N. Dak. (open), 5-28-81
- 23124 4-23-81 / Vale District Multiple Use Advisory Council, Vale, Oreg. (open), 5-27-81
- 21095 4-8-81 / Worland District Advisory Council, Worland, Wyo. (open), 5-20-81
- National Park Service—
- 25709 5-8-81 / Cuyahoga Valley National Recreation Area Advisory Commission, Peninsula, Ohio (open), 5-28-81
- INTERNATIONAL DEVELOPMENT COOPERATION AGENCY**
Agency for International Development—
- 26402 5-12-81 / Board for International Food and Agricultural Development, Washington, D.C. (open), 5-28-81
- LABOR DEPARTMENT**
Employment and Training Administration—
- 25161 5-5-81 / Migrant and Seasonal Farmworker Programs, fiscal year 1982 State planning estimates, Washington, D.C., 5-27 and 5-28-81
- NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**
- 25377 5-6-81 / NASA Advisory Council, Aeronautics Advisory Committee, Informal Advisory Subcommittee on High Performance Aircraft Systems, Washington, D.C. (open), 5-26 through 5-28-81
- NATIONAL SCIENCE FOUNDATION**
- 21867 4-14-81 / Behavioral and Neural Sciences Advisory Committee, Linguistics Subcommittee, Washington, D.C. (partially open), 5-28 and 5-29-81
- 21868 4-14-81 / Behavioral and Neural Sciences Advisory Committee, Memory and Cognitive Processes Subcommittee, Swarthmore, Pa., 5-30 and 5-31-81
- 23354 4-24-81 / Equal Opportunities in Science and Technology Committee, Washington, D.C. (open), 5-27 and 5-28-81
- 23844 4-28-81 / Mathematical and Computer Sciences Advisory Committee; Subcommittee for Computer Sciences, Washington, D.C. (partially open), 5-27 thru 5-29-81
- 25733 5-8-81 / Mathematical and Computer Science Advisory Committee, Mathematical Sciences Subcommittee, Washington, D.C. (partially open), 5-28, 5-29 and 5-30-81
- 21866 4-14-81 / Physiology, Cellular, and Molecular Biology Advisory Committee, Molecular Biology, Group B Subcommittee, Washington, D.C. (closed), 5-28 and 5-29-81
- 21868 4-14-81 / Physiology, Cellular, and Molecular Biology Advisory Committee, Genetic Biology Subcommittee, Washington, D.C. (closed), 5-28, 5-29 and 5-30-81
- NUCLEAR REGULATORY COMMISSION**
- 26412 5-12-81 / Reactor Safeguards Advisory Committee, Subcommittee on Electrical Power Systems, Washington, D.C. (partially open), 5-28-81
- 24337 4-30-81 / Safety Goal Project, Boston, Mass. (open), 5-27-81
[Rescheduled at 46 FR 26721, 5-14-81]
- STATE DEPARTMENT**
- 23582 4-27-81 / International Telegraph and Telephone Consultative Committee, Washington, D.C. (open), 5-28-81
- 26593 5-13-81 / Secretary of State's Advisory Committee on Private International Law, International Business Transactions Study Group, Washington, D.C. (open), 5-28-81
- 25172 5-5-81 / Shipping Coordinating Committee, Safety of Life at Sea Subcommittee, Washington, D.C. (open), 5-27-81
- TRANSPORTATION DEPARTMENT**
Coast Guard—
- 23583 4-27-81 / Ship Structure Committee, Washington, D.C. (open), 5-28-81
- Federal Aviation Administration—
- 26212 5-11-81 / National Airspace Review, Washington, D.C. (open), 5-18 through 5-20-81 rescheduled to 5-27 through 5-29-81
[See also 46 FR 25027, 5-4-81]
- VETERANS ADMINISTRATION**
- 25387 5-6-81 / Station Committee on Educational Allowances, St. Petersburg, Fla., 5-27-81
- 23363 4-24-81 / Station Committee on Educational Allowances, Portland, Oreg. (open), 5-28-81
- 16174 3-11-81 / Wage Committee, Washington, D.C. (closed), 5-28-81

Next Week's Public Hearings

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

- 26093 5-11-81 / Chesapeake Bay Estuarine Sanctuary, draft environmental impact statement, Edgewater, Md. and Princess Anne, Md., 5-26 and 5-28-81 respectively

EDUCATION DEPARTMENT

- 24980 5-4-81 / National Advisory Council on Bilingual Education, Boston, Mass., 5-27-81

ENERGY DEPARTMENT

Federal Energy Regulatory Commission—

- 26352 5-12-81 / Incremental pricing, adoption of single-tier alternative fuel price ceiling, Washington, D.C., 5-28-81

ENVIRONMENTAL PROTECTION AGENCY

- 24295 4-30-81 / National Contingency Plan, Boston, Mass., 5-18-81; Chicago, Ill., 5-20-81; Dallas, Tex., 5-21-81; San Francisco, Calif., 5-22-81 and Washington, D.C., 5-28-81

TREASURY DEPARTMENT

Internal Revenue Service—

- 22611 4-26-81 / Creditability of foreign taxes; proposed regulations, Washington, D.C., 5-28-81
- 22611 4-20-81 / Payments to foreign countries for oil and gas that are not considered taxes and limitation on foreign tax credit for foreign oil and gas taxes; proposed regulations, Washington, D.C., 5-29-81

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.

Documents Relating to Federal Grant Programs

This is a list of documents relating to Federal grant programs which were published in the Federal Register during the previous week.

APPLICATIONS DEADLINES

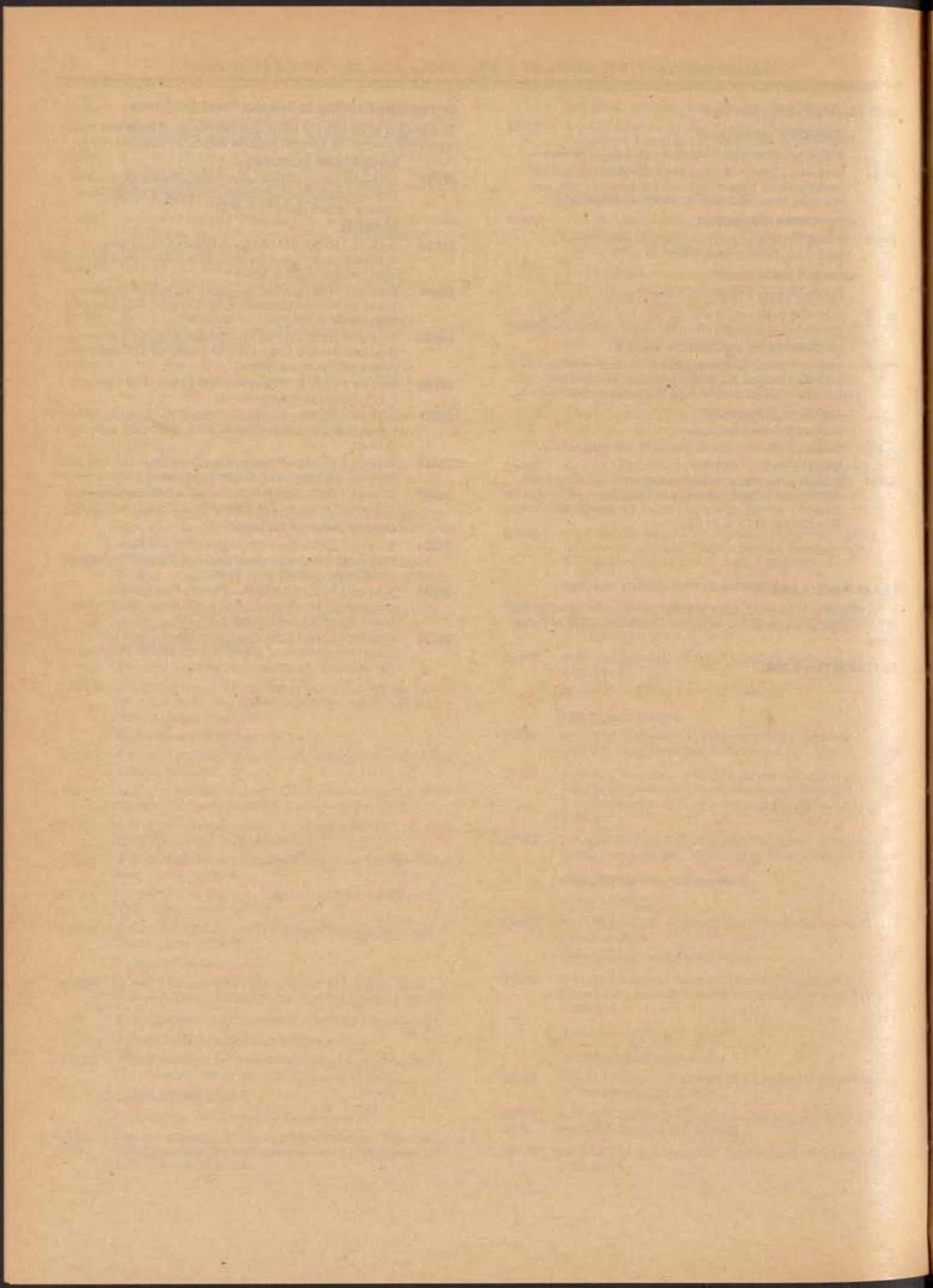
- 26591 5-13-81 / Justice/NIJ—Correctional officers; Disabilities and organizational/administrative factors; competitive research grant; apply by 7-3-81

MEETINGS

- 26695 5-14-81 / HHS/ADAMHA—Advisory Committees, Washington, D.C. and various cities in Maryland (partially open), 6-22 through 6-27-81
- 26699 5-14-81 / HHS/ADAMHA—Basic Behavioral Processes Research Review Committee, Washington, D.C. (partially open), 6-29 and 7-1-81
- 26695 5-14-81 / HHS/ADAMHA—Epidemiologic and Services Research Review Committee, Washington, D.C. (partially open), 6-1 through 6-4-81
- 26718 5-14-81 / NFAH—Expansion Arts Panel, Washington, D.C. (partially open), 6-4 and 6-5-81
- 26957 5-15-81 / NFAH—Humanities Panel, Washington, D.C. (closed), 6-1, 6-2, 6-4, 6-5, 6-9, 6-10, 6-11, 6-12, 6-15 and 6-16-81
- 26718 5-14-81 / NFAH—Theater Panel (Intermediate Companies Section), Washington, D.C. (partially open), 6-4 and 6-5-81
- 26957 5-15-81 / NSF—Minority Programs in Science Education Advisory Committee, Washington, D.C. (open), 5-28-81

OTHERS ITEMS OF INTEREST

- 26301 5-12-81 / EPA—State Underground Water Source Protection Program; extension of fiscal year 1981 budget period from 9-30-81 to 12-31-81
- 26695 5-14-81 / HHS/ADAMHA—National advisory committees, Washington, D.C. and various cities in Md. (partially open), 6-8 through 6-12-81
- 26700 5-14-81 / HHS/HRA—Population figures used to determine amounts of grants to State Health Planning and Development Agencies



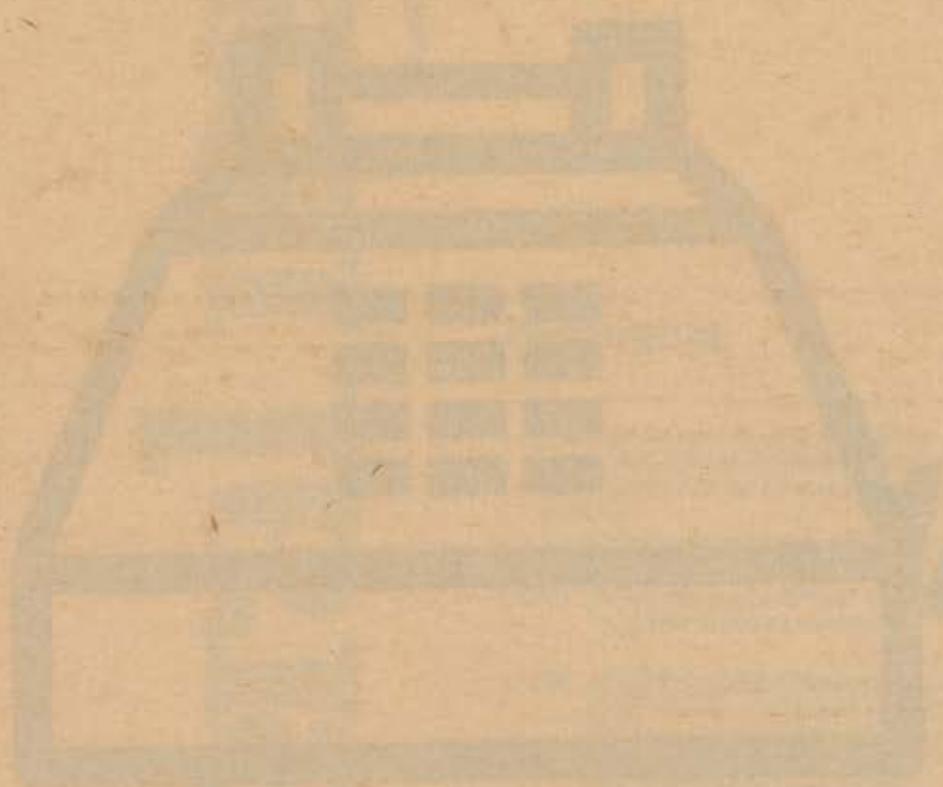
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